



The Corporation of the Town of Fort Erie By-law 78-2025

Being a By-law to Provide for the Adoption of the Official Plan for the Town of Fort Erie

Whereas subsection 17(22) of the *Planning Act, 1990* states that when the requirements of subsection 17(15) to 17(21), as appropriate, have been met, and Council is satisfied that an Official Plan, as prepared is suitable for adoption, Council may by by-law adopt all or part of the Plan, and, unless the plan is exempt from approval, submit it for approval; and

Whereas the Town of Fort Erie currently has in effect an Official Plan, as amended, which was adopted by By-law 150-06; and

Whereas the Council of Town of Fort Erie deems it appropriate to rescind the Official Plan, adopted by By-law 150-06, and replace it with a new Official Plan; and

Whereas the Secondary Plans contained within the Official Plan, as adopted and amended from time to time, continue to reflect the long-term planning vision for their respective areas; and

Whereas the Town of Fort Erie currently has in effect the Region of Niagara Official Plan, as amended, which was adopted by By-law 2022-47; and

Whereas Subsection (2) of Section 70.13 of the *Planning Act, 1990*, states that portions of an official plan of an upper-tier municipality without planning responsibilities apply in respect of any area in a lower-tier municipality until the lower-tier municipality revokes or amends it; and

Whereas it is deemed desirable to adopt a new Official Plan for the Town of Fort Erie; and

Now, therefore, the Municipal Council of The Corporation of the Town of Fort Erie enacts as follows:

1. **That** the document attached hereto as Schedule A is hereby adopted as the Official Plan for the Corporation of the Town of Fort Erie.
2. **That** Bridgeburg Secondary Plan attached as Schedule B is hereby adopted.
3. **That** Gateway Secondary Plan attached as Schedule C is hereby adopted.
4. **That** Spears-High Point Secondary Plan attached as Schedule D is hereby adopted.
5. **That** Ridgeway-Thunder Bay Secondary Plan attached as Schedule E is hereby adopted.
6. **That** Stevensville Secondary Plan attached as Schedule F is hereby adopted.
7. **That** Douglastown-Black Creek Secondary Plan attached as Schedule G is hereby adopted.
8. **That** Southend Secondary Plan attached as Schedule H is hereby adopted.
9. **That** Crystal Beach Secondary Plan attached as Schedule I is hereby adopted.
10. **That** the Town Clerk is hereby authorized and directed to give notice of adoption of the Official Plan for the Corporation of the Town of Fort Erie in accordance with subsection 17(23) of the *Planning Act, 1990*.
11. **That** the Town Clerk is hereby authorized and directed to forward the Official Plan for the Corporation of the Town of Fort Erie, and other required documentation, to the Ministry of

Municipal Affairs and Housing for approval in accordance with subsection 17(31) of the *Planning Act, 1990*.

12. **That** the Official Plan for the Corporation of the Town of Fort Erie shall take effect on the day after the Official Plan is approved by the Province of Ontario in accordance with subsection 17(38.1) of the *Planning Act, 1990*.
13. **That** the current Official Plan for the Corporation of the Town of Fort Erie, as adopted by By-law 150-06, and all amendments thereto, is hereby repealed on the day after the new Official Plan is approved by the Province of Ontario in accordance with the *Planning Act, 1990*.
14. **That** the Niagara Region Archaeological Management Plan, 2023, as endorsed by Niagara Regional Council on March 6, 2024, is hereby adopted by the Corporation of the Town of Fort Erie.
15. **That** the Archaeological Management Plan be incorporated into the Corporation of the Town of Fort Erie new Official Plan as a guiding document for land use planning and development review processes involving archaeological resources.
16. **That** the portions of the Official Plan for the Regional Municipality of Niagara that apply in respect of the Town of Fort Erie, as adopted by By-law 2022-47, and all amendments thereto, are hereby revoked.
17. **That** the Clerk of the Town is authorized to affect any minor modifications, corrections or omissions, solely of an administrative, numerical, grammatical, semantical or descriptive nature to this by-law or its schedules after the passage of this by-law.
18. **That** this by-law shall come into force and effect on the day upon which it is approved by the Province of Ontario.

Read a first, second and third time and finally passed this 25th day of August 2025.

Mayor

Clerk



Town of Fort Erie

Final Official Plan for Council Adoption

August 2025

Land Acknowledgement

The Town of Fort Erie is located on the traditional territory of the Attawandaronk, the Haudenosaunee and the Anishinaabe people. We are the beneficiaries of ancient agreements such as the Dish With One Spoon between the Anishinaabe and the Haudenosaunee, who agreed to share the abundance of the land through peace, friendship and mutual respect; the Two Row Wampum, by which the Haudenosaunee welcomed the settlers and agreed to share the land in mutual respect; and the Treaty of Niagara, considered a fundamental document by First Nations in all future relations and treaties with the British.

Table of Contents

A.	Preamble	1
A.1	Our Community	1
A.2	Purpose of this Plan	2
A.3	How to Interpret this Plan	2
A.4	How this Plan is Organized.....	3
B.	Vision and Guiding Principles.....	5
B.1	Introduction.....	5
B.2	Vision Statement	5
B.3	Goals and Objectives	5
C.	Growth Management.....	7
C.1	Introduction.....	7
C.2	Population and Employment Forecasts	7
C.3	Town Structure	7
C.4	Managing Growth	11
C.5	Built Form	17
D.	Land Use Designations.....	20
D.1	Introduction.....	20
D.2	Settlement Areas	21
D.3	Countryside	40
D.4	Natural Environment and Open Space	50
E.	Complete Community	82
E.1	Introduction.....	82
E.2	Housing	82
E.3	Employment	88
E.4	Climate Change.....	90
E.5	Agricultural System.....	95
E.6	Cultural Heritage.....	100
E.7	Open Space and Parkland.....	112

E.8	Community Design	123
E.9	Transportation and Mobility.....	131
E.10	Infrastructure and Servicing.....	145
E.11	Public Service Facilities	156
E.12	Natural and Human-Made Hazards	159
F.	Implementation	165
F.1	Introduction.....	165
F.2	Coordination	165
F.3	Sustainable Finance	165
F.4	Planning Tools	167
F.5	Public Works	184
F.6	Consultation and Public Participation.....	184
F.7	Planning Act Applications.....	187
F.8	Legal Non-conforming Uses, Buildings, and Structures	189
F.9	Official Plan Review and Monitoring	192
F.10	Interpretation	193
F.11	Glossary of Defined Terms.....	195
G.	Site Specific Policy Areas.....	228
H.	Secondary Plans.....	243

Appendix

Appendix I – Removal of Lands from Employment Areas

Appendix II – List of Required Studies

List of Tables

Table C-1: Fort Erie Forecasted Population and Employment Growth to 2051	7
Table C-2: Minimin Intensification Targets for Employment Areas.....	13
Table C-3: Permitted Built Forms and Heights for Town Roads	18
Table C-4: Permitted Built Forms and Heights for Region Roads	18
Table D-1: Minimum Buffer Requirements for Natural Heritage Features	65
Table D-2: Environmental Study Impact Requirements Based on Natural Heritage Feature.....	70
Table E-1: Classification System for Parks and Open Space	114
Table E-2: Standards for Linear Parks and Open Spaces	117

Table E-3: Park Standards for Town Parks and Open Spaces	117
Table E-4: Park Support Features	118
Table E-5: Daylighting Requirements for Town Roads.....	135
Table E-6: Daylighting Requirements for Regional Roads	135
Table E-7: Road Allowance for Town Roads - Preferred Widths	136
Table E-8: Road Allowances for Regional Roads - Preferred Widths.....	138

List of Tables

Figure G-1: Safari Niagara Protected Area Map	233
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A. Preamble

A.1 Our Community

1. The Town of Fort Erie (“Town”) is located on the traditional territory of the Attawandaronk, the Haudenosaunee and the Anishinaabe people on the Treaty Lands of Niagara. Fort Erie is located on the traditional territory of the Attawandaronk, the Haudenosaunee and the Anishinaabe people on the Treaty Lands of Niagara. This land has a rich cultural and archaeological heritage that includes 13,000 years of Indigenous use.
2. Fort Erie's post-contact history includes French fur traders in the 1600s, a military fortification first built in 1764, early settlement around Dunbar's Mill in 1792, and United Empire Loyalist arrivals after the American Revolutionary War. Mills at Black Creek and Windmill Point and stone quarrying increased settlement through the 19th century. This area experienced a military siege during the War of 1812, was a terminus for the Underground Railroad, and during the Fenian Raids of 1866, the Battle of Ridgeway served as a catalyst to Canadian Confederation.
3. The area was first named Bertie Township in 1793 and boundaries established in 1850 that almost mirror the current Town of Fort Erie. In 1857 the area around the military fort incorporated as the Village of Fort Erie. This area was also known as Fort Erie Rapids, Fort Erie Mills, and Waterloo. In 1895 the area around the railway bridge incorporated as the Village of Bridgeburg. This area was also known as International Bridge and Victoria. In 1895 Crystal Beach incorporated as a Police Village and in 1921 as a Village. In 1931 the Village of Fort Erie and Town of Bridgeburg amalgamated to form the Town of Fort Erie. In 1970, the Town of Fort Erie, Bertie Township, and Village of Crystal Beach amalgamated to become the Town of Fort Erie.
4. Present day Fort Erie is comprised of several smaller communities and neighbourhoods which each have a distinct identity and history. Unique areas within Fort Erie include Bridgeburg, Ridgeway, Thunder Bay, Stevensville, Douglstown, Crystal Beach, Crescent Park, Point Albino, and Black Creek, which are collectively referred to today as Fort Erie, but each of which continue to be recognized for their unique identity and heritage.
5. Today, the Town has been profoundly shaped by military, commercial, marine and transportation history related to its location at the mouth of the Niagara River and Lake Erie. The iconic bridges that span the Niagara River here are engineering triumphs. Fort Erie is also a long-standing hub for trade and commerce. Its location at an international border crossing with the United States has fostered the growth of many cross-border businesses.
6. Summer residents and seasonal visitors now enjoy waterfront experiences that continue a century-long history of tourism, entertainment and recreation. The Town's picturesque waterfront provides breathtaking views and offers abundant recreational opportunities, including boating, fishing, and hiking along scenic trails like the Niagara

River Parkway and Fort Erie Friendship Recreational Trail. These attractions and the Town’s commitment to preserving its heritage make Fort Erie a desirable destination for visitors and residents alike. The Town is widely regarded for its rich history and natural beauty, offering a unique blend of urban amenities and rural charm. Tourists are drawn to Fort Erie for its historical sites, such as the Old Fort Erie, and its beautiful beaches along Lake Erie, such as Bay Beach.

7. Fort Erie has a diverse and growing population, with a mix of young families, working-age adults, and retirees. People are drawn to Fort Erie for its quality of life, economic prosperity, and natural amenities. Future population growth will primarily be driven by intra-provincial migration, where residents relocate from other areas within Ontario, and international migration, bringing new residents from abroad. This Official for Fort Erie will build on the Town’s strengths, aiming to enhance the quality of life for residents, encourage sustainable growth, and preserve the unique heritage and natural environment.

A.2 Purpose of this Plan

1. This Official Plan establishes a land use planning policy framework in accordance with the Planning Act and other relevant Provincial legislation, policies and guidelines. It contains policies and schedules that provide the framework for a long-term vision for the Town, establishing a broad strategy to achieve overall community wellbeing through social, economic, cultural and environmental objectives.
2. This Official Plan establishes a strategic decision-making framework to manage growth and **development** to the year 2051, with Fort Erie projected to accommodate 48,050 people and 18,430 jobs by 2051.
3. The policies of this Plan support a strong, livable, and healthy community, by protecting the environment, safeguarding public health and safety, and facilitating **sustainable development**, economic growth, and the responsible fiscal management of **infrastructure**.

A.3 How to Interpret this Plan

1. The contents of this Plan must be read in their entirety, including the Appendices and Schedules, and any amendments thereto.
2. The language used in this Plan is intentional and used to support interpretation and administration of the policies. More specifically:
 - i. Language such as “will” and “must” indicates an obligation on the subject of the policy to meet the stated requirements; and
 - ii. Language such as “may”, “should” and “encourage” provides guidance, but with some discretion regarding the interpretation of the policy relevant to the context in which it is used.
3. Words that are **bolded** in this Plan are to be interpreted as defined terms as provided for in the glossary. Part F includes a glossary of defined terms.

4. Words that are underlined refer to provincial or federal Acts or other legislation, and it will be interpreted that this is referencing the latest approved version of the documents, unless otherwise specified.
5. Unless otherwise expressly established by this Plan or provincial direction, where there are inconsistencies between this Plan and Secondary Plans or site specific policy areas:
 - i. Those policies contained in Secondary Plans or site specific policy areas take precedence; and
 - ii. The schedules of this Plan take precedence.
6. Section F.11 provides further direction regarding the interpretation of this Plan.

A.4 How this Plan is Organized

A.4.1 Parts of this Plan

1. This Plan contains a total of seven operative parts, being Parts A through H, as follows:
 - i. **Part A – Introduction**, describes the Plan’s context, purpose and effect, and organization.
 - ii. **Part B – Vision and Guiding Principles**, establishes the long-term vision for how the Town manages growth and **development** over the planning horizon, while having specific regard for local priorities that are represented through the Guiding Principles.
 - iii. **Part C – Growth Management**, identifies projected population, housing, and employment growth within the Town over the planning horizon, and establishes broad policies to manage this growth in a manner that advances the Vision and Guiding Principles.
 - iv. **Part D – Land Use Designations**, establishes various land use designations and associated permitted uses and **development** policies to guide future growth and protect what is valuable to the Town.
 - v. **Part E – Town-wide Policies**, contains broad strategies for implementing the Vision, the identification of population and employment forecasts, objectives for growth management and planning for growth in an urban structure.
 - vi. **Part F – Implementation and Interpretation**, describes the processes and tools available to the Town to implement the policies of this Plan, as well as establishing certain expectations regarding development applications. Part F also contains a Glossary of Defined Terms.
 - vii. **Part G – Site-specific Policy Areas**, establishes policies that apply to specific lands within the Town. The policies of Part G must be read and interpreted with the entirety of this Plan.
 - viii. **Part H - Secondary Plans**, which includes Secondary Plans that have been adopted by Council and form an operative part of this Plan, and that may establish more detailed direction on land use planning matters for various areas

throughout the Town. The Secondary Plans must be read and interpreted with the policies of this Plan in its entirety.

A.4.2 Appendices and Schedules

1. The Plan also contains the following operative components:
 - i. **Appendices**, which establish additional details regarding certain policies of this Plan.
 - ii. **Schedules**, which show where certain policies of this Plan apply within the Town. Parts A through H of this Plan.

B. Vision and Guiding Principles

B.1 Introduction

The Vision and Guiding Principles establish broad direction for desirable land use planning outcomes in the Town of Fort Erie. When interpreting the Vision and Guiding Principles, reference should be made to the detailed policies of this Plan and the Schedules.

B.2 Vision Statement

Fort Erie will be an inclusive, welcoming and diverse community that balances growth with the natural environment and the agricultural base. The Town will promote walkable communities that support convenient access to retail and parks while enhancing connectivity throughout the Niagara Region (“Region”). This Plan will guide the creation of accessible and safe spaces that promote a sense of community and recognize the Town’s unique history and heritage, while building a prosperous economy and providing a range of housing and employment options.

B.3 Goals and Objectives

The Goals and Objectives of this Plan reflect the aspirations and priorities of the Fort Erie community and provide general direction for planning and **development** within the Town.

B.3.1 Housing

The Town of Fort Erie offers a range and variety of housing options required to meet the current and future needs of its residents. The following objectives support this goal:

1. The Official Plan will create more opportunities for a mix of housing types, forms and tenures, supporting **affordable** housing options and accessible independent living options that address the needs of an aging population.
2. The Official Plan will enable more housing in the existing built-up areas, in order to accommodate future growth while protecting the natural environment and agricultural lands.

B.3.2 Heritage and Culture

The Town of Fort Erie celebrates its built heritage resources and **cultural heritage landscapes** and plans for their conservation and long-term preservation. The following objectives support this goal:

1. The Official Plan will encourage cultural heritage activities in the Town to enhance the quality of life for residents.
2. The Official Plan will support the collection, preservation, research and interpretation of cultural heritage through **artifacts**, archives, and intangible resources such as stories and customs connected with the cultural heritage value of a property.

B.3.3 Employment

The Town of Fort Erie is comprised of a prosperous, and robust economy that provides meaningful employment opportunities while contributing to the quality of life of its residents. The following objectives support this goal:

1. The Official plan will ensure the availability of sufficient land to accommodate forecasted employment growth of 18,430 jobs by 2051.
2. The Official Plan will plan for employment over the long-term and ensure that **employment lands** are protected and preserved for uses that require those locations.

B.3.4 Natural Environment

The Town of Fort Erie is home to a healthy, diverse, and resilient **natural environment system** that will be safeguarded over the long-term and is recognized as integral to climate change adaptation and mitigation. The following objectives support this goal:

1. The Official Plan will protect and conserve the **natural environment system** for the long term.
2. The Official Plan will maintain, and where possible restore or improve, the diversity and **connectivity** of natural heritage features and water resources to support the integrity of the **natural environment system**.

B.3.5 Agriculture & Rural

The Town of Fort Erie values the agricultural and rural land base as an economically thriving and sustainable industry, while being integral to the local food network and broader provincial **agricultural system**. The following objectives support this goal:

1. The Official Plan will protect and preserve **prime agricultural land** for long term use by the agricultural industry.
2. The Official Plan will promote diversification of **normal farm practices**, reduce land fragmentation, and protect agricultural land from activities and land uses which could limit their productivity.

B.3.6 Transportation

The Town of Fort Erie seeks to ensure communities and neighbourhoods are well connected through a **multimodal transportation system** that contributes to the safe and efficient movement of people and goods. The following objectives support this goal:

1. The Official Plan will promote **complete streets** as essential to a balanced, **multimodal transportation** network.
2. The Official Plan will define a hierarchy of roads that recognizes their functional differences and promotes a local street system design that enhances the **settlement areas**.

C. Growth Management

C.1 Introduction

The Town of Fort Erie is projected to grow to 48,050 residents and 18,430 jobs by the year 2051. This means the Town will need to accommodate 15,230 new residents, or 508 new residents annually for 30 years between 2021 and 2051. The policies of this Part provide direction to manage projected growth, determine where and how Fort Erie will expand, and define where **intensification** and **redevelopment** is encouraged, while making wise use of existing and planned **infrastructure**, and protecting the natural environment and farmland.

C.2 Population and Employment Forecasts

1. The Town’s projected population, employment, and household forecasts to the year 2051 are shown in Table C-1: Fort Erie Forecasted Population and Employment Growth to 2051:

Table C-1: Fort Erie Forecasted Population and Employment Growth to 2051

	2021	2051
Population	32,901	48,050
Employment	14,080	18,430
Households	14,081	21,510

2. The population and employment forecasts are used to determine Fort Erie’s land needs to accommodate projected community growth. Any expansion to Fort Erie’s **settlement area** boundary must conform to the policies found in Part F.

C.3 Town Structure

The Town structure directs growth to appropriate locations, while encouraging broad community benefits. It also ensures that the Town manages growth in a fiscally responsible manner and that **infrastructure** is planned for and built to accommodate this growth.

C.3.1.1. Settlement Areas

Settlement areas include the communities of Fort Erie, Ridgeway, Crystal Beach, Stevensville, and Douglstown. A majority of growth is planned to occur within the **settlement areas**, which are planned as **complete communities** with a broad range of housing options, employment, everyday amenities, open space, and where planned or existing full municipal servicing is available. The Town promotes built forms, land use patterns, and **infrastructure** within **settlement areas** that minimize land consumption, reduce costs of municipal water and wastewater systems and services, and optimize investments in infrastructure to support the financial well-being of the Region and the Town. These approaches also promote resiliency, sustainability, and protect, conserve, and enhance the **natural environment system**.

C.3.1.2. Strategic Growth Areas

Strategic growth areas are shown on Schedule A and Schedules A1 through A7, and are planned to contain the greatest concentration and mix of land uses and the focus of **redevelopment** and **intensification** as focal points of the community. **Strategic growth areas** will include a range of housing, employment, shopping, open space, and community facilities with appropriate scale and intensity that complement and enhance the surrounding land uses.

More specifically, the Town will:

1. Plan **strategic growth areas** to complement the surrounding community through complementary built form and a safe and efficient transportation network, and function as a focal point of community activity and civic pride.
2. Revitalize and preserve **cultural heritage resources** within historic areas that reflect local heritage, character, and streetscape, with a focus on recognizing and enhancing the historic function historic main street areas through preservation and revitalization.
3. **Development, redevelopment,** and **intensification** opportunities may include infill, **brownfield** remediation and **redevelopment**, the expansion or conversion of existing buildings, greyfields, or the **development** of new mixed-use buildings.
4. New **development** on full municipal servicing is required for **strategic growth areas** to accommodate the growth management policies of this Plan.
5. To support the growth management policies of this Plan and the planned function of **strategic growth areas**, the Town may undertake the following municipal-led initiatives:
 - i. In partnership with the Region, prepare a comprehensive strategy for municipal **infrastructure** in advance of projected growth and **development**;
 - ii. Explore alternative implementation tools for this Plan, such as a Community Planning Permit System;
 - iii. Update the implementing zoning by-law to implement the planned built form, land uses, and development criteria established by this Plan.
 - iv. Undertake secondary planning processes;
 - v. Financial incentives; or
 - vi. Establishing urban design guidelines.
6. Conform to the policies of the Secondary Plans, comprehensive planning studies, and the implementing zoning by-law.

C.3.1.3. Designated Growth Areas

Designated growth areas are shown on Schedule B: Designated Growth Areas and are planned to accommodate a portion of the Town's long-term projected population and employment growth. These lands are located within the **settlement area** boundary and will be comprehensively planned through future study. Accordingly, they are not planned for

development until such time that comprehensive study has been undertaken, providing direction on land use, built form, the **natural environment system**, transportation, and servicing, among other matters to guide future development.

More specifically the Town will:

1. **Designated growth areas** will be subject to comprehensive study in accordance with policy F.4.1 that will be:
 - i. Approved in advance of new **development** proceeding within **designated growth areas**, except where otherwise permitted in accordance with policy F.4.1;
 - ii. Are implemented through an amendment to this Plan;
 - iii. Are consistent with the Provincial Planning Statement and at a minimum, conform to the policies of this Plan.
2. Designated growth areas will be planned as complete communities by:
 - i. Planning for a mix of jobs, housing options, and everyday amenities, including parkland and **public service facilities**;
 - ii. Ensuring the provision of **infrastructure** to accommodate planned growth, including the availability of municipal servicing;
 - iii. Ensuring that **development** is sequential, orderly and contiguous with existing and planned **development**;
 - iv. Utilizing planning tools as established under Part E of this Plan, as applicable;
 - v. Ensuring **infrastructure** capacity is available, and where it is not available, is planned for in accordance with projected growth and phasing of **development**; and
 - vi. Supports multi-modal transportation options, including **active transportation**.
3. Ensure **designated growth areas** include community focal points, planned as vibrant, mixed use, walkable communities that include:
 - i. A diverse mix of land uses, including jobs, housing, shopping, and everyday amenities;
 - ii. Civic uses that may function as local community anchors, including schools, libraries, and community centres;
 - iii. Connections to existing or planned **active transportation** networks, both within and beyond the designated growth area;
 - iv. Public spaces, parks, and open spaces; and
 - v. Elements that promote a **sense of place** within the community.
4. Ensure that the **public realm**, including parks, open spaces, public buildings and streetscapes be appropriate in function and design for the surrounding land use form and function.

5. Until such time that more comprehensive study is undertaken, the following land use are permitted within designation growth area:
 - i. Legally existing uses; and
 - ii. Normal farm practices, as well as agricultural uses, agriculture-related uses and on-farm diversified uses.
6. Ensure that the approval of a Secondary Plan or equivalent comprehensive undertaken in accordance with F.4.1 and/or **development** within a **designated growth area** is contingent on the availability of existing or planned **infrastructure**.

C.3.1.4. Countryside

The Countryside is comprised of lands that have been classified by the Province as **prime agricultural areas**, as well as some lands outside of that classification. Together, these lands function to create a continuous, productive land base for agriculture, supporting a broader **agri-food network** and economy. Protecting the long-term viability and integrity of the **agricultural system** is a matter of provincial interest and is a key objective of this Plan.

More specifically, the Town will:

1. Protect the continuity of the agricultural land base and the functional and economic connections to the **agri-food network**.
2. Recognize **agricultural uses** and **agriculture-related uses** as the dominant land use which are supported by large areas of **prime agricultural areas** within the Town.
3. Recognize the agricultural sector and related industries as key economic drivers in the Town.
4. Promote **rural areas** as a focus for agriculture, as well as non-agricultural uses and recreational uses as established by this Plan.

C.3.1.5. Natural Environment System

The **natural environment system** and its features are shown on Schedule F: Natural Environment System and Schedule G: Natural Environment System Features and applies to areas within the Town that have an important **ecological function**, and where the protection, conservation, and enhancement of those ecological functions is planned for. The **natural environment system** and its features is also recognized as an important component of **complete communities**, providing clean air, water, and opportunities for low impact recreation and leisure activities, and as an important tool to mitigate the **impacts of a changing climate**. The Town will protect, maintain, and enhance the **natural environment system's** overall integrity while protecting the system from incompatible **development**.

More specifically, the Town will:

1. Protect, enhance, restore, and conserve the **natural environment system** to ensure their long term sustainability.

2. Protect the **natural environment system's** network of **key natural heritage features** and **key hydrologic features**, their associated minimum **vegetation protection zones**, as well as **linkages** to protect and restore the features and their ecological and **hydrologic functions**, which will be enhanced over time.
3. Recognize the **natural environment system** as being inclusive of a wide range of agricultural lands and activities, as well as other **existing uses**. It is the intent of this Plan to continue to support **agricultural uses**, while facilitating the protection and enhancement of the **natural environment system**.

C.3.1.6. Hazardous Lands

Hazardous lands are shown on Schedule I: Hazardous Lands, and represent areas within the Town where there is imminent risk to public health or safety, or property damage. This may be due to natural conditions, including increasing risks due to **impacts of a changing climate**, or human-made conditions, such as previous land use activities. To protect the overall health and wellbeing of the Town, **development** is generally not permitted on **hazardous lands**, subject to the policies of this Plan.

C.4 Managing Growth

C.4.1 Objectives

The following objectives will inform land use planning and **development** decisions within the Town to guide management growth over the planning horizon. The Town's growth management strategy supports the Vision, Goals, and Objectives of this Plan by directing growth to where it can best be accommodated over the long-term. This includes consideration for land use compatibility, broad community benefit, protection of the natural environment, climate change resilience, and making optimal use of **infrastructure** and public assets. More specifically, the Town will:

1. Continue to grow as **complete communities** that provide a mix of jobs and housing to create opportunities for people to live and work in proximity to everyday amenities.
2. Support the continued development of **complete communities** through a **compact built form** to optimize public resources, provide for environmental sustainability, and minimize land consumption and servicing costs.
3. Make efficient use of land and **infrastructure** investment by promoting the development of more compact neighbourhoods that promote compatible **development** and focus growth to strategic areas within the Town.
4. Concentrate **intensification** and **redevelopment** to **strategic growth areas**. These areas are identified as having the greatest potential to achieve the vision and objectives of this Plan, including as **complete communities** that are comprised of a mix and range of land uses, a high quality built form, and incorporating the principles of **universal design**.

5. Protect **employment areas** from incompatible **development** and fragmentation to ensure their long-term viability and to attract future investment from a range of employment sectors and industries.
6. Support and protect agriculture and the agri-food system which requires a robust productive land base for the continued viability of normal-farm practices and diversified farm businesses.
7. Protect and enhance the **natural environment system**, including hydrologic and landform systems, features, and functions.
8. In collaboration with the **conservation authority**, identify **hazardous lands** and **hazardous sites** and manage **development** within these areas to mitigate long-term risk to public health and safety.
9. Implement the monitoring policies of this Plan and work collaboratively with partners to implement various tools for monitoring to guide policy, land use, and **infrastructure** planning.
10. Continue to recognize the role of partners in building communities and to support greater coordination and information exchange across jurisdictions and neighbouring municipalities, the development industry, **conservation authorities**, Indigenous Communities, and other interested groups to ensure a comprehensive, integrated, and collaborative planning process.

C.4.2 Intensification Targets

Future growth within Settlement Areas is planned to occur through a combination of **intensification** within the built-up area, including within **strategic growth areas**, and future **development** of lands outside of the delineated built-up areas, including **designated growth areas**. Future employment growth is also planned for and will be accommodated within the designated **employment areas**. The following **intensification** targets are established to further guide implementation of the growth management strategy of this Plan within these different land use contexts.

C.4.2.1. Delineated Built-up Area

The delineated built-up area is shown on Schedule D: Delineated Built-up Area, and will be the focus of a significant portion of the Town's future growth through **intensification**. **Intensification** will facilitate development that is more compact and mixed-use, supports **complete communities**, makes efficient use of land and resources, responds to evolving housing needs, optimizes the use of existing and planned **infrastructure**, and supports multi-modal transportation options, including transit.

The residential **intensification** target for built-up areas is:

1. A minimum of 60-percent of all residential units developed annually will be within the built-up area.

C.4.2.2. Designated Growth Areas

Lands located outside of the delineated build-up areas, including **designated growth areas**, are planned to accommodate a portion of the Town’s long-term projected population and employment growth. These lands will be comprehensively planned through future study, and will achieve the following **intensification** target:

1. **Designated growth areas** will achieve a minimum density of 50 residents and jobs combined per hectare.
2. All **development** within the built-up area will be identified as **intensification**.
3. Density in the **designated growth areas** will be measured over the entire Town and excludes areas constrained by environmental features, utility corridors, cemeteries, and **employment areas**, or other similar constraints.

C.4.2.3. Employment Areas

Table C-1: Minimum Intensification Targets for Employment Areas establishes the minimum density targets for **employment areas** as shown on Schedule C: Employment Areas:

Table C-2: Minimum Intensification Targets for Employment Areas

Employment Area Name	Minimum Overall Density Target (jobs per hectare)
FE-1 Stevensville Industrial Cell	15 jobs / ha
FE-2 International Peace Bridge Trade Hub	15 jobs / ha
FE-3 Bridgeburg Rail Zone	10 jobs / ha

C.4.3 Phasing of Growth

The phasing of growth enables the Town to plan for **development** in identified areas in an orderly and coordinated manner, in particular with regards to water, wastewater, and transportation capacity, land use compatibility, community benefit, the provision of **public service facilities**, and other **infrastructure**. More specifically, the Town will:

1. Ensure that the sequence of growth and **development** and the provision of **infrastructure** is phased based on the following principles:
 - i. Supports the development of **complete communities**;
 - ii. Demonstrated progress in achieving the growth management policies of this Plan;
 - iii. Provides for a contiguous and **compact built form of development** that is orderly and provides for a logical extension of services;

- iv. Makes efficient use of existing and planned **infrastructure** and **public service facilities**;
 - v. Prioritizes the enhancement of the existing transportation network and municipal servicing; and
 - vi. Facilitates the provision of **infrastructure** and **public service facilities** in a coordinated and financially sustainable manner.
2. Require the phasing of **development**, as may be required, on the basis of the municipal servicing capacity, the **transportation system**, and/or the timing of required regional **infrastructure**. The Town may also require the coordination of development applications to ensure an orderly, coordinated and phased approach to **development** and the provision of municipal **infrastructure**, including servicing and the **transportation system**.
 3. Coordinate with the Region and support investment to enable and prioritize growth, specifically within **strategic growth areas** and new or planned growth areas.
 4. Recognize that the delivery and operation of Region and Town **infrastructure** required to support growth will be phased in a manner which is consistent with the Region's applicable master plans and the Town's master plans and maintains financial sustainability.
 5. Require that the approval of Secondary Plans be aligned with the timing and delivery of regional water and wastewater and transportation **infrastructure** to ensure financial sustainability.
 6. Work with the Region to plan for and protect corridors and rights-of-way for **infrastructure**, including transportation, transit and electricity generation facilities and transmission systems to meet current and projected needs.
 7. Work with the Region to ensure that growth is aligned with the timing and delivery of **infrastructure** by:
 - i. Coordinating updates of the Town's land use planning framework, including updates to this Plan, with Region Master Plan processes.
 - ii. Integrating growth-related **infrastructure** phasing plans with asset renewal plans;
 - iii. Monitoring the timing of **infrastructure** delivery in to align with actual growth within the Town;
 - iv. Prioritizing **infrastructure** required to accommodate growth in a manner that promotes implementing the policies of this Plan; and
 - v. Regularly monitoring system performance and capacity utilization, and prioritizing growth in areas where **infrastructure** may be underutilized.
 8. Monitor growth management strategies that implement the policies of this Plan in cooperation with the Region.

