

Municipality of Lakeshore

Regular Council Meeting Agenda



Tuesday, May 6, 2025, 6:00 PM

Council Chambers, 419 Notre Dame Street, Belle River

Pages

1. Call to Order
2. Closed Session
3. Singing of O Canada
4. Land Acknowledgement
5. Moment of Reflection
6. Disclosures of Pecuniary Interest
7. Public Meetings under the Planning Act
 1. Delegation of Authority for Minor Zoning By-law Amendments and Pre-Consultation and Amendments to the Official Plan 4

Recommendation:
Adopt Official Plan Amendment OPA No. 21 to the Municipality of Lakeshore Official Plan to update policies to enable the delegation of authority for Minor Zoning By-law Amendments and policies related to pre-consultation; and to adopt the implementing by-law (By-law 38-2025); and

Direct Administration to submit the Amendment to the County of Essex for approval; all as presented at the May 6, 2025 Council meeting.
8. Delegations
9. Consent Agenda

Recommendation:
Receive the items as listed on the Consent Agenda.

 1. Community Planning Division Quarterly Status Update – Q1 2025 11
 2. Heritage Planning - St. Joachim Church (2722 County Road 42) 18

10. Reports for Direction

1. **Heritage Planning – Stoney Point Church (7119 Tecumseh Road)** 48

Recommendation:

Direct Administration to publish notice of the intent to repeal the by-law designating the property at 7119 Tecumseh Road in accordance with the requirements of the Ontario Heritage Act, as presented at the May 6, 2025 Council meeting.

2. **PLC-01-2025 – Part Lot Control Exemption Extension – Moceri Subdivision** 53

Recommendation:

Direct the Clerk to read By-law 36-2025, during the “Consideration of By-laws” to approve the application to extend Part Lot Control exemption for Blocks 1 and 2 on Plan 12M-640 and Part of Block 3, Plan 12M640 designated as Parts 2 to 9 on Plan 12R-28249, as presented at the May 6, 2025 Council meeting.

11. Notice of Motion

1. **Councillor Santarossa - Pre-Zoning of County Road 22 Properties** 62

Recommendation:

Whereas pre-zoning areas slated for intensification can:

- Encourage development by reducing the need for developers to apply and pay for the rezoning of their property in order to build on it; and
- Encourage better and more sustainable utilization of available lands; and
- Increase transparency to the public and development community where land is slated for increased density; and
- Align Official Plans and Zoning Bylaws around identified goals and strategic priorities.

And whereas:

- The Municipality of Lakeshore is forecasted to grow by an additional 35,000 people by 2051; and
- According to the Official Plan draft, "[t]he Country Road 22 Mixed Use Corridor is envisaged as a higher intensity mixed use and future transit supportive corridor extending through the

Municipality between Manning Road and Belle River Urban Areas."; and

- The partnership with C4C will allow for Design Charettes for the County Road 22 Corridor; and
- The Council of the Municipality of Lakeshore values public engagement, consultation, and input as the community develops; and
- As-of-right zoning will be encouraged following these design charettes; and
- Future development will be subject to the future Waste Water Treatment Allocation Policy and servicing capacity made available through the Water & Waste Water Master Plan implementation;

Therefore, the Council of the Municipality of Lakeshore support, in principle, the pre-zoning of County Road 22 properties between West Belle River Road and West Pike Creek in alignment with the Special Planning Corridor in the Official Plan;

And that this information be provided during public consultations with residents, developers, and the relevant property owners.

12. Report from Closed Session

13. Consideration of By-laws

Recommendation:

By-laws 36-2025 and 38-2025 be read and passed in open session on May 6, 2025.

- | | | |
|----|--|----|
| 1. | By-law 36-2025, Being a By-law to extend the Time Period for Part Lot Control By-law 65-2022 for Blocks 1, 2, and Part of Block 3, Plan 12M-640, in the former Community of Maidstone, now in the Municipality of Lakeshore (PLC-1-2025) | 63 |
| 2. | By-law 38-2025, Being a By-law to Adopt OPA 21 to the Lakeshore Official Plan | 65 |

14. Addendum

15. Adjournment

Recommendation:

Adjourn the meeting at ____ PM.

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor and Members of Council

From: Tammie Ryall, Corporate Leader – Growth and Sustainability

Date: April 25, 2025

Subject: Delegation of Authority for Minor Zoning By-law Amendments and Pre-Consultation and Amendments to the Official Plan

Recommendation

Adopt Official Plan Amendment OPA No. 21 to the Municipality of Lakeshore Official Plan to update policies to enable the delegation of authority for Minor Zoning By-law Amendments and policies related to pre-consultation; and to adopt the implementing by-law (By-law 38-2025); and

Direct Administration to submit the Amendment to the County of Essex for approval; all as presented at the May 6, 2025 Council meeting.

Strategic Objectives

5b) Modernize Citizen-Centered Services - Bylaw Modernization (including a calendar of bylaw review and effective enforcement strategies/capabilities)

Background

Council has directed Municipal staff to prepare amendments to the Lakeshore Official Plan to delegate authority for minor zoning by-law amendments related to surplus farm dwellings to the Committee of Adjustment. Staff have also identified a need to update the pre-consultation policies of the Official Plan to reflect recent changes to the Planning Act. This staff report provides recommendations related to both items to be considered as part of a single housekeeping amendment to the Official Plan.

On February 6, 2024 Council approved a recommendation to direct Administration to prepare an amendment to the Lakeshore Official Plan (Official Plan) that would allow minor zoning by-law amendments to be delegated to a Committee of Council or designated individual. The following resolution was passed:

39-02-2024

Direct Administration to prepare a report to Council to consider amending the Official Plan to allow for minor zoning by-law amendments to be delegated to either a Committee of Council or an individual under Section 39 of the *Planning Act*.

At the same Council Meeting, an additional recommendation was carried that directs zoning by-law amendments related to provisional consent related to surplus farm dwellings be considered for delegation of authority.

40-02-2024

Direct Administration to prepare a by-law to authorize the delegation of minor zoning by-law amendments related to consent to sever surplus farm dwelling applications to the Committee of Adjustment, all as presented at the February 6, 2024 Council meeting; and

Direct that the by-law include direction to Administration to bring the delegation of authority for review within 6 months of the next term of Council.

Subsequently, the direction was reversed by Council in August, however, at the November 19th 2024 Council meeting Deputy Mayor Walstedt brought forward 2 motions regarding consent applications for surplus dwellings.

378-11-2024

Reconsider Resolution #161-05-2024 regarding the Delegation of Authority for Minor Zoning By-law Amendments, presented at the May 7, 2024 Council meeting. Carried

379-11-2024 – Direct Administration to provide public notice of a draft Official Plan Amendment, collect comments and schedule a public meeting, as required under the Planning Act, for the delegation of authority to the Committee of Adjustment for minor Zoning By-law amendments that are required to fulfill a condition of approval related to a surplus farm dwelling consent application. Carried

On February 4, 2025 Council further gave direction for staff to undertake public consultation in accordance with the Planning Act prior to submitting the recommended Official Plan Amendment to Council for a decision. The following Motion was passed:

48-02-2025

Direct Administration to undertake public consultation in accordance with the Planning Act prior to submitting the recommended Official Plan Amendment to Council for a decision, as well as a draft by-law for delegation of authority to the Committee of Adjustment for surplus farm dwellings, as presented at the February 4, 2025 Council Meeting.

Since 2020, Council has approved a total of 99 Zoning By-law Amendment applications as seen in the table below. These include both minor and major amendments. By delegating the authority to the Committee of Adjustment for the minor amendments, the time Council spends on approving Planning applications will be reduced, further allowing to allocate more time on other matters.

Planning Reports To Council 2020-2024					
	ZBA	Subdivision	OPA	Other Planning Report	Total
2024	12	4		4	20
2023	17	1	4	14	36
2022	26	3	3	21	53
2021	28			30	58
2020	16	2		29	47
Totals:	99	10	7	98	214

For every report that goes to Council, it is estimated that it takes a minimum of five hours of Administration staff time to complete. This includes time from the Corporate Leader, Division Leader, and planning staff, depending on the particular application. Considering 2025 staff salaries, this would equate to approximately \$515 per report. Doing fewer reports to Council could result in some financial savings, depending on the number of surplus farm dwelling minor zoning by-law amendments per year directed to the Committee of Adjustment.

The Planning Act, R.S.O. 1990, c. P. 13.

Regarding delegation of authority, Bill 13, the “*Supporting People and Businesses Act*” was passed in 2021, amending Section 39.2 of the *Planning Act* (the *Act*) to allow for minor zoning amendments to be delegated to a Committee of Council or a member of staff. This change was intended to help streamline the decision-making process.

Section 39.2 of the *Act* states:

1. Council may delegate the authority to pass by-laws under section 34 that are of a minor nature to a committee of Council or an individual who is an officer, employee or agent of the municipality;
2. That an Official Plan must be in effect and must specify the types of minor by-laws that may be delegated;
3. That such minor by-laws may include by-laws to remove a holding symbol and temporary use of land, buildings or structures;
4. A delegation of authority may be subject to conditions that the Council, by by-law, may provide; and
5. A delegation of authority may be withdrawn by Council.

Regarding pre-consultation applications, Bill 185, the *Cutting Red Tape to Build More Homes Act, 2024*, received Royal Assent on June 6, 2024, and made changes to the *Act* with the result that municipalities would no longer be able to require consultation

with the Council or planning authority prior to submitting applications for official plan amendments, zoning by-law amendments, site plan control, or plans of subdivision (Sections 22(3.1), 34(10.0.1), 41(3.1), and 51(16.1)).

Instead, the Act states that municipalities shall permit applicants to consult with the municipality or planning board for these types of applications.

Lakeshore Official Plan

The current Lakeshore Official Plan, dated November 22, 2010 (Official Plan 2010), and the final draft of the updated (not yet in effect) Lakeshore Official Plan, dated March 2021 (Official Plan 2021), delegate minor variance applications to the Committee of Adjustment under Section 8.3.5 (Official Plan 2010) and 8.3.6 (Official Plan 2021), but does not contain any policies which delegate the authority to pass minor zoning by-law amendments to any Committee of Council or staff members.

As per the requirements of Section 39.2 (2) of the Act, an Official Plan amendment will be required to implement the delegation of authority to approve minor zoning by-law amendments. Once adopted by Council the Official Plan Amendment will be submitted to the County of Essex for review. Once approved, a delegation by-law will be brought to Council for consideration. The delegation by-law will implement the direction of the Official Plan amendment and will give the Committee of Adjustment authority to pass minor zoning by-law amendment as specified by the Official Plan Amendment.

Pre-Application Consultation Amendments

Regarding pre-application consultation, the Official Plan 2010 includes several references to the “pre-consultation” and “pre-application consultation” processes but does not explicitly state that pre-consultation shall be required prior to the submission of an application. The Official Plan describes the information and supporting studies and materials that may be identified as part of a pre-application consultation process, which additionally will inform the conditions for a complete application (Section 8.3.11), but this would apply to any required pre-consultation or voluntary pre-consultation. The draft new Official Plan, 2021 describes similar policies (Section 8.3.12).

As per the changes following Bill 185, pre-application consultation may only occur at the request of the applicant, but Official Plan policies may still identify the requirements for an application to be deemed complete.

Proposed Amendment to the Lakeshore Official Plan

As noted above, an amendment to the Official Plan is required to include enabling policies for the delegation of approval for minor zoning amendments. An amendment to the Official Plan is not required to ensure that pre-application applications are optional, in conformity with the Act, however an amendment may be beneficial to clarify that pre-application consultation is optional. Note that Official Plan Amendment No. 16 includes changes to the numbering of certain sections of the Official Plan. OPA No. 16 is not yet

in effect, therefore the section numbers provided below refer to the current, in effect Official Plan.

The proposed implementing policy to be incorporated in the Official Plan is included below:

1. Council may, by by-law, delegate the authority to pass by-laws under Section 34 of *The Planning Act* that are of a minor nature to a committee of council or an individual who is an officer, employee or agent of the municipality.
2. Council may delegate one or more of the following types of minor zoning by-law amendments:
 - a. Zoning by-law amendments that are required to fulfill a condition of approval related to a surplus farm dwelling consent application.

It should be noted that under Section 39.2(4) of the *Act*, any conditions associated with the delegated authority are required to be identified in the Official Plan. The inclusion of point 2(a), above, serves this purpose.

Regarding amendments to make pre-application consultation optional, the current policies assume that pre-application consultation will occur for development applications. The policy language should be amended to reflect that it is optional. The proposed changes to Official Plan policy Section 8.3.11 is included below. Bold text is recommended to be included, and text with strikethrough is recommended to be deleted.

- a. **Should applicants submit an application for a pre-application consultation**, applicants seeking development approval will be advised of the required supporting studies, information and materials as part of the pre-application consultation process or, if subsequently deemed necessary, prior to scheduling a prescribed public meeting.
- b. At the time of application for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Minor Variance, or Consent, the Municipality may require an applicant to submit any of the following information, as applicable: ...
- c. ~~During the pre-application consultation process for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, or Consent application,~~ The Municipality may require the applicant to submit any of the following supporting studies at the time of the application **for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, Local Comprehensive Review application, Site Plan or Consent**, in accordance with the policies outlined in this Plan and/or accepted professional standards and/or guidelines as applicable: ...
- d. Support Studies may vary in scope, depending upon the size, nature and intent of the development approval application and the site's land use planning context. Applicants of development approval applications will be advised by the Municipality of the required supporting study contents during ~~the~~ **any** pre-application consultation process.

- e. ~~When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies,~~ the application will not be considered complete for processing purposes until the required supporting studies, information and materials is prepared and submitted to the satisfaction of the Municipality and/or appropriate Conservation Authority. Notification of a complete application will be given to the applicant and all other parties by the Municipality in accordance with the Planning Act.
- f. The Municipality will ensure that supporting studies, information and materials provided by an applicant ~~of a development approval application that~~ **who** has submitted a complete application for development approval will be made available to the public for review.

Public Consultation

Following the meeting of Council on February 4, 2025 when the proposed amendments were discussed, several initiatives were made to seek public comment:

- 1) Public notice of the proposed Official Plan amendment was posted on the Municipal website, as well as circulated to the public through the Municipality of Lakeshore News email distribution list, on April 17, 2025.
- 2) Direct outreach was made by email to a list of individuals who are familiar with Lakeshore's planning approvals process and the Committee of Adjustment as it relates to farm severances (e.g.: planning consultants, legal representatives, or other agents).

