

AMENDMENT NO. 23
(BAYFIELD SECONDARY PLAN IMPLEMENTATION)
TO THE
MUNICIPALITY OF BLUEWATER
OFFICIAL PLAN

**SCHEDULE 1
CORPORATION OF THE
MUNICIPALITY OF BLUEWATER
BY-LAW - 2023**

Being a By-law to adopt a 'Bayfield Secondary Plan Implementation' amendment to the Bluewater Official Plan;

Whereas the Municipal Council of the Corporation of the Municipality of Bluewater considers it advisable to adopt an amendment to the Bluewater Official Plan, as amended; and

Now Therefore the Council of the Corporation of the Municipality of Bluewater adopts the amendment as follows:

1. This by-law shall apply to all lands within the Settlement Area of Bayfield within the Municipality of Bluewater and consists of the attached text and mapping amendments.
2. That the Clerk is hereby authorized and directed to provide Notice of Adoption of the Amendment in accordance with Section 17(23) of the Planning Act, RSO 1990, as amended.
3. The plan authorized by this by-law shall come into effect pursuant to Section 17(27) of the Planning Act, RSO 1990, as amended.
4. This By-law shall come into force and take effect on the day of final passing thereof.

Read a first and second time this 2nd day of October, 2023.

Read a third time and finally passed this 2nd day of October, 2023.

Paul Klopp, Mayor

Chandra Alexander, Clerk

CONSTITUTIONAL STATEMENT

PART 'A'

Part 'A' is the preamble to Amendment No. 23 to the Official Plan for the Municipality of Bluewater, and does not constitute part of this amendment. It provides general introductory information on the purpose, location and basis of the amendment.

PART 'B'

Part 'B' consisting of the following text and maps (Schedule C) constitutes Amendment No. 23 to the Official Plan for the Municipality of Bluewater. Part 'B' contains the text amendment and land use designation changes.

PART 'C'

Part 'C' is the appendix and does not constitute part of this amendment. The appendices contain the background data, planning considerations and public participation associated with this amendment. Although the attached appendices do not constitute part of the formal amendment, they do provide explanatory material. In cases where a more detailed interpretation of the amendment is required, such an interpretation will be obtained from the appendices.

PART 'A' PREAMBLE

AMENDMENT NO. 23 TO THE OFFICIAL PLAN FOR THE MUNICIPALITY OF BLUEWATER

1. PURPOSE

The purpose of the Official Plan Amendment is to implement the policy direction of the Bayfield Secondary Plan including. This amendment is comprised of policy and designation changes. The changes are summarized below by designation.

This Amendment will:

- Permit a wider range of residential building types in established and new neighbourhoods;
- Introduce new requirements for newly developing residential areas;
- Expand the Highway Commercial designation for select properties along County Road No. 3 (Mill Road);
- Revise the policy framework for Core Commercial to include Community Facilities and prevent the establishment of large office or large retail spaces along Main Street North (note: large offices permitted around Clan Gregor Square and on east side of Hwy 21);
- Designate unopened road allowances as open spaces for long term protection;
- Identify natural areas within the Village on the Land Use Plan and clarification of the requirements for Environmental Impact Studies prior to development;
- Update Harbour designation goals and policy direction;
- No proposed changes to recreation or industry policies;
- No proposed changes to Official Plan heritage policies but introduction of Heritage Residential Zone within Zoning Bylaw to better integrate zoning with requirements of Heritage Conservation District Plan for Main Street North.
- Development of specific site design considerations for Bayfield to be implemented through Site Plan Control process.

2. LOCATION

The amendment applies to all lands within the Settlement Area of Bayfield within the Municipality of Bluewater.

3. BASIS

This is a municipally initiated amendment which seeks to update many policies in the Plan. The purpose and effect of the amendment is to implement the policy direction of the Bayfield Secondary Plan (2023).