C.4.4 Housing

The provision of an adequate supply of housing is a key growth management objective of this Plan. Diverse housing options include a range of tenures, sizes, and types to meet the evolving needs of the Town and support the growth management objectives of this Plan. More specifically:

1. The development of a range and mix of housing options, including lot and unit sizes, and housing types, as well as **affordable** and **attainable housing**, will be planned for throughout **settlement areas** to meet the current and future housing needs of the Town for all ages and abilities.
2. The Town will plan to accommodate residential growth for a minimum of 15 years through residential **intensification**, and lands designated and available for residential **development**.
3. Where new **development** is planned to occur, land with servicing capacity to provide at least a three-year supply of residential units through lands suitably zoned to facilitate residential **intensification**, and lands in draft approved or registered plans.
4. Coordination with Provincial and Federal governments and agencies, including the Canada Mortgage and Housing Corporation, will be undertaken to advocate for sustained Provincial and Federal funding that:
 - i. Promotes the development of residential **intensification**, **brownfield redevelopment**, and **affordable** and **attainable housing** options, including **community housing** and purpose-built rental units; and
 - ii. Supports energy efficiency and sustainable housing design for new and existing residential units.
5. To encourage the development of **affordable** housing, the following minimum targets will be achieved over the horizon of this Plan on a Town-wide basis, except where local targets may be higher:
 - i. 20-percent of all new rental housing Town-wide will be **affordable**; and
 - ii. 10-percent of all new ownership housing Town-wide will be **affordable**.
6. The following tools will be considered to support the development of **affordable** housing:
 - i. Flexibility in the scale, form, and types of residential **development**, including **additional residential units** and other alternative housing forms;
 - ii. Streamlining of planning approvals for the development of **affordable** housing, **attainable housing**, and **community housing**, with a priority for **developments** receiving time-sensitive funding;
 - iii. Financial incentive programs, such as grants, development charge deferrals, and property tax reductions that promote **redevelopment** and **intensification** where **affordable** housing options are proposed, including purpose-built rental housing;

- iv. The inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes;
- v. Development standards that facilitate the development of **additional residential units**, such as reduced setbacks, narrower lot sizes, and reduced parking standards; and
- vi. Inclusionary zoning provisions within protected **major transit station areas** and/or areas with an approved Community Planning Permit System, subject to the preparation of an assessment report as prescribed by the province.

C.4.5 Employment Areas

1. **Employment areas** are shown on Schedule C: Employment Areas and are planned to accommodate most of the Town's forecasted employment growth.
2. **Employment areas** and are to be protected from incompatible land uses and fragmentation over the long-term, and are to be protected and optimized to ensure the Town remains economically competitive and resilient.
3. **Development** on lands within 300 metres of **employment areas**, will avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned **employment areas**, in accordance with provincial guidelines, standards and procedures pertaining to land use compatibility.
4. The Town will consider the following when planning for employment growth:
 - i. The availability and suitability of **employment areas**, including land needs, will be monitored and reviewed to ensure long-term employment growth may be accommodated;
 - ii. The focus of employment growth in the Town will continue to be directed to **settlement areas** that have existing or planned **infrastructure** capacity, including servicing;
 - iii. Compatibility with surrounding land uses, opportunities to minimize land use conflicts, and opportunities to protect **employment areas** from incompatible land uses;
 - iv. Protect employment areas from the encroachment of non-compatible land uses which may impact the long-term economic viability and function of employment areas;
 - v. Support the expansion of existing land uses and promote new land uses within the **employment areas**; and
 - vi. Implementing Provincial direction regarding planning for **employment areas**.
5. The following policies apply regarding the removal of land from employment areas:
 - i. The long-term protection and viability of **employment areas** is a matter of provincial interest and a key objective of this Plan to ensure the Town's long-term economic prosperity and competitiveness.

- ii. The Town may consider removal of lands from **employment areas** only where it is demonstrated that the policy and criteria of Appendix I to this Plan have been satisfied.

C.4.6 Settlement Area Boundary Expansion

1. It is not anticipated that the Town requires additional land outside of the identified **settlement area** boundary to accommodate projected growth over the horizon of this Plan.
2. Where the Town may consider an expansion to the **settlement area** boundary, the following criteria will apply:
 - i. The need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
 - ii. The demonstrated need for additional land to accommodate growth, as informed by a Land Needs Assessment, to the satisfaction of the Town;
 - iii. If there is sufficient capacity in existing or planned **infrastructure** and **public service facilities**;
 - iv. The evaluation of alternative locations which avoid **prime agricultural areas** and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in **prime agricultural areas**;
 - v. Whether the new or expanded settlement area complies with the minimum distance separation formulae;
 - vi. Whether impacts on the **agricultural system** are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an **agricultural impact assessment** or equivalent analysis, based on provincial guidance;
 - vii. The impact of the proposed expansion on the **natural environment system**, in accordance with the policies of this Plan and the **conservation authority**; and
 - viii. The new or expanded **settlement area** provides for the phased progression of **development**, in accordance with existing or planned **infrastructure**, including servicing.
3. The establishment of a new **settlement area** within the Town is prohibited.

C.5 Built Form

1. The built form policies of this Plan function to provide further direction regarding the location and organization of **development** within the existing and planned context of the Town. The built form policies ensure that **development** will promote and achieve the overall objectives of this Plan, and in particular the growth management objectives.
2. The range of permitted heights within the **settlement area** recognizes the context of Fort Erie, the Vision, Goals, and Objectives of this Plan.

3. For lands abutting planned or existing roads under the Town’s jurisdiction, permitted built form and maximum height are based on the Town’s road classification as shown on Schedule L: Road Classifications and identified in Table C-2: Permitted Built Forms and Heights for Town Roads.

Table C-3: Permitted Built Forms and Heights for Town Roads

	Town Road Classification	Permitted Built Form	Maximum Permitted Height
A.	Local and Private Roads	Low-rise	3-storeys
B.	Collector Roads and the Niagara Parkway	Mid-rise	6-storeys
C.	Arterial Roads	High-rise	8-storeys, except in accordance with Policy C.5.5

4. For lands abutting roads under the Region’s jurisdiction, permitted built form and maximum height is based on the Region’s planned right-of-way width in accordance with Table C-4: Permitted Built Forms and Heights for Region Roads.

Table C-4: Permitted Built Forms and Heights for Region Roads

	Regional Road	Permitted Built Form	Maximum Permitted Height
A.	Regional roads with a planned right-of-way width of 20.0 metres or less	Low-rise	3-storeys
B.	Regional roads with a planned right-of-way width greater than 20.0 metres but less than 26.0 metres	Mid-rise	6-storeys
C.	Regional roads with a planned right-of-way width of 26.0 metres or greater	High-rise	8-storeys, except in accordance with Policy C.5.5 and Policy C.5.6

- i. The planned right-of-way width for Regional Roads is in accordance with policy E.9.3.7 Right-of-Way Widths and Table E-9: Road Allowances for Regional Roads - Preferred Widths.
5. In the Garrison Road Strategic Growth Area, as shown on Schedule A: Town Structure, and the Strategic Economic Area land use designation, as shown on Schedule E: Land Use Plan, the maximum permitted height is 10-storeys where lands abut an Arterial Road or a road under the Region’s jurisdiction with a planned right-of-way of 26.0 metres or greater.

6. The implementing zoning by-law may establish minimum heights within the boundaries of the Garrison Road Strategic Growth Area, in particular where lands have frontage on higher order road classifications
7. Where there is a conflict between Table C-2: Permitted Built Forms and Heights and a secondary plan:
 - i. For a secondary plan adopted on or prior to November 21, 2021, the policies of Table C-2: Permitted Built Forms and Heights prevail; and
 - ii. For a secondary plan adopted on or after November 22, 2021, the policies of that secondary plan prevail.
8. Where a lot has access from two or more road classifications, the greater height permissions apply to the entirety of the lot in accordance with Table C-2: Permitted Built Forms and Heights.
9. Where **development** is accessed by a private road, the maximum permitted height will be based on Table C-2, subject to the road classification that the private road is accessed from and the policies of Section E.8 of this Plan.
10. This Plan establishes development criteria for the permitted built forms to ensure that there is general compatibility and transition between different land use contexts within the Town. It must be demonstrated to the satisfaction of the Town that the development criteria of this Plan are satisfied through the development application process.
11. The massing of new buildings must provide an appropriate transition between areas of different height and scale through the use of setbacks and/or a stepping down of heights, where appropriate, to address matters of privacy and shadowing.
12. Transition between adjacent and surrounding land uses will be guided in accordance with Section E.8 of this Plan.
13. The Town may establish further regulation through the implementing zoning by-law for **development** on interior lots, corner lots, through lots, and larger lots that have been consolidated or assembled, in order to support a high-quality built form and to achieve the community design objectives of this Plan, in accordance with Section E.8.
14. The implementing zoning by-law may establish more detailed regulations regarding the character, location, scale and massing of the permitted built forms as contemplated by this Plan.

D. Land Use Designations

D.1 Introduction

D.1.1 Town Structure and Land Use Designations

1. The Town's land use structure is shown on Schedule A: Town Structure. The Town structure includes different land use contexts within the Town, including **settlement areas**, the Countryside, the **natural environment system**, and **hazardous lands**.
2. Land use designations are shown on Schedule E: Land Use Plan. The land use designations establish more specific land use planning direction within the various components of the Town's structure, including on matters such as permitted uses and **development** criteria.
3. The land use designations support implementation of the vision, goals, and objectives of this Plan and the generally accepted principles of good land use planning, including responsible growth management.

D.1.2 Uses Permitted in All Designations

1. Legally existing uses, buildings and structures.
2. Accessory uses, buildings and structures to a permitted use.
3. Fish, wildlife, conservation management, forestry uses, as well as passive recreational uses.
4. In all designations, except the **natural environment system**, parks, schools, **stormwater management facilities**, public and private **utility** installations, transportation **infrastructure**, including commuter facilities, institutional and quasi-institutional uses and other **public service facilities** which provide services directly to all properties in the Town, or to the immediate neighbourhood, will be permitted, provided that:
 - i. Such use is necessary or essential; and
 - ii. Development and infrastructure is compatible with adjacent properties and surrounding land use contexts.
5. Institutional **uses**, including schools, are encouraged to be located within **settlement areas** where there is full municipal servicing. Where these uses are located outside of **settlement areas**, **development** will be in accordance with the provision of adequate partial, communal, or private servicing, to the satisfaction of the Town and any agency or authority having jurisdiction.

D.1.3 Implementation

The Town will support implementation of the land use designations of this Plan through:

1. Coordination and partnership with the Region, Province, the Government of Canada, Indigenous communities, and other relevant agencies and authorities, as applicable.

2. Tools afforded to the Town under the Planning Act, Municipal Act, and other provincial statutes, where deemed necessary or appropriate by the Town.
3. The implementing zoning by-law, or a Community Planning Permit System, which in either case will be used as the principal implementation tool of this Plan.

D.2 Settlement Areas

Settlement areas are planned to accommodate most of the Town’s projected growth over the planning horizon. **settlement areas** will evolve to be compact, complete and accessible communities where the greatest concentration and mix of land uses are located. In all designations within the **settlement area**, **development**, **redevelopment**, or **public realm** improvements will incorporate the principles of **universal design** where feasible, to ensure accessibility and ease of mobility people for of all ages and abilities. The Town will work with the Region and relevant agencies and authorities to ensure that planned or existing **infrastructure**, including servicing, is available to support projected growth within **settlement areas** and contribute to these areas evolving as **complete communities**.

D.2.1 Core Mixed-Use

D.2.1.1. Vision

The Core Mixed-Use designation applies to areas within the Town that have historically functioned as traditional downtowns or areas that are planned to evolve into a more urbanized, compact built form. Areas designated Core Mixed-Use are planned to be the focus of **intensification** and **redevelopment** within the Town, comprised of a broad range of land uses to accommodate most of the Town’s projected growth. These areas provide residents with a diverse range of housing options, jobs, shopping, cultural experiences, **public service facilities**, and recreational opportunities. The long-term vision for the Core Mixed-Use designation necessarily relies on planning for a concentration of residents, workers, and visitors, with supporting amenities to encourage vibrant, engaging, and **complete communities**.

D.2.1.2. Objectives

The following objectives apply to the Core Mixed-Use land use designation:

1. The Core Mixed-Use designation supports **development**, **redevelopment** and **intensification** within the **strategic growth areas** in accordance with the policies of this Plan. The **strategic growth areas** are shown on Schedule A: Town Structure and on Schedules A1 through A7.
2. A balanced mix of residential, commercial, employment, and institutional land uses is envisioned to support Core Mixed-Use to evolve into vibrant, mixed-use communities. Core Mixed-Use is comprised of a broad range of activities, goods and services to meet the diverse needs of the Town’s residents, local work force, businesses, and visitors.
3. Require that all **development** within the Core Mixed-Use designation be pedestrian-oriented, incorporating high-quality **universal design** to support **active**

transportation, and create a strong **public realm**, which reflects excellence in urban design to reflect the Town’s unique **sense of place** and heritage.

4. Encourage opportunities for **major office** uses and **institutional uses** to be located within the Core Mixed-Use designation.
5. Within the Garrison Road Strategic Growth Area, **transit-supportive development** is encouraged to support the provision of a transit corridor, as conceptually shown on Schedule A: Town Structure, and Schedules A.4 and A.5.
6. Land designated Core Mixed-Use have an important role in supporting the Town’s economic **development** due to their strategic location, including planned or existing infrastructure, proximity to many cultural heritage assets, historic sites, international gateways, and the Lake Erie shoreline.
7. Council may identify **public realm** improvement priorities and establish incentive programs, such as a community improvement plans, to assist the private sector in improving their properties and to encourage **redevelopment** and **intensification** within the Core Mixed-Use designation.

D.2.1.3. Permitted Uses

Permitted uses within the Core Mixed-Use designation are:

1. **Mixed-use development;**
2. Residential;
3. Public service facilities;
4. Office;
5. Long-term care facility;
6. **Additional residential unit;**
7. **Additional needs housing;**
8. **Home occupation;** and
9. Parks and open space.

D.2.1.4. General Policies

1. **Development** is encouraged to be of a mixed-use format, including a range of housing options, commercial, office, institutional, **public service facilities**, and recreational opportunities to support the development of **complete communities** that are easily accessible to the surrounding communities through multi-modal transportation options.
2. **Mixed-use development** will either consist of a mixture of a permitted principal use on an individual site, or within individual buildings.
3. Mid-rise and high-rise mixed use buildings are encouraged in order to achieve **intensification** within the Core Mixed-Use designation and to promote a

concentration of people living in these areas to support ongoing economic revitalization and growth.

4. **Development, redevelopment, and intensification** will be compatible with adjacent land uses, where height and massing are appropriately considered, and buffers and/or transitions to adjacent land uses is achieved.
5. **Development, redevelopment, and intensification** will be respectful of built heritage resources, and every effort will be made to incorporate new buildings with the local architecture.
6. **Development** will be pedestrian-oriented and demonstrate excellence in urban design to create a strong, engaging, and vibrant **public realm** that contributes to a unique **sense of place**.
7. Expansive surface parking areas are discouraged and will generally be situated to minimize visibility from the **public realm**. The implementing zoning by-law will establish more detailed direction regarding the location and siting of surface parking areas.
8. Minimum parking requirements may be reduced through the implementing zoning by-law where alternative transportation options such as bicycle parking facilities, car share spaces, or enhanced access to transit exists.
9. **Development** will only proceed where there is existing or planned municipal servicing capacity, including transportation, to adequately accommodate the proposed **development**.
10. The long-term function and continued improvement of the Core Mixed-Use designation will be supported by the Town through the following municipally led initiatives:
 - i. Improvements to the **public realm** that enhance form, function, and visual aesthetic, and are guided by principles of **universal design**;
 - ii. Enhanced connections between land uses, specifically parks, open spaces, waterfront areas, and lands or buildings with cultural heritage significance;
 - iii. Safe, accessible, and efficient movement of people and goods, including **active transportation**; and
 - iv. Provision of municipal **infrastructure** to accommodate long-term growth, including servicing.
11. The Town may prioritize improvements to the **public realm**, including the streetscape, and establish incentive programs, such as through a community improvement plan, to assist with continued revitalization and economic development within the Core Mixed-Use and to support implementing the policies of this Plan.
12. The implementing zoning by-law may permit the full range of uses contemplated under the Core Mixed-Use designation.

D.2.1.5. Development Criteria

The following development criteria apply to **mixed-use development**:

1. To support the creation of complete communities, development, redevelopment and intensification will demonstrate:
 - i. Convenient access to the **active transportation** network;
 - ii. Adequate bicycle parking and bicycle storage facilities;
 - iii. Strong pedestrian linkages between the building and the street edge, and throughout the site;
 - iv. Close proximity and access to everyday amenities such as parks, open space, schools, shopping, **active transportation** routes, and other **public service facilities**. Where possible, new **development** should be located within a five-minute walk to these amenities;
 - v. The nature and extent of existing land uses, or designated land uses adjacent to the site with respect to compatibility and transition;
 - vi. The adequate provision of indoor and outdoor amenity space;
 - vii. Pedestrian-scaled street walls, with well defined and articulated street edges through the establishment of minimum and maximum setbacks, with the overarching vision for creating a walkable, animated and activated community; and
 - viii. Substantive landscaping to enhance the visual relationship between the public and private realms, and to support transition between land uses.
2. Variation in site and building design will create visually interesting streetscapes and a strong **sense of place** along street frontages. A high quality and attractive built form and an enhanced **public realm** will be achieved.
3. Active, pedestrian-oriented uses, particularly retail and service commercial uses is located at grade, with any residential or office uses located in upper storeys to maintain a continuous activated streetscape.
4. Existing **development** which contribute to the Core Mixed-Use's identity, aesthetic quality, or historic character, will be **conserved** to support a strong **sense of place**.
5. **Development** will be designed to respect the existing scale and character of building facades or adjacent or nearby buildings, maintaining high-quality, human-scale design to create a welcoming pedestrian environment in the Core Mixed-Use.
6. The following additional **development** criteria applies to **mixed-use development**:
 - i. Be located on a site of suitable size for the proposed **development**;
 - ii. Be compatible with adjacent land uses and built form, particularly with regard to height, massing, and transition;

- iii. Provide adequate landscaping, on-site amenity features and spaces, onsite parking, on-site waste pickup that meets the Regional Waste Collection design requirements and includes support for resource recovery of food and organic waster for residents, buffering and stormwater management features including **low impact development**;
 - iv. Be located in proximity to parks, open space, schools, everyday commercial amenities, **active transportation** routes, and other **public service facilities**;
 - v. Promote multi-modal transportation by having convenient access to the Town's **active transportation** network;
 - vi. Integrate with surrounding land uses, with particular regard for common elements such as access points, driveways, landscaping and parking areas;
 - vii. Not generate a volume of traffic that has potential to be a hazard, unless appropriate mitigation measures are provided to address potential hazards;
 - viii. The volume of traffic generated should be compatible with the surrounding land use context, including the surrounding street network and land uses; and
 - ix. Have regard for Town-wide urban design guidelines.
7. Safe pedestrian access from adjacent roads to a **development** will be provided and pedestrian linkages between buildings and the adjacent road network is encouraged.
 8. **Active transportation** linkages, including those that provide access to parks and open space, will be enhanced and expanded.
 9. Parking areas will generally not be sited between the main wall of a building and a road or situated adjacent to public frontages. All parking areas, loading and service areas will be adequately screened from public view and adjacent roads.
 10. On-site amenity space is provided in a manner that reflects or improves upon the existing patterns of private and public amenity space in the vicinity
 11. That impacts to adjacent or surrounding land uses are minimized, particularly with regard to privacy, traffic generation, shadowing, and reduction of sunlight. The proposed design of the **development** will be carefully considered. Adequate screening, separation distances and noise protection for adjacent residential areas may be required as based upon the conclusions and recommendations of a Town approved noise impact study, air quality study and external lighting study, as may be required.
 12. The Town will encourage urban design excellence within the Core Mixed-Use and may also develop urban design guidelines to establish the Town's built form and design expectations, consistent with the policies outlined in Section E.8 Community Design of this Plan.
 13. The Town may undertake additional planning study for specific land use contexts where the Core Mixed-Use designation applies, providing more detailed direction regarding **development** expectations that address unique planning opportunities and challenges within the Town.

14. **Development** proposals may be evaluated based on submission of information including a conceptual plan and perspective drawings which demonstrate general conformity with the directions of the applicable area specific urban design guidelines.

D.2.2 Community Area

D.2.2.1. Vision

The Community Area designation provides a range of housing options and essential everyday amenities to meet the diverse needs of the Town's residents. **Public service facilities** such as schools, parks, and **additional needs housing**, as well as neighbourhood-scale commercial uses are also planned within the Community Area to support the **development of complete communities**. The Community Area is envisioned to provide residents of all ages and abilities with access to housing, everyday amenities, and recreation as a foundation for overall community wellbeing.

D.2.2.2. Objectives

The following objectives apply to the Community Area land use designation:

1. Community Areas are planned to encourage a mix of housing options to ensure an adequate supply of housing to meet the current and future needs of the Town.
2. Provide for a broad range of housing types with respect to location, size, cost, tenure, design, and accessibility, including **affordable** housing and **additional needs housing**.
3. Encourage residential **intensification** and infill **development** in the Community Area where **development** and **redevelopment** are compatible with surrounding land uses and municipal services and facilities can be efficiently utilized.
4. Plan for non-residential uses that are appropriate for residential areas, support and enhance quality-of-life, community wellbeing, access to everyday amenities, and promote **complete communities**.
5. Public spaces will be designed to offer high quality amenity areas that are safe, accessible, attractive and vibrant.
6. **Public service facilities** will be planned to serve current and future residents, including locally serving commercial uses, parks and open spaces.
7. The promotion of **active transportation** and transit and mitigation of adverse impacts on traffic and the surrounding **transportation system**.
8. Support non-government organizations in developing non-profit and co-operative housing and promote housing initiatives that facilitate revitalization, compact urban form and an increased variety of housing options
9. Maintain and enhance a high quality and accessible open space system to meet the needs of the Town's diverse population, while mitigating **impacts of a changing climate** and protecting the natural environment.

D.2.2.3. Permitted Uses

Permitted uses within the Community Area designation are:

1. Residential;
2. **Additional residential unit;**
3. **Home occupation**, including bed and breakfast establishments;
4. **Additional needs housing;**
5. Small-scale commercial uses; and
6. Public service facilities.

D.2.2.4. General Policies

1. **Development** will be consistent Section E.8 Community Design Policies of this Plan and any Council endorsed urban design guidelines.
2. The type, size, mix, density and affordability of housing options positively contributes to the area and to meet the current and future needs of the Town.
3. **Development** within the Community Area designation will proceed in an orderly, phased, and efficient manner.
4. **Development, redevelopment, and intensification** will be encouraged where adequate existing or planned **infrastructure** exists.
5. **Development** should generally be integrated and compatible with surrounding existing or planned areas in accordance with the policies of this Plan.

D.2.2.5. Development Criteria

D.2.2.5.1. General Development Criteria

1. The Town may consider the following criteria when reviewing an application for **development** or **intensification** within the Community Area:
 - i. The type, mix, density and affordability of the housing positively contributes to the area and the provision of a diverse housing stock, including a mix of unit sizes and bedrooms;
 - ii. The adequacy of municipal services available to the area or to the site, including water, wastewater and stormwater management services;
 - iii. The promotion of **active transportation** and mitigation of adverse impacts on traffic and the surrounding **transportation system**;
 - iv. The adequacy of existing and/or proposed amenities within easy access to serve future residents and the existing community, including **public service facilities**, everyday amenities, and open spaces;
 - v. The provision of adequate vehicular and bicycle parking, buffering, and landscaping;
 - vi. The prevention of adverse impacts on cultural heritage features;

- vii. The appropriate protection of and conservation of the **natural environment system**;
 - viii. The incorporation of sustainability features, including **green infrastructure**, green building practices, energy conservation measures and renewable/**alternative energy systems**;
 - ix. The financial viability of life-cycle costs of new and existing **infrastructure** and **public service facilities** required to service the **development**;
 - x. The phasing of **development** is consistent with the availability of municipal services; and,
 - xi. Where applicable, consistency with approved urban design and architectural control guidelines.
2. The scale, massing, setback, and orientation of **development** within the Community Area will be determined through the development application process including secondary plans, plans of subdivision, demonstration plans, and/or urban design briefs.
 3. Where the Community Area designation abuts the Agriculture or Rural designation the Minimum Separation Distance policies of this Plan will apply.

D.2.2.5.2. Small-scale Commercial Uses

1. This Plan supports small-scale commercial uses within the Community Area, which are complementary to, and serve the daily needs of residents to support walkable **complete communities**.
2. The following criteria will apply to small-scale commercial uses:
 - i. Small-scale commercial uses will only be permitted on corner lots. It is not the intent of this Plan that small-scale commercial uses be located in the interior areas of neighbourhoods;
 - ii. Have frontage on a street with direct access from the **public realm**; and
 - iii. Only be permitted in a mixed-use building, being located at grade and with direct access to the street.
3. The implementing zoning by-law will establish an appropriate mix of uses, building types, and scale for small-scale commercial uses that are compatible with the surrounding area.
4. Small-scale commercial uses may be permitted as stand-alone buildings or integrated with residential uses in a **mixed-use development**. In a **mixed-use development**, small-scale commercial uses are required to be located at grade, with residential uses located above the ground floor or at the rear of the building.
5. Small-scale commercial uses may include uses that serve the daily needs of the community, such as convenience retail, small-scale eating establishments or cafes, personal service shops, day care centres, fitness and wellbeing establishments, or artisan establishments such as studios and shops. The implementing zoning by-law

may provide more detailed direction regarding the range of permitted small-scale commercial uses.

6. Where a proposed small-scale commercial use abuts a residential use, the Town will require that impacts be mitigated through site design including appropriate screening and landscaping.
7. The implementing zoning by-law will provide more detailed direction regarding the location and scale of small-scale commercial uses and provide direction regarding potential nuisance impacts on surrounding residential uses, such as noise and odour.

D.2.2.5.3. Home Occupation

Home occupations, including bed and breakfast establishments, may be permitted as an accessory use within a principal dwelling or the accessory building subject to the following criteria:

1. **Home occupations** encourage live/work relationships and walkable neighbourhoods.
2. A **home occupation** is a commercial enterprise permitted as an accessory use to a principal residential use and must be operated by a resident of the principal residential use.
3. The implementing zoning by-law will contain regulations regarding the specific activities that are permitted as a **home occupation**, as well as the:
 - i. Scale of the **home occupation** use in regard to the residential character of the dwelling, property, and surrounding land uses;
 - ii. Number of employees;
 - iii. Parking facilities; and
 - iv. Exterior storage or display of goods;
4. **Home occupations** may be prohibited by the implementing zoning by-law in a specific land use context or type of dwelling unit. The implementing zoning by-law may provide more detailed direction regarding the regulation of **home occupations**.

D.2.3 Strategic Economic Area

D.2.3.1. Vision

The Strategic Economic Area applies to areas within the Town where there is significant potential to develop a cluster of heightened economic activity. These areas are envisioned to be comprised of a range of compatible land uses including employment, residential, commercial, entertainment, and office. The Town recognizes existing uses in the Strategic Economic Area may function as a catalyst for stimulating economic activity and growth and are therefore envisioned as a landmark destination. It is generally intended that lands within the Strategic Economic Area will be subject to future planning studies to provide more detailed direction on the planned form and function of these areas.

D.2.3.2. Objectives

The following objectives apply to the Strategic Economic Area land use designation:

1. Foster the creation of a vibrant and dynamic district that permits a broad range of employment and employment compatible land uses, supporting a live-work-play environment.
2. Encourage a mix of uses to attract people and businesses, enhancing the Town's economic resilience by providing a range of job opportunities and promoting the Town as a regional destination.
3. Achieve a balanced mix of employment, residential, and mixed-uses to develop as a **complete community**, in a compact, pedestrian oriented built form with safe, accessible and efficient connections to the Town's transportation network, including **active transportation infrastructure**.
4. Provide flexibility through the implementing land use planning framework, recognizing evolving economic and market conditions, to ensure the Strategic Economic Area remains resilient and adaptive over time.

D.2.3.3. Permitted Uses

Land uses permitted within the Strategic Economic Area designation are:

1. Legally existing uses;
2. **Mixed-use development**;
3. Residential;
4. Major office;
5. Institutional;
6. Commercial uses, including entertainment, hospitality, and service oriented uses;
7. Public service facilities;
8. Parks and open space; and
9. An existing racetrack for horse racing and non-motorized racing, equine centre, approved gaming activities, and incidental uses;

D.2.3.4. General Policies

1. The Strategic Economic Area will evolve into a significant cluster of economic activity that is supported by a range of complementary amenities. New **development** will be planned in a manner that has regard surrounding land use contexts in order to create appropriate scale and transition.
2. **Development** will emphasize high quality placemaking, creating a visually appealing, interesting, and engaging **public realm**, while accommodating a mix of complementary retail, cultural and entertainment uses to promote the area as a destination for investment.

3. Future planning study will engage residents, community groups, organizations, businesses, property owners, and other partners to identify more specific principles, priorities and actions that will support and advance the planned form and function of the Strategic Economic Area.
4. The implementing zoning by-law may apply a Holding (H) Symbol as an interim planning tool to ensure that **development** within the Strategic Economic Area progresses in an orderly and phased manner, until such time that the conditions associated with the Holding (H) Symbol are satisfied.
5. Additional land use planning tools, such as an Interim Control By-law, may be enacted by Council where it is deemed that additional study is required until such time as a secondary plan process or equivalent is undertaken and completed.

D.2.3.5. Development Criteria

1. Detailed **development** criteria will be established through a secondary plan process, or equivalent, as adopted by Council.
2. Future land use planning studies may have regard for the following general development criteria:
 - i. The maximum building height will generally be ten-storeys, with the tallest buildings located near higher order road classifications, as determined through future land use planning study.
 - ii. In mixed-use buildings, non-residential uses are encouraged to be located at grade, to foster a more engaging, activated, and vibrant **public realm**.
 - iii. High-quality open spaces, including new parks, plazas, courtyards, greenways, as well as a connected network of open spaces to provide diverse places for enjoyment, leisure, and recreation to enhance amenity and create a **sense of place**.
 - iv. Protect, conserve, and enhance the **natural environment system** in accordance with the policies of this Plan, and where feasible, incorporate these features into the **public realm** as an amenity.
 - v. A fine-grained street system that will ensure a comfortable pedestrian experience and **public realm**, with a pedestrian-oriented street and block network to support movement throughout the area, improve linkages to surrounding communities, and create a safe and welcoming environment.
 - vi. **Development** will result in a high-quality **public realm** and new pedestrian and cycling connections that promotes multi-modal transportation.
 - vii. Principles of **universal design** will support mobility for all ages and abilities.
 - viii. **Development** will demonstrate climate resiliency by integrating green building practices, and the use of **green infrastructure** and **sustainable design**.
3. Within 300.0 metres of lands designated Employment, only compatible land uses are permitted as determined in accordance with the Province's D-Series Guidelines. **Development** will avoid, or where avoidance is not possible, **development** on lands

within 300 metres of **employment areas**, will avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned **employment areas**, in accordance with provincial guidelines, standards and procedures pertaining to land use compatibility.

D.2.4 Employment

D.2.4.1. Vision

The Employment designation accommodates clusters of industrial related uses and economic activities that are of strategic importance to the Town's long-term economic resilience and prosperity. The Employment designation directly supports the overall economic wellbeing of the Town, and therefore this Plan has heightened regard for their long-term protection and viability.

D.2.4.2. Objectives

The following objectives apply to the Employment land use designation:

1. Provide opportunities for a diversified economic base which supports a healthy, stable economy and generates employment opportunities within the Town.
2. Ensure that an adequate supply of lands are designated employment to maintain a reasonable vacancy rate and that the necessary **infrastructure** is provided to support current and projected economic development needs.
3. Improve compatibility and connectivity between lands designated Employment and adjacent land uses, including through urban design, landscaping, streetscaping and enhanced multi-modal transportation networks.

D.2.4.3. Permitted Uses

1. Permitted uses within the **Employment** designation are:
 - i. Manufacturing uses;
 - ii. Uses related to research and **development** in connection with manufacturing;
 - iii. Warehousing uses, including uses related to the movement of goods;
 - iv. Office and retail uses, but only where they are normal, incidental, and accessory to the principal employment use; and
 - v. Any facility that may be normal, incidental, and ancillary to the uses permitted within the Employment designation of this Plan.
2. Notwithstanding D.2.4.3.1, uses that were lawfully established before October 20, 2024, and located within an **employment area**, as shown on Schedule C: Employment Areas, may continue to be used for such purposes pursuant to subsections 1 (1.1) and (1.2) of the Planning Act.