As of the writing of this staff report, several supportive comments have been received from agents and representatives on how this delegation of authority proposal would help streamline the planning process and, ultimately, improve service delivery. No comments have been received from the general public as of writing of this report.

Conclusion

The proposed amendments reflect Council's direction to delegate authority for minor zoning by-law amendment related to conditions of approval for surplus farm dwelling severances, and help clarify that pre-consultation is an optional process, reflecting recent changes to the Planning Act.

Next steps – The Official Plan amendment will be submitted to the County of Essex for review and approval. After the Official Plan amendment has been approved by the County of Essex, an implementing Delegation By-law will be presented to Council, as per the motion 48-02-2025 (emphasis added):

48-02-2025

Direct Administration to undertake public consultation in accordance with the Planning Act prior to submitting the recommended Official Plan Amendment to Council for a decision, **as well as a draft by-law for delegation of authority to the Committee of Adjustment for surplus farm dwellings**, as presented at the February 4, 2025 Council Meeting.

Financial Impacts

There are no adverse financial budget impacts resulting from the recommendations.

Combining the consent application and the related zoning by-law amendment to be considered by the Committee of Adjustment would generally reduce steps in the overall process and streamline approvals.

Report prepared by: Matt Alexander, Consulting Planner (WSP)

Report Approval Details

Document Title:	Delegation of Authority for Minor Zoning By-law Amendments and Pre-Consultation and Amendments to the Official Plan.docx
Attachments:	
Final Approval Date:	Apr 29, 2025

This report and all of its attachments were approved and signed as outlined below:

Prepared by Matt Alexander and Tammie Ryall

Approved by the Corporate Leadership Team

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor and Members of Council

From: Daniel Mercer, urbaniste, RPP, MCIP, Division Leader - Community Planning

Date: April 10, 2025

Subject: Community Planning Division Quarterly Status Update – Q1 2025

Recommendation

This report is presented for information only at the May 6, 2025 Council meeting.

Strategic Objectives

3b) Modernizing and Enhancing Municipal Functions - Revise business processes to establish and employ a risk management framework, improved workflow management, and financial modelling to inform management of reserves

Background

This report is to provide a summary of all Planning Act applications underway from Q1 2025 (January 1, 2025 to March 31, 2025). Typical processing times, and ongoing or upcoming continuous improvement initiatives, are also included.

Planning Applications

The following applications are included as part of this review:

- Pre-consultation (PCN)
- Site Plan Control (SPC)
- Temporary Patio (SPC-Temp Patio)
- Zoning By-Law Amendment (ZBA)
- Part Lot Control Applications (PLC)
- Condominium (C-A)
- Subdivision (S-A)
- Minor Variance
- Consent

During the last Council meeting dedicated to *Planning Act* matters on February 4, 2025, charts with annual year-over-year comparisons of total applications were included for the 2021 to 2024 calendar years. As this is a quarterly report, only the activities for Q1 2025 are included. Tracking is currently done on an annual basis, so quarterly comparisons are not available. As explained below, the Community Planning Division will be moving towards a more effective means of tracking files, including developing key performance indicators for service delivery.

The following chart outlines total applications being processed from January 1, 2025, to March 31, 2025. These totals do not identify the number of applications approved or denied.

Type	Volume	Comments
Pre-Consultation (PCN)	9	Total applications received in Q1.
Site Plan Control (SPC)	4	Total number of files deemed complete in Q1.
Zoning By-law Amendment (ZBA)	2	Total applications received in Q1.
Condominium (C-A)	0	No new applications received in Q1, however, 3 remain open from previous years.
Subdivision (S-A)	0	No new applications have been received in Q1, however, 12 remain open from previous years.
Minor Variance	7	7 applications processed in Q1; 5 remain open.
Consent	3	3 applications processed in Q1; 7 remain open.
TOTAL	25	

Currently Community Planning Services is actively processing an estimated 30 planning applications through the system. These include a number of proposals that require a high level of technical analysis. These include subdivision applications, site plan applications, and zoning by-law applications that, depending on complexity, can take more than a year to process.

Site Plan Agreements

As per the reporting requirements in the Site Plan Control Area By-Law (106-2024), the Division Leader – Community Planning exercised the delegated authority of site plan approval for the following applications for Q1 2025 (January 1, 2025, to March 31, 2025):

- 1) Site Plan Amending Agreement (file SPC-02-2023) was fully executed on April 8, 2025, over lands known as 472 Blanchard Drive. The purpose of the amendment was to allow the construction of Phase 2 (Building D, E, and G) of their original Site Plan executed in 2016. The applicant will recognize Building A as two separate buildings, whereas it was planned and depicted as one building on the original site plan.
- 2) Site Plan Amending Agreement (file SPC-10-2024) was fully executed on April 7, 2025 over lands known as 21 Amy Croft Dr. The purpose of the amendment was to allow the development of additional commercial space for Building B, Building F, and Building H.
- 3) Site Plan Amending Agreement (file SPC-10-2023) was fully executed on February 19, 2025 over lands known as 390 Talbot St. N. The purpose of the amendment was to allow the expansion of the existing service garage with 4 additional bays.

The last report to Council on Site Plan Agreements (SPAs) was on October 1, 2024, including SPAs approved up to August 30, 2024. The following SPAs were approved from September 1, 2024, to December 31, 2024:

- 1) Site Plan Agreement (SPC-07-2024) was fully executed on December 2, 2024, 0 Creekside Road, 0 Essex Kent Road, and 2825 Essex Kent Road. The registered owners of these lands have entered into a long-term lease agreement or easement agreement with Boralex Inc. for the development of a battery energy storage system (BESS).

To be included in this quarterly report of executed agreements, the following conditions need to be met:

- 1) The SPA is signed by the owner or member of the corporation who has the authority to bind the company
- 2) The SPA is signed by the Clerk;
- 3) The SPA signed by the Mayor;
- 4) Securities are collected by Lakeshore (currently at the set value of \$4,000.00 for Minor Site Plan Agreements and \$25,000.00 for Major Site Plan Agreements); and
- 5) The Legal Division confirms that the agreement is registered on title.

In addition to the agreements noted above, there are approximately ten SPAs that are nearing completion.

Planning Process Timelines

The following chart outlines our expected timelines for planning applications to be processed by the Community Planning Division. These figures are developed from our average processing times, omitting outliers that are either overly complex or are of an unusually poor quality requiring additional technical analysis or significant review time. While clients often view timelines from the first point of contact with the Municipality, the average timeline listed below starts once the application is deemed complete (i.e.: once all supporting documents have been submitted thereby allowing the file to be reviewed).

Application Type	Average Timeline	Comments
Pre-consultation (PCN) (Purpose: Conduct a preliminary review and provide guidance on information required to deem application complete)	2 to 3 weeks (From first point of contact until meeting is held)	Formal meeting notes are provided to the applicant within 2 to 4 weeks following the date of the pre-consultation meeting.
Site Plan Control (SPC)	6+ months	Does not require Council approval 5-6 weeks for each circulation
Temporary Patio (SPC-Temp Patio)	2 weeks	All reviews are completed internally Does not require Council approval
Zoning By-Law Amendment (ZBA)	4+ months	Requires Council approval 5-6 weeks for each circulation
Part Lot Control (PLC)	2 months	Requires Council and County of Essex approval
Condominium (C-A)	4+ months	Requires Council and County of Essex approval 5-6 weeks for each circulation
Subdivision (S-A)	6+ months (usually 1 year +)	Requires Council and County of Essex approval

		5-6 weeks for each circulation Municipal Consolidated Linear Infrastructure Environmental Compliance Approval (CLI ECA) (Timeline: 80 working days).
Minor Variance and/or Consent	3 to 4 months	Requires Committee of Adjustment approval.

Community Planning Services – Continuous Improvement

The Community Planning Division continues to seek improvements in service delivery with the broader aim of building public trust in the planning system. As noted in the previous report, the digitization of the planning approvals process, one of the key recommendations of the Service Delivery Review, has been completed. Community Planning has now concluded its first full year using Cloudpermit as the division's digital platform.

In the Strategy Corp report presented to Council in May 2024 as part of that same review, the most significant gap identified within Community Planning Services was the absence of a long-term strategic vision. The Division remains primarily focused on current planning (i.e., application review) as opposed to forward planning (i.e., long-term policy development and implementation) while it continues to be 'right sized'. While this current orientation reflects the need to align service delivery with development pressures, client expectations, and available resources, incremental improvements are being pursued where feasible.

Since the last Community Planning Status Update to Council on February 4, 2025, the implementation plan for the Round 2 Housing Accelerator Fund (HAF2) grant has been approved. This includes a partnership with the University of Windsor's Centre for Cities, as well as the creation of several critical staff positions across both the Community Planning and Operations. These new roles, with focus on supporting annual housing supply growth targets, will be publicly advertised in the coming weeks.

Lakeshore's HAF2 Approved Action Plan Initiatives emphasizes public engagement, policy improvements, and density-related Zoning By-law changes. While the work does not directly target enhancements to current planning operations (e.g.: a planning approval guide/manual, or a Lean process improvement exercise to map the process and target specific pinch points), the systematic changes aim to achieve similar outcomes for improved long-term planning service delivery. However, in order to improve the system or implement control measures, the processes must first be defined, measured, and analyzed.

To support these outcomes, the Community Planning Division will continue its efforts to define and implement specific key performance indicators (KPIs) beyond 'average approval times' identified above. KPIs for municipal planning teams in Ontario are used to measure how effectively these teams are achieving strategic, operational, and community-focused outcomes. Since municipalities operate within the framework of the *Planning Act*, *Municipal Act*, and Provincial Planning Statement, KPIs often align with provincial priorities alongside local objectives. As such, KPIs can include both operational application processing-related as well as client satisfaction-type or Division objectives metrics. As Community Planning continues this analysis, the HAF2 Initiatives will be considered.

Well-designed KPIs should measure progress toward clearly defined goals. For the Municipality of Lakeshore, this means selecting indicators that align with the Official Plan and Strategic Plan, and that reflect activities having the most significant impact on the Division's goals. For discussion purposes, it's critical to ensure that when planning and development indicators are taken in total, they are balanced and assess how well development outcomes positively impact the full community. The full suite of the Division's indicators should collectively assess how well development contributes to environmental, social, and economic well-being, rather than focusing too narrowly on a single domain.

When selecting KPIs, it is important to align them with the strategic goals of Lakeshore, ensuring they are comprehensive and address key areas such as land use, infrastructure development, and community engagement. This holistic approach will provide a more accurate and meaningful assessment of progress. A finalized list is still under development, but anticipated KPI categories may include:

- 1) Planning Process Efficiency
- 2) Community Engagement and Transparency
- 3) Housing and Land use
- 4) Economic Development and Revitalization
- 5) Environmental and Sustainability Goals
- 6) Internal/Operational Performance

In determining KPIs for future information of Council the industry's SMART standard will be employed: Specific, Measurable, Achievable, Relevant, and Time-bound.

Financial Impacts

As this is a report for information as an update on the activities of the Community Planning Division, there are no direct financial impacts.

Report Approval Details

Document Title:	Community Planning Division Quarterly Status Update – Q1 2025.docx
Attachments:	
Final Approval Date:	Apr 25, 2025

This report and all of its attachments were approved and signed as outlined below:

Prepared by Daniel Mercer

Submitted by Tammie Ryall

Approved by the Corporate Leadership Team

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Corporate Leader - Growth and Sustainability



To: Mayor and Members of Council

From: Tammie Ryall, Corporate Leader – Growth and Sustainability

Date: April 10, 2025

Subject: Heritage Planning - St. Joachim Church (2722 County Road 42)

Recommendation

This report is presented for information at the May 6, 2025 Council meeting.

Strategic Objectives

This report does not relate to a Strategic Objective.

Background

WSP was retained by the Municipality of Lakeshore Administration to prepare a Cultural Heritage Memorandum for the St. Joachim Church located at 2722 County Road 42 (the Subject Property). The Subject Property was acquired from the Roman Catholic Diocese of London and is currently under the ownership of a non-profit group of volunteers. The Subject Property is designated under Part IV of the Ontario Heritage Act. The church is unoccupied, but renovations have been undertaken to remove and replace the side entrances. It is understood that this work was completed to prevent further water damage to the building. However, a building permit was not applied for. Further renovations are proposed so that the church may be repurposed for a new use. The new use is not known at this time. The Municipality requested that WSP advise of the administrative process required to permit the redevelopment of the property.

The previous owner of the subject property requested around 2019 that the designating by-law be amended to remove references to the monument, known as the Sacred Heart of Jesus, formerly associated with the church. The amendment of the designating by-law was not completed. It is understood that the monument has been re-located to a nearby cemetery and is therefore no longer an attribute of the property.

Comments

Applicable Legislation

Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS), 2024 prioritizes the long-term conservation of the Province's cultural heritage resources, including built heritage resources, as they provide economic and social benefits.

Section 4.6 of the PPS requires that:

- 1) Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.
- 2) Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.
- 3) Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.
- 4) Planning authorities are encouraged to develop and implement:
 - a. archaeological management plans for conserving archaeological resources; and
 - b. proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.
- 5) Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

The Planning Act requires all planning decisions to be consistent with the PPS.

The Ontario Heritage Act

The Ontario Heritage Act gives municipalities the authority to protect heritage properties and archaeological sites through Part IV and V of the Act. The Act empowers Council to "designate" individual properties as being of "cultural heritage value or interest" if they meet at least two of the nine criteria of Ontario Regulation 9/06 for determining whether it is of cultural heritage value or interest.

Once a Council designates a property, it is recognized through a by-law and added to a "Register" maintained by the municipal clerk. The subject property is currently designated under Part IV of the Ontario Heritage Act through by-law 130-2007, however the existing conditions of the property have been altered since the designating by-law was approved. Therefore, it may be necessary to update the by-law to ensure that the list of heritage attributes reflects the current condition of the property.

Recent amendments to the Ontario Heritage Act provide an alternative process for applications related to buildings for religious purposes. Applications to alter a building or portion of a building used for religious purposes may be approved without conditions if the building, or a portion of the building, is primarily used for religious practice, if the alterations are connected to a religious practice, the alteration is required for religious practices, or the applicant provides an affidavit or sworn declaration confirming the application meets the conditions of the Act. This section no longer applies as the building is no longer owned by the Diocese or used for religious purposes.