Draft

PART 'B'

AMENDMENT NO. 23 TO THE OFFICIAL PLAN FOR THE MUNICIPALITY OF BLUEWATER

1. INTRODUCTION

All of this part of the document entitled Part 'B' consisting of the following text and mapping replacement, constitute Amendment No. 23 to the Bluewater Official Plan.

2. DETAILS OF THE AMENDMENT

2.1 The text of the Municipality of Bluewater Official Plan is hereby amended by:

- a) Amend Section 1.3 by the addition of the following after "Provincial Policy Statement (2014)":
"The policy direction from the Bayfield Secondary Plan was incorporated in 2023".
- b) Amend Section 5.4.1 with the addition of the following:
"A Natural Environment overlay has been applied within the Bayfield Settlement Area to indicate where natural features exist and must be evaluated prior to development. This overlay is not a designation and may be removed without amendment to this Plan".
- c) Amend Section 5.4. with the addition of 5.4.14 as follows:

"5.4.14 Natural Environment within the Bayfield Settlement Area
Bayfield has the enviable position of being bordered by both Lake Huron and the Bayfield River; this privilege comes with great responsibility with respect to the protection of the natural environment. The Bayfield Settlement Area has the highest percentage of natural area within its settlement area boundary when compared with other settlement areas in the County; of the 458 acres designated for future residential development, 284 acres contain natural environment features (which represents 62%). The protection of natural spaces must be carefully balanced with future development. The vast natural spaces in Bayfield provide many ecological functions such as providing wildlife habitat, improving air quality, reducing stormwater runoff, mitigating heat, enhancing biodiversity, reducing soil erosion, and providing carbon storage and sequestration (Green Infrastructure Ontario, Benefits of the Urban Forest, 2016). By protecting and enhancing natural spaces at the time of development, the Settlement Area of Bayfield will be better positioned to respond to changing climatic conditions. In this way, the natural spaces should be considered and protected as community infrastructure.

Addition Policy Direction for Bayfield Settlement Area

1. Development which is proposed either within or abutting natural areas must demonstrate no negative impact. Areas designated Residential with a Natural Environment notification are lands on which development may be considered after an evaluation of the ecological function of the area is completed. An Environmental Impact Study will be required as a complete application for any large, undeveloped property at the time of re-zoning for development. Once a property has been evaluated, the portions of the property which are to remain in a natural state will be designated and zoned Natural Environment. Where an Environmental Impact Study is supportive of development, new development will be required to submit a tree savings plan.
2. Development and site alteration will not be permitted in the Bayfield River Valley (defined from the top of bank to the corporate municipal boundary in the river) except for accessory structures and uses associated with hiking trails, marina, and flooding/erosion control in accordance with the requirements of the Ausable Bayfield Conservation Authority.
3. Development and site alteration will not be permitted on the Lake Huron bluff (defined from the top-of-bank to the toe-of-bank) except for accessory structures associated with walking trails, municipal parks, or flooding/erosion control.

4. For land uses abutting natural environment areas, the Zoning By-law will establish setbacks and other measures to protect natural areas from development encroachment, and to protect development from natural hazards.
5. The passive use of natural areas, including the development of trails, is encouraged”.

d) Section 6.4 is amended by the addition of Section 6.6.4 as follows:

6.6.4 Recreation Development within the Bayfield Settlement Area

The following policies apply specifically within the Bayfield Settlement Area:

1. Existing development is permitted to continue.
2. No additional recreational development is permitted in or abutting the Bayfield Settlement Area unless it is fully serviced.
3. The following development standards shall apply to all development in the Recreation designation:
 - Development will proceed in accordance with a detailed site plan and development agreement addressing design, site pattern, phasing, services, landscaping, communal areas and community facilities;
 - Development must be compatible with surrounding uses;
 - No development will be permitted on the lake bank, beach, beach vegetation area or within river valleys. Setbacks from slopes will be determined with input from the Conservation Authority;
 - Natural features and functions will be protected. The design will be harmonized with natural features, including topography and woodlands;
 - Vehicle access will be provided by a public road developed to municipal standards;
 - Adequate services, including water supply, sewage disposal, storm water management, and drainage shall be provided to the satisfaction of the municipality and governing agency;
 - The appropriate zoning is in force;
 - Trailer sites shall be limited to seasonal and recreational occupancy and will not be used as a continuous year-round dwelling;
 - Existing recreational areas shall not be further intensified (ie. no new sites created);
 - Where a site is anticipating significant impacts from natural hazards (ie. flooding, ice jams), the site will either be relocated elsewhere on the subject property or will cease in use;
 - Communal amenity areas and open spaces shall be provided to a high standard;
 - Municipal water and sewer is required;
 - Access to the beach shall be provided over land owned as part of the trailer park if possible;
 - The trailer park shall be under one ownership, with no individually titled properties.

e) Section 7.4.8 is hereby amended by the addition of 7.4.8.1. as follows:

7.4.8.1. Additional Policy Direction for Bayfield Settlement Area

There are several privately owned parks and open spaces in Bayfield including Pioneer Park, The Flats, and Agricultural Society Park. In 2021, a portion of the 'Century House' property (34 Bayfield Terrace) was donated to Pioneer Park to be used as parkland. Other recreational assets are located on municipal lands but were built and are maintained by a volunteer group, such as the International Croquet Club.

Municipally owned parks include Clan Gregor Square which is the focal point of the Heritage Conservation District and Downtown Area, providing a space for civic, recreational and passive activities. There are several small parks, sometimes referred to as 'pocket parks', such as Ninian Woods Park (located at the corners of Fry and Victoria Streets) and one within Bayfield Meadows at the corner of Sweetgrass and Thimbleweed Streets. A green space is also maintained on Carriage Lanes with minimal programming.

Parks and Open Spaces within the Bayfield Settlement Area are also subject to these policies:

1. Parkland will be provided in sufficient amount and location to serve the needs of residents and to enhance Bayfield as a tourism destination.

2. The conversion of park spaces to any other land use will not be permitted.

3. Parks and public spaces will be acquired and developed through the development process (parkland dedication, donations, bequests and public purchase).

4. The Municipality will give preference to physical parkland rather than cash in lieu for Plans of Subdivision within the Bayfield Settlement Area. The dedication of natural spaces as parkland will be given priority, particularly where there is opportunity to link the space with natural areas on abutting lands. All parkland dedications must be deemed acceptable by the Municipality; hazard areas and stormwater management facilities will not be accepted as parkland.

5. In newly developing areas, the goal is to create a connected green network wherein park spaces are connected with a trail system.

6. To provide equitable access to the many benefits of natural spaces, the development of a public Urban Forest within the Bayfield Settlement Area is desired. The dedication of natural spaces as parkland will be given priority, particularly where there is opportunity to link the space with natural areas on abutting lands.

7. Where new parks are proposed, the design of the park should avoid an overly manicured and landscaped space in favour of a more natural approach which responds to local history, existing grade, natural areas, integration with active transportation, and preference for natural materials.

8. The unopened road allowances throughout Old Bayfield are designated Open Space to indicate the long term intention for these lands to be used for passive recreation, natural features and buried infrastructure.