D.2.4.4. General Policies

1. The Town will plan for, protect and preserve **employment areas** for current and future uses, and ensure that the necessary **infrastructure** is provided to support current and projected needs.
2. The use of buffering and adequate separation distances may be required to ensure visual compatibility between lands designated Employment and adjacent or surrounding land uses.
3. The Town will designate, protect and plan for all **employment areas** in **settlement areas** by:
 - i. Planning for **employment area** uses over the long-term that require those locations including manufacturing, research and **development** in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
 - ii. Prohibiting residential uses, commercial uses, **public service facilities** and other **institutional uses**;
 - iii. Prohibiting retail and office uses that are not associated with the primary employment use;
 - iv. Prohibiting other **sensitive land uses** that are not ancillary to uses permitted in the **employment area**; and
 - v. Including an appropriate transition to adjacent non-employment areas to ensure land use compatibility and long-term economic viability.
4. The Town will protect **employment areas** that are located in proximity to **major goods movement facilities and corridors**, including facilities and corridors identified in provincial transportation plans, for the **employment area** uses that require those locations.

D.2.4.5. Development Criteria

The following **development** criteria apply to the **employment** land use designation:

1. **Development** will be compatible with surrounding uses and promote high quality urban design, landscaping, and screening, to heighten aesthetic appeal and encourage appropriate transition of land uses.
2. **Development** will use the following design standards to promote high quality appearance and function:
 - i. The visual appearance of **development**, in terms of building design and materials, landscaping, signs and accessory structures;
 - ii. Access location and design, parking area screening, and the layout of loading and truck manoeuvring areas;
 - iii. The location and screening of any permitted outside storage areas;

- iv. The exposure of industrial **developments** and activities to more sensitive abutting land uses;
 - v. Effective integration of any accessory uses, particularly accessory retail components; and
 - vi. All industrial activities other than outside storage or display areas will be contained wholly within enclosed buildings.
3. Existing natural heritage features will be maintained and, where feasible, enhanced, to function as buffers and visual screens as incorporated into the **development**.
 4. Outside storage or display areas may only be permitted provided that they are properly screened from public view, and will be subject to the following additional criteria:
 - i. All outside storage areas will be located away from any adjacent existing residential and/or open space uses, or have adequate buffers that will visually screen the outside storage area from **adjacent lands**;
 - ii. All buffers, fencing and screening will visually enhance the site, and will be of permanent construction; and
 - iii. Where natural landscaping is utilized, it will be of adequate size to appropriately screen the outside storage area when it is installed.
 5. The proposed removal of lands from an **employment area**, as shown on Schedule C: Employment Areas, will only be permitted in accordance with Appendix I of this Plan.

D.2.5 Commercial

D.2.5.1. Vision

The Commercial designation permits a broad range of commercial goods and services to meet the everyday needs of the Town's residents, contributing to **complete communities**. Commercial areas will continue to evolve to meet the everyday needs of both residents and employees within the Town.

D.2.5.2. Objectives

The following objectives apply to the Commercial land use designation:

1. Commercial land uses function to meet the diverse everyday needs of the Town's residents, employees and businesses.
2. A full range of commercial goods and services are planned for throughout the Town, with emphasis on providing everyday goods and services in close proximity to where people live, work and travel.
3. Maintain the economic growth and community value of Town's commercial land uses by encouraging **development, redevelopment** and rehabilitation for a diverse range of uses, and offering an attractive economic environment for new businesses and investors.

4. Permit broad range of commercial activities, while also providing flexibility to accommodate future changes as a result of market trends, technology, and community needs.
5. Undertake, by both direct municipal action and private sector incentives, a program of ongoing improvements within the commercial areas of the Town to enhance the efficiency, convenience, safety and appearance commercial lands.

D.2.5.3. Permitted Uses

1. The Commercial designation permits a broad range of commercial-oriented land uses including retail, office, and service uses. It is the intent of this Plan that specific commercial land uses will be defined and permitted by the implementing zoning by-law and as based on the policies of this Plan.
2. Residential uses, in accordance with policy D.2.5.6.

D.2.5.4. General Policies

1. The planned function of the Commercial designation may vary throughout the Town based on local land use context. This Plan envisions a range of commercial land uses within the Town, as follows:
 - i. General commercial land uses include the widest range of goods and services within the Town, such as retail, restaurants, personal service, professional offices, hotels, motels, theatres, automobile sales, automobile service stations, funeral establishments, places of amusement or recreation, places of worship, and civic or government offices.
 - ii. Highway commercial land uses serve the travelling public and generate increased vehicular traffic that is incidental to the nature of these businesses. Land uses may include land uses such as restaurants, hotels, motels, automobile service stations, automobile repair, places of amusement or recreation, and related accessory uses.
 - iii. Recreational commercial land uses accommodate uses that promote recreation and leisure activities within the Town, such as golf courses, driving ranges, marinas, private clubs, and lodges, as well as accessory uses that may be normal and incidental to those uses including restaurants, retail, and accommodation.
2. Automobile land uses, such as automobile service stations, automobile repair, and car washes, as well as drive-through facilities, will be subject to design guidelines developed by the Town to enhance their appearance and compatibility with surrounding land uses.

D.2.5.5. Development Criteria

The following development criteria apply to the Commercial designation:

1. **Development** within the Commercial land use designation will incorporate high quality design, and evolve over time to be pedestrian-oriented, support **active transportation**, and create a strong **public realm**.

2. That the height and massing of surrounding land uses is considered, and appropriate transition in buffers and/or transitions in height and massing between adjacent land uses is achieved, where necessary.
3. Sidewalks, walkways and other pedestrian facilities that may function to link adjacent **development**, and to nearby cycling facilities and public sidewalks, will be provided within and between **developments** to promote and support **active transportation**.
4. The layout and design of a proposed **development** will ensure that the parking area provides for the adequate movement of vehicular traffic.
5. Access to public roads will be limited in number and where possible consolidated, as well as designed to minimize danger to vehicles, pedestrians, cyclists, and other multi-modal transportation.
6. Commercial **development** should be grouped, where possible, to promote joint access arrangements and to reduce the number of access points onto the adjacent public road.
7. Land uses that generate nuisance impacts on surrounding land uses such as noise, vibration, odour, lighting, or traffic, are not permitted.
8. **Development** within the Commercial land use designation will have regard for the following criteria:
 - i. The need for new commercial land uses by evaluating the development potential of the area and the adequacy of existing commercial **development** to meet the everyday needs of the Town;
 - ii. The physical suitability of the site for the proposed use;
 - iii. The adequacy of existing transportation **infrastructure**;
 - iv. The convenience, accessibility and safety of the site for vehicles, pedestrians, and cyclists, particularly where **development** is proposed in vicinity to nearby residential areas;
 - v. The provision of adequate off-street parking facilities and access points that are designed to minimize risks for vehicles, including bicycles, transit and pedestrians;
 - vi. The adequacy of municipal servicing based on technical reports or recommendations from the relevant authorities; and
 - vii. The compatibility of the proposed commercial use with neighbouring areas, ensuring the new commercial area would not negatively impact surrounding land uses.
9. The implementing zoning by-law will establish more detailed direction regarding permitted uses, setbacks, massing, off-street parking, outdoor display and storage, landscaping, and buffering.
10. At the Town's discretion, a development application within the Commercial designation will be supported by information on the economic, physical and servicing impacts of

the proposed **development**. A market study may also be required to demonstrate the economic feasibility of the proposed **development** and assess whether it would affect the viability of surrounding commercial land uses.

D.2.5.6. Permitted Residential Uses

1. Residential uses are permitted on lands designated commercial where they are located within **strategic growth area** as shown on Schedule A: Town Structure, subject to the following additional criteria:
 - i. Development will be subject to policy D.2.1.5 and policy D.2.1.4.
 - ii. The Town may require a market study to determine the appropriate amount of commercial space to be developed as part of an application for a **mixed-use development** where an existing commercial use is proposed to be **redeveloped**.

D.2.5.7. Recreational Commercial Land Uses

The following additional policies will apply to recreational commercial land uses:

1. Residential uses may be permitted only where they are intended to accommodate maintenance and security staff as accessory to the permitted use.
2. Recreational land uses with heightened servicing requirements will be directed to **settlement areas** where this is sufficient existing or planned servicing capacity.
3. Recreational land uses of an open space nature, such as a golf course, may be permitted outside of **settlement areas**, but only where it can be demonstrated to the Town, Region, and applicable authority or agency, that the proposed use can be adequately serviced by private servicing systems.

D.2.6 Institutional

D.2.6.1. Vision

The Institutional land use designation permits a broad range of **institutional uses** that directly support overall community wellbeing. **Institutional uses** are recognized as a fundamental component of **complete communities**, and may include uses related to health care, schools, social service, education, and civic uses, all of which serve to strengthen the community. **Institutional uses** are encouraged to be well-designed, recognizing that these uses may function as important landmarks and as a source of civic pride.

D.2.6.2. Objectives

The following objectives apply to the Institutional designation:

1. Foster a sense of community by integrating **institutional uses** with surrounding neighbourhoods, encouraging convenient access to a diverse range of academic, faith based, cultural, or civic engagement opportunities that foster a complete and inclusive community.
2. Plan for a broad range of **institutional uses** that contributes to the unique character of the Town and its desirability as a place to live and invest in.

3. Promote **institutional uses** to be located within a mixed-use format where feasible, or the co-location of **institutional uses** to function as a **community hub**.
4. Plan for the location of institutional lands, particularly in **designated growth areas**, to ensure that current and future needs of residents is accommodated for over the long-term.

D.2.6.3. Permitted Uses

Permitted uses within the Institutional designation are:

- i. Health care;
 - ii. Schools, including post-secondary institutions;
 - iii. Places of worship;
 - iv. Long-term care facility; and
 - v. Public uses owned, operated by, or operated on behalf of, the Town, the Region, the Province, Government of Canada or agency thereof, the Buffalo and Fort Erie Public Bridge Authority, or the Niagara Parks Commission.
2. Complementary uses that are normal and incidental to the principal **institutional use** and that serve the intended function of institutional lands may also be permitted by the implementing zoning by-law, including the following uses:
 - i. Administrative offices that directly serve the principal **institutional use**;
 - ii. Convenience retail and personal service uses;
 - iii. Residential uses, where they are intended to provide accommodation for persons associated with the principal use;
 - iv. Research and **development** activities, and/or related educational uses; and
 - v. Public service facilities.
 3. Additional permitted uses may be identified through the implementing zoning by-law without amendment to this Plan, provided they meet the intent of the institutional land use designation.

D.2.6.4. General Policies

1. The Town will support and partner with the Province, Government of Canada, and other agencies, authorities, and institutions for the provision of **institutional uses** to meet the current and future needs of the community.
2. Encourage the development of **institutional uses** as important community resources and recognized focal points for civic engagement and community building.
3. Ensure compatibility between **institutional uses** and adjacent land uses, particularly with regards to urban design, transportation, and servicing.

D.2.6.5. Development Criteria

1. The following **development** criteria apply to the Institutional land use designation:

- i. The landscape, built form and functional character of the surrounding community is enhanced;
- ii. The compatibility of the proposed **development** with surrounding land uses;
- iii. The height and massing of nearby buildings is appropriately considered and that **development** transitions to adjacent properties, where necessary;
- iv. The site's location relative to the Town's planned or existing transportation network, including access to **active transportation infrastructure** that enhances connectivity to residential and mix-use areas;
- v. Availability of sufficient off-street parking to meet projected demand;
- vi. On-site amenity space is provided where appropriate and is, at a minimum, reflective of the existing patterns of private and public amenity space in the vicinity
- vii. The proximity of the site to existing or planned public transit routes;
- viii. The planned or existing capacity of municipal services to the proposed area; and
- ix. New **institutional uses** or essential emergency uses are not permitted in **hazardous lands** or **hazardous sites**.

D.2.7 Hamlet of Snyder

The Hamlet of Snyder is a **rural settlement** consisting of rural residential, commercial and **institutional uses**. The following policies apply to the Hamlet of Snyder:

1. It has partial municipal servicing, with connection to a Regional watermain but no municipal wastewater servicing.
2. Due to having partial access to municipal servicing, it is not anticipated that significant growth, **development** or **redevelopment** will occur within Snyder over the planning horizon.
3. Rural residential, commercial, and industrial **development** and lot creation will only take place in accordance with the policies of this Plan.
4. The Town may undertake a more detailed study to direct land use planning matters within the Hamlet of Snyder.

D.2.8 Peace Bridge International Gateway

D.2.8.1. Vision

Lands within the Peace Bridge International Gateway designation are owned or leased by the Buffalo and Fort Erie Public Bridge Authority, and function to ensure the continued efficient operation of the Peace Bridge, including international border customs and inspections, as well as accessory or incidental uses thereto.

D.2.8.2. Objectives

The following objectives apply to Peace Bridge International Gateway designation:

1. As a critical international gateway, the Peace Bridge forms part of an important international trade corridor that facilitates the movement of people and goods between Canada and United States of America, and beyond.
2. The long-term maintenance of the Peace Bridge as an international trade corridor is a priority for the Town, Province, and Federal government. It is the intent of this Plan that the traffic and transportation impact by the operation of the Peace Bridge will be considered by those authorities, including the Ministry of Transportation, the Region, the Niagara Parks Commission, the Town, Province, and Government of Canada in order to facilitate the efficient movement of people and goods on lands within, and adjacent to, the Peace Bridge International Gateway designation.
3. Land use planning within the Peace Bridge International Gateway designation will be undertaken in consultation with the Buffalo and Fort Erie Public Bridge Authority, the Region of Niagara, the Province, and the Niagara Parks Commission, and other relevant agencies or authorities who may have jurisdiction, as deemed necessary.

D.2.8.3. General Policies

Where the Buffalo and Fort Erie Public Bridge Authority disposes of or conveys a portion of lands within the Peace Bridge International Gateway, an amendment to this Plan may be deemed necessary by the Town to redesignate the lands affected.

D.3 Countryside

The Countryside is comprised of many unique natural and cultural heritage features as well as valuable natural resources, including agricultural lands that are integral to the provincial agri-food system and local economy. Agriculture is a key component of the Town's economy and has an important role in the achieving the objectives of this Plan and provincial direction regarding the environment, climate change, cultural heritage and overall community wellbeing. It is the intent of this Plan to support agriculture as the predominant land use in the Countryside and protect these lands from non-compatible **development** that may hinder the long-term viability of the Town's agriculture land base as an important economic and community resource.

D.3.1 Agriculture

D.3.1.1. Vision

The Agriculture designation safeguards the agricultural land base for long-term **agricultural uses** and **normal farm practices** and applies to areas where **prime agricultural lands** predominate. This includes areas of **prime agricultural lands** and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture

D.3.1.2. Objectives

The objectives of the Agriculture designation are:

1. Lands designated Agriculture will be protected from incompatible, non-agricultural **development** to ensure the long-term viability and function of the agricultural land base as an important contributor to the Town's economic prosperity and broader agri-food system.
2. Restrict non-compatible **development** in agricultural areas to prevent fragmentation of farmland and preserve the rural character and landscape.
3. This designation will strengthen rural communities by supporting agricultural businesses and ensuring that agricultural lands contribute to overall community wellbeing.

D.3.1.3. Permitted Uses

Permitted uses within the Agriculture designation are:

1. Agricultural uses, including normal farm practices;
2. **Agriculture-related uses**;
3. **On-farm diversified uses**;
4. **Home industry**;
5. **Home occupation**;
6. Conservation and forestry;
7. **Mineral aggregate operation**;
8. **Mineral mining operations**;
9. **Petroleum resource operations**;
10. Alternative energy systems and renewable energy systems;
11. Low-intensity recreational uses; and
12. **Additional residential unit.**

D.3.1.4. General Policies

1. Land uses will be compatible and complementary to the agricultural area in accordance with provincial direction and the implementing zoning by-law.
2. The following is encouraged to support the long-term viability of the agricultural land base:
 - i. Re-using existing buildings or locating businesses within existing buildings unless an alternative location reduces overall impacts on the agricultural area;
 - ii. Minimizing outdoor storage and lighting for uses that are not defined as **normal farm practices**; and
 - iii. Avoiding adverse impacts to the natural environments system, in accordance with this Plan.

3. Ensuring all new **development** complies with the minimum distance separation formulae.
4. In **prime agricultural areas**, on prime agricultural land, extraction of mineral aggregate resources is permitted as an interim use provided that:
 - i. Impact to the **prime agricultural areas** are addressed, in accordance with policy D.3.1.4.5; and
 - ii. The site will be rehabilitated back to an **agricultural condition**.
5. Impacts from any new or expanding non-agricultural uses on the **agricultural system** are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an **agricultural impact assessment** or equivalent analysis, based on provincial guidance.
6. Uses that do not support the continued viability of the **agricultural system** will be directed to other areas of the Town such as the **settlement areas**, as appropriate.

D.3.1.5. Development Criteria

D.3.1.5.1. Lot Creation and Adjustment in the Agriculture Designation

1. The Town is committed to maintaining an **agricultural system** and recognizes that there may be circumstances in which lot creation or lot adjustments may be required to support the long-term economic prosperity and productive capacity of **prime agricultural lands**.
2. Lot creation in the Agriculture designation is generally discouraged and may only be permitted in accordance with the policies of this Plan. Applications for plans of subdivision or condominium are not permitted within the Agriculture designation.
3. The creation of lots and new or expanding livestock facilities will comply with the minimum distance separation formulae as established by the Province, and in accordance with the implementing zoning by-law.
4. Lot creation in the Agriculture designation may only be permitted for:
 - i. **Agricultural uses**, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
 - ii. **Agriculture-related uses**, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate **sewage and water services**;
 - iii. One new residential lot per farm consolidation for a residence surplus to an agricultural operation, provided that:
 - a. The new lot will be limited to a minimum size needed to accommodate the use and appropriate servicing; and
 - b. The Town ensures that new dwellings and **additional residential units** are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new dwellings or **additional residential**

units are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches that achieve the same objective; and

- iv. **Infrastructure**, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
- 5. Lot adjustments in **prime agricultural areas** may be permitted for legal or technical reasons.

D.3.1.5.2. Residential Lot Creation in the Agriculture Designation

- 1. The creation of a new residential lot in the Agriculture designation will not be permitted, except in accordance with policy D.3.1.4.5.
- 2. Proposed residential lots being considered in the Agriculture designation for a consent within the agricultural land base must meet the following conditions:
 - i. The size of any new lot will be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and long-term operation of a private sewage disposal system as determined by Provincial and Regional requirements;
 - ii. Any new lot has adequate groundwater or other water supply, in compliance with Provincial requirements;
 - iii. Any new lot has sufficient frontage on an existing publicly maintained road;
 - iv. Where possible, joint use should be made of the existing road access to the farm operation;
 - v. Road access to any new lot does not create a traffic hazard because of limited sight lines on curves or grades or proximity to intersections; and
 - vi. Proposed lots will be located and configured to minimize impacts on surrounding farming operations.
- 3. The severance of a residence surplus to an agricultural operation within the Agriculture designation may be permitted under the following circumstances:
 - i. The lot contains a habitable residence, which existed as of June 16, 2006, that is rendered surplus as a result of farm consolidation;
 - ii. The size of any new lot will be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and private sewage disposal system as determined by Provincial and Regional requirements to a maximum of 1.0 hectare;
 - a. proposals that exceed one hectare may be considered subject to an amendment to this Plan; and
 - b. to reduce fragmentation of the agricultural land base, the retained lot will be merged with an abutting parcel. Where merging of two lots is not possible, the retained farm parcel will be zoned to preclude its use for residential purposes.

D.3.2 Rural

D.3.2.1. Vision

The Rural land use designation generally applies to lands located outside of **settlement areas** and **prime agricultural areas**. The protection and strengthening of the rural area is intended to be maintained, recognizing its unique character and function, while providing opportunities for **agricultural uses**, resource-based activities, recreation, tourism and other compatible rural land uses.

D.3.2.2. Objectives

The following objectives apply to the Rural land use designation:

1. Maintain the open, rural landscape character of the Rural Area, with agriculture and natural heritage as compatible and complementary uses.
2. Ensure that permitted land uses are compatible with, and do not adversely impact or hinder, surrounding land uses, including agriculture and the **natural environment system**.
3. Protect, improve or restore the quality and quantity of the **natural environment system**.
4. Conserve **cultural heritage resources** and ensure that **development** does adversely impact the heritage character of the area.
5. Provide opportunities for non-intensive recreational uses compatible with agriculture, natural heritage and the rural community.
6. Ensure that **development**, including **infrastructure** development, is consistent with the protection and strengthening of the rural community.
7. Support the agricultural community by allowing for a range of **agricultural-related uses** that serve the needs of rural residents and agricultural activities.

D.3.2.3. Permitted Uses

Permitted uses within the Rural designation are:

1. Agricultural uses, including normal farm practices;
2. **Agricultural-related uses**;
3. **On-farm diversified use**;
4. Residential;
5. **Home occupation**;
6. **Home industry**;
7. Low-intensity recreation;
8. Small-scale non-agriculture uses;
9. **Cemetery**;

10. **Wayside pits and quarries**; and
11. **Mineral aggregate operation.**

D.3.2.4. Development Criteria

1. Lot creation in the Rural designation is generally discouraged and may only be permitted in accordance with the policies of this Plan. Applications for plans of subdivision or condominium are not permitted.
2. All private servicing will satisfy the requirements of the Town, the Region, the applicable approval agency, or the Province.
3. New land uses, including the creation of lots and new or expanding livestock facilities, will comply with the **minimum distance separation formulae** as established by the Province, and in accordance with the implementing zoning by-law.
4. Small-scale structures accessory to low-intensity recreational uses, such as trails, boardwalks, foot bridges, fences, docks and picnic facilities, are permitted only if the applicant demonstrates that the **adverse effects** on the **ecological integrity** of nearby features will be kept to a minimum by keeping disturbed areas to a minimum, avoiding the most sensitive portions of the site, such as steep slopes and organic soils.

D.3.2.4.2. Consent to Sever on Rural Lands

1. Applications for non-agricultural residential **development** on **rural lands** must meet the following criteria and the general consent provisions in Policy D.3.3.7.2, in addition to the other requirements of this Plan:
 - i. A maximum of three new lots (in addition to the retained lot) may be permitted on each lot in existence as of June 16, 2006;
 - ii. The minimum size of the proposed and retained lots will each be one hectare unless it is determined through a hydrogeological study, that considers potential cumulative impacts, that a smaller size lot will adequately accommodate private water and sewage treatment facilities for long-term operation but not be less than 0.4 hectares;
 - iii. The **development** will be at a scale and density suitable to the physical characteristics of the site;
 - iv. The soil and drainage conditions are suitable and permit the proper siting of buildings, the supply of potable water and the installation and long-term operation of an adequate means of waste disposal;
 - v. The proposed **developments** must be appropriately separated and protected from:
 - a. Incompatible land uses such as existing pits and quarries;
 - b. Mineral aggregate resources recognized in this Plan;
 - c. Livestock operations and anaerobic digesters, in accordance with the **minimum distance separation formulae**;

- d. major existing and proposed transportation facilities; and
 - e. employment uses.
2. In order to preserve the rural character of the area, the fragmentation of lands designated Rural is generally not permitted. Severances in accordance with the Consent policies of the Agriculture designation will be permitted, as well as the following:
- i. The new lot is to be located in an area where it may be considered as an infilling lot:
 - a. Infilling lot will mean the establishment of one new dwelling on a new lot which fronts on a public road, and which is situated on the same side of the road and between either an existing dwelling and another existing dwelling or a natural heritage feature or an improved road allowance where the distance between such structures or features is 90 metres or less;
 - b. The minimum lot size should be 0.4 hectares with a minimum frontage of 46 metres;
 - c. It does not adversely affect the integrity or efficient management of natural heritage resources; and
 - d. Any new lot is of sufficient size and has suitable soil site conditions for the installation and long term operation of a sustainable private waste disposal system and sustainable private potable water supply as determined by the Town or relevant approval agency.

D.3.3 Rural Residential

D.3.3.1. Vision

The Rural Residential land use designation applies to lands within the Town that are outside of **settlement areas** but principally used for low-rise residential uses located on larger format lots. The Rural Residential land use designation applies to existing development that is used for both permanent and seasonal residences, and in some cases are located in close proximity to Lake Erie or located along scenic roadways, such as the Niagara Parkway. To support the overall land use planning objectives of this Plan, new **development** within the Rural Residential designation is not planned for.

D.3.3.2. Objective

Development within the Rural Residential designation will maintain the area's natural landscape, open spaces, and rural character, while having regard for the **natural environment system** policies of this Plan.

D.3.3.3. Permitted Uses

Permitted uses within the Rural Residential designation are:

- 1. Legally existing development;

2. **Development** on existing lots of record;
3. **Home occupation**; and
4. **Additional residential unit.**

D.3.3.4. General Policies

1. New **development** within the Rural Residential designation is not permitted, including lot creation, except as otherwise approved before the date of adoption of this Plan or on an existing lot of record.
2. An amendment to Schedule E: Land Use Plan to redesignate lands Rural Residential is prohibited.
3. The provision or extension of full municipal servicing is not planned for, except where it may currently exist or is required to correct a deficiency in the efficacy of a private system that has been identified as a public health concern by an authority having jurisdiction.

D.3.3.5. Development Criteria

1. **Development** on lands designated Rural Residential at the time of this Plan being adopted may be considered provided that such **development**:
 - i. Has regard for the **natural environment system** policies of this Plan;
 - ii. Is compatible with agricultural uses, including compliance with minimum distance separation formulae; and
 - iii. Can demonstrate that the provision of servicing is adequate for the proposed **development** as determined by the agency or authority having jurisdiction.

D.3.4 Extractive Industrial

D.3.4.1. Vision

Mineral aggregate resources, such as sand, gravel, stone, and shale, as well as **mineral deposits** and **petroleum resources**, are shown on Schedule J: Mineral Aggregate and Petroleum Resources. These are important natural resources and must be protected from incompatible land uses that may hinder their operation and the long-term viability of their extraction. It is an overall objective of this Plan that the extraction, processing, and transportation of these resources must take place in a manner that minimizes social, economic, and environmental impacts. This includes defining haul routes and managing truck traffic, conserving and recycling **mineral aggregate resources**, and rehabilitating pits and quarries.

D.3.4.2. Objectives

The following objectives apply to the Extractive Industrial land use designation:

1. Protect from **development** that would preclude or hinder the expansion or continued use of extractive industrial uses from incompatible **development** for reasons of public health, public safety, or environmental impact.

2. Minimize the **negative impacts** of proposed **mineral aggregate operations** in accordance with the policies of this Plan.
3. Ensure that **mineral aggregate operations** are subject to compatible and sustainable rehabilitation.

D.3.4.3. Permitted Uses

1. Permitted uses within Extractive Industrial designation are:
 - i. Natural resource extraction;
 - ii. Secondary processing;
 - iii. Environmental management, including rehabilitation and reclamation;
 - iv. Temporary and supportive uses, including facilities and operations, that are normal and incidental to the principal use.
2. The use of **wayside pits and quarries**, **portable asphalt plants** and **portable concrete plants** on public authority contracts are permitted temporarily without the need for an amendment to this Plan. Such uses are not permitted in areas of existing development or **natural heritage features and areas**, as shown in this Plan which have been determined to be incompatible with resource extraction and associated activities.

D.3.4.4. General Policies

1. Conservation of **mineral aggregate resources**, including through the use of recycled aggregates on projects, where performance and life expectancy of assets can be maintained or enhanced while utilizing recycled products will be supported.
2. Existing licensed **mineral aggregate operations** and **petroleum resource operations** will continue to be permitted without an amendment to this Plan, the implementing zoning by-law, or other approval under the Planning Act.
3. When a license for a **mineral aggregate operation** or **petroleum resource operation** ceases to exist, policies which protect **deposits of mineral aggregate resources** will continue to apply where deposits are still present.
4. The wise use of **mineral aggregate resources**, including utilization or extraction of on-site **mineral aggregate resources** prior to other **development** occurring is encouraged.
5. **Mineral aggregate resources** will be protected for long-term use and, where provincial information is available, **deposits of mineral aggregate resources** will be identified. As much of the **mineral aggregate resources** as is realistically possible will be made available as close to markets as possible.
6. Demonstration of need for **mineral aggregate resources**, including any type of supply/demand analysis, will not be required, notwithstanding the availability, designation or licensing for extraction of **mineral aggregate resources** locally or elsewhere.

7. Extraction will be undertaken in a manner which minimizes social, economic and environmental impacts.
8. Progressive and final rehabilitation will be required to accommodate subsequent land uses, to promote land use compatibility, to recognize the interim nature of extraction, and to mitigate **negative impacts** to the extent possible. Final rehabilitation will take surrounding land use and approved land use designations into consideration.

D.3.4.5. Development Criteria

D.3.4.5.1. Mineral Aggregate Operations

1. Proposed new **development** in areas located on, or within 300 metres (sand and gravel) or 500 metres (bedrock) of known **deposits of mineral aggregate resources**, which would preclude or hinder the establishment of new **mineral aggregate operations** or access to the resources, is not permitted, except where it can be demonstrated that:
 - i. Resource use would not be feasible;
 - ii. The proposed land use or **development** serves a greater long-term public interest; and
 - iii. Issues of public health, public safety and environmental impacts are addressed
2. Proposed new **development** or other activities in areas located within 500 metres (sand and gravel) and 1000 metres (bedrock) of existing **mineral aggregate operations** is not permitted, unless it can be demonstrated by the applicant that satisfactory mitigation measures can be put in place to ensure that the ongoing operation or expansion of the existing **mineral aggregate operation** will not be hindered. The cost and responsibility for any required mitigation measures will be borne by the applicant.
3. **Mineral aggregate operations** will be protected from **development** and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety, or environmental impact. Where the Aggregate Resources Act applies, only processes under the Aggregate Resources Act will address the depth of extraction of new or existing **mineral aggregate operations**.

D.3.4.5.2. Petroleum Resources and Mineral Deposits

1. **Petroleum resources, petroleum resource operations**, mineral resources and any future **mineral mining operations** will be identified and will be protected from **development** and activities in these resources or on **adjacent lands** that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
2. **Development** of a residential, institutional, commercial or industrial use is required to be located a minimum of 75 metres from an existing **petroleum resource operation**, unless it has been decommissioned and rehabilitated in accordance with applicable Provincial regulations and standards.

3. New road allowances, **utility** corridors, electrical transmission lines and railways will be located no closer than 50 metres from a **petroleum resource operation**.
4. Suitable access to and space surrounding existing wells will be maintained.
5. Petroleum and **mineral** resource extraction activities will be conducted in accordance with the Oil, Gas and Salt Resources Act and its regulations and standards, as well as a license from the Ministry of Northern Economic Development and Growth.
6. Any proposal for a new **mineral mining operation** or **petroleum resource operation** will require an amendment to this Plan.

D.4 Natural Environment and Open Space

D.4.1 Natural Environment System

D.4.1.1. Vision

The Town recognizes the **natural environment system's** importance and broad ecological functions that contribute to creating a vibrant, livable, and healthy community. The **natural environment system** is made up of **wetlands, woodlands, valleylands**, watercourses, **significant wildlife habitat, areas of natural and scientific interest** and the **linkages** between **natural heritage features**. The **natural environment system** contributes to a healthy and resilient natural environment and has an important role in providing clean air and water, climate change mitigation and adaptation, natural habitat for flora and fauna, and compatible recreational and leisure opportunities that contribute to overall community wellbeing. It is an overall objective of this Plan to protect, maintain, and enhance the **natural environment system's** health and biodiversity for long-term sustainability while protecting **development** from **hazardous lands** and **hazardous sites**.

D.4.1.2. Objectives

The following objectives apply to the **natural environment system**:

1. Ensure that all features of the **natural environment system** are identified and protected within a comprehensive planning process and that criteria identifying the features are applied transparently and consistently.
2. Maintain, restore, and enhance the health and biodiversity of the Town's **natural environment system** and protect it from incompatible **development**.
3. Recognize the contribution that the **natural environment system** provides to Open Space and recreational activities, tourist opportunities, and the economy of the Town.
4. Manage land uses and **development** to avoid **negative impacts** on water quality and the integrated hydrological/hydrogeological functions of **wetlands**, watercourses, and groundwater resources.
5. Outline the process for **environmental impact studies (EIS)** where they are required to support applications for **development** or **site alteration**. Direct incompatible **development** outside identified constraint areas, thereby protecting them from **hazardous lands** and preserving related Natural Heritage Features.