Lakeshore Official Plan

Section 4.2.3.1 of the Official Plan addresses Cultural Heritage Resources and states:

- a) Municipality will encourage the preservation of significant built heritage resources and cultural heritage landscapes and may use the Ontario Heritage Act to do so.
- g) The Municipality will also maintain a list of properties worthy of designating under the Ontario Heritage Act and endeavour to have these properties designated. Signage will be erected to indicate that a property is a designated heritage property.
- j) To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures will be discouraged.

Section 4.2.3.5 of the Official Plan regarding Development Policies provides direction for the conservation and protection of cultural heritage resources whenever considering development or redevelopment that has the potential to impact those resources.

By-law 130-2007

The designating by-law for St. Joachim's Church, By-law 130-2007, is currently out of date since the existing conditions of the property have changed. Under Section 30.1(1) of the Ontario Heritage Act, Council may amend a designating by-law for a variety of reasons, including to amend the statement of cultural heritage value or the property's heritage attributes.

An amendment may be initiated by the Municipality, or the property owner. If supported by Council, there would be a notice served on the property owner and a 30-day objection period will apply.

The owner has 30 days from the notice date to appeal the decision to the Ontario Land Tribunal (OLT), which can dismiss the appeal, amend, or repeal the designating by-law.

Following the objection period Council may either withdraw the proposed amendment or pass the amended designation by-law. If passed, the municipal clerk will then register the amending by-law on the title of the property.

By-law 130-2007 includes the following Heritage Attributes:

- the monument to the Sacred Heart of Jesus
- the silhouette of the front facade of the church
- all surviving historic features, including: the brick walls and limestone accents, the buttresses emphasizing the three bay division, the round-arched openings, the slope of the roof, the spire, and the five-tiered bell-tower
- the round-arched windows
- the casement windows of the sacristy
- the buttresses, brick and limestone wall materials and roof slope
- the chimney and cap above the sanctuary's roof
- the 1891 cornerstone and the date of 1929 inscribed in the parged foundation
- the five columns that separate the wider nave from the narrower aisles
- the barrel vault over the nave
- the flat roofed side aisles decorated with stylized crosses
- the moulded cornice beams
- the gallery balustrade
- the round-arched windows
- the raised platform of the sanctuary
- the tableau painted on a sanctuary wall by Roland Jobin
- the paneled wainscoting
- the paneled embrasures around the doorways
- the sacristy's casement windows

This list is extensive, and includes many attributes on the interior and exterior of the building. Any modifications to the building could potentially impact the attributes listed and trigger the requirement for a Heritage Impact Assessment, or further amendments to the designating by-law. Administration will need to review a detailed summary of planned and completed alterations to determine the next steps to ensure compliance with the Ontario Heritage Act.

As mentioned above, the previous owner of the subject property requested in 2019 that the designating by-law be amended to remove references to the monument to the Sacred Heart of Jesus, formerly associated with the church. However this request was not completed due to inaction on the owner's part. It is understood that the monument has been re-located to a nearby cemetery and is therefore no

longer an attribute of the property. Any other attributes that are no longer present, or cannot be restored, may also be removed from the by-law. Any modifications to the remaining heritage attributes will be subject to a Heritage Permit.

Heritage Permit

As a designated heritage property, the property owner is required to consult with the Municipality prior to making alterations to the property. If the proposed alterations will affect the heritage attributes of the property, then approval from the municipality is required in the form of a heritage permit.

Under Section 33 of the *Ontario Heritage Act*, a heritage permit is required if an alteration is likely to affect the property's heritage attributes as set out in the description of the property's heritage attributes in the designating by-law.

Under Section 34 of the *Ontario Heritage Act*, the property owner requires approval from the municipality for the demolition or removal of any of the property's heritage attributes, or the demolition or removal of a building or structure on the property, whether or not it would affect the property's heritage attributes.

In the case of St. Joachim, any changes to the exterior and interior of the church, as identified in the designating by-law, would require a heritage permit unless they are considered routine maintenance, repainting of architectural elements in the same colour, or soft landscape work.

To support a heritage permit application, the applicant should submit the appropriate application form, with all required fields completed, and provide supporting documents as necessary, which may include:

- a site plan / survey plan showing relevant setbacks, structures, distances from adjacent properties and location of proposed work
- Architectural drawings to illustrate the proposed alterations
- Photographs of building exteriors and heritage attributes
- Visual samples and reference photos of materials proposed to be replaced
- A Heritage Impact Assessment prepared by a qualified professional that evaluates the impacts of the proposed development or alteration and recommends conservation strategies and mitigation measures to eliminate or reduce adverse impacts on the Heritage attributes.

Once Administration has the information required, a staff report will be presented to Council requesting direction to post notice of the intent to amend the designating by-law. Following a 30-day objection period administration will present a recommendation report and draft by-law to Council for a decision.

Conclusion

The current owner of 2722 County Road 42 has already renovated the side entrances and proposes to undertake additional renovations to the property which may affect

heritage attributes as identified by the designating by-law beyond the Monument to the Sacred Heart of Jesus.

Administration is of the opinion that a heritage permit is required for the renovations by the current land owner. This will trigger the need to amend the heritage designation by-law applying to the site. Administration proposes to work with the subject property owner to identify any, and all, amendments to the designating by-law that may be appropriate, and to initiate pre-consultation with the subject property owner regarding a heritage permit application to facilitate the proposed alterations to the property. The removal of the reference to the Monument to the Sacred Heart of Jesus can be removed at that time.

Financial Impacts

There is no fee under the User Fee By-law to apply for a Heritage Permit. However, there is a fee in the User Fee By-law for the review of a heritage impact assessment by a third party consultant.

There are no budget implications related to the Recommendation. The costs associated with preparing the Technical Memo are covered under the Planning Division Consulting Budget.

Attachments

Appendix A – WSP Technical Memorandum re: Heritage Planning Administrative Process for Designated Heritage Property - St. Joachim Church (2722 County Road 42)

Report Approval Details

Document Title:	Heritage Planning - St. Joachim Church (2722 County Road 42).docx
Attachments:	- Appendix A - WSP Technical Memorandum (2722 County Road 42).pdf
Final Approval Date:	Apr 29, 2025

This report and all of its attachments were approved and signed as outlined below:

Prepared by Tammie Ryall

Approved by the Corporate Leadership Team



TECHNICAL MEMORANDUM

DATE March 5, 2025

Project No. CA0006255.2409

TO Tammie Ryall, Corporate Leader- Growth and Sustainability
Municipality of Lakeshore

CC Matt Alexander, MCIP, RPP Practice Lead Planning, Landscape Architecture and Urban Design

FROM Vibhuti Joshi, Cultural Heritage Specialist;
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**RE: HERITAGE PLANNING ADMINISTRATIVE PROCESS FOR DESIGNATED HERITAGE PROPERTY -
ST. JOACHIM CHURCH (2722 COUNTY ROAD 42), LAKESHORE, ON**

1 INTRODUCTION

WSP Canada Inc. (WSP) was retained by the Municipality of Lakeshore (the Client) to prepare a Cultural Heritage Memorandum (the memo) for the St. Joachim Church located at 2722 County Road 42, The Municipality of Lakeshore of Lakeshore, Ontario (the subject property). The subject property is currently under the ownership of a non-profit group of volunteers, previously acquired from the Roman Catholic Diocese of London. The subject property contains a Vernacular church with French Canadian Roman Catholic architectural influences that was built in 1881 and remodeled in 1891. The subject property is designated under Part IV of the *Ontario Heritage Act* through by-law 130-2007 APPENDIX A. At present, the church on the subject property is unoccupied but renovations have been proposed so that the church could be repurposed for a new use.

As shared by the Municipality of Lakeshore staff during virtual meeting held on November 25, 2024, alterations and maintenance updates are proposed to the subject property. To facilitate this redevelopment work, the client has requested WSP to advise of heritage administrative process to guide both the Client and the applicant on next steps.

This memorandum provides an overview of the Municipality of Lakeshore's heritage conservation process and is structured as follows:

- 1) **Section 1 (Introduction):** Provides context for the heritage planning process review;
- 2) **Section 2 (Planning Policy Framework):** Outlines the provincial and municipal planning framework, which informs decisions that affect land use planning matters, including key changes since the Official Plan was last reviewed;
- 3) **Section 3 (Recommended Heritage Planning Administrative):** To outline the administrative process for the subject property to manage and preserve the cultural heritage value of St. Joachim Church amidst proposed developments or alterations, in accordance with the *Ontario Heritage Act*. This section provides direction on the following

- Review of the existing designation by-law No. 130-2007 APPENDIX A);
- Requirements of a Heritage Permit Application (HPA);
- A subject property specific Terms of References to guide both the Client and the applicant regarding the contents of a Heritage Impact Assessment (HIA), which will form part of a future HPA. This HPA will be reviewed by the Municipality of Lakeshore Staff, Heritage Committee (if established) and subsequently approved by Council.

2 PLANNING POLICY FRAMEWORK

Heritage properties are subject to provincial and municipal planning and policy requirements, as well as guidance developed at the federal and international levels. These have varying levels of authority at the local level, though generally are all considered when making decisions about heritage properties.

2.1 Provincial Legislation and Policies

2.1.1 Planning Act

Development and land use on privately owned or municipally owned property in Ontario is subject to the *Planning Act*, R.S.O. 1990, c.P.13 (Government of Ontario 1990a). The *Planning Act* lays out the “ground rules” for land use planning in Ontario and includes direction for the provincial and local administration on planning matters in the province. The *Planning Act* also enables municipalities to develop Official Plans, which are to set goals, objectives, and policies to manage and direct local land use (Government of Ontario 1990b). Under the *Planning Act*, planning authorities are responsible for local planning decisions and creating local planning documents (i.e. Official Plans, Secondary Plans, and Heritage Conservation District Plans) that are consistent with the Provincial Planning Statement (PPS) and other applicable provincial legislation, such as the *Ontario Heritage Act*.

2.1.2 Provincial Planning Statement

The PPS (2024) prioritizes the long-term conservation of the Province’s cultural heritage resources, including built heritage resources, cultural heritage landscapes, and archaeological resources as they provide environmental, economic and social benefits. It is in the provincial interest to protect and utilize these resources effectively over a long term. Section 6.2 states:

- 4) A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies, boards, and Service Managers including:
- 3) Managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;

Section 4.6 also details the conservation of cultural heritage and archaeology through the following five (5) policies:

- 1) Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.
- 5) Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.

- 6) Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.
- 7) Planning authorities are encouraged to develop and implement proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.
- 8) Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

2.1.3 Ontario Heritage Act

The *Ontario Heritage Act*, R.S.O. 1990, c. O.18, gives municipalities and the provincial government powers to protect heritage properties and archaeological sites (Government of Ontario 1990b). For provincially owned and administered heritage properties, compliance with the Ministry of Citizenship and Multiculturalism (MCM) Standards and Guidelines for the Conservation of Provincial Heritage Properties (MCM S&Gs) is mandatory under Part III of the *Ontario Heritage Act* and holds the same authority for ministries and prescribed public bodies as a Management Board or Cabinet directive.

For municipalities, Part IV and Part V of the *Ontario Heritage Act* empowers council to “designate” individual properties (Part IV) or properties within a Heritage Conservation District (HCD; Part V), as being of “cultural heritage value or interest” (CHVI). Evaluation for CHVI under the *Ontario Heritage Act* at the municipal level is guided by Ontario Regulation (O. Reg.) 9/06, which prescribes the criteria for determining CHVI. O. Reg. 9/06 includes nine criteria:

- 1) The property has design or physical value because it is a rare, unique, representative or early example of a style, type, expression, material or construction method,
- 2) The property has design or physical value because it displays a high degree of craftsmanship or artistic merit, or
- 3) The property has design or physical value because it demonstrates a high degree of technical or scientific achievement.
- 4) The property has historical value or associative value because it has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community,
- 5) The property has historical value or associative value because it yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or
- 6) The property has historical value or associative value because it demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.
- 7) The property has contextual value because it is important in defining, maintaining or supporting the character of an area,
- 8) The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings, or
- 9) The property has contextual value because it is a landmark.

A property needs to meet two criterion of O. Reg. 9/06 to be considered for designation under Part IV of the *Ontario Heritage Act*. If found to meet two or more criterion, the property's CHVI is then described with a Statement of Cultural Heritage Value or Interest (SCHVI) that includes a brief property description, a succinct statement of the property's cultural heritage significance, and a list of its heritage attributes. In the *Ontario Heritage Act*, heritage attributes are defined slightly differently to the PPS 2024 and directly linked to real property. Therefore, the CHVI of a property applies to the entire land parcel, not just individual buildings or structures.

Once a municipal council decides to designate a property, it is recognized through a by-law and added to a "Register" maintained by the municipal clerk. A municipality may also "list" a property on the Register to indicate it as having potential cultural heritage value or interest. At present, the subject property is designated under Part IV of the *Ontario Heritage Act* through by-law 130-2007.

2.1.4 More Homes Built Faster Act (Bill 23)

Bill 23 was passed by the provincial government and received royal assent on November 28, 2022. Schedule 6 of Bill 23 amends the *Ontario Heritage Act*, which impacts processes and planning approvals related to listed and designated heritage properties. The amendments came into effect on January 1, 2023, and all municipalities are required to comply with the changes. A high-level summary of the changes to the *Ontario Heritage Act* made through Bill 23 are summarized below (ERO 2024):

- Designation
 - A Notice of Intention to Designate (NOID) may only be issued for properties that are on a municipal heritage register.
 - A property must meet two or more criteria of O. Reg. 9/06 to be designated under Part IV of the *Ontario Heritage Act*

Based on the review of the *Ontario Heritage Act*, the changes introduced through Bill 23 are mainly process/or procedural related; however, the following key recommendations should be considered for the subject property:

- The existing conditions of the property have been altered since the designating by-law was approved in 2007. Accordingly, by-law No. 130-2007 may require an update to ensure that the list of heritage attributes reflects the current condition of the property.

