

# Legal Letter Reference Document

## Maps & Official Plan Sections

# Draft Lambton County Official Plan

20-Jan-17

The following maps and sections of the draft Lambton County Official Plan are referenced in Cohen Highley letter dated January 19, 2017.



County of Lambton  
**OFFICIAL PLAN**  
**MAP 1 - Growth Strategy**

**Legend**

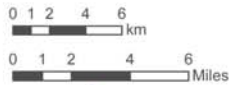
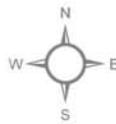
- Airport - Sarnia
- Canada / USA Customs
- Toll Bridge - Bluewater Bridge
- Toll Ferry - Sombra / Walpole
- Municipal Boundary
- Provincial Highway
- County Road
- Township (Local) Road
- Railway

**County Official Plan Designations**

- Urban Centre
- Urban Settlement
- Secondary Settlement
- Petrochemical Industrial Land
- Gas Compressor Station
- HWY. 402 Service Centres
- Agricultural Area
- Recreation and Conservation Area
- Theford Marsh
- St. Clair Parkway (St. Clair Township)

**County Official Plan Amendments**

OPA # xx, xxxxxx xx, 20xx



**Reference**

Growth Strategy DESIGNATION BOUNDARIES are SCHEMATIC

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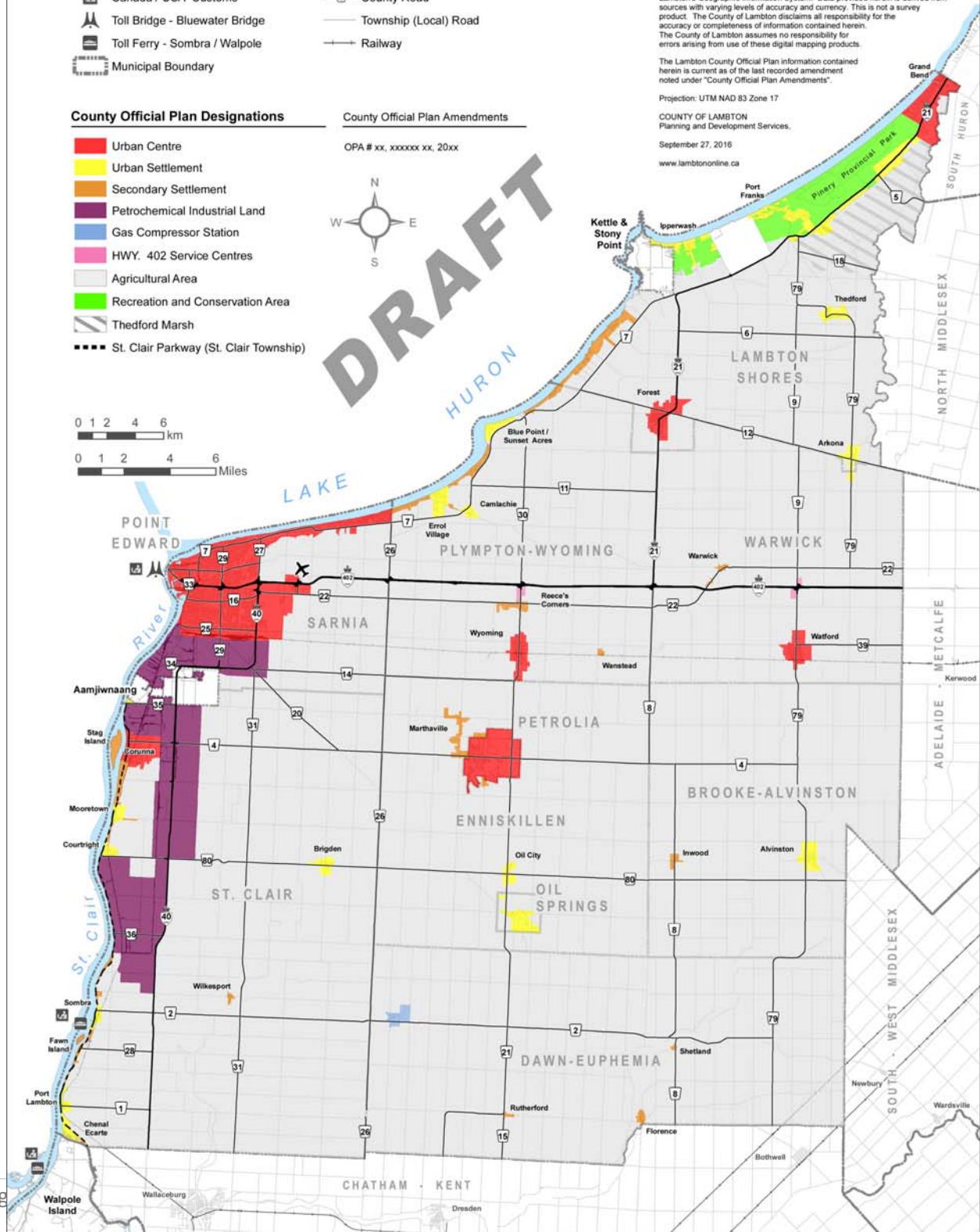
The Lambton County Official Plan information contained herein is current as of the last recorded amendment noted under "County Official Plan Amendments"