6. Acknowledge the **impacts of a changing climate** as a potential issue within the Town on ecosystems and communities, strengthening the rationale for protecting the **natural environment system** and thereby providing for the greatest amount of resiliency in the face of such changes.
7. Encourage landscape restoration and enhancement to repair past damage and mitigate the potential **negative impacts of development**. This includes creating partnerships with landowners to expand and enhance the **connectivity** and cohesiveness of the network regardless of jurisdiction.
8. The identification of lands as part of the **natural environment system** will not limit the ability of **agricultural uses** and associated **normal farm practices** to continue as defined in applicable provincial legislation and regulations in conformity with this Plan (Section D.3.1) and the implementing zoning by-law, as well as statutes, policies, and regulations of other government agencies, including agricultural drainage through municipal or agreement drains.

D.4.1.3. Permitted Uses

Land uses permitted within the **natural environment system** are:

1. Forest, **fish**, and wildlife management;
2. Conservation and flood or erosion control projects, subject to demonstrating the project is necessary in the public interest and after all alternatives have been considered;
3. Activities that create or maintain **infrastructure** authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the Environmental Assessment Act;
4. Expansions to existing buildings and structures, accessory structures and uses, and conversions of legally **existing uses** that have less of an environmental impact subject to demonstration that the use does not expand into a natural heritage feature or area unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;
5. Expansions or alterations to existing buildings and structures for **agricultural uses**, **agriculture-related uses**, or **on-farm diversified uses** and expansions to existing residential dwellings if it is demonstrated that:
 - i. There is no alternative, and the expansion or alteration in the feature is minimized and, in the buffer, is directed away from the feature to the maximum extent possible; and
 - ii. The impact of the expansion or alteration on the feature and its ecological functions is minimized and mitigated to the maximum extent possible; and
 - iii. Small-scale structures for recreational uses, including, but not limited to boardwalks, footbridges, fences, docks, and picnic facilities, subject to measures being taken to minimize the number of such structures and their **negative impacts**.

6. Agriculture, including **normal farm practices**.

D.4.1.4. General Policies

1. The **natural environment system** is shown on Schedule E: Land Use Plan, Schedule F: Natural Environment System, and Schedule G: Natural Environment System Features.
2. The **natural environment system** is intended to protect and/or conserve natural features and ecological functions. The **natural environment system** policies are to be implemented in conjunction with the land use designations of this Plan and secondary plans.
3. The Town promotes the protection and/or conservation and, where appropriate, the restoration and enhancement of the **natural environment system** within and adjacent to its boundaries. In addition to implementing the policies of this Plan, the Town may use one or all of the following alternative means to protect the **natural environment system**:
 - i. The acquisition of lands or use of conservation easements;
 - ii. Requesting other levels of government or public bodies such as the Province of Ontario, the Regional Municipality of Niagara, the Niagara Peninsula Conservation Authority, Niagara Parks Commission and / or local nature clubs to acquire those lands associated with a **hydrologic function** and/or suitable for conservation purposes;
 - iii. Entering into agreements with public agencies, private conservation groups or landowners to secure the protection of such lands; and
 - iv. Encouraging landowners to preserve or convey such lands to a public agency or land trust.
4. The features that comprise the **natural environment system** contribute to the conservation of biological diversity and the quality of the air, land, and water. The individual features and components that are mapped include:
 - i. Provincially significant wetlands;
 - ii. Non-provincially Significant Wetlands;
 - iii. Significant Woodlands;
 - iv. Other Woodlands;
 - v. Areas of natural and scientific interest;
 - vi. Dune Protection Areas;
 - vii. Habitat of endangered species and threatened species, and Species of Special Concern
 - viii. Significant wildlife habitat;
 - ix. Significant valleylands, valleylands, and Stream Corridors

- x. Fish habitat;
 - xi. Linkages
5. Not all of the features and components that make up the **natural environment system** can or have been mapped as part of the schedules for this Plan (**habitat of endangered species and threatened species**, Species of Special Concern and **significant wildlife habitat** are not mapped). Detailed area-specific or site-specific studies, such as an **environmental impact study**, **hydrological evaluation**, or **subwatershed study**, are required to identify where features or components are not mapped but may exist.
 6. Where several different Natural Heritage Features are identified on Schedule G: Natural Environment System Features for the same lands, the most restrictive Policy section associated with the Natural Heritage Feature applies.
 7. Minor changes to the limits or classification of individual features or components of the **natural environment system** identified through the criteria of this Plan may be considered through the submission of an **environmental impact study** or similar study based on an approved terms of reference, in accordance with the policies of this Plan, and consultation with the **conservation authority** as appropriate. If the change to the limit or classification of an individual feature or component of the **natural environment system** can be justified to the satisfaction of the Town and the **conservation authority**, an amendment to this Plan may not be required, at the discretion of the Town.
 8. Changes to the limit or classification of individual features of the **natural environment system** identified through provincial criteria require approval from the Province. If the Province has approved the change to the limit or classification of an individual feature, an amendment to this Plan will not be required.
 9. Illegal acts that reduce the form or function of a Natural Heritage Feature, including, but not limited to, tree removal, wetland filling or draining, or the diverting of watercourses, will not be recognized as existing conditions within the development review process. Restoration of the damaged area may be required prior to or as a condition of approval of any development applications.
 10. The removal, destruction, or injury of **woodlands** and/or trees will be regulated through Tree By-laws (Town's Heritage Conservation By-law, as amended or added). Tree By-laws will be administered to complement the natural environment system policies of this Plan by ensuring that tree cutting or removal prior to the approval of applications through the planning process only takes place in accordance with the Town .
 11. Where **development** or **site alteration** is approved in accordance with the policies of this Plan, the applicant will submit a Tree Saving Plan to maintain or enhance the remaining natural features and ecological functions. The Plan will be prepared in accordance with the administrable Tree By-law(s) and related **environmental impact study**, and its implementation will be by an arborist certified by the International Society of Arboriculture or equivalent.

12. Where appropriate and in compliance with the parkland dedication policies of this Plan, portions of protected natural areas may be considered for parkland dedication purposes where sufficient active parkland is provided as determined by the Town.
13. The Town will support efforts to achieve the following targets through voluntary landowner stewardship and restoration:
 - i. 30-percent of the land area in the Region in forest cover or wetland, with at least 10-percent of each **subwatershed** in wetland; and
 - ii. The use of 30 metre wide naturally vegetated buffers along 70-percent of the length of the first to third order stream corridors as per the policies of this Plan. **Agricultural uses** may continue within this buffer and are encouraged to employ best management practices to protect water resources and natural heritage.
14. The Town will support landowner stewardship by:
 - i. Encouraging good forestry practices and development of Woodland Management Plans;
 - ii. Encouraging restoration and conservation including the planting of native vegetation; and
 - iii. The Town will maintain a Tree By-law(s) regulating the harvesting, destruction or injuring of trees in **woodlands**.
15. Where any land is delineated as a **natural environment system** on Schedule F: Natural Environment System or Schedule G: Natural Environment System Features, and the land is under private ownership, this Plan does not intend that such land is open to the general public, or that the Town or any other public agency will purchase the lands.
16. Public works and/or private **infrastructure** works and actions will only be undertaken in ways consistent with the protection of **natural environment system** and its features. In instances where public and/or private **infrastructure** works may impinge upon the **natural environment system** and its features, the Town will consider the impacts of its proposed actions, consider alternatives, and implement measures to minimize or avoid impacts where feasible.
17. Where, through the review of a development application, it is found that important environmental features or functions have not been adequately evaluated, the applicant will have an evaluation prepared by a qualified biologist or ecologist in consultation with the Town and, where appropriate, as well as the **conservation authority** and the Province. If the evaluation finds one or more features of the **natural environment system** meet the criteria to be subject to the policies of this Plan, the relevant policies of this Plan will apply.
18. Lands that comprise the **natural environment system** may be subject to modification upon the submission and approval of an **environmental impact study**. An **environmental impact study** must demonstrate that the proposed changes will not result in **negative impacts** and that the proposed **development** or **site alteration** is

consistent with applicable policies. Any modification must be reviewed and approved by the Town or any relevant agency or authority, as applicable.

19. The policies of this Plan also apply where **development** or **site alteration** is proposed on lands within the Town that are adjacent to a significant natural area in an adjoining municipality designated as a natural feature or area or equivalent in that municipality's Official Plan.
20. **Development** and **site alteration** that may result in the fragmentation of natural heritage features that are part of the **natural environment system** is discouraged. Where **development** or **site alteration** is proposed within or adjacent to the natural environment system:
 - i. New lots will not be created which would fragment a natural environment system feature or area, key natural heritage feature, or key hydrologic feature.
 - ii. Applications for a lot boundary adjustment will avoid the fragmentation of **provincially significant wetlands**, **significant woodlands**, and watercourses.
 - iii. Applications for lot boundary adjustment should avoid the fragmentation of other natural environment system features and areas, key natural heritage features or key hydrologic features wherever possible and practical.
 - iv. The lands to be retained in the natural environment system will remain in a natural state.
 - v. The natural environment system feature and any required buffer or vegetation protection zone will be maintained in a single block and zoned to protect the feature and its ecological functions.
 - vi. The Town, in coordination with the Conservation Authority, and other appropriate public and private conservation organizations, may explore opportunities to assume ownership of these lands.
21. The **conservation authority** should be consulted as to whether a permit is required in accordance with Regulations under the Conservation Authorities Act.
22. Where an application for consent is made in accordance with the policies of this Plan, lot creation will not result in fragmentation of the **natural environment system** or any natural environment system features.

D.4.1.5. Provincially Significant Wetland Areas

1. **Provincially significant wetlands** (and **coastal wetlands**) play an important role in the natural environment. This Plan protects the hydrological, social, ecological and economic benefits associated with these wetland resource areas of the Town in accordance with the Provincial Planning Statement, 2024. The Town and the **conservation authority** have a role in the protection of **provincially significant wetlands** through accepted land use planning and resource management practices. The Region will only have a role in the protection of **Provincially significant wetlands** with respect to Regional **infrastructure** and Region-owned properties.

2. The Province maintains the digital wetland boundary mapping and wetland status. Wetlands are classified as either **provincially significant wetlands** and Non-provincially significant wetlands in the Town. All **wetlands** currently evaluated are shown on Schedule G: Natural Environment System Features.
3. In instances where **provincially significant wetland** areas are identified, **development** and **site alteration** will not be permitted within the boundary of the **wetlands**.
4. In all instances, the Town will require an **environmental impact study** for new development proposals on lands adjacent to these wetland areas. **Development** and **site alteration** are not permitted unless it has been demonstrated that there will be no **negative impacts** to the **wetland** features and their ecological functions.
5. As part of an **environmental impact study**, the staking of the boundaries of the wetland feature will be completed in accordance with the most recent version of the Ontario Wetland Evaluation System Southern Manual.
6. Boundary changes to **provincially significant wetlands** will be reviewed by the Town and sent to the Province. The following criteria will be applied to determine if an amendment to this Plan is required where a boundary change is proposed:
 - i. Minor refinements to boundaries, being an adjustment of 1 m or less, will be reviewed by the Town but do not require an amendment; or
 - ii. In all other cases, an amendment to this Plan is required for major boundary changes or status changes.
7. The Town may request a water balance for any wetland identified within development or site planning applications. The water balance must evaluate pre-development hydrological conditions and estimate post-development hydrological conditions. The water balance must include a monitoring plan to confirm predictions. Adaptive management measures must also be included should hydrological conditions not meet expectations. This assessment must be prepared by a qualified hydrologist and considered in the **environmental impact study**.
8. The **conservation authority** should be consulted as to whether a permit is required to address Regulations under the Conservation Authorities Act.

D.4.1.6. Non-provincially Significant Wetlands

1. Non-provincially Significant Wetlands (and non-provincially Significant **coastal wetlands**) are identified on Schedule G: Natural Environment System Features. These features represent other wetland areas evaluated by the Province, the Town, or the **conservation authority**, but are not classified as provincially significant. Non-provincially Significant Wetlands provide important habitat features and functions and important **hydrologic functions**.
2. **Development** or **site alteration** within or adjacent to Non-provincially Significant Wetlands will comply with this Plan's policies and ensure there is no **negative impact** to the **quality and quantity of water**.

3. Any **environmental impact study** completed to assess the impacts of **development** will consider the wetland evaluations, as well as the Town's Natural Areas Inventory.
4. The **conservation authority** should be consulted as to whether a permit is required to address Regulations under the Conservation Authorities Act.
5. Where avoidance and minimization of impacts to **wetlands** less than 0.5 hectares is not feasible, wetland compensation may be considered in accordance with the mitigation hierarchy, which prioritizes:
 - i. Avoidance - preventing impacts wherever possible.
 - ii. Minimization - reducing the extent, duration, or intensity of impacts that cannot be avoided.
 - iii. Compensation - as a last resort, offsetting residual impacts through restoration, enhancement, or creation of **wetlands**.

Should compensation be deemed necessary, the following principles apply:

- iv. Like-for-like replacement - compensation must replace the affected **wetland** with one of the same type (e.g., marsh for marsh), maintain ecological function and habitat value.
 - v. Replacement ratio - a minimum compensation ratio of 3:1 (three hectares of replacement wetland for every one hectare lost) will be required.
 - vi. Long-term ownership and responsibility - the proponent will be fully responsible for securing, implementing, monitoring, and maintaining the compensation site.
6. The Town will establish guidelines to support the implementation of Wetland Compensation.

D.4.1.7. Significant Woodlands

1. The Town has completed a Natural Areas Inventory that identifies **significant woodlands**.
2. **Significant woodlands** means **woodlands** that are ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history.
3. **Woodlands** that abut another feature are considered adjacent when located within 20 m of each other. To be identified as significant, one or more of the following criteria must be met:
 - i. 1 hectare or greater in size;
 - ii. Any interior habitat (interior habitat is measured from 100 m from the outside edge as per the Natural Heritage Reference Manual);
 - iii. Overlapping or abutting a Natural Heritage Feature or **fish habitat** and is at least 0.5 ha in size;

- iv. Located within a defined **natural heritage system** or provide a connecting link between two other significant features;
 - v. Located within a **sensitive** or threatened **watershed** or 50 m from a **sensitive** groundwater discharge, **sensitive** recharge, **sensitive** headwater area, watercourse or **fish habitat**;
 - vi. Contains a vegetation community with a provincial ranking of S1, S2 or S3 (ranked by NHIC), or a rare vegetation community, or a naturally occurring composition of native forest species that have declined significantly in the ecoregion, or contains tree species of restricted distribution such as sassafras;
 - vii. Is habitat of a woodland plant species with an S1, S2 or S3 in its ranking or an 8, 9, or 10 in its Southern Ontario Coefficient of Conservatism by the NHIC and consists of 10 or more individual stems or 100 or more sqm of leaf coverage; or
 - viii. 10 or more trees per hectare greater than 100 years old or 50 cm or more in diameter.
4. All **significant woodlands** identified on Schedule G: Natural Environment System Features are approximate and may be redefined through a Secondary Plan, Draft Plan of Subdivision or Condominium, or Site Plan in conjunction with an **environmental impact study**.
 5. No development or site alteration is permitted within the significant woodland feature. Development or site alteration on lands adjacent to significant woodlands may be considered where an environmental impact study demonstrates that the development or site alteration will not result in degradation that threatens the health or integrity of the natural features or ecological functions.

D.4.1.8. Other Woodlands

1. The preservation of existing **woodlands** is a priority for the Town. This Plan promotes the retention of these natural areas and the integration of tree cover into the developed and less-developed landscapes.
2. **Woodlands** situated within **valleylands** and stream corridors are subject to the policies of this Plan.
3. For the purposes of this Plan, **other woodlands** are considered to be areas less than 1 hectares in size that meet the Ecological Land Classification definition of forest, woodland, plantation, or thicket. Vegetation communities comprised of invasive non-native species, proven through an **environmental impact study**, are not protected.
4. The configurations of all **woodlands** identified on Schedule G: Natural Environment System Features are approximate and may be refined through further field analysis and study. Whenever the Town is undertaking a public work, the Town will attempt, where feasible, to protect and preserve existing trees. In addition, in order to enhance the existing tree canopy, the Town will promote the retention of existing street tree cover and provide for tree planting on an on-going basis.

D.4.1.9. Areas of Natural and Scientific Interest

1. The Town has unique features that the Province has classified as Life Science and Earth Science, **areas of natural and scientific interest**.
2. Where **areas of natural and scientific interest** are identified within the Town, **development** or **site alteration** will not be permitted within the boundary of the Area of Natural and Scientific Interest, unless it has been demonstrated that there will be no **negative impacts** on the natural feature or their ecological functions.
3. It is intended that the lands shown on Schedule G: Natural Environment System Features as **areas of natural and scientific interest** will be preserved as natural areas.
4. The **natural environment system** includes the identified feature as well as an adjacent area established by the Province.

D.4.1.10. Dune Protection Areas

1. Dunes are a unique and sensitive landform of natural and scientific interest that are essential for biodiversity, ecosystem resilience, and the **habitat of endangered species and threatened species**. Dunes are recognized as a local **areas of natural and scientific interest** within the Town.
2. It is a key objective of this Plan that dune formations are preserved and protected. Any activity that has the potential to alter, degrade, or disturb dune ecosystems, including construction, vegetational removal, or recreational overuse, is prohibited unless authorized through an **environmental impact study** and approved by the Town.
3. Dune Protection Areas are delineated on Schedule G: Natural Environment System Features and are those lands that include all the natural sand dune formations in the Point Abino area. Additional Dune Protection Areas may be added with an amendment to this Plan once Niagara Peninsula Conservation Authority dune mapping is completed.
4. These dunes exhibit steep slopes, which may be subject to severe erosion and poor soil stability under certain conditions. Lands so designated are intended for the preservation and conservation of these significant landforms.
5. The preservation of these landforms is of the utmost importance. No new uses, **development**, or **site alteration** is permitted within the Dune Protection Areas.
6. Minor alterations or additions to existing buildings will only be considered upon the written approval of the Town, Niagara Peninsula Conservation Authority, and Province based on an **environmental impact study**.
7. The precise limits of the Dune Protection Area can be determined in the field with the technical input of the Niagara Peninsula Conservation Authority and other appropriate agencies.
8. Where new **development** is proposed on a site, part of which is identified as **hazardous land** or **hazardous sites**, these lands will not necessarily be acceptable as part of the dedication for park purposes as required under the Planning Act. All

lands dedicated to the Town will be conveyed in a physical condition satisfactory to the Town.

9. Should **development** be proposed on lands appropriate for **development** adjacent to the **hazardous lands** or **hazardous sites**, the lands within the **hazardous lands** or **hazardous sites** will be dedicated to the Town, including any **water lots**.
10. Certain areas of the Town have substantial slope variation (i.e. slopes greater than 20-percent). In these areas, the Town will require development proposals to consider special design and engineering works to ensure slope stability, positive stormwater drainage and public safety. A geotechnical report prepared by a qualified geotechnical engineer may be required. This report may be circulated to the **conservation authority**.
11. The Niagara Peninsula Conservation Authority should be consulted as to whether a permit is required to address Regulations under the Conservation Authorities Act.
12. In consultation with the **conservation authority**, the implementing zoning by-law may include mapping of **hazardous lands** and restrictions on the use of lands within **hazardous lands** in accordance with the policies of this Plan.
13. An amendment to this Plan is not required where more up-to-date or accurate mapping of **hazardous lands** becomes available, as determined through consultation with the **conservation authority**.
14. Dune ecosystems serve as **habitat of endangered species and threatened species** (e.g., Fowler's Toad). Any proposed activity within or adjacent to dunes must include an assessment of potential impacts on these species and be completed in compliance with the Endangered Species Act and its regulations (as amended).

D.4.1.11. Habitat of Threatened, Endangered Species, and Species of Special Concern

1. The policies of this Plan are intended to protect **habitats of endangered species and threatened species** and Species of Special Concern.
2. In instances where the **habitat of endangered species and threatened species** and Species of Special Concern is identified within the Town by study or agency review of applications, **development** will only be permitted on lands adjacent to the habitat, where an **environmental impact study** demonstrates the **development** or **site alteration** will have no **negative impact** on the habitat's features or functions. **Development** and **site alteration** is not permitted within the **habitat of endangered species and threatened species**, except in accordance with Endangered Species Act and its regulations (as amended) and federal requirements.
3. The Town's Natural Areas Inventory considers **habitats of endangered species and threatened species** and Species of Special Concern. These habitats will be identified on a case-by-case basis through an **environmental impact study** and in consultation with the Province. These Habitats are to be identified and mapped through amendments to this Plan and the implementing zoning by-law.

D.4.1.12. Significant Wildlife Habitat

1. **Significant wildlife habitat** means **wildlife habitat** that is ecologically important in terms of features, functions, representation, or amount, and contributes to the quality and diversity of an identifiable geographic area or **natural heritage system**. These are to be identified using the Significant Wildlife Habitat Criteria schedules for Ecoregion 7E (MNR, January 2015) and/or the appropriate provincial guidance document(s) as may be developed or amended from time to time. Where any disagreements arise with respect to the interpretation of **significant wildlife habitat**, the Town may confer with the Province, however, the Town's interpretation will prevail if it provides equal or greater protection for **wildlife habitat**. **Development** or **site alteration** within or adjacent to **significant wildlife habitat** is only permitted where an **environmental impact study** demonstrates that the **development** or **site alteration** will not result in degradation that threatens the health or integrity of the natural features or ecological functions.
2. The Town's Natural Areas Inventory considers significant wildlife habitat. Significant wildlife habitat will be identified on a case-by-case basis through an environmental impact study. Significant wildlife habitat is to be identified and mapped through future amendments to this Plan and the implementing zoning by-law.

D.4.1.13. Significant Valleylands, Valleylands, and Stream Corridors

1. **Valleylands** and Stream Corridors provide unique ecological functions including the conveyance of storm and melt waters, nutrient and sediment transport, maintenance of stream flow and water levels and quality, **fish habitat**, **wildlife habitat**, and **linkages** between natural areas and habitat features.
2. **Significant valleylands** are ecologically important in terms of features, functions, representation or amount, and contribute to the quality and diversity of an identifiable geographic area or **natural heritage system**. All **valleylands** are considered significant unless demonstrated as non-significant in an **environmental impact study**. Development and **site alteration** will not be permitted in **significant valleylands** unless it has been demonstrated that there will be no **negative impacts** on the natural features or their ecological functions.
3. The Town will promote the protection and maintenance of all **valleylands** and Stream Corridors as **linkages**.
4. **Valleylands** subject to these policies will be identified by the **conservation authority** in consultation with the Town. These **valleylands** are to be identified and mapped through future amendments to this Plan as well as the implementing zoning by-law.
5. Along **valleylands** where the **valleybank** height is equal to or greater than 3 metres, the following policies apply:
 - i. A minimum setback of 7.5 metres from the stable top of the valley slope, as identified by the **conservation authority**, will be required for all new structures and **site alterations**, including swimming pools and private servicing systems, including septic systems;

- ii. Where the **conservation authority** identifies evidence of slope instability or where the valley slope exceeds 3:1 (Horizontal Distance: Vertical Distance), a geotechnical report prepared by a qualified engineer will be submitted with an application for new **development** or **site alteration**. A setback greater than 7.5 metres may be required where the **conservation authority** determined, after considering the report, that an increased setback is necessary to address site specific conditions;
 - iii. A reduced setback may be considered where an existing lot has insufficient depth to accommodate the required setback and a geotechnical report demonstrates to the satisfaction of the **conservation authority** that some infringement within the setback area on site can be accommodated with mitigative measures that maintains bank stability, will not create hazards or increase existing ones, and will have no adverse environmental impact in the long term. In no case will **development** be allowed beyond the top of bank; and
 - iv. Where possible, existing vegetation should be maintained within the setbacks required under this policy. Vegetation below the top of the valley slope will not be disturbed. New lots created by plan of subdivision, consent or plan of condominium will not extend below the top of the valley slope as determined by the **conservation authority**. Lands below the top of the valley slope will be maintained as one block and the dedication of these lands to the **C conservation authority**, Town or other public body is encouraged.
6. Where **development** is proposed adjacent to a Municipal Drain, a buffer zone a minimum of 15 metres in width will be required for maintenance purposes and the functioning of the drain. A narrower buffer may be considered if determined appropriate by the Town and the **conservation authority**.
 7. The **conservation authority** should be consulted as to whether a permit is required to address Regulations under the Conservation Authorities Act.

D.4.1.14. Fish Habitat

1. **Fish habitat** areas are identified on Schedule G: Natural Environment System Features of this Plan. **Fish habitat** is regulated under the Fisheries Act as enforced by Fisheries and Oceans Canada (DFO).
2. As defined in the Fisheries Act, **fish habitat** means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which **fish** depend directly or indirectly in order to carry out their life processes.
3. **Development** and **site alteration** is not permitted in **fish habitat** or **adjacent lands** except in accordance with **provincial and federal requirements** and where there is no net loss of productive capacity. The application must also be approved by the Town.
4. A development application will be required to provide an **environmental impact study** for approval by the Town and to consult with Fisheries and Oceans Canada. A naturally vegetated **buffer** area of at least 30 metres in width from the stable top of bank will be required adjacent to Critical **fish habitat**.

5. A minimum 15 metre vegetative **buffer** from the stable top of bank will be required adjacent to Important or Marginal **fish habitat**. A narrower **buffer** may be considered where the **environmental impact study** has demonstrated that there will be no harmful alteration or destruction to **fish habitat**. For critical **fish habitat** a minimum 15 metre setback will be required unless the **development** represents an expansion to an existing use.

D.4.1.15. Linkages

1. The Town encourages the connection of features within the **natural environment system** and adjacent to its boundaries using corridors and ecological **linkages**, where feasible.
2. The Town will promote the ecological rehabilitation of **linkages** as they become identified.
3. **Linkages** are encouraged to regenerate to more natural conditions. In this regard, the Town will encourage the implementation of voluntary Conservation Easements or Stewardship Agreements with the owners of lands with these **natural environment system** Features.
4. The Town's Natural Areas Inventory considers **linkages**. Some **linkages** are identified on Schedule G: Natural Environment System Features. **Linkages** will be identified on a case-by-case basis through an **environmental impact study** or further study. Additional **linkages** will be identified and mapped through future amendments to this Plan and the implementing zoning by-law.
5. Where a Linkage area has been identified on Schedule G: Natural Environment System Features or through further study, and in instances where a development proposal may impact upon it, an **environmental impact study** may be required.
6. The Town will require that **linkages**, as identified on Schedule G: Natural Environment System Features or through further study, be incorporated and protected through future land use planning studies, as well as **development** and **redevelopment**.
7. In an effort to provide **linkages** between features, the Town will continue to support a program for the naturalization and revegetation of Parks, Open Space and stormwater management areas, where appropriate.

D.4.1.16. Key Hydrologic Areas, Key Hydrologic Features, and Other Important Water Resources

1. **Significant groundwater recharge areas, highly vulnerable aquifers, significant surface water contribution areas**, permanent streams, intermittent streams, headwaters, inland lakes and their littoral zones, sensitive groundwater features, seepage areas and springs, and wetlands are necessary for the ecological and hydrologic integrity of a watershed. This Plan protects these areas, features, and resources.
2. Significant groundwater recharge areas and highly vulnerable aquifers are shown on Schedule H: Key Hydraulic Areas and Intake Protection Zones.

3. The Town and the **Conservation Authority** may require establishing appropriate development conditions and monitoring programs through the development approval process.
4. **Development or site alteration** within or adjacent to these areas, features, and resources is only permitted where an appropriate study demonstrates that the **development or site alteration** will not result in degradation that threatens:
 - i. The quantity and quality of water in key hydrologic areas, **key hydrologic features**, sensitive surface water features, and sensitive ground water features;
 - ii. The hydrologic functions of key hydrologic areas, key hydrologic features, sensitive surface water features, and sensitive groundwater features;
 - iii. The interaction and linkage between **key hydrologic areas, key hydrologic features**, sensitive surface water features, sensitive groundwater features, and other components of the **natural environment system**;
 - iv. The natural hydrologic characteristics of watercourses such as base flow, form and function, and headwater drainage areas;
 - v. Natural drainage systems and **shoreline areas**;
 - vi. Flooding or erosion.
5. Mitigative measures and/or alternative development approaches may be required in order to protect, improve, or enhance **key hydrologic areas, key hydrologic features, sensitive surface water features, sensitive groundwater features**, and their hydrologic functions.
6. The Town encourages the restoration of natural stream form and flow characteristics through the development approval process where appropriate.
7. As much of the area adjacent to the shorelines of watercourses, including Lake Erie, will be maintained as a natural vegetated shoreline where new lots are being created, where vacant lots are being developed, and when **redevelopment** on existing lots is proposed. Specifically:
 - i. The vegetated shoreline should span the entire water frontage and be at least 15 metres in depth from the normal high water mark;
 - ii. Where **redevelopment** is proposed, the vegetated shoreline should be achieved through ecological enhancements and the regeneration of natural features to the extent feasible; and
 - iii. On waterfront lots, outside of the vegetated **shoreline area**, every effort will be made to retain existing native vegetation where possible and to augment existing vegetation where needed.
8. Groundwater is an important resource to the Town and for all residents of the Region, specifically as a resource for potable water.
9. **Development or site alteration** will not have any **negative impacts** on **key hydrologic areas** or their **hydrological functions**. In areas where **development** and

site alteration could have **negative impacts** on groundwater quality or quantity the Town may require further review of potential impacts through the completion of a **subwatershed study** or through the completion of a **hydrological evaluation** during the review of an application for **development** or **site alteration**.

10. Outside of **settlement areas**, proposals for **development** proceeding by way of secondary plan, plan of subdivision, vacant land plan of condominium or site plan may be permitted within a **key hydrologic area** where it is demonstrated through a **hydrological evaluation** that **hydrologic functions**, including the **quality of quantity of water**, of these areas will be protected and, where possible, enhanced or restored through:
 - i. The identification of planning, design, and construction practices and techniques;
 - ii. Meeting other criteria and direction established in a **Watershed Plan** or **Subwatershed Studies** of application; and
 - iii. Meeting any applicable Provincial standards, guidelines, and procedures.

D.4.1.17. Minimum Buffer Requirements for Natural Heritage Features

1. Table D-1: Minimum Buffer Requirements for Natural Heritage Features identifies the minimum required **buffer** on lands adjacent to a natural heritage feature:

Table D-1: Minimum Buffer Requirements for Natural Heritage Features

Natural Heritage Feature	Minimum Buffer Width Outside of a Settlement Area	Minimum Buffer Width within a Settlement Area
Provincially Significant Wetlands	120 metres	30 metres
Non-provincially Significant Wetlands	30 metres	30 metres
Significant Woodlands	30 metres beyond the dripline	30 metres
Other Woodlands	10 metres beyond the dripline	10 metres beyond the dripline
Areas of Natural and Scientific Interest	30 metres	30 metres or determined appropriate by an EIS
Dune Protection Areas	30 metres	30 metres or determined appropriate by an EIS
Habitat for Threatened or Endangered Species	To be determined through consultation / permitting with the MECP.	To be determined through consultation / permitting with the MECP.

Significant Wildlife Habitat	Significant wildlife habitat criteria schedule to determine setbacks. Where they are not determined, 100 metres.	Significant wildlife habitat criteria schedule to determine setbacks.
Significant Valleylands, Valleylands, and Stream Corridors	10 metres	10 metres
Fish Habitat: Watercourses (cool and cold water)	50 metres from the high-water mark on both sides, plus 0.5 metres per 1-percent of the slope.	50 metres from the high-water mark on both sides, plus 0.5 metres per 1-percent of the slope.
Fish Habitat: Watercourses (warm water)	30 metres from the high-water mark on both sides.	15 metres from the high-water mark on both sides.
Linkages	30-metre buffer or larger if determined appropriate by an EIS.	Determined appropriate by an EIS.
Floodplains	Determined through hazard land mapping.	Determined through hazard land mapping.
Shoreline	30-metre buffer or larger if determined appropriate by an EIS.	30-metre buffer or larger if determined appropriate by an EIS.

D.4.1.17.2. Minimum Buffer Requirements Outside of Settlement Areas

1. Outside of **settlement areas** a minimum **buffer** on all **natural heritage features and areas** is required, as identified in Table D-1: Minimum Buffer Requirements for Natural Heritage Features.
2. Given the variability in the type, form, and function of **significant wildlife habitat** existing on the landscape, the width of the required minimum **buffer** is to be established through the completion of an **environmental impact study** or **subwatershed study**.
3. **Development** or **site alteration** will not be permitted in the minimum **buffer** identified in Table D-1, with the exception of that described in D.4.1.3 or **infrastructure** serving an **agricultural use**, unless it has been demonstrated through the preparation of an **environmental impact study** that there will be no **negative impacts**, and the **buffer** will continue to provide the ecological function for which it was intended.
4. Minimum **buffers** will be recognized as a **vegetation protection zone**, and replanting may be required and subject to an invasive species management plan or restoration plan.