2.1.4.1 Alteration of Building Used for Religious Practices

Recent amendments to *Ontario Heritage Act* provided an alternative processing stream for applications related to buildings for religious purposes. This includes buildings where the primary purpose is for spiritual practice or worship, including Indigenous spiritual practice. Applications to alter a building or portion of a building used for religious or spiritual practices are approved without conditions if the following conditions are met within the prescribed timelines under the *Ontario Heritage Act*:

- The building or part of it is primarily used for religious practice
- The heritage attributes to be altered are connected to religious practices
- The alteration is required for religious practices

- Applicant provides an affidavit or sworn declaration to the council confirming the application meets the conditions in the Act.

These changes are proposed to ensure the continuity of religious practices or Indigenous religious or spiritual practices with limited interruptions should an alteration is required. Applications should be approved without conditions if they meet specific criteria related to religious use and practices.

The timelines have been shortened to 60 days instead of 90 days of processing time. However, these provisions do not apply to applications for additions to buildings used for religious practices.

2.2 Municipal Legislation and Policies

2.2.1 The Town of Lakeshore Official Plan (Approved November 22, 2010)

The Town of Lakeshore Official Plan (Official Plan) (Town of Lakeshore 2010) provides policy direction regarding protection and enhancement of the Town's identity and history through careful management of cultural heritage resources for the benefit of the community.

Section 4.2.3.1 Cultural Heritage Resources of the Town's Official Plan contains policies applicable to heritage conservation as listed below:

- a) Town will encourage the preservation of significant built heritage resources and cultural heritage landscapes and may use the *Ontario Heritage Act* to do so.
- g) The Town will also maintain a list of properties worthy of designating under the *Ontario Heritage Act* and endeavour to have these properties designated. Signage will be erected to indicate that a property is a designated heritage property.
- h) The Town will encourage the preservation and enhancement of the unique cultural and heritage significance of the francophone community in Stoney Point/Point-AuxRoches.
- j) To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures will be discouraged.

Similarly, Section 4.2.3.3 Heritage Properties or Districts and Section 4.2.3.5 Development Policies include the following policies for designating certain properties and managing cultural heritage resources at the time of development applications:

4.2.3.3 Heritage Properties or Districts

- a) The Town may utilize the *Ontario Heritage Act* to conserve, protect and enhance the cultural heritage resources of the Town through the designation of individual properties, heritage conservation districts containing significant cultural heritage landscape characteristics and archaeological sites.

4.2.3.5 Development Policies

- a) New development and redevelopment will have regard for heritage resources and will, wherever feasible, incorporate these resources into any plan that may be prepared for such new development or re-development within the Town.

- b) The Town will encourage the conservation and protection of cultural heritage resources or the mitigation of adverse effects on cultural heritage resources through conditions of consent and subdivision approval and agreements.
- c) In areas considered to be of architectural or historical value, the Town will encourage the preservation of the architectural or historical buildings or sites to be included in proposals for redevelopment, intensification or infill.
- d) The Town may consider amendments to the Zoning By-law, including increased density provisions, which would facilitate the restoration of a historical facility.
- e) The Town will, when appropriate for specific development proposals, consider excluding designated heritage resources from the parking requirements of the Zoning By-law to facilitate the retention of heritage resources.
- f) The Town will ensure that it has accurate and adequate architectural, structural and economic information to determine the feasibility of rehabilitation and reuse when considering demolition applications for designated heritage properties.
- g) The Town will ensure that all cultural heritage resources to be demolished or significantly altered are documented for archival purposes with a history, photographic record and measured drawings prior to demolition or alternation and that such documentation will be the responsibility of the applicant in consultation with the Heritage Committee and the Ministry of Culture.
- h) The Town will ensure that development and site alteration on land adjacent to a designated heritage resource is evaluated and that it is demonstrated that the heritage attributes of the designated heritage resource will be conserved. (Official Plan) (Town of Lakeshore 2010).

3 HERITAGE ADMINISTRATIVE PLANNING PROCESS FOR ST. JOACHIM CHURCH

This section outlines the administrative process to manage and preserve the cultural heritage value of St. Joachim Church amidst proposed developments or alterations, in accordance with the *Ontario Heritage Act* and The Municipality of Lakeshore's municipal policies.

3.1 Review of Designation-Bylaw

Per Section 30.1 (1) of the *Ontario Heritage Act*, the council of a municipality may, through a by-law, amend a designating by-law drafted under Section 29 for various reasons be it updating the legal description of the property, correcting the statement of cultural heritage value, or the description of the property's heritage attributes, or to revise the by-law to make it consistent with the *Ontario Heritage Act* requirements.

The property owner may also initiate the process to amend the designation by-law. Planning staff shall put forward a staff report for the council, recommending updates to the legal description and the description of heritage attributes. Generally, the staff report shall include background information, historical summary, and a statement of cultural heritage value. Per the *Ontario Heritage Act*, council is the decision-making authority. If council consents to the recommendation report per Section 30.1 (1) of the *Ontario Heritage Act*, a notice will be served on the property owner. However, if owner initiates the amendment, it is expected that there will be no

objections received from the owner. In that case, once the 30-day objection period ends, council may either withdraw the amendment or pass the amended designation by-law. The municipal clerk will then register the amending by-law on the title of the affected property. Planning staff will determine all administrative costs and issue notices accordingly.

At present, the designating by-law for the St. Joachim Church is out of date since existing conditions of the property have changed. The purpose of amending the Schedule 'A', and Schedule 'B' of the heritage designation by-law 130-2007 (APPENDIX A) for the St. Joachim Church is to correct the legal description and the description of heritage attributes. For instance, one of the required updates is to remove references to the monument, known as the Sacred Heart of Jesus, formerly associated with the church. As shared by the Client, the monument has been relocated to a nearby cemetery, a different lot (2712 County Road) located to the west of the St. Joachim Church at 2722 County Road 42. (APPENDIX B) The purpose of this amendment would be to update the Statement of Cultural Heritage Value and heritage attributes per existing conditions. This will offer clarity regarding which elements of the St. Joachim Church warrant conservation as heritage attributes.

In addition, the municipality may consider designating the cemetery at 2712 County Road located to the west of the St. Joachim Church at 2722 County Road 42 since this property contains historical burials and the relocated 'Sacred Heart of Jesus' monument. While designation of this property is not required or triggered by the relocation of the monument, the protection of this property through Part IV designation would serve to protect a known heritage resource and landscape elements associated with the cemetery. Should planning staff pursue designation, then a heritage evaluation of 2712 County Road is required to establish whether the property meets the criteria of O. Reg. 9/06 of the *Ontario Heritage Act*, draft a statement of cultural heritage value, and generate a list of heritage attributes. Following this, staff may present a designation report to the Council to designate 2712 County Road under Part IV of the *Ontario Heritage Act*. The designation report should include an updated statement of cultural heritage value, with a description of heritage attributes. Per the *Ontario Heritage Act* (Section 29, Subsection 1), council may consent to the designation by issuing a new designation by-law 2712 County Road meets the prescribed in O. Reg. 9/06.

Since the Municipality of Lakeshore does not have a municipal heritage committee, council will be the decision-making authority. Once council consents to the designation of 2712 County Road, a notice of intention to designate the property shall be circulated to the property owner, Ontario Heritage Trust, and the public. This notice must be published in a local newspaper and may also be published on the municipal website.

If no objections received within 30 days, planning staff may prepare a designation by-law for Council approval.

Designation By-Law Amendment Process

- 1) **Notice of Proposed Amendment:** Planning staff are required to notify the property owner of the proposed amendment and inform them of their right to object by filing a notice of objection with the municipal clerk within 30 days of receiving the notice. If owner initiates the amendment, planning staff is still required to and inform them of their right to object.
- 2) **Objection Period:** If no objection is received within 30 days, the Council may proceed with passing the amending by-law. If an objection is submitted, the Council must consider it within 90 days of the objection period ending. The Council can then decide to withdraw the notice or pass the amending by-law.

- a. **Notification and Appeal:** A copy of the notice of the passing of the amendment and the amending by-law should be provided to the property owner, the Ontario Heritage Trust, and published in the local newspaper. The owner has 30 days from the notice date to appeal the decision to the Ontario Land Tribunal (OLT), which can dismiss the appeal, amend, or repeal the designation by-law.
- b. If no appeals are received by the end of the appeal period, the amending by-law comes into force. The municipal clerk will then register the amending by-law on the title of the affected property. Planning staff will determine all administrative costs and issue notices accordingly.

3.2 Heritage Permit Application

3.2.1 What is a Heritage Permit?

As a protected heritage property, the property owner is required to consult the Municipality of Lakeshore in advance of any alterations, construction, or demolition within the subject property per Section 33 of the *Ontario Heritage Act*. If the proposed work will affect the heritage attributes of the property, then approval from the municipality is required in the form of a heritage permit.

Once the heritage permit application is submitted, the council has the authority to approve, with terms or conditions or refuse the application. Since there is no municipal heritage committee at present, The Municipality of Lakeshore Staff would directly reach out to council for their approval/ refusal of the application.

Additionally, some alterations may also require a building permit from the municipality. Per the Municipality of Lakeshore's building permit process, property owner is responsible to contact building permit division to determine whether a building permit is required for their scope of work (Municipality of Lakeshore 2021). Building permits can be issued only after a heritage permit application is approved.

Presently, the Municipality of Lakeshore does not include have a heritage permit form or process posted on their website. It is recommended that a heritage permit form be posted on the municipal website to guide future applicants who are seeking approval to alter a designated heritage property.

3.2.2 When is a Heritage Permit Required?

According to the *Ontario Heritage Act* (Section 33, Subsection 1):

33 (1) No owner of property designated under section 29 shall alter the property or permit the alteration of the property if the alteration is likely to affect the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the alteration. 2019, c. 9, Sched. 11, s. 11.

According to the *Ontario Heritage Act* (Section 34, Subsection 1):

34 (1) No owner of property designated under section 29 shall do either of the following, unless the owner applies to the council of the municipality in which the property is situate and receives consent in writing to the demolition or removal:

1. Demolish or remove, or permit the demolition or removal of, any of the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be.

2. Demolish or remove a building or structure on the property or permit the demolition or removal of a building or structure on the property, whether or not the demolition or removal would affect the property's heritage attributes, as set out in the description of the property's heritage attributes in the by-law that was required to be registered under clause 29 (12) (b) or subsection 29 (19), as the case may be. 2019, c. 9, Sched. 11, s. 12.

In the case of the subject property, a heritage permit would be required for any proposed alteration to the St. Joachim Church, any changes to the exterior and interior of the church (as identified in the designating By-law 130-2007), and for an amendment of the heritage designating by-law 130-2007. A heritage permit may not be required for minor works that do not impact the St. Joachim church's heritage attributes (both exterior and interior) such as:

- i) Routine maintenance and minor repairs to exterior/interior features
- ii) Re-painting of architectural elements in the same color
- iii) Soft landscape work

The applicant can request for a pre-consultation meeting with the Municipality of Lakeshore staff to confirm if the proposed works would require a heritage permit. Due to recent changes to the *Ontario Heritage Act* removal or demolition of a heritage attribute and/or structure on a Part IV property shall require a notice of intention to demolish to be submitted. Planning staff should be contacted in this case.

3.2.3 What is the Heritage Permit Application Process?

As a first step, a pre-consultation meeting is recommended between the applicant and the planning staff to discuss the proposed development or alterations. During pre-consultation, the applicant shall be required to submit a completed application form (if applicable), along with all relevant information or materials as required by The Municipality of Lakeshore Staff and Council (e.g. drawings, photographs, and a Heritage Impact Assessment) to support the heritage permit application.

Generally, the heritage permit application should include:

- a) A site plan/ survey plan of the property including the relevant setbacks, structures, distances from adjacent properties, and location of proposed work in relation to existing structures and heritage attributes within the property.
- i) Architectural drawings to illustrate the proposed development or alterations, which may include elevations, floor plans, new materials, 3d drawings, and contextual streetscape drawings.
- j) Photographs of building exterior (all building elevations, streetscape, neighbouring properties), and heritage attributes.
- k) Visual samples/ reference photos of materials proposed e.g. Windows, roofing materials, cladding materials etc.
- l) A Heritage Impact Assessment.

3.3 Heritage Impact Assessment

A Heritage Impact Assessment (HIA) is required in support of *Planning Act* applications, as recommended by the Municipality of Lakeshore's Official Plan policies in section 4.2.3.5 Development Policies. Since the church is protected under the *Ontario Heritage Act* any future development planning applications for the subject property will require an HIA. These include, but are not limited to:

- Official Plan Amendment
- Zoning by-law Amendment
- Draft Plan of Subdivision
- Site Plan Control
- Consent and/or Minor Variance applications for properties adjacent to the church.

In line with the heritage permit application process, the need for a HIA and supporting materials is to be determined by the Municipality of Lakeshore's planners through the pre-consultation process. The purpose of a HIA is to evaluate impacts of the proposed development or alterations to the heritage attributes of the property and recommend conservation strategies and mitigation measures to eliminate or reduce the impacts.

3.3.1 Who should prepare a Heritage Impact Assessment?

The HIA must be prepared by a qualified person who is a professional member of the Canadian Association of Heritage Professionals (CAHP). All supporting reports and drawings must be stamped and/or signed and dated by a qualified professional, licensed in the Province of Ontario.

3.3.2 What does a Heritage Impact Assessment contain?

At present, the Municipality of Lakeshore does not have a term of reference (ToR) for preparing HIAs. Accordingly, the HIA should be prepared in accordance with the Ministry of Citizenship and Multiculturalism (MCM) Info Sheet #5 of the *Ontario Heritage Tool Kit* (MCM 2006). The HIA may be further informed by the MCM's *Heritage Property Evaluation: A Guide to Listing, Researching, and Evaluating Cultural Heritage Property in Ontario Communities* (2006), the *Standards & Guidelines for Conservation of Provincial Heritage Properties: Heritage Identification and Evaluation Process* (MCM 2014), and the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Canada's Historic Places 2010).

The overall purpose of an HIA is to assessment the impacts of a proposed development or alterations on the heritage attributes of a property and identify conservation strategies and mitigation measures to eliminate or reduce the impacts.