9. The parkette located at the western terminus of Victoria Street is intended to be a passive space serving Village residents who walk or cycle to the space. The parkette shall remain unprogrammed save for additional tree planting, landscaping and the placement of limited seating (ie. benches). Access to an abutting accessory building will continue to be provided. No parking or beach access is available at this location".

f) Section 7.5 is amended by the replacement of "1100 permanent residents" with "1250 permanent residents".

g) Section 7.5 is amended by the deletion of "The residential nature of the village has remained the same with the exception of increased numbers, whereas the commercial nature of the village has experienced significant change with the intensification of commercial uses and the establishment of new recreational commercial and harbour uses. The village, based on its history, quaintness and natural beauty, has been expanding its primary role as a quiet, peaceful retirement and summer resident community with attendant growth in supporting commercial services. The primary role has been augmented by a thriving tourism industry attracting visitors of all ages who appreciate this heritage village and its amenities during the summer and shoulder season." and replacement with the following:

"The quaint, historic, village character remains integral to Bayfield's identity and will be reinforced wherever possible. The residential character of Bayfield has changed in recent years with the replacement of traditional cottages with permanent, year round residences and new development in the southern portion of the Settlement Area. The commercial area of the Village has experienced significant change with expansion along Hwy 21. Bayfield has maintained day-to-day liveability by attracting and retaining core services for residents such as a grocery store, pharmacy, veterinary clinic, automobile garage, etc; these core services reinforce the authenticity of the village and allow residents to live year-round as well as support the strong tourism industry.

h) Section 7.5 is amended by the deletion of the paragraph beginning with "The area adjacent to Bayfield.." and replaced with the following:

"A Secondary Plan was prepared for Bayfield in 2021-2023; the policy direction of that Secondary Plan has been implemented with the Official Plan and the original document is available for reference and explanatory purposes".

- i) Section 7.5.3.17. (Special Policy Area for Bayfield) is hereby amended by the renaming and addition of the following:

7.5.3.17. Additional Policy Direction for Bayfield Settlement Area

New residential development, including infill, will occur at a density which efficiently uses land, resources, infrastructure, public lands and community facilities. Where infill is proposed in Old Bayfield (north of Cameron Street and west of the Ranges), heritage attributes will be retained wherever possible and new development will be integrated in an appropriate manner with consideration to the established scale and design of the neighbourhood.

Larger residential developments are subject to Site Plan Control; demonstrated compliance with 'Bayfield Site Design Guidelines' is required through this process.

Natural features including tree cover and topography will be protected, enhanced and incorporated into new design wherever possible and landscaping will be used to enhance the residential character and quality.

Additional Residential Units are permitted in all areas of Bayfield subject to the requirements of the Zoning By-law and the Municipal Servicing Bylaw. The County's Additional Residential Unit Guideline gives examples of how appropriate site planning measures can be used to ensure compatibility with adjacent residential uses. A maximum of two Additional Residential Units are permitted per property with one unit permitted to locate in a detached accessory structure.

The Zoning By-law will establish low, medium and high density residential areas. Medium density development may be integrated with low density areas provided they are low rise and do not exceed three storeys.

Higher density uses are encouraged to locate on arterial streets, on select sites near the Core Commercial Area and in newly developing areas. Sites should be located near parks and open spaces where possible.

Residential development within existing neighbourhoods which contributes to an efficient use of land and infrastructure, and promotes affordability will be encouraged provided compliance is demonstrated with the County's Residential Intensification Guidelines through an Urban Design Brief.

In newly developing areas, the deeming of lots to facilitate the construction of larger dwellings and accessory buildings is not permitted.

In new and developing areas, the following development standards apply:

- The expansion of residential areas will generally be by registered plan of subdivision or condominium;
- New residential development should occur at a density which effectively uses land, resources, infrastructure, and community facilities;
- New developments will be designed and phased in a way to maintain a continuous urban form, interconnected road and servicing network, and will be staged to the availability and capacity of Municipal services;
- A minimum density of 15 units per hectare is required where site conditions permit though density calculations are to exclude areas with significant natural features;
- Submission of Urban Design Brief which outlines how the design of the subdivision or development complies with the County Residential Intensification Guideline, particularly the Guidelines for New Neighbourhoods, and has considered the local context of the Village;
- A connected community trail must be incorporated in lieu of sidewalks and must link with existing developments and/or provide opportunities for future linkages; and
- Enhanced tree planting along arterial and internal streets is required. Accommodating enhanced street trees is made possible due to the space made available within the 66ft road allowance by not providing sidewalks.