D.4.1.17.3. Minimum Buffer Requirements Within Settlement Areas

1. Within **settlement areas**, mandatory **buffers** from **natural heritage features and areas** are required. The width of an ecologically appropriate **buffer** would be

determined through an **environmental impact study** and/or **hydrological evaluation** at the time an application for **development** or **site alteration** is made, or through the completion of a **subwatershed study** in support of a secondary plan or other similar scales of **development**. The width of the **buffer** would be based on the sensitivity of the ecological functions from the proposed **development** or **site alteration**, and the potential for impacts to the feature and ecological functions as a result of the proposed change in land use.

2. **Development** or **site alteration** will not be permitted in the mandatory **buffer**, with the exception of that described in D.4.1.3 or **infrastructure** serving the agricultural sector unless it has been demonstrated through the preparation of an **environmental impact study** that there will be no **negative impacts**, and the **buffer** will continue to provide the ecological function for which it was intended.
3. Notwithstanding any other policy in this Plan, the **conservation authority** has its own **buffer** requirements for watercourses which will apply. Reductions in any **buffer** required by the **conservation authority** may be considered in **settlement areas** where supported by a site-specific study that is approved by the Town and the **conservation authority**.
4. Minimum **buffers** will be recognized as a **vegetation protection zone**, and replanting may be required and subject to an invasive species management plan or restoration plan.

D.4.1.18. Subwatershed Planning

A **subwatershed study** is required to inform the identification and refinement of the **natural environment system** and the development of policies to protect the **natural environment system** when secondary plans are prepared for **designated growth areas** and other large undeveloped areas within the Town.

1. A **subwatershed study** should generally include, but is not limited to:
 - i. An inventory of existing ecological and hydrological data and conditions;
 - ii. The identification of existing and proposed land uses, and the modelling of potential development impacts;
 - iii. Eater quality targets in accordance with the Watershed Plan, Provincial guidelines, or other industry standards and best practices;
 - iv. Procedures for monitoring **quality and quantity of water** before, during, and after **development**;
 - v. Completion of a water balance;
 - vi. Consideration of all elements of the **natural environment system** as described this Plan;
 - vii. Refinement to the boundaries of the **natural environment system**;
 - viii. Identification of opportunities for, and constraints to **development**;

- ix. Guidelines and best management practices for development design, environmental design, construction management, etc.;
 - x. The recommendation of appropriate stormwater management techniques in accordance with Provincial, Regional and Local guidelines and industry best practices;
 - xi. An analysis the cumulative impact of **development**; and
 - xii. implementation and adaptive monitoring plans.
2. Proposed **development** in **designated growth areas**, including the associated water, wastewater and stormwater servicing, will be planned to avoid, or if avoidance is not possible, minimize and mitigate any potential **negative impacts** on **watershed** conditions and the **water resource system**, including the **quality and quantity of water**.
 3. The Town, in consultation with the Region, the **conservation authority**, and affected landowners, if appropriate, will determine the terms of reference for the **subwatershed study**.

D.4.1.19. Environmental Impact Study

The Town will establish guidelines to support the implementation of **environmental impact studies (EIS)**. The Town may revise the Environmental Impact Study Guidelines from time to time. When a development proposal has the potential to negatively impact a Natural Environmental System's natural features or their ecological functions, the proponent will be required to prepare an EIS to the satisfaction of the Town in consultation with the relevant **conservation authority**.

An EIS inventories and describes the existing **natural environment system** and ecological functions of the site in the context of the surrounding landscape. An EIS also assesses the potential **negative impacts** that proposed **development** may have on the **natural environment system** and provides recommendations on natural area boundaries, mitigation measures, and design measures to accommodate or enhance existing natural features and functions.

1. Any required **environmental impact study** will be completed in accordance with D.4.1.16, and comply with all provisions of this Plan, where applicable.
2. Any **environmental impact study** completed to assess the impacts of **development** will consider Provincial sources and the Town's Natural Areas Inventory.
3. It is encouraged that an **environmental impact study** be initiated early in the development application process to identify features that may be present and areas that need to be protected, as well as to ensure sufficient time to complete surveys in appropriate timing windows. The **environmental impact study** will be submitted with the application.
4. An **environmental impact study** will be carried out by professionals qualified in the field of ecology, as well as from biology, hydrogeology, and other environmental sciences as required.

5. Pre-consultation with the Town and the **conservation authority** is encouraged for consultants in developing a Scoping Checklist and the Terms of Reference for an **environmental impact study**. The Town's Natural Areas Inventories contain important information that can assist in formulating the Terms of Reference and help inform the requirements of an **environmental impact study**. Prior to the commencement of the Study, a Terms of Reference, prepared by the applicant's consultant, will be developed and approved in consultation with applicable agencies, as required.
6. In general, the environmental impact study will:
 - i. Describe and state the rationale for the proposal and alternatives to the proposal;
 - ii. Describe adjacent land use and the existing regulations affecting the proposal and **adjacent lands**;
 - iii. Describe the proposed undertaking, including a surveyed location map showing proposed buildings, existing land uses and buildings, existing vegetation, fauna, site topography, drainage, hydrology, soils and habitat areas;
 - iv. Describe all natural features and functions and the **linkages** among them, on site and on **adjacent lands** that might directly or indirectly be affected including significant hydrologic, surface and groundwater functions such as groundwater discharge or recharge, as well as identification of the setting with respect to surrounding natural features;
 - v. Describe alternate forms that the proposal could take including an assessment of the advantages and disadvantages of each;
 - vi. Identify and evaluate the actions necessary to prevent, change, mitigate or remedy any impacts upon Natural Heritage Features and functions including **significant surface water contribution areas** and **groundwater features** and **hydrologic functions** and the alternative methods of protecting the functions and values of the areas affected;
 - vii. Assess the direct and indirect impacts on the Natural Heritage Features and ecological functions that might reasonably be caused by the proposal, identifying the types and significance of the impacts and including the cumulative effect;
 - viii. Draw a concluding statement on how the policy objectives of the Natural Heritage Section of this Plan are being complied with;
 - ix. Provide any other information required by the Town or the Niagara Peninsula **conservation authority** that is deemed necessary to evaluate the proposal in relation to the particular Natural Area under investigation;
 - x. The required scope and or content of an EIS may be reduced in consultation with appropriate agencies, where: the environmental impacts of the **development** are thought to be limited; or other environmental studies fulfil all or some of the requirements; and

7. The Town may coordinate and partner with the Region, **conservation authority**, landowners and community groups to ensure watershed plans are prepared for major **watersheds** at the broad landscape level that include:
 - i. An inventory and assessment of ecological features and functions in the **watershed**;
 - ii. Identification of key issues and objectives;
 - iii. A water balance and conservation plan;
 - iv. Recommendations to maintain and where feasible enhance ecosystem health; and
 - v. Identification of **subwatershed** boundaries and establishment of new guidelines for additional studies where needed.

D.4.1.19.2. Applicability of an Environmental Impact Study

1. A proposal for new **development** or **site alteration** which is adjacent to a natural heritage feature or area will require an **environmental impact study** to determine that there will be no **negative impacts** on the feature, ecological function, or **hydrologic function** in accordance with the **adjacent lands** distances outlined in Table D-2: Environmental Study Impact Requirements Based on Natural Heritage Feature.
2. Table D-2: Environmental Study Impact Requirements Based on Natural Heritage Feature identifies the land use permissions within a natural heritage feature or on lands adjacent to a natural heritage feature:

Table D-2: Environmental Study Impact Requirements Based on Natural Heritage Feature

Natural Heritage Feature	Development Permission within Natural Heritage Feature	Development Permission Adjacent to Natural Heritage Feature
Provincially Significant Wetlands	Development is not permitted.	Environmental Impact Study required for development within 120 metres.
Non-provincially Significant Wetlands	Discretionary. An environmental impact study is required. Compensation Required.	Environmental Impact Study required for development within 50 metres.
Significant Woodlands	No development or site alteration is permitted.	Environmental Impact Study required for development within 50 metres, measured from the dripline.
Other Woodlands	Discretionary. An environmental impact study is required.	Environmental Impact Study required for development within 50

		metres.
Areas of Natural and Scientific Interest (ANSI)	Discretionary. An environmental impact study is required.	Environmental Impact Study required for development within 50 metres.
Dune Protection Areas	Discretionary. An environmental impact study is required.	Environmental Impact Study required for development within 50 metres.
Habitat of endangered and threatened species (must be defined in consultation with MECP)	Discretionary. An environmental impact study is required. Development and site alteration must be in accordance with provincial and federal requirements .	Environmental Impact Study required for development within 50 metres.
Significant Wildlife Habitat (SWH)	Discretionary. An environmental impact study is required.	Environmental Impact Study required for development within 50 metres.
Significant Valleylands, Valleylands, and Stream Corridors watercourse, floodplains, shoreline	Discretionary. An environmental impact study is required.	Environmental Impact Study required for development within 50 metres. From stable top of bank.
Fish Habitat (must be discussed with Fisheries and Oceans Canada [DFO])	Discretionary. An environmental impact study is required. Development and site alteration must be in accordance with provincial and federal requirements .	Environmental Impact Study required for development within 50 metres.
Linkages	Discretionary. An environmental impact study is required.	Environmental Impact Study required for development within 50 metres.
Key Hydrologic Feature	Development is not permitted.	Environmental Impact Study required for development within 50 metres.

3. Notwithstanding Table D-2, the requirement for an **environmental impact study** may be waived if the proposed **development** or **site alteration** is minor and is not anticipated to have a **negative impact** on the **natural environment system** in accordance with the waiving requirements outlined in the **environmental impact study**.
4. New buildings and structures for **agricultural uses, agriculture-related uses, or on-farm diversified uses** will not be required to undertake an **environmental impact study** and/or **hydrological evaluation** if a minimum 30 metre **buffer** is provided from a natural heritage feature and area.

D.4.1.19.3. Environmental Impact Study Implementation

1. The Town is committed to protecting the **natural environment system** in accordance with the Provincial land use planning policy and guidelines.
2. The implementation policies regarding **environmental impact study** provides the minimum requirements proponents must satisfy when preparing an **environmental impact study**. The Town will establish guidelines to support the implementation of **environmental impact studies**. At its discretion, the Town may refine or prescribe more precise guidance on a case-by-case basis.
3. An **environmental impact study** is to be submitted where development or site alteration is proposed wholly or partially within, or adjacent to, a feature of the **natural environment system**, as defined in Provincial and local policies and regulations.
4. At a minimum, an **environmental impact study** must address the following matters:
 - i. A site-specific assessment of the feature(s),
 - ii. A determination of how and the extent to which feature(s) will be impacted by the proposed **development** or **site alteration**, and
 - iii. Appropriate mitigation measures to:
 - a. As a first priority, avoid;
 - b. As a second priority, minimize; or
 - c. As a third priority, compensate for the **negative impacts**, including restoration and enhancement.
5. It is encouraged that an **environmental impact study** be started early in the development application process to identify **natural heritage features and areas** that need to be protected as well as to ensure sufficient time to complete surveys in appropriate timing windows. In this way, potential development constraints (i.e., areas that may not be appropriate for **development**) can be identified and avoided before developing a detailed site plan. To assist with the requirements for an **environmental impact study**, a preliminary screening is to be completed, and, if necessary, it is recommended that a Terms of Reference (TOR) be submitted to Town for approval.
6. The **environmental impact study** is to be submitted by the proponent but is to be prepared by qualified professionals with relevant environmental expertise. The professional preparing the **environmental impact study** must work in conjunction with other professionals in relevant and applicable fields to integrate the information contained in stormwater management plans, lot grading and drainage plans, geotechnical reports, noise studies, traffic studies, and other plans and studies, as may be required. Where those studies and plans may have implications for the environmental impacts of concern in the **environmental impact study**, they will be designed to address those impacts.
7. At a minimum, the following that may require an **environmental impact study** where the proposed **development** involves lands in or adjacent to a Natural Heritage

Feature, as identified in Table D-2: Environmental Study Impact Requirements Based on Natural Heritage Feature:

- i. Amendments to this Plan;
 - ii. Amendments to the implementing zoning by-law;
 - iii. Subdivisions;
 - iv. Condominiums;
 - v. Site Plan;
 - vi. Severances and Variances;
 - vii. Municipal Site Alteration Permits;
 - viii. Development Permits;
 - ix. Master Drainage Plans;
 - x. Trails and interpretive areas within **Provincially significant wetlands** and Non-provincially Significant Wetlands;
 - xi. Tree Removal; and
 - xii. Other significant development proposals.
8. An **environmental impact study** will not be required where an Environmental Assessment or alternative environmental review is being undertaken or has been completed in the last five years as part of a comprehensive planning process required under Provincial or Federal Legislation, provided the Environmental Assessment or alternative environmental review fulfills all the requirements for site-specific, and/or landscape level **environmental impact study** that would otherwise be required.
9. Only one **environmental impact study** is required when a **development** proposal involves two or more applications under the Planning Act.
10. An environmental impact study will also include the following:
- i. A scoping checklist to determine the requirements of an **environmental impact study** prior to the **E environmental impact study** being prepared. The scoping checklist should include input from the proponent, their consultants, and the Town. A scoping checklist is required to ensure that the **environmental impact study** provides the required information and analysis that addresses relevant environmental conditions as determined on a case-by-case basis.
 - ii. Terms of Reference must be submitted to and approved by the Town before submitting an **environmental impact study**. The Terms of Reference will clearly outline the proposed report components and establish the study area, characterize the general nature and extent of the development proposal, briefly summarize the scoping exercise, planning context, and known triggers for the **environmental impact study**. The Terms of Reference will also outline the proposed methodology for undertaking the **environmental impact study**.

11. The Terms of Reference will be prepared in a report template and include the following additional information:
 - i. The name and contact information of the applicant, address of the subject, property, lists the report's principal author, the consulting firm, and the date the report was completed;
 - ii. Description of the subject property (natural features and areas, land cover, existing hard surfaces or buildings), type and scale of the development proposal (including any required servicing, **infrastructure** upgrades or stormwater facilities, existing or proposed trails), historical and present uses of the subject property, and map(s) of the development location, subject property and study area;
 - iii. The land use planning context, including a review of the official plan and zoning for the subject property and for the **adjacent lands** and identify environmental legislative, regulatory, and policy requirements that may affect the development proposal. This may include but is not necessarily limited to the Provincial Planning Statement, this Plan, the implementing zoning by-law, other applicable Town policies and by-laws, **conservation authority** regulations, as well as the Endangered Species Act, Federal Fisheries Act, and Migratory Birds Convention Act, as may be applicable;
 - iv. Background review to identify relevant information from existing studies, plans, databases, etc., to be reviewed and considered through the **environmental impact study**;
 - v. Description of the approach and methodology, including detailed study methods for studying **natural heritage features and areas**, **wildlife habitat**, and species at risk (including time of year, level of searcher effort, etc.). Including but not limited to Geology and soils, Hydrology and hydrogeology, Wetland Assessments and/or Delineations, Aquatic and **fish habitat**, Terrestrial vegetation (including **wetlands**), Vegetation communities (ecological land classification), Plants, Wildlife, **hazardous lands**, **hazardous sites**, **connectivity**, and ecological **linkages**;
 - vi. Evaluation of significance to assess the various **natural heritage features and areas** against the appropriate policies and guidelines to determine significance, **hazardous lands**, **hazardous sites**, and assessment of appropriate **buffers** and/or setbacks;
 - vii. Impact assessment to identify that the scope includes direct impacts, indirect impacts, cumulative impacts, etc. and an evaluation of alternative options/measures;
 - viii. Mitigation measures including avoidance, enhancement, restoration, compensation, outreach, education, and stewardship;
 - ix. Monitoring recommendations to outline of the types of monitoring to be included in the **environmental impact study**; and

- x. Recommendations and a concluding statement.

D.4.1.19.4. Linkage Assessment

1. An **Environmental Impact Study** will consider both the linkage within the site and connections with other sites and will evaluate the following:
 - i. identify and assess the linkage including its vegetative, wildlife, and/or landscape features or functions, including:
 - a. the natural areas and habitats/functions linked (number of sites linked and habitat sizes and condition);
 - b. linkage type (e.g. anthropogenic railway or **utility** corridor, hedgerow, plantation, or natural community);
 - c. vegetation cover type quality (health, condition, maturity, species, and aesthetic value);
 - d. width;
 - e. length; and,
 - f. continuity of vegetation (long gaps greater than 100 metres, gaps containing roads or other barriers, or gaps less than 30 metres wide with no barriers);
 - ii. assess the potential impacts on the viability and integrity of the linkage as a result of the development proposal; and,
 - iii. make recommendations on how to protect, enhance or mitigate impacts on the linkage(s) and its functions through planning, design and construction practices.

D.4.1.20. Environmental Planning Study

1. Where a change in land use is proposed that goes beyond an individual site-specific development proposal, such as at the neighbourhood or community level, an Environmental Planning Study (EPS) will be prepared to ensure the intent of the goals, objectives, and policies of this Plan are achieved. The EPS will provide for an environmental inventory and assessment, an environmental management strategy in concert with a recommended development plan, recommendations for amendments to the planning documents, a Tree Protection Plan, and a monitoring plan to assess environmental health after **development** is initiated.
2. The Town may create an Environmental Advisory Committee to assist in the review of **Environmental Impact Studies**, Watershed Plans or other environmental studies and to give advice to Council on environmental matters.
3. Where **development** or **site alteration** is approved in, or adjacent to, a Natural Heritage Feature, new lots thus created will not extend into the area to be retained in a natural state or the **buffer** zone identified through an **environmental impact study**. The lands to be retained in a natural state and the adjacent **buffer** zone will be maintained as a single block and zoned to protect their natural features and ecological functions. The transfer of these lands to the Town, the **conservation authority** or another appropriate public or private conservation organization will be encouraged. It

should not be assumed that these lands will be accepted by the Town as parkland dedication. Additional methods of protecting these lands, such as conservation easements, will be considered.

D.4.1.21. Restoration Plans and Monitoring

1. The following detailed site studies and plans will be required, at a minimum, as part of any application for **development** including any application involving **site alteration**:
 - i. **Environmental Impact Study** that defines key natural heritage features and appropriate **vegetation protection zones** and demonstrates that the impacts of **development** are appropriately mitigated and/or compensated, where suitable;
 - ii. A Functional Servicing and Stormwater Management Report that provides an appropriate design for servicing, water quality and quantity controls, erosion control and water balance, as applicable;
 - iii. Landscape Restoration plans and proposed grading;
 - iv. Geotechnical Report; and,
 - v. Topographical Survey.

D.4.1.22. Invasive Species Management

Invasive species are defined in the Province of Ontario's Invasive Species Strategic Plan (2013) as plants, animals, and micro-organisms introduced by human activity outside their natural or past disturbance. The Town may:

1. Partner with neighbouring municipalities, the Region, Conservation Authorities, the Niagara Parks Commission, other Provincial agencies, and conservation organizations in carrying out invasive species management.
2. Develop policies and programs that require or promote measures to eliminate and/or manage invasive species and discourage the use of non-native invasive species plantings in new **developments** adjacent to the natural environment system.
3. Require all **development** and **site alteration** approvals to include measures that limit the introduction and spread of pests, disease, invasive species, urban wildlife, and other threats to the production of food and health of natural environments. This will include requirements to:
 - i. Minimize disturbances during and following **site alteration** (to minimize suitable habitat for invasive plants);
 - ii. Restore disturbed areas and degraded ecosystems as soon as possible to reduce suitable habitat for invasive plants;
 - iii. Protect and maintain genetic and species diversity and functioning ecosystems, since they are more resilient to invasive species;
 - iv. Establish invasive species management plans as part of the development process to control potentially contaminated materials (e.g., fill, soil, gravel,

excavated materials from construction sites, etc.) at the source and requiring measures such as inspecting and cleaning equipment; and

- v. Encourage native flora as an alternative to invasive species.
- 4. Encourage invasive species management as a component of managing street trees, municipally designated forests and woodlands, public parks and municipally designated natural areas; and
- 5. Consider the use of the following strategies to manage invasive species:
 - a. Directing use of the Weed Control Act to require removal of invasive species on private lands;
 - b. Establishing by-laws to prevent invasive plants spread into natural areas through the illegal dumping of green waste in natural areas, parking lots, borders shared by residential neighbourhoods, trails and other public lands;
 - c. Encouraging public education programs through which the public can learn to identify common invasive plants and learn about native alternatives to invasive plants that may be available through the horticulture trade; and
 - d. Establish programs that provide residents with information and tools to take appropriate action against invasive plants on their own property and which include encouragement to support the work of local stewardship groups and non-profit organizations.

D.4.1.23. Aggregate Operations within the Natural Environment System

- 1. Where a new mineral aggregate operation or an expansion to an existing operation is proposed within the **natural environment system**, an **environmental impact study** is required and will include consideration of:
 - i. Whether the following will be maintained or enhanced before, during and after mineral aggregate extraction,
 - ii. **Connectivity** among Natural Heritage Features and **hydrologic features**;
 - iii. Significant **hydrologic features** and functions; and
 - iv. How Significant Natural Heritage Features and ecological functions that would be affected will be replaced, on or off site, with features and functions of equal or greater **ecological value** that are representative of the natural ecosystem in that particular setting or ecodistrict.

D.4.1.24. Source Water Protection

- 1. The **Source Protection Plan** for the Niagara Peninsula Source Protection Area protects existing and future sources of drinking water in Niagara by ensuring activities identified as drinking water threats under the Clean Water Act and associated regulations either never become a significant threat or cease to be a significant threat to drinking water.
- 2. The Rosehill Water Treatment Plant **intake protection zones** are shown on Schedule H: Key Hydraulic Areas and Intake Protection Zones.

3. The policies of this Plan in its entirety and in conjunction with the Niagara Peninsula Source Protection Plan, the Niagara Peninsula Source Protection Area Assessment Report and the Explanatory Document. The policies of this section must also be read in conjunction with other applicable plans and legislation.
4. New waste disposal sites for the application of untreated septage to land will not be permitted within the Rosehill **Intake Protection Zone 1** and **Intake Protection Zone 2**.
5. Any planning or building application made for a land use other than residential in the Rosehill Intake Protection Zone 1 and 2, may require a Section 59 notice from the **Risk Management Official**. The requirements of the notice will be determined through the application screening process.
6. Future open storage of road salt greater than 5,000 tonnes is not permitted within the Rosehill **Intake Protection Zone 1**.
7. Future storage of snow greater than one hectare in area is not permitted within the Rosehill Intake Protection Zone 1.
8. New combined sewers, wastewater treatment facilities, and industrial effluent systems, as defined in Appendix C of the Niagara Peninsula Source Protection Area Assessment Report (2013), are not permitted where they would be a significant threat within the Rosehill **Intake Protection Zone 1** and **Intake Protection Zone 2**.
9. An application for, or expansion, extension or alteration of commercial or industrial development or storm water management facilities, may be deemed to pose a significant threat to municipal drinking water, within the Rosehill **Intake Protection Zone 1** and **Intake Protection Zone 2**, by the **Risk Management Official** and the Town. In such cases the development application will be accompanied by a stormwater management plan that demonstrates the development does not pose a significant threat to municipal drinking water to the satisfaction of the Town in consultation with the **risk management official**.
10. The storage, and application to land of **agricultural source material**, and the lands used for, are considered significant threats in the Rosehill **Intake Protection Zone 1** and **Intake Protection Zone 2**. New agricultural land uses, such as livestock grazing/pasturing, farm animal yards and outdoor confinement areas, are not permitted within the Rosehill **Intake Protection Zone 1** and **Intake Protection Zone 2**.
11. The Town will monitor and report on the measures taken to implement the significant threat policies annually in accordance with the Niagara Peninsula Source Protection Plan, which will address the following:
 - i. Total number and type of development applications in **intake protection zones**;
 - ii. Pre-consultation meetings related to the Niagara Peninsula Source Protection Plan;
 - iii. Number of Risk Management Plans reviewed and approved;

- iv. The number and type of development applications in Intake Protection Zones with the potential for the creation or modification of a transport pathway; and
- v. Steps taken to improve education and research.
- vi.

D.4.2 Open Space

D.4.2.1. Vision

Open space lands are a valuable resource to the community, providing opportunity for recreation, leisure, social interaction and engagement, and the enjoyment of the natural environment. Open space lands contribute to physical and mental wellbeing and are an important component of a complete community. This Plan promotes a connected system of open spaces that are comprised of parks, trails, and more naturalized areas, while supporting the objectives of the **natural environment system** policies of this Plan.

D.4.2.2. Objectives

The following objectives apply to the Open Space designation:

1. The continued maintenance, enhancement, and expansion of the open space system for the enjoyment and accessibility of the community, including opportunities to support the Town's **active transportation** network.
2. Open spaces will be designed, programmed, and planned to be accessible to people of all ages and abilities.
3. Improve public access and the usability of public parkland along the Lake Erie shoreline.
4. Promote acquisition of land as Open Space adjacent to the Lake Erie shoreline and major water courses for the purpose of increasing public access to water.
5. Encourage the preservation of existing **woodlands**, unique natural areas, and areas of archaeological significance.
6. The development of scenic drives, hiking, equestrian and recreational trails and bicycle paths, and in this regard the abandoned railway between Fort Erie and Niagara Falls and the abandoned CNR line in the vicinity of Dominion Road, should be preserved and developed for public use.
7. Undertake joint planning of conservation lands to meet both the Region's and Town's needs and objectives. Such planning will, through consultation with **conservation authority**, consider the use of lands owned or operated by the **conservation authority** under the Conservation Authorities Act.

D.4.2.3. Permitted Uses

Land uses permitted within the Open Space designation are:

1. Active and passive recreational uses;

2. Conservation, forestry and wildlife management uses, including education, awareness, or research uses that are secondary to the principal use.
3. Community gardens;
4. Cemeteries;
5. Marinas;
6. Legally existing golf courses; and
7. Campgrounds.

D.4.2.4. General Policies

1. It is a priority of the Town to develop and implement policies, initiatives, and programs for the acquisition, use, development management and distribution of open space areas which best meet the current and future needs of residents, while recognizing the objectives of the Open Space designation.
2. The Town's Parks and Open Space Master Plan assesses the community's open space resources, determines where improvements and services are required and creates a long term implementation plan to allow the Town to respond to community needs over the horizon of this Plan. It is the intent of this Plan work in conjunction with the Parks and Open Space Master Plan and support its implementation.
3. Significant treed areas and **woodlands** throughout the Town will, where possible, be incorporated into the Open Space network. Where appropriate, these areas will be maintained in their natural condition or allowed to regenerate into a natural condition. Passive recreational uses of such areas will be restricted to lands which have been specifically acquired or developed for such purposes.
4. Where any lands designated for Open Space on Schedule E: Land Use Plan, are under private ownership, it is not the intention of this Plan that such lands will necessarily remain as Open Space indefinitely, nor is it implied that Open Space areas are free and open to the general public or that they will be purchased by the Town or the **conservation authority**.
5. The use of lands owned from time to time by the Niagara Parks Commission is governed by the provisions of the Niagara Parks Act. The Niagara Parks Commission, in the use of its lands, will be consistent with the provisions contained in the Provincial Planning Statements and will conform with Provincial plans that are in effect or will not conflict with them, as required from time to time under subsection 3(5) of the Planning Act. Before proceeding with any undertaking that may directly affect the Town of Fort Erie, the Niagara Parks Commission will consult with the Town and have regard for the municipality's established planning policies, as may be required from time to time under subsection 6(2) of the Planning Act.

D.4.2.4.2. Parkland Development

1. Parklands will be developed in accordance with the Town's Parks and Open Space Master Plan.
2. Parkland will be planned and function to:

- i. Serve the entire population of Fort Erie;
 - ii. Be accessible from major roads and highways and by public transportation, walking and cycling; and
 - iii. Be designed and developed in concert with identified Town-wide needs.
3. Provide a range of recreational opportunities within walking distance of the surrounding neighbourhood that they are intended to serve;
 4. Provide opportunities for both passive and active recreational pursuits; and
 5. Provide, where feasible, multiple purpose, year-round activities.
 6. Parkland will be developed to provide a wide range of recreational opportunities, which could include social, cultural, educational, and athletic activities of interest to the community.
 7. The Town will own, lease, operate, maintain, and administer public parkland to meet the recreational needs of its residents.
 8. The Town will acquire public parkland through the processing of development applications, in accordance with the policies of this Plan.

D.4.2.4.3. Public Access to the Lake Erie Shoreline

1. The Lake Erie shoreline offers natural heritage, aesthetic and recreational amenities to residents and visitors of the Town and contributes to the local economy. The promotion of recreational opportunities and public access to Lake Erie to allow the utilization of these amenities is an objective of this Plan. The following policies are important tools to implement this objective:
 - i. The Town may close, retain and designate as park any road allowances to provide access to the Lake Erie shore in compliance with an overall waterfront access strategy.
 - ii. Wherever desirable or feasible, the Town will encourage public agencies in the acquisition of land as Open Space adjacent to the Lake Erie shoreline and major water courses for the purpose of increasing public access to water.
 - iii. Lands identified as **hazardous lands** and **hazardous sites**, including any **water lots**, will be encouraged to be dedicated or placed under a restrictive covenant to the Town as a condition of **development** related to Consent, Plan of Subdivision/condominium or Site Plan Control.
 - iv. The Town will consider the strategic acquisition of Lake Erie shoreline lands that complement lands owned by the Town and utilized for parks purposes or public access associated with the waterfront road allowance strategy.
 - v. The Town will identify possible opportunities through secondary plans or other similar land use planning studies.
 - vi. Council will consider land acquisition priorities through annual budgeting exercises.

E. Complete Community

E.1 Introduction

The Town will continue to evolve into a complete community as a strategic component of the overall growth management framework of this Plan. A complete community is one that offers the daily needs of the community with convenient access to a mix of uses including housing options, jobs, shopping, **public service facilities**, recreation, leisure, and transportation choices. **Complete communities** are designed to be accessible and walkable places, with a wide variety of housing options and where most amenities are in close proximity. Policies within this Section apply across the entire Town, to ensure that the decision making in the context of this Plan is thoroughly considered in building **complete communities**.

E.2 Housing

Access to a range of housing options is a fundamental component of **complete communities**, directly benefiting the overall wellbeing of residents. The policies of this Plan support the development of housing options that meet the current and future needs of residents by promoting a greater range of housing options to meet different housing needs over time. These policies will be implemented by working with a range of partners and collaborators, as well as by using various tools and approaches available to the Town that will advance the housing objectives of this Plan and the priorities of the community.

E.2.1 General Policies

1. A diverse range and mix of housing options, including **additional needs housing**, will be planned for to accommodate current and future housing needs of the Town.
2. Planning for housing options will be aligned with demographics, affordability, employment opportunities, and other similar needs of the Town.
3. Provide for a mix and range of housing options suitable for all ages, household sizes and abilities, in partnership with the Region, other levels of government, the development industry, community partners and stakeholders, including:
 - i. **Affordable** housing to address needs throughout the income spectrum;
 - ii. Emergency and transitional housing;
 - iii. Co-housing, group rooming, and additional needs housing; and
 - iv. Purpose-built rental housing.
4. Residential **development, redevelopment, and intensification** should incorporate **universal design** standards to provide housing options that are suitable for all stages of life and abilities.
5. Support higher density housing, infill **development, redevelopment**, and non-traditional housing forms by permitting a broad range of dwelling types that:

- i. Minimizes the cost of housing and facilitates more **compact built form**;
 - ii. Maintains appropriate levels of public health and safety; and
 - iii. Considers reduced development costs; and
 - iv. Is compatible with the surrounding neighbourhood.
6. New residential **development** and residential **intensification** are encouraged to be planned and designed to mitigate and adapt to the **impacts of a changing climate** by:
 - i. Facilitating a **compact built form** to minimize land consumption and make efficient use of planned or existing municipal **infrastructure**;
 - ii. Incorporating sustainable housing construction materials or practices, **green infrastructure**, energy conservation standards, water efficient technologies, and **low impact development**; and
 - iii. Locate near everyday amenities.
 7. Prioritize and review surplus municipal land and buildings for the development of housing options before otherwise selling, leasing or redeveloping the surplus municipal lands.
 8. Work with other levels of government and key stakeholders to explore opportunities to deliver housing in a timely manner.
 9. Promote and leverage financial incentives, such as through a community improvement plan, as a tool to support the creation of a wider range of housing options.
 10. Review and update the implementing zoning by-law to ensure that zoning regulations do not unintentionally discourage or prevent the development of a full range of housing options within the Town.
 11. The down zoning of residential properties, unless otherwise permitted under a Secondary Plan, will only be permitted if it can be demonstrated that the rezoning will not significantly impact the **intensification** targets, supply and mix of residential land, and the range of housing options within the Town.