Projection: UTM NAD 83 Zone 17

COUNTY OF LAMBTON  
 Planning and Development Services.

September 27, 2016

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DRAFT



County of Lambton  
**OFFICIAL PLAN**  
**MAP 2 - Natural Heritage System**

**Legend**

- Provincial Highway
- County Road
- Township (Local) Road
- Railway
- Municipal Boundary

**Natural Heritage System Features**

Refer to "Chapter 8" of the Official Plan regarding features not identified on MAP 2

- Core Area - Feature Inventory Identifier
- Feature Inventory Identifier (Generalized)
- Cross Municipal - Feature Inventory Identifier
- Conservation Area / HMA Area Identifier
- Group "A" Features  
(Provincially, Locally Significant Wetlands (PSW, LSW))
- Group "B" Features  
(ANSI, LS, ESA, SAA, CGP, CC, WA, PC)
- Primary Corridor (Group "C" Feature)
- Secondary Corridor (Group "C" Feature)
- Thedford Marsh
- Cross Municipal Corridor Feature

**County Official Plan Amendments**

OPA # xx, xxxxxx xx, 20xx

**Reference**

**Natural Heritage System BOUNDARIES are SCHEMATIC**

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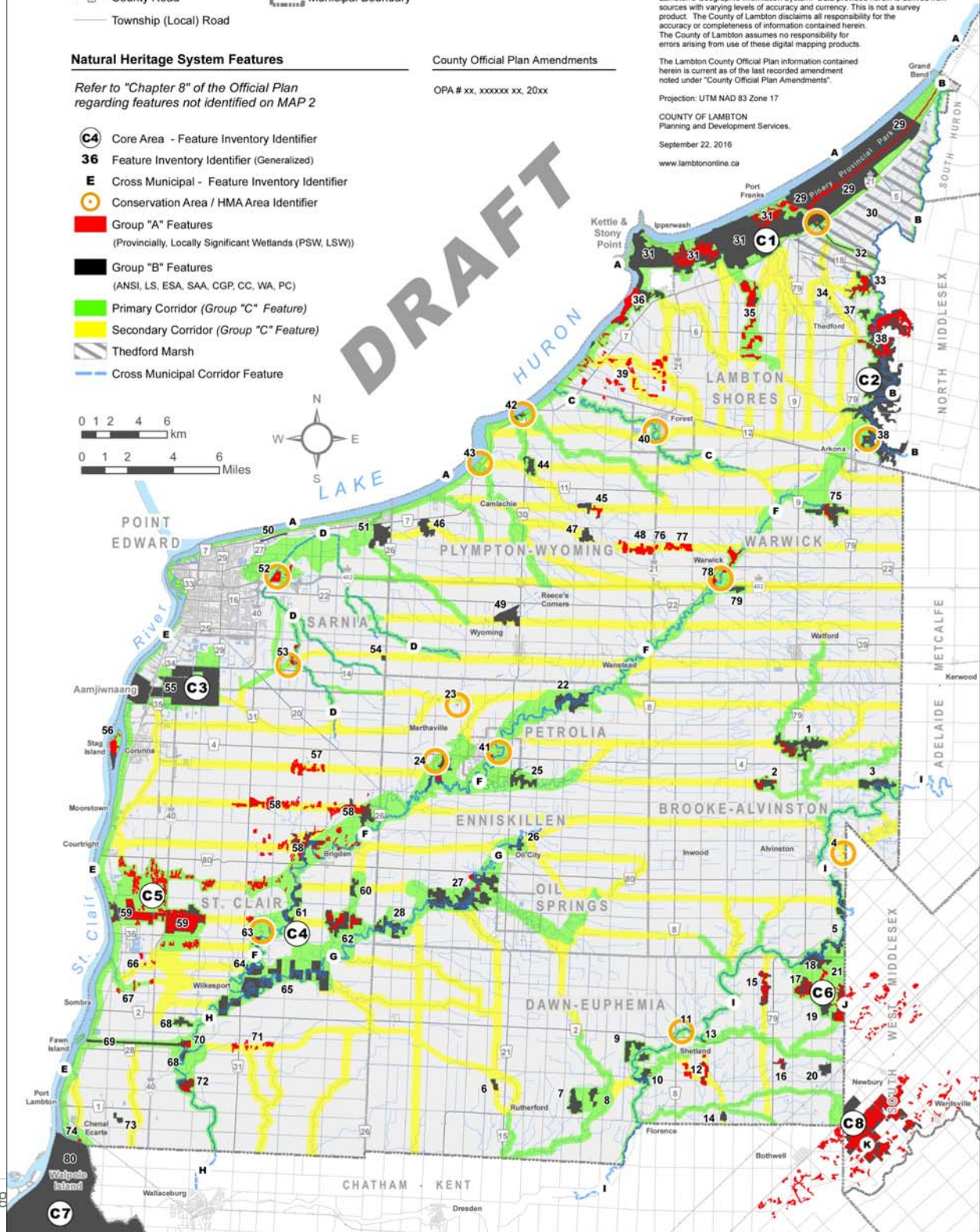
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COUNTY OF LAMBTON  
 Planning and Development Services.

September 22, 2016

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### Legend

- Airport - Sarnia
- Canada / USA Customs
- Toll Bridge - Bluewater Bridge
- Toll Ferry - Sombra / Walpole
- Municipal Boundary
- Provincial Highway
- County Road
- Township (Local) Road
- Railway

### Areas of SIGNIFICANT Drinking Water Threat :

- IPZ1 - (Intake Protection Zone 1)
- IPZ2 - (Intake Protection Zone 2)
- IPZ3 - (Intake Protection Zone 3)
- EBA - (Event Based Area)

### Areas of LOW to MODERATE Drinking Water Threat :

- HVA - (Highly Vulnerable Aquifers)
- SGRA - (Significant Groundwater Recharge Area)

