

**AMENDMENT No. 21  
TO THE  
OFFICIAL PLAN  
FOR THE MUNICIPALITY  
OF CHATHAM-KENT (DOVER)**

CORPORATION OF THE MUNICIPALITY OF CHATHAM-KENT

BY-LAW NO. \_\_\_\_\_

A BY-LAW TO ADOPT AMENDMENT NO. 21 TO THE  
OFFICIAL PLAN FOR THE MUNICIPALITY OF CHATHAM-KENT (DOVER)

The Council of the Corporation of the Municipality of Chatham-Kent, in accordance with the provisions of Sections 17 and 21 of the Planning Act, hereby enacts as follows:

1. Amendment No. 21 to the Official Plan for the Municipality of Chatham-Kent (Dover) consisting of the attached Schedule "1" and explanatory text, is hereby approved.
2. This by-law shall come into force and take effect on the day of the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 12th DAY OF NOVEMBER, 2002.

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MAYOR - Diane Gagner

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CLERK - Brian W. Knott

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STATEMENT OF COMPONENTS

PART "A" - PREAMBLE does not constitute part of this amendment.

PART "B" - THE AMENDMENT consisting of the following text and one map entitled Schedule "1" together constitute Amendment No. 21 to the Official Plan for the Municipality of Chatham-Kent (Dover).

PART "C" - APPENDICES does not constitute part of this amendment. These appendices contain the background information and planning considerations associated with this amendment.

PART "A" - PREAMBLE

1. Purpose

The purpose of this amendment is to expand the limit of development in the hamlet of Mitchell's Bay and to introduce two new land use designations including special development policies, which would permit the development of a marina, golf and residential complex.

2. Location

This amendment consists of four parts which shall be known as Items 1, 2, 3 and 4.

Item 1: The lands affected by the redesignations are located in Lots 10, 11 and 12, Concession 12, immediately south of the hamlet of Mitchell's Bay in the former Township of Dover.

Item 2: A policy regarding a combined marina and residential development is added to the special policies for Mitchell's Bay.

Item 3: A policy regarding a combined golf course and residential development is added to the special policies for Mitchell's Bay.

Item 4: A general development policy regarding the marina, residential and recreational components of the proposed project is added to the special policies for Mitchell's Bay.

3. Basis

The proposed development will meet a demand for recreational and residential uses, implement provincial and municipal initiatives regarding tourism, and provide significant community benefits.

PART "B" - THE AMENDMENT

All of this part of the document, entitled "Part B - The Amendment", consisting of the following text and one map (entitled Schedule "1") together constitutes Amendment No. 21 to the Official Plan for the Municipality of Chatham-Kent (Dover).

Details of the Amendment

The Official Plan is amended as follows:

Item 1: Map Schedule "A" (Land Use Map) is amended by removing the reference to "Major Street" and by redesignating from Hamlet Area - Residential, Restricted Agricultural and Agricultural to Marina Residential and Recreation Residential, the lands so depicted on the attached map Schedule "1".

Item 2: Section 6.0 HAMLET AREA is amended by adding Article 6.5.6 to read as follows:

"6.5.6 Marina Residential

- a) Residential uses are permitted in accordance with the residential policies found in sub-articles 6.5.2(a) to (d).
- b) Marina uses with associated commercial facilities will be permitted.
- c) Commercial uses not associated with marina uses are permitted, not to exceed an site area of four acres in total."

Item 3: Section 6.0 HAMLET AREA is amended by adding Article 6.5.7 to read as follows:

"6.5.7 Recreational Residential

- a) Residential uses are permitted in accordance with the residential policies found in sub-articles 6.5.2 (a) to (d).

- b) A golf course, the design of which is to be integrated with the stormwater management plan, and associated commercial facilities, are permitted.”