E.2.2 Affordable Housing

1. The Town will achieve the following minimum targets for **affordable** housing within the Town:
 - i. 20-percent of all new rental housing is to be **affordable**; and
 - ii. 10-percent of all new ownership housing is to be **affordable**.
2. The Town will endeavour to ensure that **affordable** housing is made available to **low and moderate income households**.
3. Encourage **affordable** housing to be located in close proximity to everyday amenities, **public service facilities**, **active transportation** networks, and parks and open space.

4. The following approaches may be explored to support the development of **affordable** housing:
 - i. Flexibility in the scale, form, and types of housing permitted as-of-right, including **additional residential units** and other alternative housing forms;
 - ii. The timeline approval of development applications for **affordable** housing, with a priority for **developments** that are subject to time-sensitive government funding;
 - iii. The inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes;
 - iv. Site standards that facilitate the development of **additional residential units**, such as reduced setbacks, narrower lot sizes, and reduced parking standards;
 - v. Inclusionary zoning provisions within areas with an approved Community Planning Permit System, subject to the preparation of an assessment report in accordance with provincial direction.
 - vi. Demolition control and residential replacement by-laws that would prohibit the demolition of existing rental units without demonstrating to the Town’s satisfaction that the replacement of the same or higher number of rental units will be developed; and
 - vii. Residential **intensification** by means of conversion of non-residential uses, permitting **additional residential units** within existing dwellings, as well as infilling and **redevelopment**.
5. Coordinate with Town departments, the Region, school boards, not-for-profit and non-profit agencies, **institutional uses**, and Federal and Provincial agencies to create **affordable** housing, including:
 - i. Identify surplus lands and/or buildings that may be suitable for **affordable** housing development;
 - ii. Prioritize the sale or lease of suitable surplus property for the **development of affordable and attainable housing**; and,
 - iii. Identify **brownfield** sites and **greyfield sites**, including underutilized commercial sites or strip plazas, outside **employment areas** for mixed use residential **intensification** and **affordable** housing development.
6. Explore financial and non-financial incentives for **affordable** housing and purpose-built rental units, such as:
 - i. Development charge grants or deferrals;
 - ii. Planning application fees grants or waivers;
 - iii. Parkland dedication fees grants or waivers; and
 - iv. Property tax reduction or deferrals.
7. Negotiate agreements with the public and private sectors to accommodate **affordable** housing through the draft plan of subdivision and condominium approval process.

8. The Town will work in consultation with the Region to establish targets and implement strategies to develop **affordable** housing, including those identified in Niagara's Housing and Homelessness Action Plan.
9. Work with the Region and other local municipalities to advocate to the Federal and Provincial governments to provide economic incentives and funding for housing projects.

E.2.3 Additional Needs Housing

1. **Additional needs housing** is a residential facility where individuals with similar needs or conditions, beyond economic needs, live together under supervision and receive support services from qualified staff.
2. **Additional needs housing** intends to provide a stable and supportive living environment, tailored to the resident's needs, while integrating into surrounding communities in a manner that promotes social inclusion and supports the provision of community-based care.
3. The Town recognizes the need for **additional needs housing** in the community and supports the integration of these housing types at appropriate locations, subject to the policies of this Plan.
4. Prioritizing the use of public lands for emergency and transitional housing, including areas that are located in close proximity to **public service facilities** and everyday amenities.
5. **Additional needs housing** will be permitted in any land use designation which permits residential uses, subject to regulations of the implementing zoning by-law.
6. **Additional needs housing** will be located on a site of suitable size for the proposed **development**, and will provide adequate landscaping, amenity features, on-site parking, and buffering, as may be deemed appropriate by the Town.

E.2.4 Additional Residential Units

1. The Town recognizes the importance of **additional residential units** as an important opportunity for contributing to a range and mix of housing options and supporting residential **intensification**.
2. A maximum of two **additional residential units** per lot is permitted in all land use designations, in addition to the principal residential dwelling. Where **additional residential units** are permitted, they may consist of:
 - i. Two residential units within the principal residential dwelling, with one **additional residential unit** in an accessory building or structure;
 - ii. Three residential units within the principal residential dwelling provided there is no **additional residential unit** within an accessory building or structure; and
 - iii. One residential unit in an accessory building or structure, provided the principal residential dwelling contains no more than two residential units.
3. The following development criteria apply to **additional residential units**:

- i. No more than one additional parking space will be provided and maintained for the sole use of the occupant of each **additional residential unit**, in addition to the parking requirements for the principal residential dwelling, unless otherwise established by the implementing zoning by-law
 - ii. Adequate **sewage and water services** are available or can be provided to service the **additional residential unit** to the satisfaction of the Town and the Region;
 - iii. Severances to subdivide an **additional residential unit** from a principal dwelling is not permitted.
4. The Town will encourage the construction of **additional residential units** or building design that allows for future **additional residential units** in all new construction, where appropriate. Construction and design considerations may include, but are not limited to:
 - i. A separate access into the **additional residential unit**;
 - ii. Consideration for future renovations or improvements such as plumbing, electrical and HVAC; and
 - iii. Ensuring the Ontario Building Code provisions related to noise and fire insulation between units are installed when the dwelling is constructed.
 5. The implementing zoning by-law may establish more detailed regulations regarding **additional residential units**, including such matters as location, size, scale, setbacks, and parking, as well as other regulations as deemed necessary.

E.2.5 Garden Suites

1. The Town will encourage the provision of **garden suites** as an **additional residential unit**, subject to the following development criteria:
 - i. A **garden suite** will be subject to a temporary use by-law in accordance with the provisions of the Planning Act, and will ensure appropriate buffering and compatibility with adjacent uses;
 - ii. A **garden suite** is not permitted within the front and exterior side yard of a lot;
 - iii. A maximum of one **garden suite** is permitted on a single lot;
 - iv. The total number of **additional residential units** in accordance with Policy E.2.4 will include a **garden suite**;
 - v. An agreement between with the Town may be required to address matters such as installation, maintenance and removal of the **garden suite**, period of occupancy, and any financial or other securities as may be required to address costs to the municipality related to the **garden suite**; and
 - vi. Adequate **sewage and water services** are available to service the **garden suite** to the satisfaction of the Town.
2. A **garden suite** must conform to the requirements of the implementing zoning by-law.

E.2.6 Short-Term Rental Accommodations

1. The Town recognizes the long history of short-term cottage rentals in the Town while also recognizing the need to balance longer term rental and permanent housing for residents.
2. The Town's goals and objectives related to **short-term rentals** are as follows:
 - i. **Short-term rentals** will be regulated as a commercial use and will generally respect the character, amenity and quality of the neighbourhoods in which they are located;
 - ii. To support tourism uses as well as supporting people with temporary and sometimes unforeseeable temporary accommodation needs; and
 - iii. To mitigate conflicts with neighbouring residential uses and to provide land use controls in addition to the Town's Short-term Rental Licensing By-law.
3. Owner occupied **short-term rentals** are generally permitted in any designation that permits residential uses subject to the provisions of the implementing zoning by-law and may be located within a principal or accessory dwelling unit.
4. Dedicated **short-term rentals** are generally permitted within commercial areas, tourist areas, and select areas of the historic Crystal Beach neighbourhood, and along the waterfront west of Kraft Road to the Town's western extent.
5. The Town may establish, through the implementing zoning by-law and/or a municipal licensing framework, appropriate provisions related to the nature and location of **short-term rentals** appropriate and compatible with surrounding land uses, such as:
 - i. Maximum size and/or maximum number of bedrooms;
 - ii. On-site parking requirements;
 - iii. On-site signage;
 - iv. Landscaping, screening and buffering;
 - v. Appropriate on-site amenity area;
 - vi. Adequate **sewage and water services** capable of handling the demand of the **short-term rentals**;
 - vii. Operational fire and safety plans;
 - viii. Suitable enclosed waste disposal area;
 - ix. Types of buildings which are permitted to accommodate a **short-term rentals**; and,
 - x. Density or concentration requirements.
6. The Town may establish appropriate provisions related to the scale and density of **short-term rentals**, occupancy loads, parking requirements, and buffering, all of which will be considered appropriate and compatible with surrounding uses and may be considered in the licensing framework prior to a license being provided.

7. The Town may, on an area-specific or case-by-case basis, prohibit **short-term rentals** in areas that are not considered to be consistent with this Plan.
8. Where **short-term rentals** are not permitted by the implementing zoning by-law, **short-term rentals** may be considered through a planning application where the following criteria are satisfied:
 - i. There will be minimal or no disruption to neighbouring properties, including any nuisance related impacts such as noise, odour, or traffic.
 - ii. There is a compelling reason to permit a **short-term rental** use, such as it can be demonstrated that the dwelling has a history of use as a vacation cottage rental, or it is part of a unique business opportunity; and,
 - iii. The applicant is eligible to obtain a **short-term rental** licence upon a Planning Act approval.
9. The Town may limit the number of **short-term rental** licenses through the licensing bylaw to ensure that there remains a suitable number of dwelling units available for residents of the Town, providing for a mix of housing types and affordability.
10. In addition to zoning and licensing, and any agreements associated thereto, **short-term rental** uses may be subject to other municipal by-laws including but not limited to parking, noise, property standards and fire and safety regulations.

E.3 Employment

Fort Erie has a diverse and strong local economy that contributes to overall community wellbeing and prosperity. Planning for employment ensures that businesses can continue to grow, expand, and diversify in Fort Erie, and that appropriate lands are available in the optimal location when new opportunities for investment arises. The policies of this Plan provide an important foundation for other Town initiatives and programs to support economic development and create a favourable context for businesses to succeed. The protection of employment lands for long term growth provides businesses with the stability and assurance needed to make long term investments in the Town that contribute to a prosperous community.

E.3.1 General Policies

1. Employment land uses within the Town will be promoted by aligning land use planning and economic development strategies to retain and attract investment that supports economic growth and diversification.
2. Support economic development and employment growth within the Town by:
 - i. Integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment;
 - ii. Creating high-quality employment opportunities for residents;
 - iii. Adapting to evolving economic conditions; and
 - iv. Supporting access to employment opportunities for Town residents.

3. Support the development of **complete communities** by balancing residential and employment uses throughout the Town, improving the opportunity for working and living in closer proximity.
4. Plan for a connected and **multimodal transportation system** within the Town and Region to support integration and connectivity between **employment areas** and adjacent land uses.
5. Support a diverse workforce by providing a mix and range of housing options and tenures, including **affordable** housing, in alignment with the housing policies of this Plan.
6. Plan for flexible and adaptable **employment areas** that include street patterns, parcel fabrics, and building design and siting that allow for **redevelopment** and **intensification**.
7. Protect **employment areas** located adjacent to, or in proximity of, goods movement facilities and corridors, including existing and future major highways and interchanges, for manufacturing, warehousing, logistics, and related uses.
8. Prioritize the provision of full municipal services in **employment areas** to accommodate more intensive and higher order employment uses.
9. Mitigate land use conflict and incompatibility where necessary to protect public and environmental health and safety.
10. The Town will use tools afforded under the Planning Act and other provincial regulations and guidelines to achieve land use compatibility between **employment areas** and **sensitive land uses**, in accordance with the following:
 - i. **Major facilities** and **sensitive land uses** will be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential **adverse effects** from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of **major facilities** in accordance with Provincial guidelines, standards and procedures.
 - ii. Where avoidance is not possible, the Town will protect the long-term viability of existing or planned industrial, manufacturing or other uses that are **vulnerable** to encroachment of incompatible land uses by ensuring that the planning and **development** of proposed adjacent **sensitive land uses** are only permitted if the following are demonstrated in accordance with Provincial guidelines, standards and procedures:
 - a. There is an identified need for the proposed use;
 - b. Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
 - c. **Adverse effects** to the proposed sensitive land use are minimized and mitigated; and

- d. Potential impacts to industrial, manufacturing or other uses are minimized and mitigated.
- 11. Develop urban design guidelines as part of Secondary Plans or alternative comprehensive plans for new **employment areas**, including those that are within **designated growth areas**.
- 12. Require that Secondary Plans and **development** within existing and new **employment areas** address the **interface** between urban and agricultural land uses in order to mitigate any potential impacts to agricultural operations to the extent feasible, through future planning approvals.
- 13. Collaborate with the Region to implement the Niagara Region 10-Year Economic Development Strategy.

E.3.2 Employment in Mixed-Use Areas

In addition to designated **employment areas** that are planned for more traditional employment uses such as manufacturing, warehousing, and goods movement, the Town will plan for a range and mix of employment opportunities that can be integrated into mixed-use communities that are located outside of designated **employment areas**, provided that:

- 1. Employment uses that could be located adjacent to **sensitive land uses** without **adverse effects** are encouraged to locate in **strategic growth areas** and other mixed-use areas. Such uses could include office uses, small-scale warehousing or light manufacturing uses.
- 2. Major office and **institutional uses** are encouraged to locate in the **strategic growth areas** as identified in Schedule A: Town Structure.

E.4 Climate Change

The Town recognizes the importance of land use planning in helping to mitigate and adapt to a changing climate. Fort Erie is experiencing the **impacts of a changing climate** through evolving weather patterns, including warmer temperatures, increasingly severe weather events, and rising shorelines, among others. Strong, liveable and healthy communities are resilient to the **impacts of a changing climate**. This Plan recognizes the need to implement climate change mitigation and adaptation measures to enhance the resiliency of its built and natural environments, and the strategic role of land use planning to develop resilient communities.

E.4.1 General Policies

- 1. The Town will plan for land use and development patterns that prepare for the **impacts of a changing climate** by promoting a compact form and mix of land uses, in accordance with the growth management framework and land use designations of this Plan.
- 2. The policies of this Plan support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the **impacts of a changing climate** through land use and development patterns which:

- i. Promote a compact form and a system of multi-modal transportation options, including **active transportation**;
 - ii. Promote the use of **active transportation** and transit in and between residential, employment (including commercial and industrial) and **institutional uses** and other areas;
 - iii. Focus major employment, commercial and other travel-intensive land uses, on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
 - iv. Focus freight-intensive land uses to areas well served by major highways and **rail facilities**;
 - v. Encourage **transit-supportive development** and **intensification** to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
 - vi. Promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and **green infrastructure**; and
 - vii. Maximize native vegetation that supports biodiversity and carbon sequestration within **settlement areas**, where feasible.
3. The Town will maintain and update the Climate Change Action Plan to outline strategic actions and goals that will be pursued to mitigate, reduce, and address the **impacts of a changing climate**.
 4. Assess **infrastructure** risks and vulnerabilities, including those caused by the **impacts of changing climate**, and identify actions and investments to address these challenges, which could be identified as part of municipal asset management planning.
 5. The collaboration and co-ordination of related disciplines, including land use planning, urban design, transportation planning, architecture, engineering, environmental planning, and landscape architecture will be encouraged for all matters, including those related to the **impacts of a changing climate**.
 6. The Town will maintain and enhance the existing tree canopy to the greatest extent possible by:
 - i. Implementing, monitoring, and regularly reviewing and updating the Tree, Heritage Conservation, and Forest Conservation By-law(s);
 - ii. Working with Council, the Region and the **conservation authority** to assess and monitor the tree canopy; and
 - iii. Encouraging the planting of trees as **sustainable design** elements in new **development**.
 7. Develop consultation protocols of the First Nations that have traditional territory in this area, including the Anishinaabe, specifically the Mississaugas of the Credit First Nation, and the Haudenosaunee when engaging on planning matters or **public works**

projects, as well as consider their interests when identifying, protecting, and managing **cultural heritage resources** and **archaeological resources**, planning for sustainability and the **impacts of a changing climate**, and the **natural environment system**.

8. The Town supports stewardship and partnerships to maintain and enhance the tree canopy. The Town will work with other levels of government, Conservation Authorities, Indigenous Communities and community groups to support education, outreach, and landowner stewardship programs.
9. To encourage energy conservation, energy efficient practices and **sustainable design**, the Town may consider developing Green Development Standards. These Green Development Standards to be consistent with and implement the goals, strategic objectives and policies of this Plan.
10. The Town will encourage the Region to undertake the creation of Green Development Standards that takes a regional approach that reduces complexity for developers who work across the Region. By working together, the intent is to share resources, reduce administrative complexity, and present a coordinated approach to engaging with stakeholders.
11. The Town encourages the development of energy supply-related **infrastructure** and facilities, including electricity generation and transmission distribution systems, energy storage systems, district energy, **renewable energy systems**, and **alternative energy systems**, to accommodate current and projected needs.

E.4.2 Climate Change Projections

1. Climate modeling and projections will be maintained by the Region to inform climate change adaptation initiatives using the best available science.
2. The Town will work with the Region to assess anticipated climate change risks and vulnerabilities across systems, and develop and implement a Climate Change Adaptation Strategy, informed by Regional climate projections, to prepare for the **impacts of a changing climate**.
3. Climate projections will be considered by the Town in land use policies, strategies and guidance.

E.4.3 Climate Change Adaptation and Mitigation

1. Work with the Region to address climate change risks and vulnerabilities and resiliency and to reduce greenhouse gas emissions.
2. Growth and **development** within the Town will integrate land use planning and **infrastructure** planning to responsibly manage forecasted growth and to support the mitigation and adaption to the **impacts of a changing climate** by:
 - i. Protecting **natural heritage features and areas**, water resource systems, and other components of the **natural environment system**;

- ii. Where possible, integrating **green infrastructure** and **low impact development** into the design and construction of **public service facilities** and private **development**; and
 - iii. Promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.
3. Work with the Region to update the municipal energy plan in consultation with the **utility** companies and organized interest groups to reduce energy consumption and greenhouse gas emissions, complement land use and **infrastructure** master planning, and support economic development opportunities in the region.
 4. Consider the role of public transit in contributing towards the Provincial and Regional greenhouse gas emissions reduction targets.
 5. Support the integration of electric vehicle charging **infrastructure** in new **developments** and Town facilities to support sustainable transportation and reduce greenhouse gas emissions.

E.4.4 Water Quality and Quantity

1. The Niagara River has been designated by the federal and provincial governments in cooperation with the International Joint Commission as one of forty-three Areas of Concern in the Great Lakes Basin. In order to fulfil municipal obligations towards improving the quality of the *Niagara River the Natural Environment Policies* of this will be read in their entirety and all relevant policies applied to each situation.
2. As **watershed** and groundwater studies identify surface and **groundwater features, hydrologic functions** and **natural heritage features and areas** that are necessary for the ecological and hydrological integrity of the Town's **watersheds**, the Town will consider amendments to this Plan and incorporate appropriate findings into Secondary Plans to further delineate the features and establish appropriate policies.
3. Development or **site alteration** will be restricted in or near sensitive surface water features and sensitive groundwater features as identified through Watershed Plans or **Source Protection Plans** such that those features and their related hydrologic functions will be protected, improved or restored through appropriate mitigative measures and/or alternative development approaches.
4. **Development** and **site alteration** should not negatively impact the **quality and quantity of water**, functions and characteristics of surface or groundwater resources with respect to natural heritage areas, groundwater recharge areas or essential well supplies of landowners.
5. The Town will implement the necessary restrictions on **development** and site alteration in accordance with the Niagara Peninsula Source Protection Plan to:
 - i. Protect all municipal drinking water supplies and **designated vulnerable areas**; and
 - ii. Protect, improve or restore **vulnerable** surface and ground water, and their **hydrologic functions**.

6. Stormwater management **infrastructure** is encouraged to have natural vegetation and where feasible, connection or integration with the **natural environment system** to support water quality and biodiversity.
7. Necessary restrictions will be placed on **development** and **site alteration** to protect all municipal drinking water supplies and designated **vulnerable** areas.
8. A stormwater management plan and sediment and erosion plan, signed by a qualified professional engineer, will be required with a development application. The stormwater management plan will demonstrate that vegetation removal, grading and soil compaction, erosion and sedimentation, and impervious services will be minimized.
9. Stormwater management plans will be prepared in accordance with current provincial planning and design standards and where an **environmental impact study** is being prepared for the **development**. The stormwater management plan will be coordinated with and integrate any recommendations of an **environmental impact study**, Environmental planning study or Watershed Plan.
10. Abandoned wells can be conduits for hazardous materials to reach and contaminate groundwater systems. Before allowing any new **development** to occur on lots that contain abandoned wells, such wells will be plugged and decommissioned as a condition of development approval.
11. The Town supports design, construction and maintenance of Requisition and Petition Drains authorized under the Drainage Act in accordance with Best Management Practices to avoid significant detrimental effects on farmland, water resources, natural areas, **fish habitat**, and **wildlife habitat**.

E.4.5 Energy Conservation

1. In order to provide support for improved energy efficiency and air quality, opportunities will be provided for alternative and **renewable energy systems** in accordance with the Provincial legislation, as required.
2. Alternative and/or **renewable energy systems** are permitted within Fort Erie, subject to the development and use of alternative and/or **renewable energy systems** being in accordance with **provincial and federal requirements**, including appropriate separation distances to address land use compatibility and consideration for standard but important site plan matters with respect to drainage, landscaping and access where relevant.
3. The Town will encourage the development of private and public **renewable energy system** projects, where feasible, and where they will not cause harm to public health and safety, or the natural environment.
4. Promote energy conservation in all areas of the Town.
5. Encourage proponents of future **development** and/or **redevelopment** to incorporate energy-saving measures in their proposals through site planning and building design.
6. Promote the reduction of energy consumption and dependency on non-renewable energy sources, particularly in all Town-owned, maintained and/or operated facilities.

7. Cooperate with the appropriate public and private agencies to inform the public of energy concerns and promote energy efficiencies.
8. The Town will encourage and explore opportunities to attract economic growth through the development of environmental industries that produce environmental goods and services, including clean or resource efficient technologies.
9. The Town recognizes the Province's green energy objectives and, in an effort, to support the Provincial goal to build a green economy, and to achieve local goals and objectives for an economically strong and diverse community, the Town will support green energy and creation of green jobs.

E.5 Agricultural System

The Town is home to an active and vibrant agricultural community, which includes a wide range of agricultural activities, including food production, **agri-tourism uses**, livestock operations, land stewardship, and more. The agricultural land base within the Town will be protected over the long-term to support a healthy community, strong agricultural economy, and resilient agriculture-system.

E.5.1 General Policies

1. **Prime agricultural lands** are designated by this plan as Agriculture, as shown on Schedule E: Land Use Plan.
2. **Prime agricultural lands** are areas where **prime agricultural lands** predominate. The prioritization of land protection should be Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through seven (7) lands within the **prime agricultural area**, in this order of priority.
3. The geographic continuity of the agricultural land base and the functional and economic connections to the **agri-food network** will be maintained and enhanced in accordance with the policies of this Plan.
4. Ensure **normal farm practices** and a full range of **agricultural uses, agriculture-related uses** and **on-farm diversified uses** are permitted within the Agricultural Area and Rural Area, in accordance with the applicable land use designations, and Provincial policies and guidelines.
5. To support a thriving, diverse, and resilient **agricultural system**, the Town will:
 - i. Protect the agricultural land base over the long-term;
 - ii. Ensure agriculture is the predominant land use in **prime agricultural areas**;
 - iii. Restrict and control non-agricultural uses to minimize potential conflicts that would otherwise hinder agricultural land uses;
 - iv. Ensure the long-term sustainability and function of uses within the **agricultural system**;
 - v. Protect **prime agricultural areas** from fragmentation;
 - vi. Protect and recognize **rural lands** as part of the **agricultural system**;

- vii. Provide for a limited amount of non-agricultural residential **development** on **rural lands**; and
 - viii. Restrict new non-agricultural uses within **prime agricultural areas** that may hinder or prohibit **normal farm practices**.
6. Direct uses that are not supportive or complementary of agriculture to the Town's **settlement areas**.
 7. Work with the farm community, agricultural organizations and the **conservation authority** to promote sustainable agricultural practices and implement best management practices
 8. Promote agricultural practices that minimize impacts on air quality and climate change.
 9. Discourage the removal of topsoil and prohibit the placement of fill. The Town may enact a by-law(s) to regulate the placement of fill in this regard.

E.5.2 Agri-food Network

1. The Town will explore opportunities to improve the **agri-food network** through strategies and programs which may include:
 - i. Improving access to healthy, local and affordable food;
 - ii. Supporting food processing activities and demonstrations;
 - iii. Promoting **urban agriculture** and near-urban agriculture;
 - iv. Implementing food systems planning;
 - v. Fostering the sustainability of agriculture, **agri-food network**, agri-food processing and agri-product businesses; protecting agricultural resources while minimizing land use conflicts;
 - vi. Reducing food waste and promoting a circular food economy; and
 - vii. Supporting the development of agri-food innovation network and hubs.
2. Maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the **agri-food network**.
3. Promote a diverse, innovative and prosperous **agricultural system** and associated activities by enhancing contributions to, and integration with, the local economy.

E.5.3 Urban Agriculture

1. To encourage and support **urban agriculture** through increased flexibility in land use permissions by:
 - i. Permitting community gardens and related uses in the land use designations established in this Plan;
 - ii. Investigating and encouraging the use of parks and public open spaces for gardening and **urban agriculture**, and prioritizing the identification of opportunities for community gardens in park spaces;

- iii. Encouraging the use of Town-owned land, underutilized sites, and long-term development parcels for **urban agriculture**, where feasible, including community gardens, food cooperatives, and local food sourcing programs;
 - iv. Requiring the identification of space for **urban agriculture** through the secondary plan process;
 - v. Requiring the identification of space for **urban agriculture** in new residential **development**;
 - vi. Permitting and encouraging community gardens as part of the private outdoor amenity space requirements for new **development**, including rooftop gardens;
 - vii. Encouraging school boards and other organizations to promote school yards as ideal locations for community gardens due to their educational and community value; and
 - viii. Encouraging places of worship, educational institutions, retirement residences, and healthcare facilities to consider opportunities to integrate **urban agriculture** through new **development** and **redevelopment** projects, subject to the requirements of the implementing zoning by-law.
2. To support and encourage local food production and promotion through programs, education, funding and support.

E.5.4 Specific Use Policies within the Agricultural System

E.5.4.1. Agriculture-related Uses

- 1. Applications to establish an **agriculture-related use** is permitted, provided that the proposed use:
 - i. Conforms to all other policies of this Plan and satisfies the requirements of the implementing zoning by-law;
 - ii. Minimizes the amount of land removed from the agricultural land base and is suitable for the site;
 - iii. Where reasonable alternatives have been taken into consideration for the proposed **agriculture-related use**, including other locations within the Town where there are lands that exhibit a lesser capability class, are fragmented, or are located on smaller lots and/or a mix of existing lots that are used for non-agricultural purposes;
 - iv. Are prohibited within the **natural environment system**, except as other permitted in accordance with Section D.5 of this Plan;
 - v. Demonstrates through a Farm Economic Report that a commercially viable farm operation can be maintained with no long-term impacts to the sustainability of the **agricultural system**;
 - vi. Mitigates any potential land use conflicts with surrounding land uses and complies with the Ministry of Environment, Conservation and Parks Guidelines on Land Use Compatibility; and

- vii. Where it can be demonstrated to the satisfaction of the Town and any applicable authority that the proposed use can be serviced by private servicing.
- 2. Development applications to sever lands for **agriculture-related uses** may be permitted subject to the following criteria:
 - i. The severed lands will be limited to a minimum size needed to accommodate the use of private wells and individual wastewater treatment systems; and
 - ii. The severance will not result in an undersized farm that may not be economically viable in the long-term.

E.5.4.2. On-farm Diversified Uses

- 1. An on-farm diversified use will be:
 - i. Located on a farm;
 - ii. Secondary to the principal agricultural use of the property;
 - iii. Limited in area, up to a maximum of 2-percent of the total lot area or 1.0 hectare, whichever is less; and
 - iv. Compatible with, and will not hinder, surrounding agricultural operations.
- 2. The following criteria will be considered when reviewing applications for proposed **agriculture-related uses**:
 - i. Whether the proposed activity is more appropriately located in a nearby **settlement area** or on **rural lands**;
 - ii. Whether the use is required for or in close proximity to the agricultural operation for it to support and complement the agricultural activity;
 - iii. The extent to which the use is compatible with the existing farming operation and surrounding farming operations;
 - iv. Whether the scale of the activity is appropriate to the site and farming operation;
 - v. Whether the use is consistent with and maintains the character of the agricultural area;
 - vi. The use does not generate potentially conflicting off-site impacts;
 - vii. The activity does not include a new residential use;
 - viii. The use is limited to low water and low effluent producing uses and the site is capable of accommodating the use on private water and private sewage treatment systems;
 - ix. The use does not require significant improvements to **infrastructure**; and
 - x. The use complies with all other applicable provisions of this Plan.

E.5.4.3. Additional Residential Units

- 1. An **additional residential unit** may be permitted within the Agriculture designation, subject to the following:

- i. Where a residential dwelling is permitted on a lot in the Agriculture designation, up to two **additional residential units** will be permitted in accordance with provincial guidance, provided that, where two **additional residential units** are proposed, at least one of these **additional residential units** is located within or attached to the principal dwelling, and any **additional residential units**:
 - a. Comply with the minimum distance separation formulae;
 - b. Are compatible with, and would not hinder, surrounding agricultural operations;
 - c. Have appropriate sewage and water services;
 - d. Address any public health and safety concerns;
 - e. Are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
 - f. Minimize land taken out of agricultural production.
- ii. Lots with **additional residential units** may only be severed in accordance with Policy D.3.1.5 and provincial direction.

E.5.4.4. Small-scale Non-Agricultural Uses

1. Small-scale non-agricultural industrial uses may only be permitted through an amendment to implementing zoning-by-law and where it can be demonstrated that all other policies of this Plan are satisfied.
2. New small scale non-agricultural uses should be in keeping with the rural character of the area and must comply with **minimum distance separation formulae** as established by the Province, and in accordance with the implementing zoning by-law.
3. The following additional requirements will apply to small-scale non-agricultural uses within the **agricultural system**:
 - i. The proposed use must have frontage on and direct access to a public road and must meet the requirements of the road authority having jurisdiction.
 - ii. Adequate off-street parking will be provided. Access points to parking and loading areas will be limited in number and designed to minimize danger to vehicular and pedestrian traffic.
 - iii. Buffering, screening and any applicable separation distance will be provided in accordance with this Plan and the implementing zoning by-law, to ensure that any **negative impacts** on or from adjoining lands are mitigated.
 - iv. The proposed use will be in keeping with the existing size and type of **development** in the surrounding area. Proposals which conflict with surrounding uses will not be permitted unless the applicant can demonstrate to the satisfaction of the Town that the conflict can be avoided, or satisfactorily mitigated or minimized in accordance with applicable standards.
 - v. No use will be permitted which is an obnoxious trade, business or manufacture under the Health Protection and Promotion Act and the Environmental Protection

Act or which is obnoxious by reason of the emission of odour, dust, smoke, noise or vibrations.

- vi. The use will not be located within the Agriculture designation and should not negatively impact any nearby farm operation. Where deemed necessary, the Town may require an **agricultural impact assessment** to be completed to assess potential impacts from **development** on agriculture and recommend measures to avoid and mitigate impacts on the **agricultural system**. An **agricultural impact assessment** will be completed by a qualified professional and is to be done in accordance with Provincial guidelines.
- vii. Where appropriate, the proponent will be required to prepare a servicing options report in accordance with Section 10.3.3 for the purpose of determining the preferred servicing alternative for the proposed **development**.
- viii. If a private water supply is proposed, an adequate and potable water supply will be available and permitted uses will be limited to those of a dry nature, with water being only necessary for the domestic use of employees. Where higher levels of water usage are anticipated, or where deemed necessary by the Town, a hydrogeological study in accordance may be required which addresses the adequacy of the water supply.
- ix. All private water supply and sewage disposal systems will satisfy the requirements of the Town, the applicable approval agency, or the Province.
- x. All new **development** will meet the requirements of the implementing zoning by-law.
- xi. Small-scale **agricultural uses** may be subject to an amendment to the implementing zoning by-law and/or subject to site plan control.

E.6 Cultural Heritage

The Town is located on the traditional territory of the Attawandaronk, the Haudenosaunee and the Anishinaabe people on the Treaty Lands of Niagara. Fort Erie has a rich cultural heritage and archaeological heritage. More than just buildings, **cultural heritage resources** include tangible and intangible resources such as structures, scenic roadways, cultural landscapes, **artifacts**, traditions, geography and social ties. The protection and conservation of this cultural heritage contributes to the identify, character, economic and tourism viability, quality of life and sustainability of the Town.