Areas designated Residential with a Natural Environment Notification Overlay are lands on which development may be considered after an evaluation of the ecological function of the area is completed. An Environmental Impact Study will be required as a complete application for any large, undeveloped property at

the time of re-zoning for development. Once a property has been evaluated and permissions for development granted, the portions of the property which are to remain in a natural state will be designated and zoned Natural Environment. Where an Environmental Impact Study is supportive of development, new development will be required to submit a tree savings plan.

7.5.3.17.1. Special Policy Areas within Bayfield Settlement Area
(to be followed by existing text)

- j) Section 7.5.4.1.5. is hereby deleted and replaced with the following:
“The core includes significant heritage resources which shall be preserved, protected and enhanced. In Bayfield, the Heritage Conservation District Plan and Guidelines are the dominant planning tool for Main Street North, Clan Gregor Square and Elgin Place and direct how change is managed on properties within and adjacent to the District.
- k) Section 7.5.4.1.13. is amended by the deletion of the second sentence and replaced with the following:
“In Bayfield, Clan Gregor Square anchors the Downtown and shall remain a public park and place of assembly for civic, cultural and recreational activities. New development around Clan Gregor Square shall be two stories in height and sympathetic in design to the heritage character of the area. No building shall be taller than the tower of Town Hall”.
- l) Section 7.5 is amended by the addition of 7.5.4.1.17. as follows:
“ 7.5.4.1.17. Additional Policy Direction for Bayfield Settlement Area
The Core Commercial area will continue to be the centre of economic, social and cultural activity in Bayfield and the preferred location of new retail development. There is limited opportunity to expand the Core Commercial designation and thus, this area must be protected for core uses (retail, restaurants, small offices, service industries and accommodation). The decentralization of these uses from the Core will not be permitted unless otherwise contemplated in this plan.

Larger format retail and offices (greater than 280 sq. m. or 3000 sq. ft) are not compatible with the scale of Main Street North and shall be directed to the Core Commercial Area east of Hwy 21 or the Highway Commercial Area designation.

The Core Commercial area is the preferred location of community facilities. New and existing community facilities are permitted within the Core Commercial designation and may convert to other uses such as commercial or residential without an amendment to the Plan or Zoning By-law. Adaptive reuse of buildings is encouraged to preserve village history and identity. Historic buildings and sites, no longer in use, should be rehabilitated to serve new purposes.

Residential uses may be located above and behind non-residential uses fronting Main Street, and at street level around Clan Gregor Square. The residential properties north of Catherine Street are to be maintained as residential; this section of Main Street North acts as the transition from the bustle of Main Street before the calm of the green.

On-street parking will continue to provide a significant amount of the parking requirements in the Core Commercial area. Off-street parking shall be prohibited from occupying any street frontage on Main Street or surrounding Clan Gregor Square, with the exception of those properties east of Highway 21, north of Howard Street. Where off-street parking abuts the street, a landscaped buffer will be required to create a sense of enclosure and enhance aesthetic appeal.

- m) Section 7.5.4.2. (Highway Commercial) is amended by the addition of 7.5.4.2.6. as follows:
“7.5.4.2.6 Additional Policy Direction for Bayfield Settlement Area

The design of new development should respond to the village context and be pedestrian oriented. All new Highway Commercial developments must demonstrate compliance with the ‘Bayfield Site Design Guidelines’ which will be enforced through the Site Plan Control process.

Access to and within Highway Commercial areas will be highly connected and cater to those accessing services through active transportation. To achieve this, internal sidewalks are required and must be connected to existing trails or provide connection potential for future connections. Cyclist parking areas are encouraged for all uses and required for larger scale parking lots.

n) Section 7.5.6. (Village, Harbour) is deleted and replaced with the following:

'The Harbour designation applies to lands surrounding the mouth of the Bayfield River. The harbour contains several different areas: the federally owned portions which are rented out to primarily pleasure craft and some fishing boats, Harbour Lights Marina on the North side and South Shore Marina.