A suggested outline for an HIA includes:

- 1) Introduction
- 2) Methodology
- 3) Information Gathering
- 4) Background Research

- a) Indigenous History
 - b) Township Survey and Settlement
 - c) Property History
 - d) Review of Historical Maps, Aerial Imagery, and Archival Photography
- 5) Existing Conditions
- a) Property Context
 - b) Building Exterior
 - c) Building Interior
 - d) Landscape Elements
- 6) Heritage Evaluation
- a) O. Reg. 9/06 Evaluation
 - b) Statement of Cultural Heritage Value
 - i. Description of Property
 - ii. Statement of Cultural Heritage Value
 - iii. Heritage Attributes
- 7) Impact Assessment
- a) Description of Proposed Work
 - b) Assessment of Potential Impacts
- 8) Considered Alternatives and Mitigation Measures
- 9) Recommendations
- 10) References Cited

APPENDIX (to include supporting documentation)

WSP notes that if a property is designated under Part IV of the *Ontario Heritage Act* and has an approved statement of cultural heritage value contained in a by-law, then the suggested HIA outline may be scoped to focus on the known heritage value of the property. Historical background research and a new heritage evaluation may not be warranted.

4 ACTION PLAN AND NEXT STEPS

The following table provides an action plan of the heritage planning administrative process proposed for the St. Joachim Church and acts as responsibility matrix to guide the Municipality of Lakeshore and applicant regarding next steps.

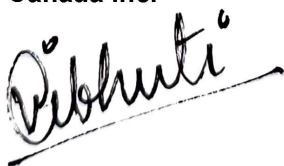
Table 1: Action Plan for St. Joachim Church (2722 County Road 42)

Action	Description	Responsibility
Designation by-law update	Review and update by-law 130-2007 (APPENDIX A) to ensure that the heritage attributes are representative of the existing conditions of the subject property.	The Municipality of Lakeshore (Planning Staff)
Heritage Permit Application Form and Guidance	Post a heritage permit application form on the municipal website or provide the form to the applicant.	The Municipality of Lakeshore of Lakeshore (Planning Staff)
Pre-Application Meeting	The applicant may request a pre-application meeting to discuss the proposed alterations to the subject property and confirm whether a heritage permit is required. Planning staff must also identify whether other permits (e.g. building permit or demolition permit) are required.	The Municipality of Lakeshore (Planning Staff) Applicant
Heritage Permit Application	The applicant must prepare a heritage permit application in accordance with the requirements identified by the Municipality of Lakeshore. The application must include the following supporting material: a) Site Plan: A site plan/ survey plan of the property including the relevant setbacks, structures, distances from adjacent properties, and location of proposed work in relation to existing structures and heritage attributes within the property. b) Architectural Drawings: Architectural drawings to illustrate the proposed development or alterations, which may include elevations, floor plans, new materials, 3d drawings, and contextual streetscape drawings. c) Site Photographs: Photographs of building exterior (all building elevations, streetscape, neighbouring properties), and heritage attributes. d) Visual Samples: Visual samples/ reference photos of materials proposed e.g. Windows, roofing materials, cladding materials etc. e) Heritage Impact Assessment: A Heritage Impact Assessment prepared by a qualified heritage specialist with professional CAHP accreditation.	Applicant
Heritage Permit Approval	Once received, the heritage permit application must be reviewed by The Municipality of Lakeshore planning staff for review and acceptance. Once accepted by Planning Staff, the heritage permit must be approved by The Municipality of Lakeshore Council.	The Municipality of Lakeshore (Council)

5 CLOSURE

We trust that the information presented in this memo meets your current requirements. Should you have any questions, or concerns, please do not hesitate to contact the undersigned.

WSP Canada Inc.



Vibhuti Joshi, BArch, MArch, CAHP-Intern
Cultural Heritage Specialist



Heidi Schopf, MES, CAHP
Cultural Heritage Team Lead

VJ/HS/mp

Attachments: Appendix A - Designation By-Law 134-2007
Appendix B - Notice of Decision to Consent: 2722 County Road 42- Monument at St. Joachim Church, Sacred Heart of Jesus ("the monument")

[https://wsponlinecan.sharepoint.com/sites/ca-onarchandch/shared documents/cultural heritage/01_working_files/01_projects/2024/ca0006255.2409 municipality of lakeshore - heritage memos/1. st. joachim church heritage memo/revised draft as per municipality's comments/ca0006255.2409_tm_rev0_lakeshore_ch_stjoachimchurch_final_05mar2025.docx](https://wsponlinecan.sharepoint.com/sites/ca-onarchandch/shared%20documents/cultural%20heritage/01_working_files/01_projects/2024/ca0006255.2409%20municipality%20of%20lakeshore%20-%20heritage%20memos/1.%20st.%20joachim%20church%20heritage%20memo/revised%20draft%20as%20per%20municipality's%20comments/ca0006255.2409_tm_rev0_lakeshore_ch_stjoachimchurch_final_05mar2025.docx)

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Government of Ontario

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APPENDIX A

Designation By-Law 134-2007



An agency of the Government of Ontario



Un organisme du gouvernement de l'Ontario

This document was retrieved from the Ontario Heritage Act e-Register, which is accessible through the website of the Ontario Heritage Trust at **www.heritagetrust.on.ca**.

Ce document est tiré du registre électronique, tenu aux fins de la *Loi sur le patrimoine de l'Ontario*, accessible à partir du site Web de la Fiducie du patrimoine ontarien sur **www.heritagetrust.on.ca**.



Town of Lakeshore

Corporate Services

419 Notre Dame
Belle River ON
N0R 1A0

1-877-249-3367
(519) 728-2700
Fax: (519) 728-9530

January 15, 2008

Ontario Heritage Trust
10 Adelaide Street East
Toronto, Ontario M5C 1J3

To Whom It May Concern:

Enclosed you will find a copy of by-law 84-2007 and 130-2007 being the by-laws to designate both the St. Joachim Church and Annunciation Church.

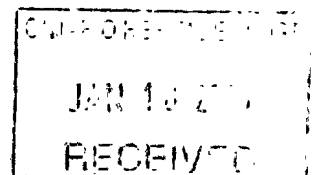
The owner of the two properties being the Diocese of London has been notified of the designation and a public notice has been placed in a newspaper, having general circulation in the Town of Lakeshore.

Should you require any further information with respect to the above, please feel free to contact the undersigned. I remain.

Yours truly,

Mary Masse, AMCT
Clerk

MM/jd



VISION STATEMENT

*A progressive Town of healthy,
Integrated communities*

MISSION STATEMENT

*To nurture a unified Town that sees
possibility, inspires innovation and
realizes potential*

CORPORATION OF THE TOWN OF LAKESHORE

BY-LAW 130-2007

BEING A BY-LAW TO DESIGNATE PART OF THE LANDS AND BUILDINGS AT 2722 COUNTY ROAD 42, IN THE VILLAGE OF ST. JOACHIM TO BE OF ARCHITECTURAL AND HISTORICAL VALUE

WHEREAS The *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended authorizes the council of a municipality to enact by-laws to designate real property including all the buildings and structures thereon, to be of historic or architectural value or interest;

AND WHEREAS The council of the Corporation of the Town of Lakeshore (the "Town") has caused to be served upon the owners of the lands and premises known municipally as 2722 County Road 42, in the Village of St. Joachim, Town of Lakeshore and upon the Ontario Heritage Trust notice of intention to so designate the aforesaid real property and has caused such notice of intention to be published in a newspaper having a general circulation in the municipality;

AND WHEREAS Notices of objection to the proposed designation were served upon the clerk of the municipality and a hearing was subsequently held by the Conservation Review Board;

AND WHEREAS Council for the Town reviewed the decision of the Conservation Review Board and has desires to the recommendations contained therein;

NOW THEREFORE the council of the Corporation of the Town of Lakeshore hereby enacts as follows:


1. The real property municipally known as part of 2722 County Road 42, in the Village of St. Joachim and Town of Lakeshore and more particularly described in Schedule "A", attached to and forming part of this by-law, including all of the buildings, structures and monuments located thereon, is hereby designated as being of architectural and historical value or interest.


2. The reasons for the aforementioned designation are set out in Schedule "B";

3. The Town solicitor is hereby authorized and directed to cause a copy of this By-law to be registered against the real property described in Schedule "A" in the proper land registry office.

4. The Town clerk is hereby authorized to cause a copy of this By-law to be served upon the owner of the property and upon the Ontario Heritage Trust and to cause notice of this By-law to be published in a newspaper having general circulation in the Town.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 11TH DAY OF DECEMBER, 2007.


Tom Bain, Mayor


Mary Masse, Clerk

Schedule "A"
To By-law 130-2007

Legal Description:

Part of Lot 'A',
Registered Plan 248,
Designated as Part 2 on reference plan 12R-23312
Town of Lakeshore,
County of Essex

Being part of PIN 75049-0178

Schedule "B"
To By-law 130-2007

Reasons for Designation

1. Design or Physical Value

St. Joachim Church, first built in 1881 and remodeled in 1891, is a simple but attractive architectural composition. Its white oak timber framework, erected by the parishioners of the Ruscom River area with direction from Elzéar Jacques of Tecumseh, and the outer brick walls (also built by local help) are interesting for their demonstration of local skill in felling, squaring and raising timber and laying brick. The construction method is neither early nor rare for Ontario, but it is representative of a vernacular building tradition from an early time in the development of the farms around the Ruscom River. Overlying the vernacular structure are architectural features reflective of the knowledge Father Ambroise Lorion, a Roman Catholic priest from Quebec, brought to St. Joachim River Ruscom in the westernmost region of Southern Ontario. Father Lorion's choice of the round Roman arch on the exterior and in the interior and his preference for a bell-tower with open belfry make St. Joachim Church an expression of French Canadian Roman Catholic tastes and traditions in architecture during the nineteenth century in the Town of Lakeshore and Essex County.

2. Historical or Associative Value

St. Joachim Church predates the laying out of village lots in St. Joachim, are not only important to the history of the Roman Catholic faith in the local area but also are central to the history of the village of St. Joachim. As the community was generally French Canadian and Roman Catholic, St. Joachim Church, its rectory (built in 1882 and remodeled about 1929) and the parish compound that developed to the west of the church and rectory served as the unrivalled institution in St. Joachim. Contrast the situation in St. Joachim to ethnically diverse or predominantly Protestant villages and small towns of nineteenth century Ontario where there were usually a number of churches – Anglican, Baptist, Methodist, Presbyterian, Roman Catholic, etc. That the religious monument erected in 1919 in front of the church served as the village war memorial is further proof of the paramount importance of the church property to the village and surrounding countryside.

3. Contextual Value

In his 1944 doctoral thesis on the geography of Essex County, Neil F. Morrison discusses the primacy of the church in the rural French Canadian landscape:

"In general, it may be said that the rural French-Canadian cultural structure rests upon four pillars – church, home, farm and language. The lofty spire of the Roman Catholic Church rises above the smaller French communities of Essex County and dominates the rural landscape just as it does in the Province of Quebec."

In the area encompassed by the Town of Lakeshore where there were at one time five French Catholic churches, St. Joachim Church best exemplifies the landmark status of the church in the French Canadian countryside. Sited nearly dead centre on Essex County Road 31 (French Line), the church is viewed in the almost treeless plain of northern Essex County from a considerable distance to the south. In addition to the church's visual significance in the surrounding countryside, the church is the dominant historic building in the village. The placement of the rectory and monument in a treed lawn west of the church contribute to the sense that the property functions as the village green.

Heritage Attributes

The church building and monument to the Sacred Heart of Jesus shall not be altered. More specifically the silhouette of the front façade of the church and all the surviving historic features including: the brick walls and limestone accents, the buttresses emphasising the three bay division, the round-arched openings characteristic of Roman Catholic churches, the slope of the roof, the spire and the characteristically French Canadian five-tiered bell-tower with open metal-clad belfry. Contributing to the historic character of the east and west elevations are the church's round-arched windows, the casement windows of the sacristy, the buttresses, brick and limestone wall materials and roof slope. In addition the chimney with decorative cap rising above the sanctuary's roof, the 1891 cornerstone and the date of 1929 inscribed in the parged foundation shall also not be altered.

In the interior of the church the five columns that separate the wider nave from the narrower isles, the barrel vault over the nave and the flat roofed side isles decorated with stylized crosses, the moulded cornice beams dividing the vaulted ceiling from the flat roofed side aisles, the gallery balustrade, the round-arched windows emitting natural light, the raised platform of the sanctuary, the tableau painted on a sanctuary wall by decorator Roland Jobin, the panelled wainscoting that skirts the sanctuary and the panelled embrasures around the doorways into the sacristy and the sacristy's casement windows shall also not be altered.

The monument to the Sacred Heart of Jesus associated with the church was erected in 1919 and serves as the village war memorial. Important features of the monument that shall not be altered are the figure of Christ, the limestone column, the embossed cross, the date and letters and the plaque inscribe with the names of servicemen.

APPENDIX B

Notice of Decision to Consent: 2722
County Road 42- Monument at St.
Joachim Church, Sacred Heart of
Jesus (“the monument”)

Notice of Decision to Consent

2722 County Road 42 – Monument at St. Joachim Church

Sacred Heart of Jesus (“the monument”)

Roman Catholic Diocese of London

Heritage Permit Application for Removal of a Structure pursuant to subsection 34(2) of The Ontario Heritage Act, R.S.O.1990, c.18

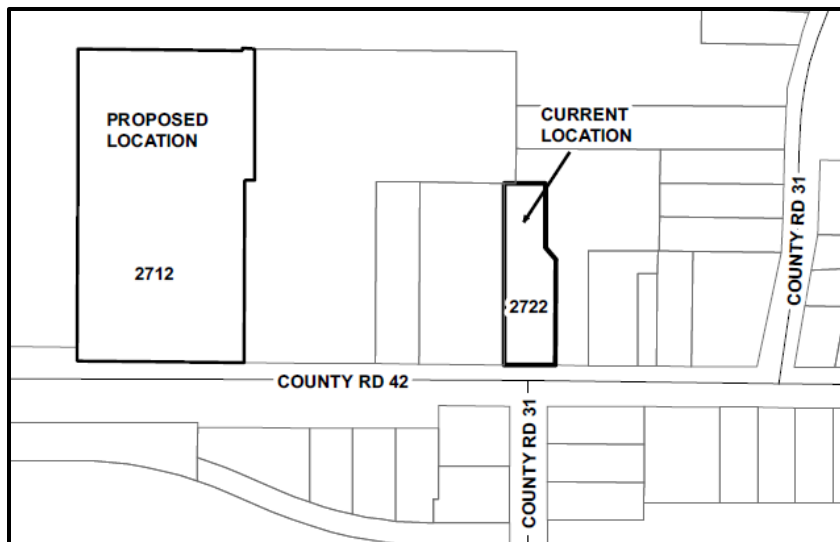
TAKE NOTICE that Lakeshore Town Council, on September 24, 2019, passed a resolution to permit the removal and relocation of the structure, known as the Sacred Heart of Jesus (the monument), located at 2722 County Road 42, to the nearby cemetery to the west, subject to the terms and conditions noted below:

The owner provide a detailed dismantling, storage and reconstruction plan to the satisfaction of the Manager of Development Services and Manager of Building Services.