The area was first named Bertie Township in 1793 and boundaries established in 1850 that almost mirror the current Town of Fort Erie. In 1857 the area around the military fort incorporated as the Village of Fort Erie (this area was also known as Fort Erie Rapids, Fort Erie Mills, and Waterloo). The history of Fort Erie also includes other important historical events that have contributed to this rich history, including: settlement by the United Empire Loyalists; battles during the War of 1812; terminus for the Underground Railroad; and battles during the Fenian Raids of 1866, which served as a catalyst to Canadian Confederation.

In 1895 the area around the railway bridge incorporated as the Village of Bridgeburg (this area was also known as International Bridge and Victoria). In 1895 Crystal Beach incorporated as a Police Village and in 1921 as a Village. In 1931 the Village of Fort Erie and Town of Bridgeburg amalgamated to form the Town of Fort Erie. In 1970, the Town of Fort Erie, Bertie Township, and Village of Crystal Beach amalgamated to become the Town of Fort Erie.

Present day Fort Erie has been shaped by marine and transportation history related to it's location at the mouth of the Niagara River and Lake Erie, the Point Abino Lighthouse, communities that developed as a result of the railway, the third largest railway yard in Canada, and engineering triumphs with two bridges spanning the Niagara River. It has also functioned as a trade and commercial hub related to it's location at an international border crossing and resulting cross-border businesses and summer residents, including a century-long tourism history.

E.6.1 General Policies

1. In recognition of **cultural heritage resources** and the contribution they make to the character, civic pride, tourism potential, economic benefits and historical appreciation of Fort Erie, the Town will ensure the protection and conservation of **cultural heritage resources**. The protection of built heritage will be a consideration in all development proposals and public works. **Significant** built heritage resources and **cultural heritage landscapes** in the Town will be identified, recognized and **conserved**.
2. The Town encourages the conservation, adaptive reuse, and material salvage of **cultural heritage resources**, where appropriate, as it is viewed as a form of environmental sustainability and contributing toward climate change mitigation.
3. **Cultural heritage resources** and their conservation contribute to the Town's economic development through tourism and restoration trades.
4. Interested Indigenous communities, public and stakeholders will be engaged in the conservation of **cultural heritage resources**.
5. All relevant Provincial legislation and policy will be used to conserve **cultural heritage resources** in the Town, particularly the provisions of the Ontario Heritage Act, the Planning Act, the Provincial Planning Statement, the Environmental Assessment Act, the Municipal Act, and the Funeral, Burials and Cremation Services Act as amended by the Province.
6. Council will appoint the Museum Cultural Heritage Advisory Committee, which will serve as the municipal heritage committee pursuant with the Ontario Heritage Act. Council will consult with the Municipal Museum and Cultural Heritage Committee on matters relating to:
 - i. Advise Council on matters relating to the collection, conservation, research, interpretation, education, and exhibition of moveable heritage;
 - ii. The Town's built heritage inventory and the Municipal Heritage Register;
 - iii. The designation of properties under the Ontario Heritage Act;

- iv. Applications for Heritage Alteration Permits including demolition of properties on the Municipal Heritage Register; and
 - v. Programs and activities to increase public awareness and knowledge of heritage conservation.
7. Pursuant to Provincial regulations, the Town will use the following criteria in determining a property's cultural heritage value or interest:
- i. The property has design value or physical value because it:
 - a. Is a rare, unique, representative, or early example of a style, type, expression, material or construction method;
 - b. Displays a high degree of craftsmanship or artistic merit; or,
 - c. Demonstrates a high degree of technical or scientific achievement.
 - ii. The property has historical value or associative value because it:
 - a. Has direct associations with a theme, event, belief, person, activity, organization, or institution that is **significant** to a community;
 - b. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
 - c. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is **significant** to a community.
 - iii. The property has contextual value because it:
 - a. Is important in defining, maintaining, or supporting the character of an area;
 - b. Is physically, functionally, visually, or historically linked to its surroundings; or,
 - c. Is a landmark.
8. Moveable Heritage consists of artifacts and archives which contribute to an understand of past human behaviour, customs, activities, episodes, institutions or personalities within Fort Erie, and accordingly these objects will be:
- i. Sorted, protected and preserved pursuant to provincial standards for community museums in accordance with this Plan and provincial direction;
 - ii. Accompanied by proper documentation such as circumstances surrounding its discovery or acquisition, the original owners and use, and a chronological history and pertinent artifacts in accordance with this Plan and provincial direction.
9. Intangible Heritage consists of a community's values, belief systems, customs, history, and social and institutional arrangements. Intangible Heritage can be viewed as economic, academic, or social resources for a community. Intangible heritage will be coordinated and managed in the following manner:
- i. The Municipal Museum and Cultural Heritage Advisory Committee will be responsible for the collection, preservation, research and interpretation of intangible heritage resources; and

- ii. The Town will promote public awareness and enjoyment of intangible heritage by initiating or supporting promotional or educational programs intended to increase community awareness and appreciation of the Town's heritage such as plaquing programs, special events, oral history collection lectures, research papers, competitions and awards.

E.6.2 Municipal Heritage Register

1. The Town will maintain a Municipal Heritage Register that lists all properties in the Town that are considered of **significant** cultural heritage value or interest, including those designated under the Ontario Heritage Act and non-designated properties.
2. The Town will regularly review and update the Municipal Heritage Register on a regular basis against provincial criteria and designate those properties that meet the criteria.
3. The Municipal Heritage Register will contain documentation including legal description and description of the **heritage attributes** for each designated and listed cultural heritage resource.
4. Inclusion of a non-designated property on the Municipal Heritage Register means that the Town has an interest in the conservation of the property but has yet to formally designate the property.
5. Where non-designated properties have been listed on the Municipal Heritage Register for two years or more and do not meet the criteria, will be removed from the Municipal Heritage Register.

E.6.2.2. Designation of Cultural Heritage Resources

1. Council will designate **cultural heritage resources** considered that meet provincial criteria and have heritage value and interest under Parts IV, V or VI or listed under Part IV of the Ontario Heritage Act and may be subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act.
2. The Town will promote retention, integration and adaptive reuse of heritage resources through designation of **cultural heritage resources** in accordance with the Ontario Heritage Act and the use of all financial incentives.
3. The Town will utilize the Ontario Heritage Toolkit and Standards, along with Provincial Guidelines, as part of the evaluation of **cultural heritage resources**.

E.6.3 Cultural Plan

The Town may prepare a cultural plan that will be informed through engagement with Indigenous communities, the public, stakeholders, and elected representatives, providing a comprehensive plan for future initiatives, guidelines and additional policies for the conservation, celebration, and enhancement of **cultural heritage resources**.

E.6.4 Built Heritage Resources

1. To ensure **cultural heritage resources** will be **conserved** and maintained, Council will employ standards such as the Standards and Guidelines for the Conservation of Historic Places in Canada as amended and other planning tools.
2. The retention, integration, or adaptive re-use of built heritage resources will be prioritized over demolition or major alteration of built heritage resources.
3. The Town will promote and facilitate the integration of heritage conservation into the development approval process to encourage the retention of heritage resources and to ensure compatibility between the proposed new **development** and the identified heritage resource.
4. The Town recognizes that the conservation of existing buildings can contribute to the Town's sustainability goals and climate change mitigation.
5. All new **development** in the Town will occur in a way that conserves and enhances **cultural heritage resources** and their settings, and wherever feasible incorporates existing built heritage resources into the **development**.
6. The Town will work with other levels of government, authorities and agencies, such as the Niagara Parks Commission and Parks Canada, as they develop and evaluate **infrastructure** activities to conserve **cultural heritage resources**.

E.6.5 Heritage Studies and Reports

1. The Town may require heritage studies and/or reports as part of an application to alter non-designated or designated property listed on the Municipal Heritage Register to provide an understanding of the **heritage attributes** of the property and are to be prepared by a qualified heritage conservation professional.
2. A Cultural Heritage Evaluation Report may be required if a property has cultural heritage value or interest to provide an understanding of the **heritage attributes** of the property and to inform future decisions regarding alterations to the property. The Cultural Heritage Evaluation Report may assist in determining whether it is appropriate to proceed to a Heritage Impact Assessment.
3. The Town will require a Heritage Impact Assessment for any proposed alterations, **development**, and/or public works on or adjacent to, any designated and non-designated property on the Municipal Heritage Register pursuant to the Ontario Heritage Act and must be prepared by a heritage conservation professional.
4. A Heritage Impact Assessment is required when:
 - i. Any property listed or designated in the Municipal Heritage Register that is subject to land use planning applications;
 - ii. Any property listed or designated in the Municipal Heritage Register facing demolition; and
 - iii. Any property that is subject to land use planning applications and is adjacent to a property listed or designated on the Municipal Heritage register.

E.6.5.2. Heritage Impact Assessment

1. The Heritage Impact Assessment will contain a description and evaluation of the cultural heritage value and description of **heritage attributes** of the property; a description and assessment of the potential impacts of the alterations to the heritage value and **heritage attributes**; and identification of recommended mitigation strategies for the proposed alteration, **development** or public works.
2. The Heritage Impact Assessment will:
 - i. Address all applicable policies of this Plan and the assessment will demonstrate conservation options and mitigation measures;
 - ii. Evaluate the impact of a proposed alteration to a property on the Municipal Heritage Register, and/or to properties adjacent to a property on the Municipal Heritage Register, to the satisfaction of the Town;
 - iii. Demonstrate the conservation of **heritage attributes** in accordance with the Cultural Heritage Policies of this Plan; and, be required for the proposed demolition of a property on the Municipal Heritage Register. Where demolition of a property adjacent to a property on the Municipal Heritage Register is proposed, the Town may require a Heritage Impact Assessment on the implications of the demolition on the structural integrity of the property on the Municipal Heritage Register.
3. The Town will require a Heritage Impact Assessment including a photographic record and drawings prior to any demolition in whole or in part of a cultural heritage resource.
4. Should the aforementioned studies require peer review, the costs for such review will be at the applicant's costs.
5. The adaptive re-use of cultural heritage properties is encouraged for new uses permitted in the applicable Official Plan land use designation, consistent with the Standards and Guidelines for the Conservation of Historic Places in Canada.
6. When a Town owned property of cultural heritage value and interest is no longer required for its current use, the Town will ensure it adopts an adaptive reuse "first" approach.
7. Designated heritage properties will be protected against deterioration by neglect through the enforcement of property standards by-laws.
8. Council may delegate to staff the power to approve certain classes of alterations of designated properties to facilitate timely processing of such applications. The Town may request heritage easements or other agreements as appropriate for the conservation of **cultural heritage resources**.

E.6.5.3. Alterations to Heritage Properties

1. The Town will not permit **development** and **site alteration** on lands that are adjacent to a **protected heritage property** except where the proposed **development** and **site alteration** has been evaluated, and it has been demonstrated that the **heritage attributes** of the protected property will be preserved.

2. Applications to permit alterations to properties listed on the Municipal Heritage Register will require a Heritage Impact Assessment where the **development or redevelopment** of lands is deemed by the Town to adversely affect:
 - i. A building or structure designated under the Ontario Heritage Act;
 - ii. Lands contiguous to a protected heritage property;
 - iii. A registered or known **archaeological site**;
 - iv. Building or structure listed on the Municipal Heritage Register;
 - v. Lands adjacent to a known **archaeological site**;
 - vi. Lands that have the potential to contain **archaeological resources**; and
 - vii. Any area for which a heritage planning statement has been prepared.
3. **Development** and/or **site alteration** on, or adjacent to a Municipal Heritage Register property will be designed to conserve the property's cultural heritage values, attributes and character and to mitigate visual and physical impact on it.
4. In carrying out a Secondary Plan the Town will ensure that **cultural heritage resources** are identified, evaluated, **conserved** and enhanced and may prepare detailed policies including but not limited to, **heritage attributes** and their significance, their conservation priorities, acceptable land uses, and the type of **development** considered appropriate. The policies may also identify other requirements such as:
 - i. Improved public access to the area or individual site;
 - ii. The inclusion of areas of open space;
 - iii. The provision of interpretive devices such as plaques and displays; and
 - iv. Ensuring the use of appropriate quality building materials.

E.6.5.4. Incentives

1. The Town will offer municipal property tax relief measures for those properties designated under Parts IV or V of the Ontario Heritage Act for conservation.
2. The Town will participate in cultural heritage programs, including management, planning and funding programs of the Regional, Provincial and Federal governments or any other agencies and groups, that are intending to conserve, restore, protect or otherwise assist in the management of **heritage attributes**, where financial and administrative capacity allow.

E.6.6 Cultural Heritage Landscapes

1. **Cultural Heritage Landscapes** are geographical areas of heritage significance that have been modified by human activities and are valued by the community. These landscapes involve a grouping of individual heritage features such as structures, spaces, **archaeological sites** and natural elements, which together form a **significant** and distinctive type of heritage form. Examples include but are not limited

to heritage conservation districts, villages, parks, gardens, battlefields, main streets, neighbourhoods, cemeteries, trailways and industrial complexes.

2. The Town will identify, evaluate and maintain an inventory of **cultural heritage landscapes** as part of the Municipal Heritage Register.
3. Council will consult with the Municipal Museum and Cultural Heritage Committee and designated **significant cultural heritage landscapes** under the Ontario Heritage Act.
4. The Town will collaborate with neighbouring municipalities, various levels of government, conservation authorities, Indigenous Communities and the private sector to manage and conserve **cultural heritage landscapes** which may extend across multiple geographical jurisdictions.
5. The Town will endeavor to protect significant views of **cultural heritage resources** and **cultural heritage landscapes**.
6. The Town, in consultation with the Municipal Museum and Cultural Heritage Committee, may study and designate areas of unique heritage character pursuant Part V of the Ontario Heritage Act, as Heritage Conservation Districts.
7. The defined area will possess the following attributes to be considered for designation under Part V of the Ontario Heritage Act:
 - i. At least 25-percent of the properties within the defined area satisfies two or more of the following:
 - a. The properties have design value or physical value because they are rare, unique, representative or early examples of a style, type, expression, material or construction method; they display a high degree of craftsmanship or artistic merit; they demonstrate a high degree of technical or scientific achievement.
 - b. The properties have historical value or associative value because they have a direct association with a theme, event, belief, person, activity, organization or institution that is **significant** to a community; they provide, or have the potential to provide, information that contributes to an understanding of a community or culture; they demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is **significant** to the community.
 - c. The properties have contextual value because they define, maintain or support the character of the district; they are physically, functionally, visually or historically linked to each other; they are defined by, planned around or are themselves a landmark

E.6.7 Heritage Conservation Districts

1. Before an area is designated as a heritage conservation district, the Town may conduct a study and may by by-law designate the study area as a heritage conservation study area for a period of up to one year. Such by-law may prohibit or set limits to the alterations including new construction, demolition and removal of buildings or structures within the heritage conservation district study.

2. A heritage conservation district study may evaluate:
 - i. Alterations to properties including construction, demolition, or removal; and
 - ii. Properties already designated under Part IV of the Ontario Heritage Act which may be included as part of the Heritage Conservation District.
3. For each Heritage Conservation District, a District Plan will be prepared in accordance with the Ontario Heritage Act and will contain standards, guidelines and procedures for managing change including the requirements for heritage permits. The District Plan will contain a list of minor alterations that do not need a heritage permit.
4. A heritage permit is required for all alterations within Heritage Conservation District except for interior alterations and minor exterior changes as specified in the applicable District Plan.
5. Council may delegate to Town staff the power to grant permits for certain types of alterations, as listed in the applicable District Plan.
6. A Heritage Impact Assessment may be required for development proposals adjacent to a Heritage Conservation District.
7. All cemeteries of cultural heritage significance will be designated under Part IV or V of the Ontario Heritage Act to ensure conservation.
8. The Town will restore and maintain all Town-owned heritage cemeteries and encourage owners of private heritage cemeteries to improve their properties.

E.6.7.2. Permit for Alteration in Heritage Conservation Districts

1. A permit will be required for alterations, **development**, demolition or removal of a building located within a heritage conservation district.
2. The Town will refer to the applicable district plan, the policies of this Plan and heritage conservation guides in evaluating applications for permits.
3. The Town will not carry out any public work or pass a by-law that is in conflict with the objectives established by the applicable district plan.

E.6.7.3. Rural and Historic Settlements

1. The Town will seek the appropriate conservation of important inventoried rural heritage features including but not limited to: farmhouses, barns, silos, remnant foundations, earthworks, tree lines, fences, walls and woodlots.
2. The Town recognizes that there are historic villages, hamlets and **settlement areas** that are of cultural heritage value within the municipality. The Town will study historic villages, hamlets and **settlement areas** for their cultural heritage value and for inclusion on the Municipal Heritage Register. The character of these areas will be maintained by conserving existing heritage buildings, structures and properties, existing tree stands, grassed boulevards, tree lined streets and roads.
3. The Town will consider the use of former names, Indigenous culture, themes, families or persons associated with the affected area in the naming of parks, streets, roads, **public service facilities** or other public works.

4. The Town also recognizes that in certain circumstances the potential for housing **intensification** may be constrained due to the prevailing character and attributes of **cultural heritage landscapes**. The public benefits of housing **intensification** versus the protection of the heritage resource needs to be carefully considered. Housing **intensification developments** may be limited in density and design in this regard.

E.6.7.4. Heritage and Scenic Roads

1. The Town may identify and develop a strategy for the conservation and tourism opportunities of roads or portions of roads that exhibit **heritage attributes** and scenic character and maintain physical and historical integrity.
2. Heritage and Scenic Roads will exhibit one or more of the following attributes:
 - i. Historical associations representing the development and use of land in the Town and/or represents the life or activities of a person, group or organization of local, regional, provincial or national significance; and
 - ii. Scenic character, including that in the streetscape itself as well as in the landscape beyond the boundary of the road, especially as experienced while travelling the road.
3. The Town may endeavor to retain and protect roads that have historical associations or scenic character, including the:
 - i. Existing paved road widths where they contribute to the heritage character of the road;
 - ii. Existing trees and tree lines within the road right-of-way;
 - iii. Other vegetation, plantings and features such as boulevards, hedgerows, ditches, grassed areas and fence lines; and
 - iv. Transportation related heritage features, such as bridges, where they contribute to the heritage character of the road.
4. Improvements may be made to address road deficiencies as long as they do not negatively impact the overall character or **heritage attributes** of the road. Any **development** that adversely impacts the character should be discouraged.
5. Council may designate roads and their respective road rights-of-way as **cultural heritage landscapes** under the Ontario Heritage Act.
6. In partnership with other stakeholders, the Town will encourage and support the use of rail lines that have been decommissioned or abandoned for **active transportation** and providing connections to historic villages such as Ridgeway.
7. The Town will endeavor to conserve and protect the Onondaga Escarpment, an important physiographic feature in the Town's cultural heritage landscape.
8. When making approval decisions for any proposed **development** near or adjacent to cemetery properties, the Town will consider that such **development** will be designed and landscaped in a manner that is sensitive to the cemetery as well as enhancing and integrating with the open space character of the cemetery.

E.6.8 Archaeological Resources

1. The Town acknowledges the presence of prehistoric or historic archaeological remains and/or archaeological potential within its boundaries, including those of historical and cultural significance to Indigenous Peoples.
2. The Town recognizes the existence of marine archaeological remains from the pre-contact period through to the modern era, up to the last 50 years, which may currently be, or may have been, submerged under water.
3. The Town understands that the archaeological remains of past human activities are fragile and non-renewable, and every effort will be made to identify, protect and otherwise conserve.
4. The Town will work with all interested First Nations and Indigenous Communities to advance working relationships, developing engagement protocols and processes.
5. The identification and evaluation of **archaeological resources** are based on archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.
6. **Areas of archaeological potential** are areas with the likelihood to contain **archaeological resources** and are identified through established provincial criteria under the Ontario Heritage Act and confirmed by a licenced archaeologist.
7. As a condition of land development within the Town, **development** or **site alteration** on lands containing **archaeological resources**, and **areas of archaeological potential** as shown on Schedule K: Cultural Heritage Resources, are to be determined and assessed through an Archaeological Assessment and confirmed by the Province. This assessment is to be conducted by a licenced archaeologist, adhere to Provincial technical standards and guidelines and be consistent with Council endorsed policies. It is the intent of this Plan to determine the presence of **archaeological resources** on site and to establish appropriate mitigation if such resources are found. The Town may require a peer review of the Archaeological Assessment in support of a development application, which will be conducted at the expense of the applicant.
8. Planning applications for lands outside of the **settlement area** boundary and within the **areas of archaeological potential** as shown on Schedule K: Cultural Heritage Resources of this Plan will require an Archaeological Assessment. Where the entire property will not be developed, consideration may be given on a site-specific basis, in consultation with the Province and the Indigenous community, to determine if an Archaeological Assessment is required for the undeveloped portions.
9. Proponents are encouraged to complete the necessary Archaeological Assessment and/or site mitigations prior to submitting their planning application. Where this is not possible the following conditions will be included as part of any approval:
 - i. The proponent will conduct an Archaeological Assessment and mitigate adverse impacts to **archaeological resources** found, either through preservation or resource removal and documentation;

- ii. No demolition, grading or other soil disturbances will take place on the subject property prior to the Town and the applicable provincial Ministry confirming that all **archaeological resources** concerns have met licensing and resource conservation requirements; and
 - iii. Where **significant archaeological resources** must be preserved on site, only **development** and **site alteration**, which maintains the heritage integrity of the site may be permitted.
10. The property will be assessed by a licensed archaeologist, in accordance with the Ontario Heritage Act.
 11. Any **significant** site found will be properly mitigated (avoided or excavated), prior to the initiation of construction, servicing, landscaping or other land disturbances.
 12. Council will adopt a “Contingency Plan for the Protection of Archaeological Resources in Urgent Situations” as referred to in the Regional Archaeological Masterplan. The Town will require the proponent to adhere to the procedures of the “Contingency Plan for the Protection of Archaeological Resources in Urgent Situations”.
 13. Planning applications will be reviewed by the Town to determine if an Archaeological Assessment is required.
 14. Where a new building lot is created on vacant land an Archaeological Assessment may be required if:
 - i. The application is situated within the zone of archaeological potential as indicated on Schedule K: Cultural Heritage Resources; or
 - ii. The application contains or will directly affect a federal, provincial, or municipal historic landmark, monument, site or designated property.
 15. For applications on lands within the Peace Bridge Zone of Sensitivity or The War of 1812 Zone of Sensitivity as shown on Schedule K: Cultural Heritage Resources, the implementing zoning by-law will require an Archaeological Assessment as a condition of a Holding Symbol or similar, prior to the issuance of a building permit for any building or structure. This policy will be implemented by the implementing
 16. Municipal **infrastructure** and/or **public works projects**, except for the maintenance of existing municipal facilities, roads and **infrastructure**, and agricultural drains, will be reviewed to determine their impact on potential **archaeological resources**. An Archaeological Assessment will be required if the lands are located within the zone of archaeological potential as indicated on Schedule K: Cultural Heritage Resources.
 17. Council will together with the Niagara Parks Commission and interested Indigenous communities, co-operatively establish guidelines for sharing archaeological information derived from the application of the archaeological master plan and potential mapping.
 18. Council will establish guidelines for Town Departments to ensure that in all appropriate circumstances, construction projects that may negatively impact **archaeological resources** on public lands and which are located in **areas of archaeological**

potential or zone of sensitivity, are subject to an Archaeological Assessment prior to any land disturbing activity.

19. Council may, in consultation with the appropriate provincial Ministry and other appropriate agencies, landowners, and the public, consider the adoption of a “Contingency Plan for the Protection of Archaeological Resources in Urgent Situations”. The Contingency Plan will address the following:
 - i. A notification process, involving the Town, the Region, the Province, and the interested Indigenous community;
 - ii. An investigation and reporting process undertaken by a licensed archaeologist; and
 - iii. Financial responsibility, structured according to the ability to pay of the proponent. In the case of individual landowners, it may be necessary to establish a contingency fund.

E.7 Open Space and Parkland

The Town has many parks and open spaces that are celebrated and enjoyed everyday by residents and visitors alike for recreation, leisure, and social experiences. This includes a scenic waterfront and numerous beaches, recreational facilities, cycling routes, trails, and the many historic sites that each year attract visitors from around the world. Some of these sites are now owned by the Town, while others are owned and operated by the Niagara Parks Commission or by Parks Canada. Parks and open spaces represent an incredible asset to the Town, contributing to a high quality of life and being fundamental to overall community and individual wellbeing.

E.7.1 General Policies

1. The Town’s parks and open spaces are shown on Schedule N: Parks and Open Space.
2. To implement the parkland objectives and targets of the Town’s Parks and Open Space Master Plan, as amended from time to time, and as endorsed by Council.
3. Fort Erie will develop and undertake updates to park and trail master plans to strategically and equitably plan for the acquisition, use and management of publicly accessible parks, open spaces and trails, including shorelines, to best serve the needs of all local residents. Master plans should clearly identify, plan for and protect these resources.
4. Parks will support healthy communities by encouraging integration of open space and parks that facilitate physical activity, social cohesion and support mental health.
5. Ensure that residents of the Town have access to a diversity of active and passive open space recreation opportunities.
6. Support the provision of public open space and required parkland in the review of secondary plans to facilitate the creation of healthy, **complete communities**.

7. Work with the Region, **conservation authority**, Niagara Parks Commission, and other interested agencies to:
 - i. Maintain a map of publicly accessible parkland, open space and trails to support the **connectivity** of natural heritage features and the achievement of **complete communities**, and inform the Regional Greening Initiative;
 - ii. Explore opportunities to plan new trails or develop/enhance existing trails on a cross-boundary basis to enhance interconnectivity between the Region and neighbouring Municipalities where practical and feasible; and
 - iii. Promote good stewardship practices for publicly accessible parkland and open spaces, especially when adjacent to the **natural environment system**.
8. The Town will continue acquiring lands to further develop the trail system, which provides significant economic and environmental benefit.
9. The Town will evaluate public lands being disposed of for potential acquisition for recreation and open space uses in concert with other growth needs, including reuse of abandoned **rail facilities**, undeveloped road allowance and **utility** corridors for trail development.
10. Assess park assets on an on-going regular basis, and their condition should be compared against the typical life cycle of the asset and the expected recurrence of life cycle “events” (such as the replacement or repair of important sub-elements).
11. Maintain an up-to-date GIS-based inventory of existing parks and of in-park facilities and features, along with regularly updated population data at the Census Dissemination Block level, to assess the distribution of parks and outdoor facilities and to identify potential areas in need of greater park coverage.
12. Cultivate a closer partnership with the Niagara Parks Commission by supporting and contributing to Niagara Parks Commission initiatives and by amplifying volunteer opportunities among Town residents.
13. Work with the **conservation authority** to identify opportunities to promote outdoor environmental education in local conservation areas and other activities that promote the appreciation of the natural environment.
14. Continue to seek out opportunities to collaborate with neighbouring municipalities and with the Region to expand, improve, and promote the **active transportation** and trails network.
15. Establish more formal partnerships and agreements with local school boards, including agreements regarding the shared use of facilities (both school and municipally owned).
16. To support the seamless integration and connection of all open space types, public and private, into the land use fabric of the Town.
17. Establish an open space system within the Town’s **settlement areas**, which may include opportunities for **urban agriculture**, rooftop gardens, communal courtyards, and public parks.

18. The following policies apply to the shorelines and beaches in Fort Erie:
 - i. Establish and undertake improvements to public access to shorelines and dedication of shorelines to Fort Erie to support a public benefit to the overall open space network and trail system;
 - ii. Existing beaches and major watercourses must remain accessible to the public; and
 - iii. In areas lacking public access to the beach, Fort Erie may consider acquiring lakefront properties as they become available through easements, rights-of-way and parkland dedications, public purchase or management agreements.

E.7.2 Park Classifications

1. Access to parks and open spaces for recreation and leisure is fundamental for the overall health and wellbeing of the Town’s residents. The function of the Town’s many parks vary and provide opportunities for both active and passive recreational uses.
2. A variety of park typologies should be established throughout the Town, to allow for a mix of functions and passive or active uses. The classification system for Parks and Open Spaces are identified in Table E-1: Classification System for Parks and Open Space and includes:
 - i. Town Parks and Open Spaces;
 - ii. Waterfront Parks and Open Spaces;
 - iii. Heritage Parks and Open Spaces; and
 - iv. Linear Parks and Open Spaces.
3. The Town's Parks and Open Space Master Plan classifies the Town’s existing parks and open spaces in accordance with Table E-1: Classification System for Parks and Open Space:

Table E-1: Classification System for Parks and Open Space

Park Class	Primary Function
Town Parks and Open Spaces	Provide Park and Open Space amenities for residents. (Service standards apply to sub-classes in this park class.)
Destination Parks	Provide space, amenities, and facilities for entire Town (and beyond).
Community Parks	Provide space, amenities, and facilities for residents of a particular settlement area ..
Neighbourhood Parks	Provide space, amenities, and facilities for residents of the local neighbourhood.

Village Greens	Provide passive recreation space and social settings for nearby residents.
Waterfront Parks and Open Spaces	Provide residents and visitors with access to the waterfront.
Anchor Waterfront Parks	Serve as Town-wide and regional focal points for waterfront activities.
Urban Waterfront Parks	Service as community focal points for waterfront activity and support development of urban neighbourhoods.
Waterfront Parks	Provide local access to waterfront spaces and amenities.
Waterfront Windows	Provide short-term waterfront access.
Heritage Parks and Open Spaces	Preserve and promote the Town's natural and cultural heritage.
Nature Parks	Preserve the natural environment and provide access to nature.
Cultural Spaces	Promote the Town's historic sites and cultural heritage.
Linear Parks and Open Spaces	Provide connections between different areas and destinations.
Regional Trails	Provide active transportation connections between destinations in Town and with neighbouring municipalities.
Community Trails	Provide connections within neighbourhoods and to Regional Trails.
Nature Trails	Serve as low-maintenance routes within natural areas.
Open Space Linkages	Provide naturalized corridors for wildlife movement.

E.7.2.2. Town Parks and Open Spaces

1. Town Parks & Open Spaces are an outdoor green space with features and facilities that support a range of recreational uses, both active and passive.
2. Town Parks & Open Spaces provide residents throughout the Town with outdoor amenity space and year-round recreation opportunities, with facilities that accommodate a wide range of interests and pursuits.

3. Town Parks & Open Spaces are further classified as the following:
 - i. Destination Parks;
 - ii. Community Parks;
 - iii. Neighbourhood Parks; and
 - iv. Village Greens.
4. Town Parks & Open Space classification is based on factors such as the size of the park, its intended service radius, and the range of features and facilities it offers.

E.7.2.3. Waterfront Parks and Open Spaces

1. Waterfront Parks & Open Spaces provide access to the Town's extensive shoreline along both Lake Erie and the Niagara River.
2. Waterfront Parks & Open Spaces are to serve as defining features for the Town and are highly valued by its residents and highly sought-after by visitors.
3. The secondary classifications of Waterfront Parks & Open Spaces include:
 - i. Anchor Waterfront Parks;
 - ii. Urban Waterfront Parks;
 - iii. Waterfront Parks; and
 - iv. Waterfront Windows.

E.7.2.4. Heritage Parks and Open Spaces

1. Heritage Parks & Open Spaces highlight, promote, and preserve natural and **cultural heritage resources** that are unique features of the Town and that are important to its residents.
2. Heritage Parks & Open Spaces include:
 - i. Nature Parks which provide an opportunity to experience and enjoy nature while protecting and preserving the natural environment; and
 - ii. Cultural Spaces which promote the Town's unique history and cultural heritage.

E.7.2.5. Linear Parks and Open Spaces

1. Linear Parks & Open Spaces provide connections between the different elements of the Town's park and open space network, as well as serving as important recreational facilities in their own right.
2. Linear Parks & Open Spaces accommodate the full range of pedestrian and **active transportation** options from walkers, joggers, and runners to cyclists and cross-country skiers.
3. Linear Parks & Open Spaces have been classified according to their location and function to include the following:
 - i. Regional Trails;

- ii. Community Trails;
 - iii. Nature Trails; and
 - iv. Open Space **Linkages**.
4. Table E-3: Standards for Linear Parks and Open Spaces establishes standards for Linear Parks and Open Spaces. Pathways in this table refer to walkways, trails, and similar facilities found in other classes of park, generally serving as in-park connective features.