Source Protection Plan Boundary

### Reference

Source Protection Plan BOUNDARIES are SCHEMATIC

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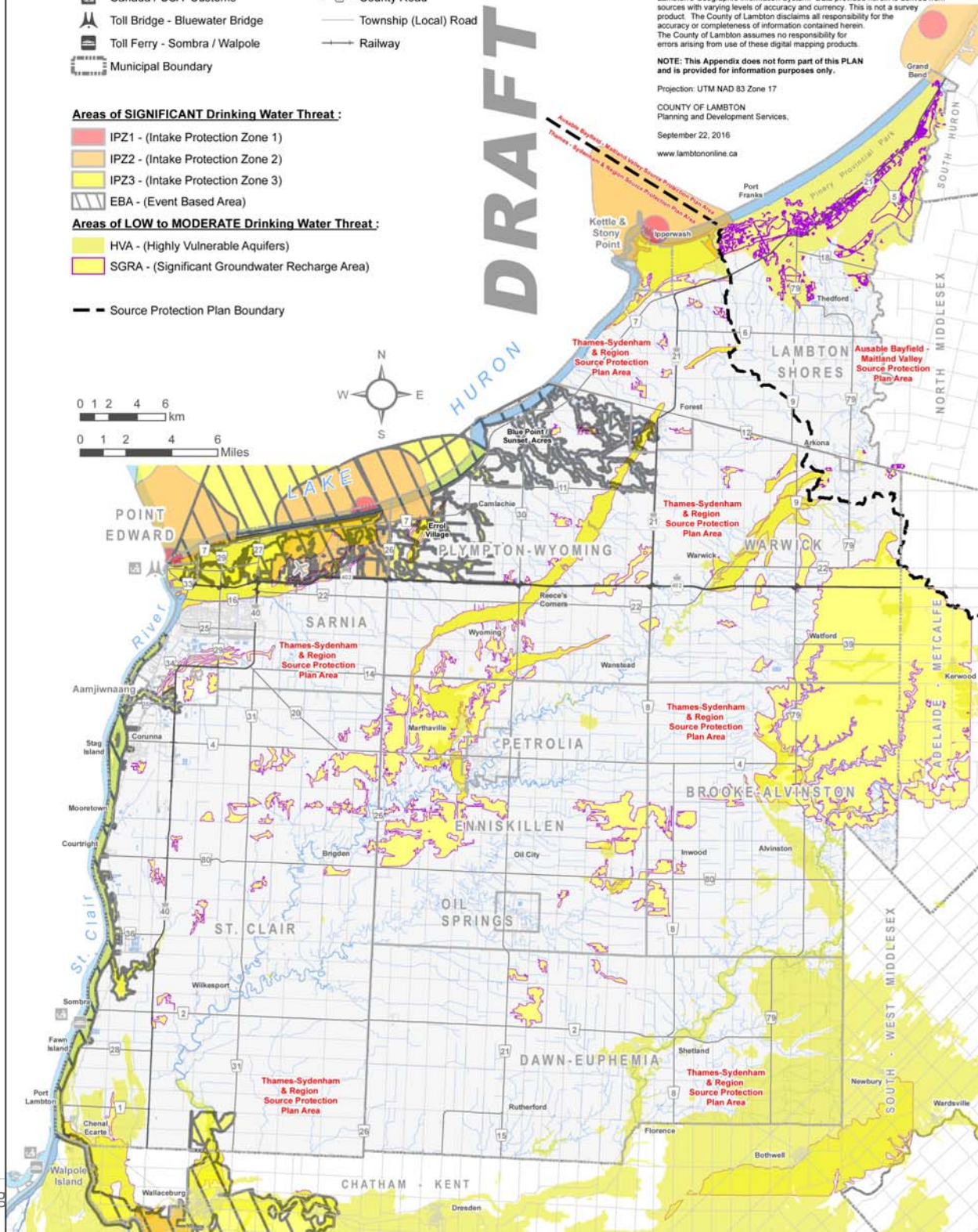
NOTE: This Appendix does not form part of this PLAN and is provided for information purposes only.