The subject site is designated under Part IV of the Ontario Heritage Act and the monument is a heritage attribute of the property. Any inquiries may be directed to Kim Darroch, M.PL., MCIP, RPP, Manager of Development Services for the Planning Division, at 519-728-2700, ext. 245 or kdarroch@lakeshore.ca

Kristen Newman, Director of Legislative and Legal Services - Clerk
Town of Lakeshore
419 Notre Dame Street, Belle River, ON N0R 1A0

Key Map



Municipality of Lakeshore – Report to Council

Growth and Sustainability

Corporate Leader - Growth and Sustainability



To: Mayor and Members of Council

From: Tammie Ryall, Corporate Leader – Growth and Sustainability

Date: April 10, 2025

Subject: Heritage Planning – Stoney Point Church (7119 Tecumseh Road)

Recommendation

Direct Administration to publish notice of the intent to repeal the by-law designating the property at 7119 Tecumseh Road in accordance with the requirements of the Ontario Heritage Act, as presented at the May 6, 2025 Council meeting.

Strategic Objectives

This report does not relate to a Strategic Objective.

Background

WSP was retained by the Municipality of Lakeshore Administration to prepare a Cultural Heritage Memorandum for the Stoney Point Church (Church of the Annunciation) located at 7119 Tecumseh Road (the Subject Property). The subject property is currently under private ownership and is designated under Part IV of the *Ontario Heritage Act* by By-law 84-2007.

The subject property owner previously applied for a demolition permit in 2020 which was granted but expired. The owner applied again in 2022 and included a Heritage Impact Assessment with an inventory of salvageable materials. Engineering assessments confirmed that the structure was beyond feasible repair. A peer review of the Heritage Impact Assessment identified heritage attributes to be salvaged as a condition for the demolition request. The demolition request was approved without including conditions for the conservation of the heritage attributes.

It is recommended that the owner of the subject property be informed that Lakeshore intends to de-designate the property, since all the heritage attributes have been removed.

Comments

Applicable Legislation

Provincial Planning Statement, 2024

The Provincial Planning Statement (PPS), 2024 prioritizes the long-term conservation of the Province's cultural heritage resources, including built heritage resources, as they provide economic and social benefits.

Section 4.6 of the PPS requires that:

- 1) Protected heritage property, which may contain built heritage resources or cultural heritage landscapes, shall be conserved.
- 2) Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.
- 3) Planning authorities shall not permit development and site alteration on adjacent lands to protected heritage property unless the heritage attributes of the protected heritage property will be conserved.
- 4) Planning authorities are encouraged to develop and implement:
 - a. archaeological management plans for conserving archaeological resources; and
 - b. proactive strategies for conserving significant built heritage resources and cultural heritage landscapes.
- 5) Planning authorities shall engage early with Indigenous communities and ensure their interests are considered when identifying, protecting and managing archaeological resources, built heritage resources and cultural heritage landscapes.

The Planning Act requires all planning decisions to be consistent with the PPS.

The Ontario Heritage Act

The Ontario Heritage Act gives municipalities the authority to protect heritage properties and archaeological sites through Part IV and V of the Act. The Act empowers Council to "designate" individual properties as being of "cultural heritage value or interest" if they meet at least two of the nine criteria of Ontario Regulation 9/06 for determining whether it is of cultural heritage value or interest.

Once a Council designates a property, it is recognized through a by-law and added to a "Register" maintained by the municipal clerk. The subject property is currently designated under Part IV of the *Ontario Heritage Act* through By-law 84-2007, however the existing conditions of the property have been altered since the designating by-law was approved. Therefore, it may be necessary to update the by-law to ensure that the list of heritage attributes reflects the current condition of the property.

Recent amendments to the *Ontario Heritage Act* provide an alternative process for applications related to buildings for religious purposes. Applications to alter a building or portion of a building used for religious purposes may be approved without conditions if the building, or a portion of the building, is primarily used for religious practice, if the alterations are connected to a religious practice, the alteration is required for religious practices, or the applicant provides an affidavit or sworn declaration confirming the application meets the conditions of the Act.

Ontario Heritage Toolkit

The Ministry of Citizenship and Multiculturalism (MCM) publication, “Designating Heritage Properties: A Guide to Municipal Designations of Individual Properties under the Ontario Heritage Act” (referred to as the Ontario Heritage Toolkit), includes guidance on the process of repealing a designation by-law. The Toolkit states that it is important for Council to understand the reasons a property owner wishes to repeal of the by-law which designates the property because the purpose of designation is to conserve and protect the heritage attributes of the property for future generations. If an application to repeal is rejected, the applicant cannot re-apply for 12 months.

Lakeshore Official Plan

Section 4.2.3.1 of the Official Plan addresses Cultural Heritage Resources and states:

- a) Town will encourage the preservation of significant built heritage resources and cultural heritage landscapes and may use the Ontario Heritage Act to do so.
- g) The Town will also maintain a list of properties worthy of designating under the Ontario Heritage Act and endeavour to have these properties designated. Signage will be erected to indicate that a property is a designated heritage property.
- h) The Town will encourage the preservation and enhancement of the unique cultural and heritage significance of the francophone community in Stoney Point/Point-Aux Roches.
- j) To ensure that heritage properties remain in their context, the relocation of heritage buildings or structures will be discouraged.

Section 4.2.3.5 of the Official Plan regarding Development Policies provides direction for the conservation and protection of cultural heritage resources whenever considering development or redevelopment that has the potential to impact those resources.

By-law 84-2007

The designating by-law for Stoney Point Church, By-law 84-2007, indicates that the church was constructed in 1905 and was the only church commission for Louis Caron Junior in Ontario. The church reflected the traditions of church building in Quebec with Romanesque revival style architectural features. The church included pressed tin accents along the roofline, a pipe organ installed in 1911, stained glass

windows, and other features identified as heritage attributes.

None of the heritage attributes remain on-site.

Heritage De-designation Process

Under Section 31 of the Ontario Heritage Act, the council of a municipality may initiate the process to pass a by-law to repeal the existing designation by-law for a designated property. This process is outlined in detail in the attached Heritage Report prepared by WSP and includes:

- The Municipality must notify the property owner and the Ontario Heritage Trust of the intention to repeal the designation by-law
- the notice must be posted publicly on the municipality's website and in a local newspaper.
- If no objection is received within 30 days, Council may proceed with the repeal.
- If an objection is submitted, Council must consider the objection within 90 days and may withdraw the notice of intention to repeal the by-law, or proceed.
- Once Council adopts the by-law to repeal the designation, notice must be provided to the property owner, the public and the Ontario Heritage Trust. If an appeal is submitted within 30 days, then an Ontario Land Tribunal appeal process will commence.

If the property owner chooses to initiate the de-designation process, the process is similar with the following differences:

- A pre-consultation meeting between the property owner and municipal staff is recommended to discuss the requirements for the application
- The property owner will need to submit document supporting their application such as the engineering structural report, scoped Heritage Impact Assessment and documentation of the removal of the heritage attributes, if available.
- A detailed rationale for the de-designation should be provided.
- A title search report should be provided.
- Photographic documentation of the property should be provided (in this case general photographs of the current condition of the property would be adequate)

The remainder of the process is similar to a municipally-initiated repeal of the designation by-law.

Conclusion

It is recommended that the designation by-law for the property at 7119 Tecumseh Road be repealed under the Ontario Heritage Act. The process for de-designating the property would be somewhat streamlined if initiated by the Municipality.

Municipal staff seek direction from Council to post the required notice for intent to repeal the designation by-law for the subject property and begin the de-designation process in accordance with the *Ontario Heritage Act*.

Financial Impacts

There are no budget implications related to the Recommendation. The costs associated with preparing the Technical Memo are covered under the Division Consulting Budget.

Attachments

Appendix A – WSP Technical Memorandum re: Heritage Planning Administrative Process for De-designating (now demolished) heritage property - Stoney Point Church (7119 Tecumseh Road), Municipality of Lakeshore, Ontario

Report Approval Details

Document Title:	Heritage Planning - Stoney Point Church (7119 Tecumseh Road).docx
Attachments:	
Final Approval Date:	Apr 24, 2025

This report and all of its attachments were approved and signed as outlined below:

Prepared by Tammie Ryall

Approved by the Corporate Leadership Team

Municipality of Lakeshore – Report to Council

Growth and Sustainability

Planning Services



To: Mayor and Members of Council

From: Urvi Prajapati, Team Leader - Community Planning

Date: April 11, 2025

Subject: PLC-01-2025 – Part Lot Control Exemption Extension – Mocer
Subdivision

Recommendation

Direct the Clerk to read By-law 36-2025, during the “Consideration of By-laws” to approve the application to extend Part Lot Control exemption for Blocks 1 and 2 on Plan 12M-640 and Part of Block 3, Plan 12M640 designated as Parts 2 to 9 on Plan 12R-28249, as presented at the May 6, 2025 Council meeting.

Strategic Objectives

This does not relate to a strategic objective and is an application for the extension of an existing Part Lot Control Exemption.

Background

The subject lands are part of the Mocer Subdivision which received Final Approval from the County of Essex on February 21, 2018. The Mocer Subdivision was registered as Plan 12M-640 on April 4, 2018 (See “Appendix A” and “Appendix B”). A subdivision agreement is in place between the Municipality and the owner/developer.

The subject lands are located near the north-east corner of E. Pike Creek Road and County Road 2. The southerly half of the Mocer Subdivision (Blocks 3 & 4) is presently developed and contains residential lots with single unit attached dwellings (see “Appendix C”). Block 1 is scheduled to be constructed this year and Block 2 is nearing the end of construction. Each of the four Blocks (Blocks 1, 2, 3, & 4) will accommodate three single unit attached dwellings.

On July 16, 2019 Council enacted By-law 78-2019 to exempt Blocks 1, 2, 3 and 4 on Plan of Subdivision 12M-640 from Part Lot Control.

Part Lot Control is a provision of the *Planning Act* which prevents the transfer or deeding of a portion of a Lot or Block within a plan of subdivision. The Municipality will pass a By-law exempting a parcel of land within a registered plan of subdivision from “Part Lot Control”. It allows the division of land into a number of lots without requiring the approval of a severance application, since the plan of subdivision has already been approved by Council and the County of Essex.

In 2022 the applicant had come forward with a request to extend the expiry date (July 16, 2022) for Part Lot Control exemption as it relates to Blocks 1, 2, and 3 (9 single unit attached dwelling lots) within the residential subdivision. During this time only 6 of the proposed 12 single unit attached dwellings were developed. Council approved the extension for an additional period of 3 years and the by-law is going to expire on July 16, 2025.

The applicant has now come forward with another application for an extension to exempt Blocks 1, 2, and part of Block 3 on Plan of Subdivision 12M-640 from Part Lot Control as Block 1 is scheduled to commence construction in the summer and Block 2 is nearing completion. It is to be noted that one of the units on Block 3 has been sold (designated as Parts 1 and 10 and Plan 12R-28249) and the remainder are currently listed for sale and are leased out until they will be sold.

The By-law to extend Part Lot Control exemption will apply to Blocks 1, 2, and part of Block 3 on Plan 12M-640. Blocks 1 and 2, and the remaining unsold units on Block 3, will require a conveyance of part of a Block and the conveyance of reciprocal easements for access, drainage, and maintenance. If approved, the by-law will be extended for another 3 years expiring on May 6, 2028.

Comments

The *Planning Act* under Subsection 50(7) authorizes Council to pass a by-law to designate a part or parts of a registered plan of subdivision as not being subject to the part lot control provisions of Section 50(5) of the *Planning Act*, in effect allowing further subdivision of the designated lands by means of a Reference Plan and without going through the consent or subdivision process. Passage of the part lot control by-law would permit the owner to convey all or portions of a Lot of Block in a registered Plan of Subdivision. Applications of this type are not subject to public hearings or appeal. Final approval of the initial part-lot control exemption by-law rested with the subdivision approval authority, i.e. the County of Essex. However, the current amending by-law (By-law 36-2025) does not require County approval and will be final upon its passing.

Provincial Planning Statement (PPS)

The Part Lot Control Exemption application is consistent with the applicable policies of the PPS. The subject lands are located within an identified Primary Settlement Area. Although it can be stated that the proposal supports and implements many of the document’s policies, the following important policies specifically apply to the proposal:

- Section 2.2, Housing – this section speaks to planning authorities providing for a range and mix of housing options and densities, and this entire section is applicable.
- Section 2.3.1 General Policies for Settlement Areas is applicable to this proposal as this section talks about the growth of Settlement Areas and the role of Municipalities in encouraging efficient use of land and resources. Specifically, the following sections apply the most to the proposal.
- Section 2.3.1(1), General Policies for Settlement Areas, of the PPS states “Settlement areas shall be the focus of growth and development”
- Section 2.3.1(2a & b), General Policies for Settlement Areas, of the PPS states “Land use patterns within settlement areas should be based on densities and a mix of land uses which:
 - a) Efficiently use land and resources;
 - b) Optimize existing and planned infrastructure and public service facilities...”
- Section 2.3.1(3) “Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.”
- Section 2.4 Strategic Growth Areas – this section also speaks on intensification to encourage complete communities by providing a mix and range of housing.

Considering the policies above, the proposed subdivision development and part lot control request is consistent with the applicable policies of the PPS.

County of Essex Official Plan

The proposal conforms to the County of Essex Official Plan.

Lakeshore Official Plan

The Mocerri Subdivision is designated “Residential”, and partially designated “Lake St. Clair Floodprone Area”, and is within the “Limit of Regulated Area” (ERCA) in the Municipality of Lakeshore Official Plan. The proposal conforms to the Municipality of Lakeshore Official Plan.

Zoning

The subject lands are zoned R2-14 zone (Residential Type 2 Zone Exception 14 – Medium Density).