Item 4:  
follows:

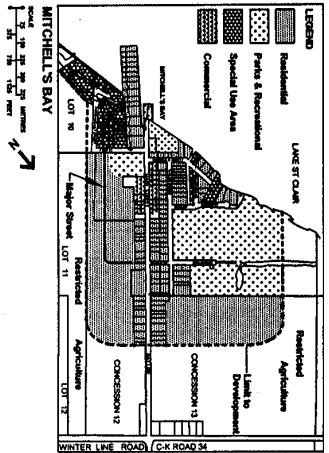
Section 6.0 HAMLET AREA is amended by adding Article 6.5.8 to read as

“6.5.8 General Development Policies - Marina Residential and Recreation Residential

- a) The following policies will apply to both the Marina Residential and Recreation Residential land use designations in addition to the other policies of this plan. Where conflict occurs, the policies of this article will take precedence.
- b) In the consideration of development applications, the municipality will be guided by the Mitchell’s Bay Concept Plan, as approved by council for the former Township of Dover.
- c) All lot creation will be by plan of subdivision, **save and except for an existing dwelling at 26726 Winter Line Road, a new lot for which may be created by consent.**
- d) Prior to any lot creation **by plan of subdivision**, the following conditions must be met:
  1. It must be demonstrated that capacity for full servicing exists.
  2. A stormwater management plan must be prepared and approved by the municipality. Such plan will ensure that present stormwater discharge from the Pinsonneault Pumping Works will not be increased, and stormwater quality will be improved.
- e) Positioning of the principal uses will be in accordance with the Dover Shores Master Concept Plan, although the details of development, use intensity and unit type will be implemented by amendment to the zoning by-law.
- f) **The marina use shall be subject to the following provisions to be implemented by way of a development agreement and zoning:**
  1. **It shall incorporate design and construction techniques to enhance fish habitat and water quality.**
  2. **Boat launching facilities will not be permitted.**

**3. The construction of docks for berthing purposes will be phased so as to equal the number of lots approved by plan of subdivision.**

- g) Buffering of the existing wetlands will be accomplished by a landscaped strip along the western edge of the golf course.
- h) A requirement for an archaeological assessment in accordance with provincial policy prior to any construction or excavation shall be made part of a development agreement.
- i) All dwellings shall be subject to a minimum opening elevation to be determined in consultation with the St. Clair Region Conservation Authority.
- j) The flood protection performance standards provided by the ARDA dike shall be maintained. Any alterations to the dike must either have no effect or enhance its flood protection ability. Similarly the relocated portions of the dike necessitated by the marina construction must be based on flood protection standards equal to or greater than those of the dike being replaced.
- k) Access to the site shall be provided at Park St., Main St., Winter Line Road and Angler Line. Timing for development of these accesses will be done as part of the plan of subdivision process.”