Projection: UTM NAD 83 Zone 17

COUNTY OF LAMBTON  
Planning and Development Services,

September 22, 2016

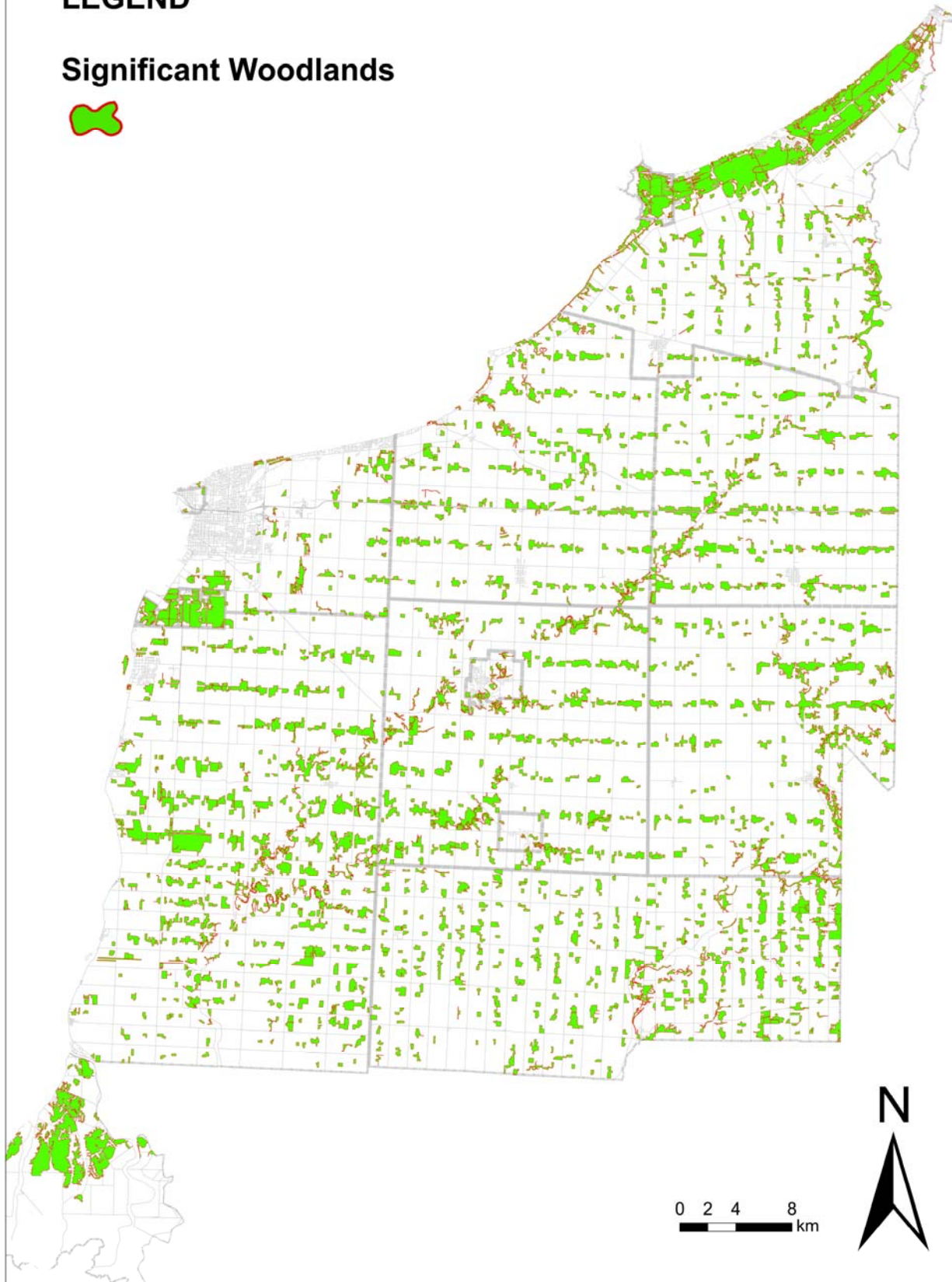
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# Lambton County Official Plan

## LEGEND

Significant Woodlands



**Section 1.6 - Assumptions** - The Official Plan for the County is based on a number of assumptions which set the framework for policy. Specifically the Plan is based on the following assumptions: • The County population is expected to decrease to 111,367 persons by the year 2031. • The total labour force in the County is expected to be approximately 55,000 people by the year 2031.

**Section 2.1.28** - The County recognizes that the Natural Heritage System contributes to the quality of life and improved human health through the conservation of watercourses and adjacent vegetation, natural areas, and through the protection and improvement of habitat for a diverse range of indigenous species of wildlife.

**Section 2.3.12** - Local municipalities are encouraged to provide opportunities for the intensification of housing. Techniques may include permitting second units in existing dwellings or detached accessory buildings, encouraging the creation of infill lots, directing housing to vacant lots in existing residential areas, the conversion of existing buildings for residential purposes, redevelopment of sites not previously used or underutilized for residential purposes, and higher densities in new development. Rooming, boarding and lodging houses may be permitted where appropriate. It is a goal of this Plan that 30% of the new housing units provided in the County be provided through intensification and redevelopment.