The applicant has submitted a frontage and area certificate (Appendix D) prepared by a professional land surveyor to verify that the lots that are being created conform to the R2-

14 zone. The Certificate has been reviewed by Administration and is in compliance with the zone classification.

Conclusion

Approve the application for Part Lot Control Exemption for Blocks 1 and 2, Registered Plan 12M-640 and Part of Block 3 Registered Plan 12M-640, designated as Parts 2 to 9, on Plan 12R-28249 in the Municipality of Lakeshore; and

Direct the Clerk to read By-law 36-2025 during the “Consideration of By-laws”, as presented at the May 6, 2025 Council meeting.

Financial Impacts

There are no financial impacts resulting from the recommendation.

Attachments

Appendix A – Aerial Map
Appendix B – 12M640
Appendix C – 12R28249
Appendix D – Frontage and Area Certificate

Report Approval Details

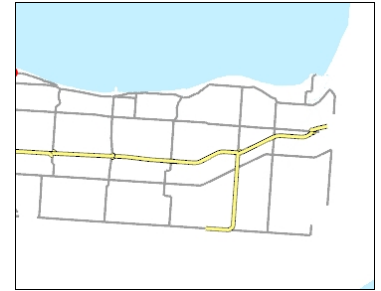
Document Title:	PLC-01-2025 – Part Lot Control Exemption Extension – Mocerri Subdivision.docx
Attachments:	- Appendix A – Aerial Map.pdf - Appendix B – 12M640.pdf - Appendix C – 12R28249.pdf - Appendix D – Frontage and Area Certificate
Final Approval Date:	Apr 25, 2025

This report and all of its attachments were approved and signed as outlined below:

Prepared by Urvi Prajapati

Submitted by Daniel Mercer and Tammie Ryall

Approved by the Corporate Leadership Team



Legend

- Tax Parcel
- WorkingParcel
- Street Centreline
- CNTY
- LAK
- PRIV
- PROV
- <all other values>

1: 1,011



Notes:

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

INTEGRATION DATA

COORDINATES AND CURVE DATA FROM LINO DATA (STATIONING FROM THE CURVE AND MIDPOINT OF CURVE TO THE POINT OF BEGINNING OF CURVE (P.B.) (SEE PLAN) COORDINATE VALUES ARE IN METERS (FEET) AND ARE TO BE USED IN CONJUNCTION WITH STATIONING FROM THE CURVE TO THE POINT OF BEGINNING OF CURVE (P.B.)			
Curve No.	Stationing	Curve Length	Curve Radius
1	100+00.00	100.00	1000.00
2	110+00.00	100.00	1000.00
3	120+00.00	100.00	1000.00
4	130+00.00	100.00	1000.00
5	140+00.00	100.00	1000.00
6	150+00.00	100.00	1000.00
7	160+00.00	100.00	1000.00
8	170+00.00	100.00	1000.00
9	180+00.00	100.00	1000.00
10	190+00.00	100.00	1000.00
11	200+00.00	100.00	1000.00
12	210+00.00	100.00	1000.00
13	220+00.00	100.00	1000.00
14	230+00.00	100.00	1000.00
15	240+00.00	100.00	1000.00
16	250+00.00	100.00	1000.00
17	260+00.00	100.00	1000.00
18	270+00.00	100.00	1000.00
19	280+00.00	100.00	1000.00
20	290+00.00	100.00	1000.00
21	300+00.00	100.00	1000.00
22	310+00.00	100.00	1000.00
23	320+00.00	100.00	1000.00
24	330+00.00	100.00	1000.00
25	340+00.00	100.00	1000.00
26	350+00.00	100.00	1000.00
27	360+00.00	100.00	1000.00
28	370+00.00	100.00	1000.00
29	380+00.00	100.00	1000.00
30	390+00.00	100.00	1000.00
31	400+00.00	100.00	1000.00
32	410+00.00	100.00	1000.00
33	420+00.00	100.00	1000.00
34	430+00.00	100.00	1000.00
35	440+00.00	100.00	1000.00
36	450+00.00	100.00	1000.00
37	460+00.00	100.00	1000.00
38	470+00.00	100.00	1000.00
39	480+00.00	100.00	1000.00
40	490+00.00	100.00	1000.00
41	500+00.00	100.00	1000.00
42	510+00.00	100.00	1000.00
43	520+00.00	100.00	1000.00
44	530+00.00	100.00	1000.00
45	540+00.00	100.00	1000.00
46	550+00.00	100.00	1000.00
47	560+00.00	100.00	1000.00
48	570+00.00	100.00	1000.00
49	580+00.00	100.00	1000.00
50	590+00.00	100.00	1000.00
51	600+00.00	100.00	1000.00
52	610+00.00	100.00	1000.00
53	620+00.00	100.00	1000.00
54	630+00.00	100.00	1000.00
55	640+00.00	100.00	1000.00
56	650+00.00	100.00	1000.00
57	660+00.00	100.00	1000.00
58	670+00.00	100.00	1000.00
59	680+00.00	100.00	1000.00
60	690+00.00	100.00	1000.00
61	700+00.00	100.00	1000.00
62	710+00.00	100.00	1000.00
63	720+00.00	100.00	1000.00
64	730+00.00	100.00	1000.00
65	740+00.00	100.00	1000.00
66	750+00.00	100.00	1000.00
67	760+00.00	100.00	1000.00
68	770+00.00	100.00	1000.00
69	780+00.00	100.00	1000.00
70	790+00.00	100.00	1000.00
71	800+00.00	100.00	1000.00
72	810+00.00	100.00	1000.00
73	820+00.00	100.00	1000.00
74	830+00.00	100.00	1000.00
75	840+00.00	100.00	1000.00
76	850+00.00	100.00	1000.00
77	860+00.00	100.00	1000.00
78	870+00.00	100.00	1000.00
79	880+00.00	100.00	1000.00
80	890+00.00	100.00	1000.00
81	900+00.00	100.00	1000.00
82	910+00.00	100.00	1000.00
83	920+00.00	100.00	1000.00
84	930+00.00	100.00	1000.00
85	940+00.00	100.00	1000.00
86	950+00.00	100.00	1000.00
87	960+00.00	100.00	1000.00
88	970+00.00	100.00	1000.00
89	980+00.00	100.00	1000.00
90	990+00.00	100.00	1000.00
91	1000+00.00	100.00	1000.00
92	1010+00.00	100.00	1000.00
93	1020+00.00	100.00	1000.00
94	1030+00.00	100.00	1000.00
95	1040+00.00	100.00	1000.00
96	1050+00.00	100.00	1000.00
97	1060+00.00	100.00	1000.00
98	1070+00.00	100.00	1000.00
99	1080+00.00	100.00	1000.00
100	1090+00.00	100.00	1000.00
101	1100+00.00	100.00	1000.00
102	1110+00.00	100.00	1000.00
103	1120+00.00	100.00	1000.00
104	1130+00.00	100.00	1000.00
105	1140+00.00	100.00	1000.00
106	1150+00.00	100.00	1000.00
107	1160+00.00	100.00	1000.00
108	1170+00.00	100.00	1000.00
109	1180+00.00	100.00	1000.00
110	1190+00.00	100.00	1000.00
111	1200+00.00	100.00	1000.00
112	1210+00.00	100.00	1000.00
113	1220+00.00	100.00	1000.00
114	1230+00.00	100.00	1000.00
115	1240+00.00	100.00	1000.00
116	1250+00.00	100.00	1000.00
117	1260+00.00	100.00	1000.00
118	1270+00.00	100.00	1000.00
119	1280+00.00	100.00	1000.00
120	1290+00.00	100.00	1000.00
121	1300+00.00	100.00	1000.00
122	1310+00.00	100.00	1000.00
123	1320+00.00	100.00	1000.00
124	1330+00.00	100.00	1000.00
125	1340+00.00	100.00	1000.00
126	1350+00.00	100.00	1000.00
127	1360+00.00	100.00	1000.00
128	1370+00.00	100.00	1000.00
129	1380+00.00	100.00	1000.00
130	1390+00.00	100.00	1000.00
131	1400+00.00	100.00	1000.00
132	1410+00.00	100.00	1000.00
133	1420+00.00	100.00	1000.00
134	1430+00.00	100.00	1000.00
135	1440+00.00	100.00	1000.00
136	1450+00.00	100.00	1000.00
137	1460+00.00	100.00	1000.00
138	1470+00.00	100.00	1000.00
139	1480+00.00	100.00	1000.00
140	1490+00.00	100.00	1000.00
141	1500+00.00	100.00	1000.00
142	1510+00.00	100.00	1000.00
143	1520+00.00	100.00	1000.00
144	1530+00.00	100.00	1000.00
145	1540+00.00	100.00	1000.00
146	1550+00.00	100.00	1000.00
147	1560+00.00	100.00	1000.00
148	1570+00.00	100.00	1000.00
149	1580+00.00	100.00	1000.00
150	1590+00.00	100.00	1000.00
151	1600+00.00	100.00	1000.00
152	1610+00.00	100.00	1000.00
153	1620+00.00	100.00	1000.00
154	1630+00.00	100.00	1000.00
155	1640+00.00	100.00	1000.00
156	1650+00.00	100.00	1000.00
157	1660+00.00	100.00	1000.00
158	1670+00.00	100.00	1000.00
159	1680+00.00	100.00	1000.00
160	1690+00.00	100.00	1000.00
161	1700+00.00	100.00	1000.00
162	1710+00.00	100.00	1000.00
163	1720+00.00	100.00	1000.00
164	1730+00.00	100.00	1000.00
165	1740+00.00	100.00	1000.00
166	1750+00.00	100.00	1000.00
167	1760+00.00	100.00	1000.00
168	1770+00.00	100.00	1000.00
169	1780+00.00	100.00	1000.00
170	1790+00.00	100.00	1000.00
171	1800+00.00	100.00	1000.00
172	1810+00.00	100.00	1000.00
173	1820+00.00	100.00	1000.00
174	1830+00.00	100.00	1000.00
175	1840+00.00	100.00	1000.00
176	1850+00.00	100.00	1000.00
177	1860+00.00	100.00	1000.00
178	1870+00.00	100.00	1000.00
179	1880+00.00	100.00	1000.00
180	1890+00.00	100.00	1000.00
181	1900+00.00	100.00	1000.00
182	1910+00.00	100.00	1000.00
183	1920+00.00	100.00	1000.00
184	1930+00.00	100.00	1000.00
185	1940+00.00	100.00	1000.00
186	1950+00.00	100.00	1000.00
187	1960+00.00	100.00	1000.00
188	1970+00.00	100.00	1000.00
189	1980+00.00	100.00	1000.00
190	1990+00.00	100.00	1000.00
191	2000+00.00	100.00	1000.00
192	2010+00.00	100.00	1000.00
193	2020+00.00	100.00	1000.00
194	2030+00.00	100.00	1000.00
195	2040+00.00	100.00	1000.00
196	2050+00.00	100.00	1000.00
197	2060+00.00	100.00	1000.00
198	2070+00.00	100.00	1000.00
199	2080+00.00	100.00	1000.00
200	2090+00.00	100.00	1000.00
201	2100+00.00	100.00	1000.00
202	2110+00.00	100.00	1000.00
203	2120+00.00	100.00	1000.00
204	2130+00.00	100.00	1000.00
205	2140+00.00	100.00	1000.00
206	2150+00.00	100.00	1000.00
207	2160+00.00	100.00	1000.00
208	2170+00.00	100.00	1000.00
209	2180+00.00	100.00	1000.00
210	2190+00.00	100.00	1000.00
211	2200+00.00	100.00	1000.00
212	2210+00.00	100.00	1000.00
213	2220+00.00	100.00	1000.00
214	2230+00.00	100.00	1000.00
215	2240+00.00	100.00	1000.00
216	2250+00.00	100.00	1000.00
217	2260+00.00	100.00	1000.00
218	2270+00.00	100.00	1000.00
219	2280+00.00	100.00	1000.00
220	2290+00.00	100.00	1000.00
221	2300+00.00	100.00	1000.00
222	2310+00.00	100.00	1000.00
223	2320+00.00	100.00	1000.00
224	2330+00.00	100.00	1000.00
225	2340+00.00	100.00	1000.00
226	2350+00.00	100.00	1000.00
227	2360+00.00	100.00	1000.00
228	2370+00.00	100.00	1000.00
229	2380+00.00	100.00	1000.00
230	2390+00.00	100.00	1000.00
231	2400+00.00	100.00	1000.00
232	2410+00.00	100.00	1000.00
233	2420+00.00	100.00	1000.00
234	2430+00.00	100.00	1000.00
235	2440+00.00	100.00	1000.00
236	2450+00.00	100.00	1000.00
237	2460+00.00	100.00	1000.00
238	2470+00.00	100.00	1000.00
239	2480+00.00	100.00	1000.00
240	2490+00.00	100.00	1000.00
241	2500+00.00	100.00	1000.00
242	2510+00.00	100.00	1000.00
243	2520+00.00	100.00	1000.00
244	2530+00.00	100.00	1000.00
245	2540+00.00	100.00	1000.00
246	2550+00.00	100.00	1000.00
247	2560+00.00	100.00	1000.00

"IMPERIAL"
Distances and coordinates shown on this plan are in feet and can be converted to meters by multiplying by 0.3048



THIS PLAN COVERS ALL OF P.L.N. 73000-0511

SCALE : 1"=20'

ALL MEASUREMENTS SHOWN THUSLY ☐ ARE FROM BARS (B) UNLESS OTHERWISE NOTED

ITEM	QTY	UNIT	PRICE	TOTAL
DENOTES	1	X	1	X
DENOTES	5/8	X	5/8	X
DENOTES	3/4	denote	X	X

DENOTES FULL-CROSS
DENOTES 3mm x 30mm STEEL
DENOTES SURVEY MONUMENT

DEPOTES SURVEY MONUMENT
DEPOTES WITNESS 1 DO

(1)	DENOTES SET	(2)	DE-
ONE	DENOTES OBSERVED RETURNING		
SCORE'S	SECTION ON THIS PAGE HAVE		

POSSIBILITY THAT UNDERGROUND UTILITIES

DO NOTES PLAN 12M-640
DO NOTES VERBAZEN STUURD
(1744)

SURVEYOR'S CERTIFICATE

1. THE SURVEY AND PLAN ARE COMPLETED

2. THIS SURVEY WAS COMPLETED ON

DATE APRIL 2, 2020

1



T: (519) 258-1777

DRAWN BY:	CHECKED
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<p>Activity.</p>	
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FILE: 19-47-073-01.dmg	E-12
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JAYDEN KRUC

APPROVED FOR LAND
REQUISITION FOR THE LAND
DIVISION OF ESSEX (12)

ANDREW S. MATHIA
ONTARIO LAND SURVEYOR

1. THE SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT AND THE SURVEYORS ACT. THE LAND TITLES AND THE REGULATIONS MADE UNDER THEM.