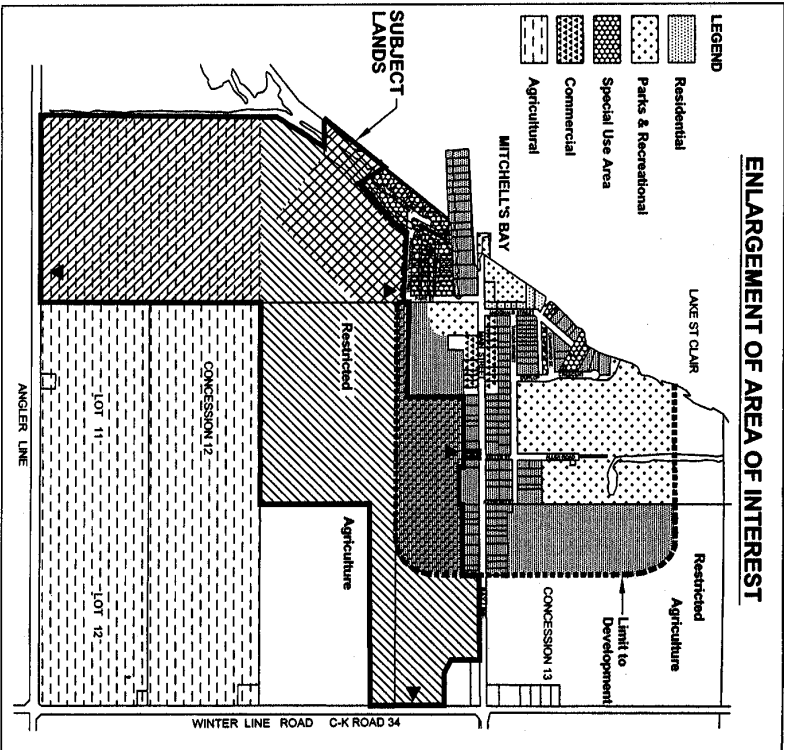
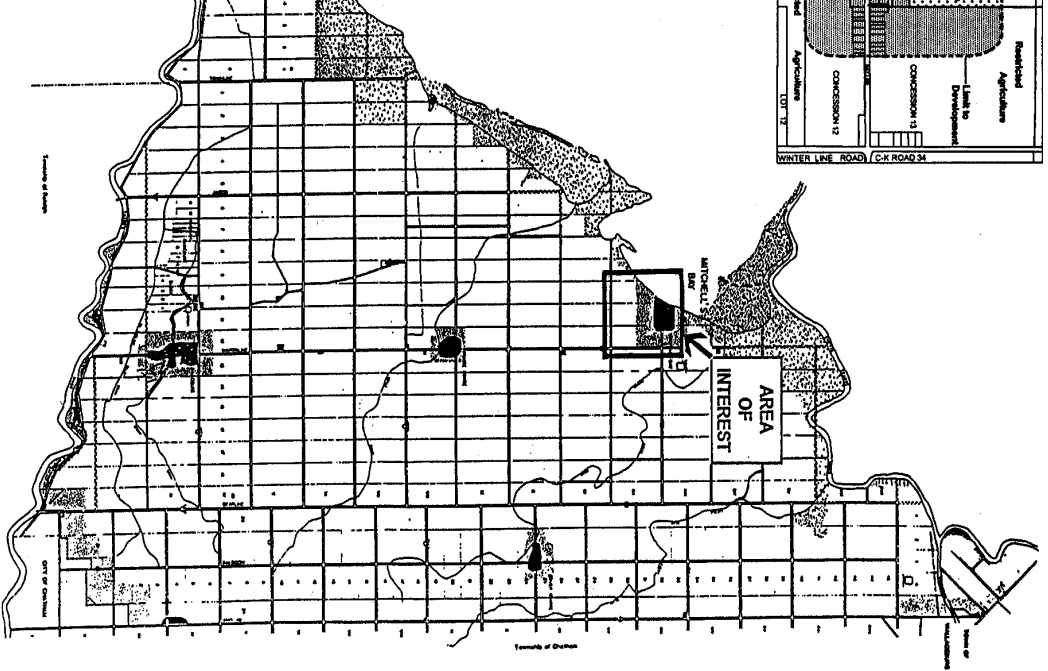


**Schedule A  
Land Use Plan  
TOWNSHIP OF DOVER  
OFFICIAL PLAN**

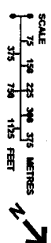
Approved by the Planning Board, 1998



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- AMENDMENT LEGEND**
- Lands to be redesignated from Restricted Agricultural to Hamlet Area - Marina Residential
  - Lands to be redesignated from Hamlet Area - Residential to Hamlet Area - Recreational Residential
  - Lands to be redesignated from Restricted Agricultural to Hamlet Area - Recreational Residential
  - Lands to be redesignated from Agricultural to Hamlet Area - Recreational Residential
  - Access Points
- \*Note: "Major Street" has been removed
- SCHEDULE "1"**  
TO  
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PART "C" - APPENDICES

The following appendix does not constitute part of Amendment No. 21 but is included for information supporting the amendment.

APPENDIX 1 - October 31, 2002, Planning Report (attached).