**Section 2.5.8** - To protect aquifers from contamination (quality) or depletion (quantity), planning authorities should consider the location of HVAs and SGRAs when making planning decisions. Planning authorities may restrict and/or direct development away from vulnerable areas, where there is a potential for contamination, depletion, or other negative impacts.

**Section 2.7** - Climate Change Goals: To foster infrastructure, services, built-form, and communities that are adaptive and capable of functioning within or quickly recovering from climatic and weather conditions that fall outside of historic norms. To reduce and eliminate those carbon emissions and energy losses that are unnecessary and locally-produced, where appropriate.

**Section 2.7.6** - The County and local municipalities may develop incentive programs and/or participate in public outreach programs that encourage private businesses and property owners to adopt practices or make property improvements that reduce unneeded carbon emissions or add protection against extreme weather events. Local municipalities may create Community Improvement Areas for this purpose.

**Section 4.1.17** - This Plan supports the extension of municipal piped water to Agricultural Areas because of the historical lack of potable water to service a viable agricultural sector. This should not be construed to mean that scattered development is encouraged in the Agricultural Area.

**Section 7.1.6** - The County will require a minimum width of 30 metres for all County roads. Right-of-way width requirements for a specific section of roadway may be reduced where special circumstances warrant and long-term requirements will not be affected.

**Section 7.3.8** - As part of the development review process, the County and local municipalities will consult with development proponents regarding the need for and benefits of incorporating trails into new development. As a condition of development approval, lands may be required to be dedicated for trail purposes where appropriate.

**Section 7.10** - Water and Sanitary and Storm Sewers Goal: To encourage the development of Centres and Settlements on full urban services, to minimize development on private services, and to encourage expansions and improvements to distribution, collection, and treatment systems when required to accommodate new growth or to alleviate environmental concerns.

**Section 8** – See lengthy text at the bottom.

**Section 8.8.3.6** - An Environmental Impact Study will generally be required for development on lands adjacent to natural heritage features. Adjacent lands are those within 120 metres of an identified Group A or B feature unless an exception or alternative requirement has been given in this Plan from a specific type of feature (e.g. - Sections 8.2.2.1, 8.2.9, 8.3.3, and 8.4.3).

**Section 8.1** – Goals: To identify, map, protect, restore, and improve natural heritage systems within the County

**Section 8.1.7** - Local municipalities, at their discretion will determine the most appropriate approach to re-establishing connections or Linkage features ("stepping stones") within the corridors and between the natural heritage features within the corridors shown on Map 2, having regard for policy 8.1.12. This may involve, but is not limited to, the use of buffer strips, lot line tree plantings, conservation easements, gravel pit rehabilitation plans, Planning Act tools, creation of habitat/natural areas under an Endangered Species Act (2007) authorization, or land dedications through the development approvals process.

**Section 8.1.12** - Nothing in the Natural Heritage Policies is intended to limit the ability of existing agricultural uses to continue in these areas.

**Section 8.1.13** - Where the Natural Heritage System is held in private ownership, nothing in this Plan requires that these lands be free and available for public use, and the identification of lands as part of the Natural Heritage System will not oblige the County or other public agencies to purchase these lands. Where the County does have opportunity to acquire land for the purpose of managing natural heritage features, preference shall be to acquire land associated with the most significant and sensitive features.

**Section 8.2** - Significant Natural Areas Goal: To preserve, protect, and, where possible, improve those features that are considered essential to maintaining the function of the natural heritage system of the County.

**Section 8.2.2** - Development proposals and site alteration within the Group B features described in the introduction to Chapter 8, including adjacent lands, will not be permitted unless it can be demonstrated through an Environmental Impact Study that there will be no negative impacts on the natural features or their ecological functions

**Section 8.2.4** - Significant natural areas shall include features and boundaries that are identified or evaluated as further studies or evaluations are completed subsequent to the adoption of this Plan, including features that have not been comprehensively assessed on a County-wide level such as significant valleylands, habitat of threatened and endangered species, and significant wildlife habitat. Official plan mapping, both County and local, will reflect the most up-to-date information both when adopted and when formally reviewed under section 26 of the Planning Act.