2. THIS SURVEY WAS COMPLETED ON THE 18th DAY OF MARCH, 2020

DATE APRIL 3, 2020 Asst. Dir.

ANDREW S. MARTHA
ONTARIO LAND SURVEYOR
for VERHEEVEN - STUBBSFIELD - WARTLE
PROVER - EZZART INC.

VERHAEGEN INVESTING
MAPPING
LAND SURVEYORS 019
A DIVISION OF J. D. SAKNIS LTD.

944 OTTAWA STREET, WINDSOR, ON N6X 2E1
T: (519) 251-1772 F: (519) 251-1791 www.johnsone.com
CHECKED BY: A.S.M. ROUTED TO: NO: 19-47-C

UNAWAY BY: A.M.	UNAWAY BY: A.S.M.	REFERENCE NO.: 19-47-075-0
FILE: 19-47-075-01.dmg	E-120-640-BLK 3	END Date: April 14, 2020 8:20 CIV Time: 19-47-075-01A.dmg

FRONTAGE AND LOT AREA CERTIFICATE

EAST PIKE CREEK ROAD SUBDIVISION
PART OF LOT 1 - CONCESSION EAST OF PIKE CREEK
4-27326 PLAN FILE: C-3531'L' FIELD FILE: E-MAID-EPC-1
CAD FILE: X:/2019/4273/42732602H.dwg

FRONTAGE CALCULATIONS ARE BASED ON ZONING BY-LAW 2-2012-ADOPTED JANUARY 10, 2012.
ALL FRONTAGE CALCULATIONS AND AREAS ARE BASED ON A PLAN 12M-640 PREPARED BY
VERHAEGEN LAND SURVEYORS DATED JANUARY 19, 2018.

BLOCK 1					
PARCEL	AREA (m ²)	FRONTAGE (m)	BLDG AREA (m ²)	LOT COVERAGE %	MAX. LOT COVERAGE %
A	573.1	24.54	180.1	31.4 %	40 %
B	373.2	12.19	184.8	49.5 %	50 %
C	503.9	14.30	191.7	38.0 %	40 %
BLOCK 2					
PARCEL	AREA (m ²)	FRONTAGE (m)	BLDG AREA (m ²)	LOT COVERAGE %	MAX. LOT COVERAGE %
A	465.9	13.67	177.6	38.1 %	40 %
B	450.7	10.34	173.0	38.4 %	50 %
C	1051.5	15.61	324.0	30.8 %	40 %
BLOCK 3					
PARCEL	AREA (m ²)	FRONTAGE (m)	BLDG AREA (m ²)	LOT COVERAGE %	MAX. LOT COVERAGE %
A	488.0	15.35	178.0	36.5 %	40 %
B	325.3	9.14	142.2	43.7 %	50 %
C	424.5	12.49	160.7	37.9 %	40 %
BLOCK 4					
PARCEL	AREA (m ²)	FRONTAGE (m)	BLDG AREA (m ²)	LOT COVERAGE %	MAX. LOT COVERAGE %
A	398.8	11.73	182.5	45.8 %	48 %
B	272.0	8.00	143.1	52.6 %	57 %
C	590.6	16.86	177.7	30.0 %	40 %

NOTE:

BLOCK 4 IS CURRENTLY THE SUBJECT OF A MINOR-VARIANCE APPLICATION.

DATE FEBRUARY 28 2019



ANDREW S. MANTHA
ONTARIO LAND SURVEYOR
for VERHAEGEN • STUBBERFIELD • HARTLEY
BREWER • BEZAIRE INC.

FRONTAGE AND LOT AREA CERTIFICATE

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ANDREW S. MANTHA
ONTARIO LAND SURVEYOR
for VERHAEGEN • STUBBERFIELD • HARTLEY
BREWER • BEZAIRE INC.

Notice of Motion submitted by Councillor Santarossa regarding Pre-Zoning of County Road 22 Properties

Whereas pre-zoning areas slated for intensification can:

- Encourage development by reducing the need for developers to apply and pay for the rezoning of their property in order to build on it; and
- Encourage better and more sustainable utilization of available lands; and
- Increase transparency to the public and development community where land is slated for increased density; and
- Align Official Plans and Zoning Bylaws around identified goals and strategic priorities.

And whereas:

- The Municipality of Lakeshore is forecasted to grow by an additional 35,000 people by 2051; and
- According to the Official Plan draft, "[t]he County Road 22 Mixed Use Corridor is envisaged as a higher intensity mixed use and future transit supportive corridor extending through the Municipality between Manning Road and Belle River Urban Areas."; and
- The partnership with C4C will allow for Design Charettes for the County Road 22 Corridor; and
- The Council of the Municipality of Lakeshore values public engagement, consultation, and input as the community develops; and
- As-of-right zoning will be encouraged following these design charettes; and
- Future development will be subject to the future Waste Water Treatment Allocation Policy and servicing capacity made available through the Water & Waste Water Master Plan implementation;

Therefore, the Council of the Municipality of Lakeshore support, in principle, the pre-zoning of County Road 22 properties between West Belle River Road and West Pike Creek in alignment with the Special Planning Corridor in the Official Plan;

And that this information be provided during public consultations with residents, developers, and the relevant property owners.

Municipality of Lakeshore

By-law 36-2025

**Being a By-law to extend the Time Period for Part Lot Control By-law 65-2022
for Blocks 1, 2, and Part of Block 3, Plan 12M-640,
in the former Community of Maidstone, now in the Municipality of Lakeshore
(PLC-1-2025)**

Whereas the *Planning Act*, R.S.O.1990, c.P.13, as amended, provides that part-lot control shall apply where land is within a plan of subdivision registered before or after the coming into force of the Act;

And Whereas subsection 50(7) of the *Planning Act* provides that the Council of the Municipality may by by-law provide that the part lot control provisions of section 50 of the *Planning Act*, R.S.O. 1990 c.P.13 does not apply to lands within a registered plan(s) of subdivision(s) or part(s) as designated in the by-law, and where the by-law is passed and approved part lot control as described in subsection 5 of section 50, ceases to apply to such land;

And Whereas By-law 65-2022, Being a By-law to exempt certain lands from Part Lot Control within Blocks 1, 2, and 3, Registered Plan 12M-640, for the former Community of Maidstone, now in the Municipality of Lakeshore, was approved on July 6, 2022;

And Whereas the Council of the Municipality of Lakeshore passed a resolution directing the Clerk to read By-law 36-2025 to amend By-law 65-2022 to extend the expiration of the part lot control exemption for Blocks 1 and 2 on Plan 12M-640 and Part of Block 3, Plan 12M-640 designated as Parts 2 to 9, on Plan 12R28249, Lakeshore, as recommended by the Planner at the May 6, 2025 Council meeting;

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. Section 50(5) of the *Planning Act*, R.S.O. 1990, c.P.13 shall continue to not apply to the lands within part of the registered plan of subdivision designated as follows:

Blocks 1 and 2, Plan 12M-640 and Part of Block 3, Plan 12M-640 designated as Parts 2 to 9, on Plan 12R28249, Lakeshore
2. The development of the lands more particularly described in Section 1 of this by-law shall be only by way of descriptions of lands on a registered Reference Plan, which Reference Plan has been approved by the Municipality.
3. (a) This By-law shall come into force and effect upon passage subject to subsection (b).

(b) The part lot control exemption shall become final in accordance with subsection 50(7.1) of the *Planning Act*.

4. This by-law shall expire on May 6, 2028.

Read and passed in open session on May 6, 2025.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**

Written approval of this by-law was given by Mayoral Direction MDE-2025-__ dated _____, 2025.

AMENDMENT NO. 21

**TO THE OFFICIAL PLAN FOR THE MUNICIPALITY OF
LAKESHORE**

I, Urvi Prajapati, being the Team Leader – Community Planning for the Municipality of Lakeshore, do hereby certify that this is a true and correct copy of Official Plan Amendment No. 21 to the Official Plan (2010) for the Municipality of Lakeshore. This copy conforms to the original document and has not been altered in any way.

Dated this 6th day of May, 2025

Urvi Prajapati

Team Leader – Community Planning

Municipality of Lakeshore

Municipality of Lakeshore

By-law 38-2025

Being a By-law to adopt OPA 21 to the Lakeshore Official Plan

Whereas the *Planning Act*, R.S.O. 1990, c. P. 13 permits municipal Councils to adopt amendments to Official Plans in accordance with the procedure outlined in the Act and corresponding regulations;

And whereas the *Planning Act*, R.S.O. 1990, c. P. 13 prohibits municipalities from requiring planning application proponents to participate in pre-consultation discussions prior to submitting a formal application;

And whereas the Council of the Municipality of Lakeshore supports amendments to the Official Plan as provided herein:

Now therefore the Council of the Municipality of Lakeshore enacts as follows:

1. Amendment No. 21 to the Official Plan for the Municipality of Lakeshore, consisting of the attached explanatory text, is adopted.
2. The Clerk is authorized and directed to make application to the County of Essex for approval of Amendment No. 21 to the Official Plan for the Municipality of Lakeshore.
3. This by-law shall come into force in accordance with Sections 17 and 21 of the *Planning Act*, R.S.O. 1990, c. P. 13.

Read and passed in open session on May 6, 2025.

**Mayor
Tracey Bailey**

**Clerk
Brianna Coughlin**

Written approval of this by-law was given by Mayoral Direction MDE-2025-__ dated _____, 2025.

The Constitutional Statement

Part A - The Preamble: Does not constitute part of this amendment.

Part B - The Amendment: Consisting of the following explanatory text constitutes Amendment No. 21 to Municipality of Lakeshore Official Plan

Also attached is Part C - The Appendices: which does not constitute part of this amendment. These appendices contain the planning analysis and public involvement associated with this amendment.

Official Plan Amendment No. 21

Part A - The Preamble

Purpose and basis of the amendment - The purpose of the proposed Official Plan Amendment is to allow the Municipality to delegate approval authority of minor amendments to the Municipality's Zoning By-law to a Committee of Council and/or a designated Staff person. Section 34 of the *Planning Act* enables Councils to pass Zoning By-laws for a local municipality, and provides guidance on the types of regulations and provisions that can be included in a Zoning By-law.

The Province passed Bill 13, the "Supporting People and Businesses Act" in 2021, which, among other things, amended Section 39.2 of the Act to allow for minor zoning amendments to be delegated to a Committee of Council or a member of staff. This change was intended to help streamline the planning approval process and reduce some of the administrative burden placed on municipal Councils.

Bill 185, the "Cutting Red Tape to Build More Homes Act, 2024" received Royal Assent on June 6, 2024. The Act made changes to the Planning Act which has the effect of municipalities no longer being able to require proponents to consult with Council or a planning authority prior to submitting applications for official plan amendments, zoning by-law amendments, site plan control, or plans of subdivision. The changes to the Official Plan policies are intended to permit applicants to consult with the municipality for these types of applications.

The Planning analysis for the changes being made as part of OPA No. 21 are described in the documents referred to in the Planning Analysis section of the amendment.

Part B – The Amendment

Details of the Amendment

The Official Plan for the Municipality of Lakeshore, as modified, is hereby further amended as follows:

1. That the following be inserted as Section 8.3.5.3 of the Official Plan (Section 8.3.6.3 as amended by OPA No. 16):

8.3.5.3 Delegated Authority for Minor Zoning By-laws

The *Planning Act* allows Council to delegate authority to pass zoning by-laws that are of a minor nature to a committee of Council or to an authorized individual, if enabling Official Plan policies are in place.

A minor zoning by-law must additionally have delegation authority through a municipal by-law, which provides implementation details and is to be read together with these policies.

The following will be the policies of the Municipality:

- a) Council may, by by-law, delegate the authority to pass by-laws under Section 34 of *The Planning Act* that are of a minor nature to a committee of Council or an individual who is an officer, employee or agent of the Municipality.
 - b) Council may delegate one or more of the following types of minor zoning by-laws:
 - i) Zoning by-law amendments that are required to fulfill a condition of approval related to a surplus farm dwelling consent application.
2. That policy 8.3.11 (Section 8.3.12 as amended by OPA No. 16) a) be amended by deleting “Applicants” from the first sentence and replacing it with, “Should applicants submit an application for a pre-application consultation, applicants”.
 3. That policy 8.3.11 (Section 8.3.12 as amended by OPA No. 16) c) be amended by deleting “During the pre-application consultation process for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision/Condominium, or Consent application the,” and by inserting “The” before the words “Municipality may require the applicant to submit any of the following support studies at the time of application”, and by further inserting: “for an Official Plan Amendment, Zoning By-law Amendment, Draft Plan of Subdivision / Condominium, Local Comprehensive Review application, Site Plan, Minor Variance or Consent,” after the word “application”.
 4. That policy 8.3.11 (Section 8.3.12 as amended by OPA No. 16) d) be amended by deleting the word “the” and replacing it with “any” after the words “of the required supporting study contents during”.
 5. That policy 8.3.11 (Section 8.3.12 as amended by OPA No. 16) e) be amended by deleting “When the pre-application consultation process for a proposed development approval application identifies the need for one or more support studies, the” and inserting “The” before the word “application” in the first line.

6. That policy 8.3.11 (Section 8.3.12 as amended by OPA No. 16) f) be amended by deleting “of a development approval application that” and replacing it with: “who”.

Part C – Appendices

Appendix 1 – Planning Analysis

The Planning Analysis in support of this Official Plan Amendment is contained within the following attachments:

- Staff Report: Delegation of Authority for Minor Zoning By-law Amendments and Pre-Consultation, dated April 25, 2025 and presented to Council on May 6, 2025.

Appendix 2 – Public Participation

The minutes of the public meeting of May 7, 2024, February 5, 2025 and May 6, 2025 are attached for information purposes.