The goals of the Harbour designation are:

- To maintain public access to the waterfront on the south shore;
- To maintain access for pleasure boats and fishing industry boats;
- To protect and revitalize the North shore for marine-related businesses and activities;
- To celebrate the rich marine history of Bayfield; and
- To respect the natural hazard functions of the River and Lake.

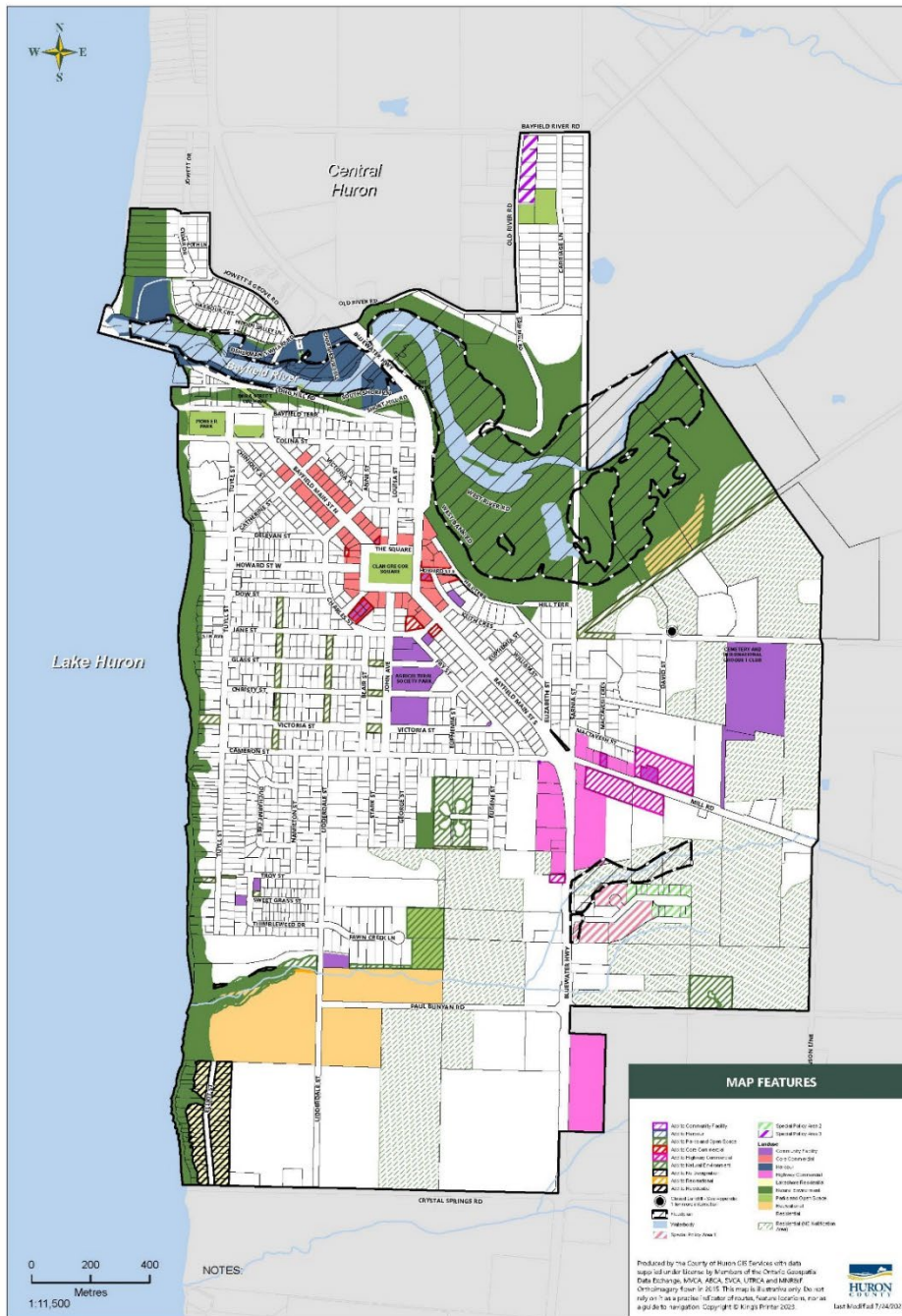
The lands designated Harbour in Bayfield are subject to the following policies:

1. Preserve built cultural heritage fabric through the maintenance of the remaining buildings on the North shore of the marina.
2. The land on the south side of Fisherman's Wharf Road is owned entirely by the Federal Government (Department of Fisheries and Oceans). Some of the buildings are representative of fish huts and should be retained for cultural heritage value.
3. Only marine-related and accessory tourism businesses are permitted to locate within the Marina designation. Temporary commercial uses, such as the renting of paddleboats or kayaks, is permitted on the south side provided no permanent facilities are required and said businesses obtain a license from the Municipality.
4. Any development in the marina is required to comply with marine archaeology assessment requirements.
5. The design of buildings, uses and landscaping will be compatible with the existing development and uses within the Marina, and will be appropriate for a nautical location and of historic character, where appropriate.
6. Proposals for new or expanding development will site and design building facilities that:
 - Consider site topography, vegetation, soil, and drainage;
 - Are compatible with surrounding uses;
 - Are designed to integrate with the waterfront setting;
 - Consider nearby heritage resources;
 - Are serviced by municipal water and sewer; and
 - Where owned by a government entity, the public will have access to the waterfront.
7. An EIS may be required to assess the effect of a proposed development on the natural environment and to determine, where appropriate, measures necessary to mitigate impacts. Studies may also be required to satisfy the requirements of the Ausable Bayfield Conservation Authority.
8. The Harbour designation includes the Bayfield River and Lake Huron between the shore and the corporate municipal boundary.
9. The Harbour will be kept free of structures except for those required for shipping, navigation, flood/ erosion control, harbour protection and walls, and the Highway 21 Bridge. Piers, docks, groynes, retaining walls, breakwaters and similar structures will be permitted with appropriate environmental impact assessments in accordance with the requirements of regulating agencies.
10. Land reclamation activities by major backfilling to increase the land area for marina uses may be permitted subject to:
 - necessary studies of the effects on sedimentation, river flows, flooding, ice jamming, erosion, marine archaeology and other possible effects;
 - the approval of regulating agencies, and
 - an amendment to the Official Plan and Zoning By-law.

o) Section 8.4 is amended with the addition of the following after the introductory paragraph:

2.2 The Schedules of the Bluewater Official Plan are hereby amended by the deletion and replacement of Schedule “C” ‘Bayfield and Surrounding Area’ with the following Schedule “C”.

MUNICIPALITY OF BLUEWATER
OFFICIAL PLAN
SCHEDULE "C"
Bayfield and Surrounding Area



PART 'C'

APPENDICES

The appendices do not form part of the amendment but are for information purposes only.

The Bayfield Secondary Plan was approved by the Council of the Municipality of Bluewater in February 2023. The Plan was developed over several years through consultation with the community and a Citizen Advisory Committee.

The goals of the Secondary Plan were to:

- To promote and protect the community's sustainability;
- To maintain Main Street North and Clan Gregor Square as the social, economic and cultural centre of the Village;
- To protect and restore the natural areas within the Village including the Bayfield River and Lake Huron shoreline and to integrate climate resilience;
- Protect the authentic identity of the community and respect the cultural heritage assets;
- Promote design which fosters vibrant public spaces through built form, green space and active transportation; and
- To continue to build a complete community.