**Section 8.2.7** - Significant valleylands are not specifically designated on Map 2. They are lands having a slope of 10 per cent or more over a sustained area. The County may develop criteria for identifying and mapping significant valleylands on a comprehensive basis.

**Section 8.3** - Wetlands Goal: To maintain, restore, and improve existing wetlands and to increase the overall wetland coverage in the County.

**Section 8.4** - Woodlands Goal: To protect the remaining forest cover of the County and encourage its rehabilitation and expansion through management and stewardship initiatives in conjunction with the Natural Heritage System, with specific focus on strengthening Primary and Secondary Corridors and linkages.

**Section 8.4.2** - Significant woodlands include any forested area that:

- a) is 2 hectares or greater in size,
- b) has woodland interior habitat (100 metres from all edges),
- c) is the largest woodland patch by landform or soil type,
- d) is the largest woodland patch occurring on a particular valleyland, or
- e) is 0.5 hectares or greater in size and
  - i) is located within 30 metres of another natural heritage feature specifically Image Source: (soto.on.ca, 2013) identified in the Map 2 feature inventory;
  - ii) provides linkage (a "stepping stone") between (is in a line between and within 120 metres of) two or more significant woodlands that are separated by more than 120 metres of each other;
  - iii) is located on or within 30 metres of a surface water feature,
  - iv) is located above a highly vulnerable aquifer or significant groundwater recharge area;
  - v) has unique woodland diversity - i.e. contains target communities for Ecodistrict 7E-2 that help to conserve the biodiversity of the Great Lakes region of Ontario as identified by The Great Lakes Conservation Blueprint (Henson et al. 2005);
  - vi) has uncommon characteristics such as unique species composition; a rare vegetation community (NHIC provincial ranking of S1, S2, or S3); rare, uncommon, or restricted woodland plant species habitat; older woodlands, or larger tree size structure; or
  - vii) has high socio-economic, cultural, historic, or educational value as identified in a local official plan.

**Section 8.4.3** Adjacent lands include any lands within 120 metres of any significant woodland that is coincident with a core area, primary corridor, Life Science Area, Carolinian Canada site, Crown Game Preserve, Wilderness Area, Environmentally Sensitive Area, or Special Appendix Area (as identified in the Map 2 feature inventory) or is known to meet criteria 8.4.2 b), d), or e) v), or vi).

**Section 8.4.8** - The County will review and amend the criteria implemented through the Woodlands Conservation By-law to ensure consistency with the goals and policies of the Official Plan.

**Section 8.6.10** - Local municipalities are encouraged to promote vegetated buffers and/or other vegetated areas along all watercourses through both urban and rural settings, with the specific buffering requirements to be addressed in local planning documents.

**Section 8.6.11** - Appendix Map A shows areas designated as vulnerable in the local Source Protection Plans. Local municipalities will implement land use restrictions where necessary to protect municipal drinking water supplies and designated vulnerable areas as shown on Appendix Map A, and will, in land use decisions, protect, improve or restore the quality and quantity of water by protecting, improving or restoring vulnerable



surface and ground water, sensitive surface water features, and sensitive ground water features, and their hydrological functions.

**Section 8.8.3.1** - Where an Environmental Impact Study is required in order to assess land development proposals for lands that encroach into or are adjacent to Provincially or Locally Significant environmental features, the study must demonstrate that there will be no negative impact on the natural features or on the ecological functions for which the area is identified. The study may determine the need to incorporate a buffer or setbacks from the natural feature into the proposed development's site layout as a condition of proceeding.

**Section 8.8.3.6** – An Environmental Impact Study will generally be required for development on lands adjacent to natural heritage features. Adjacent lands are those within 120 metres of an identified Group A or B feature unless an exception or alternative requirement has been given in this Plan from a specific type of feature. Distances may also be reduced on a case by case basis based on the scale of the proposed development, the nature of the feature and the likelihood that there would be a negative impact on the feature.

**Section 8.8.3.7** – No Environmental Impact Study will be required for development on adjacent lands where the planning authority determines that no negative impacts would be anticipated due to special circumstances. For example, development of a minor nature or with minor intrusion may not warrant an Environmental Impact Study in some circumstances, or development may not add to existing impacts from intervening or pre-existing development. Local municipalities may also establish policies and zoning provisions for adjacent lands that limit permitted uses to classes of uses, extensions of existing uses, and/or circumstances where no negative impact is anticipated, such that the need for an environmental impact study need only be assessed where a Planning Act approval is requested.

**Section 8.9.3** - The Recreation and Conservation Area's primary purpose is the conservation and enhancement of the natural heritage features and areas contained therein. New development will generally be directed to settlement areas in order to preserve natural features and avoid negative impacts to the natural heritage system.

**Section 8 – Introduction** - Natural Heritage Lambton County has a wealth of significant environmental features representing rare ecosystems, unique species of plants and animals and sites valued by County residents for their physical beauty. The Natural Heritage Strategy relies on a network of natural heritage corridors which recognize the individual features, the functions they possess and their connections to one another. The County has an interest in maintaining and enhancing, where possible, these features and connections through the use of corridors for the “health” of the natural environment. Indicators of health are the variety of species (biodiversity) found within the various natural communities in the County and their ability to handle stresses (resilience) that are imposed on them. These areas are protected for many reasons including the conservation of soil, purification of air and water, flood control, preservation of biodiversity, waste management, nutrient circulation, the protection of significant woodlands, wetlands, and wildlife habitat, and for the protection, improvement, and restoration of sensitive surface water and groundwater features and hydrological functions. The ecosystems found within the County of Lambton are diverse and range from the fragile dune ecosystems along Lake Huron to the prairie grasslands found in isolated sites within the City of Sarnia and on Walpole Island.

The traditional approach to environmental management has relied on policies that can be implemented through regulations and by-laws. By-laws alone will not ensure that the natural environment is maintained and enhanced. Public policy should emphasize stewardship programs whereby land owners are assisted to

understand the importance of natural habitat and are encouraged to protect and enhance natural features as they manage their land through programs such as the Managed Forest Tax Incentive Plan, the Conservation Land Tax Incentive Program, or the Environmental Farm Plan. Under stewardship, the land owners become partners in environmental protection and programs proceed only with their permission and agreement.

The Natural Heritage System is the combination of significant natural areas, their functions, and the corridors that connect them. The system includes:

Group A features:

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

Group B features:

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

C features:

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

These areas are not mutually exclusive features or functions. In many cases, these features overlap in a given geographical location and individual sites usually have values associated with more than one type of feature.

It is important to recognize that the habitat of threatened and endangered species, fish habitat, and wildlife habitat are functions associated with habitat features such as wetlands, woodlands, ANSIs, valleylands, and watershed systems. Therefore, though a feature may not appear “significant” from a cursory standpoint, it could be critical in terms of these functions.

Both the Province and the County have an interest in conserving and protecting these components of the natural heritage system. Some components are a greater constraint than others when considering new land use planning applications.

These constraints are:

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

The Natural Heritage System's intrinsic beauty and contribution to the region's landscape are also important components of cultural identity, human health, and quality of life. Lambton's natural heritage features, especially those that are unique or rare (e.g. Pinery Provincial Park), contribute positively to Lambton's regional identity. Features such as rich fossil deposits also offer opportunities to develop local tourism. Group C features tend to be conceptual or features for which a comprehensive set of policies have not been developed by this Plan.

Group C features also include the spatial relationships between other features and key groupings of features (e.g. corridors and core areas), which is useful in establishing the relative importance and function of the other natural heritage features within them. The Natural Heritage Corridors are divided into primary corridors or areas that generally possess features of a County interest and secondary corridors which generally possess features of a more localized interest. These corridors interconnect "Core Areas" - regionally important concentrations of natural heritage features and/or large, naturally vegetated, natural areas. Biodiversity also refers to the genetics of plant and animal populations. For many species, corridors and the linkages (or "stepping stones") within them are critical for maintaining gene flow, which is linked to their ability to handle stresses. Where the connection between features requires rehabilitation, "linkages" are encouraged. This framework of corridors, core areas, and linkages is proposed at the County scale through this Plan but is intended to be established in more detail at the local scale when municipal official plans and zoning by-laws are prepared.