Table E-2: Standards for Linear Parks and Open Spaces

Linear Park Classification	Functional Description	Surfacing and Recommend Features
Regional Trails	Primary features of trail network. Provide connections between destinations in Town and with neighbouring municipalities.	Usually paved or hard surfaced to support higher levels of use. Benches at frequent regular intervals.
Community Trails	Secondary features providing connections within neighbourhoods and to Regional Trails	Usually gravel, may be hard-surfaced in higher-traffic areas. Benches at regular intervals.
Nature Trails	Features within Nature Parks and other neutral areas to facilitate access. Designed to be minimally intrusive with low maintenance and requirements.	Minimal surface treatment, generally limited to natural materials (e.g., wood chips). Benches in select locations.
Pathways	In-park connective features.	Surface treatment varies depending on park size, location, and anticipated levels of traffic.
Open Space Linkages	Naturalized corridors for wildlife movement.	Generally left in naturalized state, with little to no human interference.

E.7.3 Park Standards

1. Park Standards for Town Parks and Open Spaces are included in Table E-4: Park Standards for Town Parks and Open Spaces. These standards guide service levels and provision standards with regards to the amount of parkland per number of residents.

Table E-3: Park Standards for Town Parks and Open Spaces

Park Class	Intended Service Area	Service Radius	Provision Standard	Optimal Size
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Destination Parks	Town	(Entire Town)	1.25 ha/1,000 residents	Varies according to specific features
Community Parks	Settlement Area	1,600m	1.25 ha/1,000 residents	> 2.0 ha
Neighbourhood Parks	Neighbourhood	600m	1.0 ha/1,000 residents	0.5 ha – 2.0 ha
Village Greens	Neighbourhood	300m	0.5 ha/1,000 residents	0.2 ha – 0.5 ha
Anchor Waterfront Parks	Town	(Entire Town)	N/A	Varies
Urban Waterfront Parks	Settlement Area	1,600m	N/A	Varies
Waterfront Parks	Neighbourhood	600m	N/A	Varies
Waterfront Windows	N/A	N/A	N/A	Varies
Nature Parks	Town	(Entire Town)	N/A	Varies
Cultural Spaces	Town	(Entire Town)	N/A	Varies

2. Parks are to contain supportive features that consist of buildings, structures, facilities and **infrastructure** that support both active and passive park users. Table E-5: Park Support Features contains the standards for in-park facilities.
3. Regardless of park classification, the following are requirements for all parks: signage identifying the park by name; and at least one waste receptacle at each defined park entrance.

Table E-4: Park Support Features

Park Class	Basic Facility Requirements	Support Features
Destination Parks	At least one destination feature.	Washrooms (permanent), snack bar/concession stand, parking lot, bleachers/spectator seating, waste receptacles.
Community Parks	At least one primary active feature and multiple	Washrooms (permanent or temporary), pavilions or

	primary passive features.	shade structures, benches, waste receptacles, parking lot.
Neighbourhood Parks	At least one primary active feature or one primary passive feature plus one secondary active feature.	Washrooms (temporary), shade structures, benches, waste receptacles.
Village Greens	At least one primary passive feature.	Shade structures, benches, waste receptacles.
Anchor Waterfront Parks	Based on park's specific focus, as defined in the Town's Waterfront Strategy.	Washrooms (permanent or temporary), snack bar/concession stand, parking lot, waste receptacles.
Urban Waterfront Parks	At least one primary passive feature.	Washrooms (temporary).
Waterfront Parks	Generally, only secondary passive features.	Waste receptacles.
Waterfront Windows	Boat launch (optional).	Minimal
Nature Parks	Natural area (defining feature).	Interpretative signage, waste receptacles, benches
Cultural Spaces	Historic site or other feature of cultural heritage value (defining feature).	Commemorative plaques, interpretative signage, benches, waste receptacles.

E.7.4 Open Space Alternatives

E.7.4.1. Connecting Links

1. Connecting Links are outdoor walkways that may be linked with various **public service facilities** and land uses. These spaces are sometimes public spaces but are often privately owned and publicly accessible. Although they enable pedestrians to travel through the community quickly and easily, many are destinations unto themselves with seating, restaurant and retail frontages, and unique public art
2. Connecting Links are planned to be developed in accordance with the following criteria:
 - i. There are no specific size criteria for connecting links, with each connecting link planned relative to the land use context in which the connecting link is located or intended to connect;
 - ii. There is no specific service area. Connecting Links will be provided where appropriate;
 - iii. Be provided in high pedestrian volume areas, for easy of movement, as well as the creation of unique urban spaces;
 - iv. Be located between pedestrian destinations and may become destinations themselves;

- v. Have opportunities for retail along their length, or alternatively, a green, soft landscape treatment with plantings and lighting;
- vi. Be safe and secure with adequate lighting; and
- vii. Width should consider scale of adjacent buildings and ease of access for all users.

E.7.5 Open Space and Parkland Design

1. Parks and open spaces may include a range of community amenities, including sports facilities, playgrounds, outdoor fitness areas, pavilions and shelters, outdoor amphitheatres and picnic areas. The types of amenities provided should reflect the demographics, per capita ratios, local needs, access, location and the park's functional characteristics, as appropriate to each park type.
2. Parkland and open spaces will ensure that they are designed in accordance with the requirements of the Accessibility of Ontarians with Disabilities Act (AODA) Ontario, under the Design of Public Space Standard of the AODA, as well as the principles of **universal design**.
3. That park, open space, and trail development will prioritize and implement best practices to mitigate and adapt to the **impacts of a changing climate**. Clear guidelines and standards should be developed for park and trail development or redevelopment to specifically address climate related impacts.
4. That all parks and open spaces will be located and oriented to be:
 - i. Within a five to ten minute walk for the community to be served in order to act as an accessible focal point for the community;
 - ii. Uninterrupted by major physical barriers, such as rail lines, arterial, and collector streets, and other physical barriers that restrict access;
 - iii. Accessible on foot, by transit, bicycle and by car;
 - iv. Highly visible with frontage on at least one public street and where possible, two street frontages to enhance accessibility and passive surveillance; and
 - v. Connected to other parks, public spaces, the **active transportation** network, and natural features to create an interconnected network of parks and open spaces.
5. That in addition to the Community Design policies of this Plan the design of parks and public spaces will adhere to the following criteria:
 - i. Accommodate a diverse range of both passive and active recreational uses, and have flexibility to accommodate new uses or interests, contributing to a **sense of place**;
 - ii. Cater to a broad range of users by providing space and facilities that support a range of activities and passive recreational opportunities that respond to the age demographics in the neighbourhood;

- iii. Encourage healthy living, physical activity and mental wellbeing through the provision of a variety of recreational facilities, ranging from sports fields to outdoor fitness areas and playgrounds;
- iv. Reflect the diverse cultures by providing for unique activities and facilities that reflect the needs of various cultural and ethnic groups;
- v. Consider the needs of a diverse and aging population through the provisions of water fountains, seating, shade, cooling amenities such as spray pads, pathways, picnic areas and pavilions;
- vi. Incorporate public art;
- vii. Apply Crime Prevention Through Environmental Design (CPTED) principles;
- viii. Frame view corridors and vistas; and
- ix. Incorporate best practice principles of **sustainable design**, including natural heritage enhancement, naturalized stormwater management features, use of native plant species and drought resistant vegetative features, incorporation of environmental education features and use of low maintenance and energy efficient facilities and landscapes.

E.7.6 Parkland Dedication and Acquisition

1. The Town will require conveyance of lands for park according to provisions of the Parkland Dedication By-Law and in accordance with policy F.4.10.6 of this Plan, as may be amended from time to time.
2. In preparing the parkland dedication by-law, the Town will consider applying the alternative conveyance rate of one hectare for each 600 net residential units proposed for **development**, as permitted by the Planning Act.
3. In accordance with Section 42 of the Planning Act, the Town will require the conveyance of land for park or other public recreational purposes, as a condition of **development** or **redevelopment**.
4. Parkland needs will be identified during the development application review process so that opportunities to incorporate new parkland, outdoor recreation facilities or potential connections to the open system are identified and planned for early in the development application review process.
5. For the calculation of required parkland dedication, **stormwater management facilities** and lands conveyed for public walkways and greenways will not form any part of the required parkland dedication, as they will be deemed to be public services and public rights of way, as permitted by the Planning Act.
6. The conveyance of land for parkland purposes is the Town's preferred option, however the Town may accept cash-in-lieu of all or part of the required parkland dedication in accordance with the provisions of the Planning Act. The amount paid will be equal to the value of the land to be conveyed and will be determined in accordance with the provisions of the Planning Act. Further:

- i. Any monies acquired through cash in lieu of parkland dedication or the sale of surplus parkland will be placed in a park land development/acquisition fund to be directed to areas deficient in park land or park facilities.
7. Where the Planning Act authority is used to require the dedication of land, that land will be intended for park or trail purposes and be free from any encumbrances such as steep slopes, natural heritage features, cultural heritage features and municipal **infrastructure**, and will be fully accessible to the public.
8. When acquiring parkland, the Town may require that the park be developed by the developer to at least a basic level of landscaping including grassing, tree planting, irrigation and maintenance, including any necessary service connections for public amenities like washrooms, aligning with the policies in Section E.10 of this Plan, as demonstrated through site plan and development agreement. Alternatively, at the Town's discretion all or a portion of the parkland may be retained in a naturalized state to support the natural environment and biodiversity.
9. Encourage the evaluation of public lands being disposed of for potential acquisition for recreation and open space uses in concert with other growth needs, including reuse of abandoned **rail facilities**, undeveloped road allowances and **utility** corridors for trail development.
10. Where new **development** is proposed on a site, part of which is identified as a Hazard Area, such lands will not necessarily be acceptable as part of the dedication for park purposes as required under the Planning Act. All lands dedicated to the Town will be conveyed in a physical condition satisfactory to the Town.
11. Where an open watercourse is involved, adequate space will be provided for maintenance and other similar operations.
12. The following policies will apply to lands identified as **hazardous lands**, as shown on Schedule I: Hazardous Lands and under the regulatory authority of the **conservation authority**:
 - i. Where any land identified as **hazardous lands** is privately owned, it is not implied that such land is free and open to the general public or that the land will be purchased by a public agency.
 - ii. Where a portion of a property is identified as **hazardous lands**, the **hazardous lands** may be dedicated to the Town including any **water lots** through a development application process.
13. The Town may consider alternative means for establishing new parkland and parkland improvements, including, but not limited to:
 - i. Land purchases;
 - ii. The provisions of Section 37 of the Planning Act; or
 - iii. Seeking partnerships, conservation easements, and/or joint provision of land, for instance through the privately-owned publicly accessible spaces (POPs) model.

E.8 Community Design

Designing places for people of all ages and abilities contributes to a **sense of place** while building community capacity and planning to meet the evolving needs of a growing population. Excellence in design fosters a sense of community identity, social and physical interaction, environmental stewardship, social equality and economic viability, all of which are hallmarks of **complete communities**. As the Town continues to grow, it is the objective of this Plan for the built environment to be healthier, more environmentally sustainable, and contribute to overall community wellbeing.

E.8.1 General Policy

1. The community design policies of this Plan focus on excellence in urban design, enhancement of the **public realm**, promotion of **active transportation**, and to identify and establish tools for urban design implementation.
2. High quality urban design involves careful consideration to the form, function, shape and character of the built environment through functional and attractive buildings, streets and public spaces.

E.8.2 Community Design Objectives

1. Excellence and innovation will be promoted in architecture, landscape architecture, site planning, streetscape design, and overall community design to ensure built environments are attractive, walkable, accessible, diverse, and functional, as well as safe and desirable.
2. The collaboration and co-ordination of related disciplines, including land use planning, urban design, transportation planning, architecture, engineering, environmental planning, and landscape architecture will be encouraged.
3. Support excellence in urban design that:
 - i. Ensures appropriate transition to surrounding land uses to support land use compatibility, through variations in built form massing, setbacks and the use of angular planes;
 - ii. Encourages urban design standards in a manner compatible to the distinct character of the Town's various communities and unique neighbourhoods;
 - iii. Promotes features that complement the massing patterns, rhythms, character and context of the existing development, while recognizing that built form evolves over time and that new buildings should not necessarily replicate existing buildings; and
 - iv. Promotes **development** and spaces that showcase the Town's rich cultural heritage and celebrated history.
4. Through this Plan, the Town will promote:
 - i. The creation of liveable and vibrant **public realms** and private realms;
 - ii. Community design that:

- a. Offers a range of transportation options, including public transit and **active transportation**;
 - b. Respects the **complete streets** approach by creating safe and attractive interconnected streets and multi-modal networks; and
 - c. Encourages a mix of land uses, a vibrant **public realm** and **compact built form**.
- iii. A context-specific design approach for areas surrounding strategic institutions, such as post-secondary institutions and hospitals, as well as **public service facilities** to ensure compatibility and connection;
 - iv. Well-designed buildings, high quality streetscapes, and attractive public spaces that create neighbourhood character and strengthen community identity and diversity;
 - v. The integration of views of built and cultural heritage features, landmarks, and **significant** natural heritage features to enhance a **sense of place**; and
 - vi. The clustering of **public service facilities**, services, and spaces to facilitate access to all modes of transportation and to promote community identity and civic pride.
5. The Town encourages new **development** to have frontage and entries facing the street, supporting active street frontages and a vibrant **public realm**.
 6. The Town will consider placemaking elements at community gateways to foster unique, authentic, memorable and vibrant places.
 7. The Town's physical relationship to waterfront settings will be enhanced by promoting visual and physical access and by connecting publicly accessible waterfronts to create a continuous waterfront feature.
 8. **Sustainable design** principles will be applied to the **public realm, infrastructure, public service facilities, development** and streets, aligning with policies in Section E.4 of this Plan.
 9. Public facilities will be designed to promote:
 - i. Civic pride, diversity and community identity;
 - ii. Integrated open space;
 - iii. Connectivity; and
 - iv. Multi-functional uses and activities throughout the year, as feasible.
 10. The inclusion of public art throughout the Town is encouraged, including in the design of major **development**, streetscapes, and public spaces.
 11. The Town will explore opportunities for the implementation of a successful public art program which will contribute to a strong civic identity, including the encouragement of inclusion of Indigenous artwork as part of any public art program, in consultation with local Indigenous Communities.

12. The Town will consider the accessibility needs of persons with disabilities by undertaking the following:
 - i. Review and make recommendations on the accessibility of municipal buildings and current park **infrastructure**;
 - ii. Provide input into the sidewalk rehabilitation program for accessibility design;
 - iii. Participate in the development of transit initiatives;
 - iv. Undertake a review of site plan applications; and
 - v. Review road crossing and intersection improvements including signalization when up for consideration.

13. The development of streetscapes, parks and open spaces, parking lots, and other publicly accessible areas, should consider the following design principles:
 - i. Appropriate landscaping should be provided for buffering and planting strips between the roadway, parking areas, and sidewalks, while avoiding blind spots;
 - ii. Maintenance of sight lines, allowing for clear views from one end of the path to the other;
 - iii. Clear signage to delineate permitted use and speed; and
 - iv. Energy efficient lighting to ensure pedestrian safety while having regard for surrounding uses.

14. In considering **development, redevelopment** and **intensification**, regard will be given to the following:
 - i. The height, bulk and arrangement of buildings and structures to achieve a harmonious design, compatible integration with the surrounding area and to not otherwise adversely impact lower rise uses;
 - ii. Appropriate open space, including landscaping and buffering to maximize privacy and minimize the impact on adjacent lower density uses;
 - iii. Parking areas that are sufficient size to satisfy the need of the **development** and are well designed and properly related to buildings and landscaped areas;
 - iv. The design and location of refuse pick-up and service areas that satisfy Regional Waste Collection design requirements, where development relies on regional waste collection service;
 - v. Driveway access, internal roadways and pedestrian walkways that are safe and allow for the efficient movement of pedestrians and other forms of active transportation;
 - vi. Location in regard to the elements of traditional neighbourhood design and within convenient walking distance of the central focus of the neighbourhood;
 - vii. Building designs that place windows and balconies to overlook pedestrian routes and parking areas to encourage “eyes on the street”; and

- viii. Site planning considerations that facilitate walking and cycling activity such as secured bike storage, lighting and bikeways.

E.8.3 Implementing Community Design

1. Council may endorse urban design guidelines that apply best practices in urban design, accessible design and Crime Prevention through Environmental Design principles to the design of **development** within both the private and the **public realm**.
2. At a minimum, Urban Design Standards will provide more detailed guidance on matters related to climate change, sustainability, enhancing the **public realm**, land use transition, such as between **settlement areas** and rural/agricultural areas, and design expectations for **intensification** with respect to compatibility with and transitions to the surrounding community context.
3. Collaborate with the Region, as necessary on both the Region's Model Urban Design Guidelines and the Region's Complete Streets Design Manual and Guidelines.
4. The Town, in collaboration with the local school boards, should consider and encourage innovative approaches in the design of schools and associated childcare facilities, such as schools integrated in high-rise developments, in **strategic growth areas**, and other areas with a **compact built form**.

E.8.4 Built Form Design Criteria

E.8.4.1. Low-rise Residential Development Criteria

1. Low-rise residential uses will generally be located within the interior of existing or planned neighbourhoods, with direct frontage and access from a road.
2. The maximum building height for low-rise residential uses is three (3) storeys.
3. Building elements, including massing, that contribute to compatible **development** will be established through the implementing zoning by-law.
4. Built forms that are considered low-rise residential include:
 - i. Single Detached, duplex, and semi-detached dwellings;
 - ii. Triplexes, quadplexes, and townhouse dwellings;
 - iii. Apartment buildings; and
 - iv. Additional residential units.
5. Low-rise residential built forms that permit multiple dwelling units must provide for adequate on-site amenity spaces, **active transportation** facilities, and on-site waste pickup. Where development relies of regional waste collection, the **development** will satisfy the Regional Waste Collection design requirements and includes support for resource recovery of food and organic waste for their residents.
6. Development of apartment dwellings are subject to the following additional policies:
 - i. An apartment building will only be permitted through an amendment to the implementing zoning by-law.

- ii. Apartment buildings will be located on a site of suitable size for the proposed **development**, and will provide adequate landscaping, amenity features, on-site parking, buffering and stormwater management features including **low impact development**.
 - iii. Be sited so as to minimize their effect on neighbouring low-rise residential land uses particularly with regard to privacy, traffic generation, and reduction of sunlight. The Town may require an urban design brief where an apartment dwelling is adjacent to or located near other low-rise built form typologies.
7. Have regard for the Region's Model Urban Design Guidelines and any Urban Design Guidelines established by the Town.

E.8.4.2. Mid-rise Residential Development Criteria

- 1. Mid-rise residential uses will generally be located with frontage on collector road, arterial roads, or the Niagara Parkway.
- 2. Mid-rise residential uses will generally be greater than three (3) storeys, but no higher than six (6) storeys.
- 3. Built forms that are considered mid-rise residential include:
 - i. Townhouse dwellings;
 - ii. Apartment buildings; and,
 - iii. Other cluster or multiple unit dwellings as may be defined by the implementing zoning by-law.
- 4. Mid-rise residential uses are subject to the following additional development criteria:
 - i. Have sufficient space for the safe ingress and egress of motor vehicles, as well as sidewalks to enable residents to directly access a Collector or Arterial Road.
 - ii. Where direct access to a Collector or Arterial Road is not possible, the **development** may gain access to the Collector or Arterial Road from a Local Road, subject to approval from the Town.
 - iii. Be located on a site of suitable size for the proposed **development**.
 - iv. Provide adequate landscaping, on-site amenity features and spaces, onsite parking, and buffering and stormwater management features including **low impact development**;
 - v. Where development relies of regional waste collection, the development will satisfy the Regional Waste Collection design requirements and includes support for resource recovery of food and organic waste for their residents.
 - vi. Be located in proximity to parks, open space, schools, everyday commercial amenities, and **active transportation** routes, and other **public service facilities**;
 - vii. Promote multi-modal transportation by having convenient access to the Town's **active transportation** network;

- viii. Integrate with surrounding land uses, with particular regard for common elements such as access points, driveways, landscaping and parking areas;
 - ix. Not generate a volume of traffic that has potential to be a hazard for the surrounding land use context.
5. Have regard for Town-wide urban design guidelines.

E.8.4.3. High-rise Residential Development Criteria

1. High-rise residential uses will be greater than six (6) storeys, but no higher than eight (8) storeys, except as otherwise established in Section C.5 of this Plan.
2. Built forms that are considered high-rise residential include:
 - i. Apartment buildings; and,
 - ii. Other multiple unit dwellings, as may be defined through the implementing zoning by-law.
3. High-rise residential uses are subject to the following additional development criteria:
 - i. Have direct access to an Arterial or Regional road;
 - ii. Be located in close proximity to housing, jobs, public transit, and community amenities in the Town, including connections to the **active transportation** network, as well as sidewalks;
 - iii. Be located within 400.0 metres of schools, commercial uses, parks, open space, or other **public service facilities**;
 - iv. Provide adequate landscaping, on-site amenity features and spaces, onsite parking, and buffering and stormwater management features including **low impact development**;
 - v. Where development relies of regional waste collection, the development will satisfy the Regional Waste Collection design requirements and includes support for resource recovery of food and organic waste for their residents.
 - vi. Integrate with surrounding land uses, with particular regard for common elements such as access points, driveways, landscaping and parking areas; and
 - vii. Not generate a volume of traffic that has potential to be a hazard for the surrounding land use context.
4. High-rise uses may be permitted through the implementing zoning by-law or require a zoning by-law amendment.
5. Have regard for Town-wide urban design guidelines.

E.8.5 Rooftop Terraces

1. Rooftop terraces may provide an important private outdoor amenity space for residents.
2. Rooftop terraces will be located a distance from the edge of the roof and in no case will a rooftop project beyond a main wall.

3. Rooftop terraces will generally not be visible from the **public realm** through appropriate setbacks, screening, building articulation, or similar treatment, or any combination thereof.
4. Screening will be provided where a rooftop terrace may result in adverse impacts on adjacent or surrounding residential uses, such as a reduction in privacy or nuisance noise.

E.8.6 Residential Infill

The following design criteria apply to infill **development** within existing predominantly residential areas, or adjacent to predominantly residential areas:

1. Infill **development** will be distinguished by variation in the building envelope, as characterised by material, massing, and façade articulation.
2. **Development** must create visual interest and diversity, however within older, more established areas of the Town that are distinguished by their unique heritage and history, design should complement the visual character and architectural design elements of these areas.
3. Have regard for mitigating the impacts to surrounding or adjacent built forms as it relates to access to sunlight or adverse impacts of shadowing.
4. Must create an effective transition between adjacent or surrounding low-rise neighbourhoods and existing or future higher rise **development**.
5. Outdoor space and amenity area is a fundamental site element and must have direct access from the **development**.
6. Buildings must be situated with a consistent setback to provide pedestrian scaled streets and separation between individual buildings or clusters of buildings.
7. Include landscaped setbacks that promote the conditions for mature tree growth and vegetation, while also allowing for direct access to pathways and sidewalks.
8. Locate and design garages and parking to minimize visual impacts on the streetscape.
9. The following additional design criteria apply to townhouses:
 - i. Townhouses will provide appropriate transitions to other buildings, low-rise neighbourhoods, cultural and natural heritage, parks and open spaces, and other sensitive uses. This may be achieved through considerations given to building orientation, setbacks, stepbacks, angular plane, relationship to grade, and land uses.
 - ii. Townhouses with direct access from a street are encouraged to have more generous front yard setbacks to accommodate driveways and outdoor amenity areas such as front yards.
 - iii. Front yard setbacks should be generally consistent with adjacent **development** to create a more visually uniform and consistent built form.

- iv. Townhouse blocks should not exceed a total of eight units to encourage permeability with the surrounding community.
 - v. Where multiple blocks of townhouses are located in a cluster, sufficient separation between the blocks is required to accommodate walkways, landscaping, amenity areas, sunlight, and privacy for individual dwelling units.
 - vi. Townhouses should use the existing natural grade and be designed to complement adjacent **development** where possible.
 - vii. Main building entrances should face the street. On corner units, the main building entrances should face the higher order street. Corner units should also address both streets with a side elevation that includes windows and details consist with the front elevation.
 - viii. The projection of building elements will be limited, such as balconies, stairs, and emergency egresses, into setback areas, streets, mews, and amenity areas to protect access to light and sky view and minimize visual impact from the **public realm**.
 - ix. Are designed to be accessible to all ages, abilities, and life-stages, and will incorporate the principles of **universal design**.
10. For **development** adjacent to employment and commercial uses, additional transitional elements may be required such as landscape screening and building orientation, site design, building material, or architectural control.

E.8.7 Height and Scale

The following policies apply to support transition between land uses and the existing or planned context of the surrounding community to provide appropriate transitions in height and scale:

- 1. Buildings that are four storeys or greater should incorporate a step back between the fourth and fifth floors to ensure the appropriate scale and massing of the building and to secure usable patio space.
- 2. Stepbacks must relate to the existing context, planned use of adjacent properties, and consider transitioning uses.
- 3. Where a mid-rise or high-rise building is proposed to exceed the height of an adjacent building, the Town may require the new building to be stepped back, terraced or set back to reduce adverse impacts on adjacent properties and/or the streetscape, such as reduced sunlight, shadowing, or adverse impacts to the privacy of individual dwelling units.
- 4. Apply angular planes, minimum horizontal separation distances, and other building envelope controls to transition down to lower-scale buildings, parks and open spaces, may be applied to facilitate transition between land uses of differing height and scale.
- 5. Where a mid-rise or high-rise residential or mixed-use building is transitioning to an adjacent low-rise residential or mixed-use building, an angular plane as applied

between uses may be used to minimize the impact of shadow and maximize access to sunlight, sky view, and privacy on neighbouring properties.

6. An angular plane may be applied from the rear lot line or interior lot line of the lot on which the mid-rise or high-rise building is located, and as measured from at grade, or at a distance measured above grade, as deemed appropriate by the Town.

E.9 Transportation and Mobility

The policies of this Plan ensure that both people and goods can safely and efficiently move throughout the Town and beyond. To achieve more sustainable transportation practices and reduced reliance on single-occupant vehicles in the future, the Town will have a **multimodal transportation system** that is safe, equitable, convenient, economical, and efficient.

E.9.1 General Policy

The **transportation system** will be well-integrated with the land use policies of this Plan and in coordination with adjacent municipalities and other jurisdictions. An efficient, safe, and equitable **transportation system** is a critical component of a complete and healthy community and contributes to overall community wellbeing.

E.9.2 Complete Streets

1. The Town has jurisdiction over public roads, and pedestrian and bicycle path facilities which serve a primarily local function. Those roads facilities which serve Regional and Provincial functions are the responsibility of the Region and the Province of Ontario, respectively.
2. Design of all streets will have regard for Complete Street Principals and Best Practices with appropriate customization according to the functional classification and local context.
3. **Complete streets** will be designed to:
 - i. Accommodate a variety of transportation modes appropriate for the road corridor and/or the specific site context;
 - ii. Promote multi-modal travel and facilitate accessible site access/egress; and
 - iii. Support the safety of all road users.
4. Traffic calming measures may be provided based on the Town's Neighbourhood Traffic Calming Policy.
5. Street cross-sections will be planned, designed, and constructed or reconstructed with regard for the Region's Complete Streets Guidelines and in accordance with the Town's Engineering Standards and Best Practices.

E.9.3 Functional Classification

For the purpose of this Plan, and to support the implementation of **complete streets**, a functional classification of roads is established. The classification of each road, including Provincial Highways, Arterial Roads, Collector Roads, and Local Roads is shown in

Schedule L: Road Classifications. Not all local roads are shown on Schedule L: Road Classifications. The Town may develop a Transportation Master Plan to update functional classifications as necessary.

E.9.3.1. Provincial Highways

1. A Provincial Highway is a roadway under the jurisdiction of the Province which is designed to carry medium to high volumes of long distance and inter-regional traffic. Direct access from abutting properties is controlled, and most intersections are at grade.
2. The following policies apply to Provincial Highways:
 - i. The right-of-way width will be as required by the Ministry of Transportation.
 - ii. Direct access from abutting properties will be strictly controlled to avoid interference with the highway's primary function of carrying through traffic.
 - iii. The comments of the Ministry of Transportation relating to traffic concerns and/or requirements will be obtained pertaining to **development** applications up to 400 metres from Provincial Highways.

E.9.3.2. Arterial Roads

1. Arterial Roads are roadways mainly under the jurisdiction of the Region which are designed to carry moderate volumes of medium distance inter-regional and inter-municipal traffic as well as traffic enroute to or from the Provincial Highway system.
2. The following policies apply to Arterial Roads:
 - i. The design of Arterial Roads will consider all roadway transportation modes.
 - ii. Direct access from abutting properties will be strictly controlled and may be directed to a local road where practical and reasonable, as determined by the Director, Infrastructure Services.
 - iii. Building setbacks will be required which are sufficient to provide rights-of-way for future traffic needs while still providing acceptable pedestrian access and achieving the built form outcomes of this Plan.
 - iv. Intersections in developing areas will be spaced to provide optimum traffic movement. Right of way property requirements will include widenings and daylighting triangles for traffic signals, turning lanes and other roadway appurtenances.
 - v. In developing areas steps will be taken to minimize the number of access points.
 - vi. In developed areas, approved widenings will be designed in an attempt to minimize the impact on abutting properties and will occur only after consultation with affected property owners.
 - vii. Road widening dedication requirements for Regional Roads will be based on those identified by the Region.

- viii. Road widening dedication requirements for Town arterial roads will be based on those identified in the Town's Official Plan or as determined by Staff.
- ix. Where deemed appropriate, the Town will advocate for the provision of sidewalks.
- x. **Developments** fronting on Arterial Roads are encouraged to design sites such that access and egress is possible in a forward moving fashion.
- xi. Direct access from abutting properties should be limited particularly near major intersections. Most intersections are at grade. The Region will be consulted through the Development Approval process (Subdivision, Site Plan, Building Permit, etc.) to provide proper protection to Regional Roads.

E.9.3.3. Collector Roads

1. Collector Roads are designed to carry moderate volumes of inter-neighbourhood and inter-district traffic and to function as links between Arterial Roads or Provincial Highways and Local Roads. Intersections are at grade. Direct access from abutting properties is normally permitted unless deemed undesirable.
2. The following policies apply to Collector Roads:
 - i. The design of Collector Roads will consider all roadway transportation modes.
 - ii. Collector Road will accommodate the placement of sidewalks on both sides of the right-of-way, where feasible.
 - iii. The right-of-way width will be a minimum of 23 metres to a maximum of 26.2 metres; except for those Collector Roads under Regional jurisdiction which will be determined by the Region, or those shown on a Secondary Plan schedule.
 - iv. Direct access from abutting properties may be permitted where practical and reasonable, as determined by the Director, Infrastructure Services.
 - v. Intersections will be spaced to provide optimum traffic movement, taking into account safety devices such as traffic signals and the objective of discouraging unnecessary through traffic onto Local Roads.

E.9.3.4. Niagara Parks Commission Roads

1. The Niagara River Parkway, Niagara Boulevard and other Niagara Parks Commission controlled roads are controlled access highways under the Niagara Parks Act and Public Transportation and Highway Improvement Act.
2. The Niagara River Parkway is a processional roadway that provides a north-south linkage from Lake Ontario to Lake Erie for tourists and local residents. Residential **development** outside the **settlement area** is located predominantly along the west side of the Parkway and is generally not permitted direct access to the Parkway but rather obtains access through a service road system which is also controlled by the Niagara Parks Commission.
3. The following policies applies to roads under the jurisdiction of the Niagara Parks Commission:

- i. Approval of the Niagara Parks Commission is required for any **development** access onto the Niagara Boulevard.
- ii. The comments of the Niagara Parks Commission relating to traffic concerns and/or requirements will be obtained pertaining to **development** applications up to 800 metres from Niagara Parks Commission lands.
- iii. The Town will advocate for the placement of sidewalks, paths and bicycle lanes, where appropriate.

E.9.3.5. Local Roads

1. Local Roads are designed to carry relatively low volumes of traffic travelling at low speeds from abutting properties to Collector Roads, Arterial Roads or Provincial Highways. Intersections are at grade. Direct access from abutting properties is permitted except near major intersections.
2. The following policies apply to Local Roads:
 - i. The design of Local Roads will consider all roadway transportation modes.
 - ii. Sidewalks should be provided on at least one side of the right-of-way.
 - iii. The basic right-of-way width will be a minimum of 20 metres, however, some Local Road rights-of-way are presently less than 20 metres and widenings to the foregoing maximum might not be practical.
 - iv. On-street parking should be considered on at least one side of the road.
 - v. Direct access to a new local road from abutting properties may be required for low density residential uses abutting Provincial Highways or Arterial Roads.
 - vi. Intersections with Provincial Highways and Arterial Roads maybe discouraged.
 - vii. Through traffic may be discouraged by means of low-speed design and road pattern, as well as the implementation of traffic calming features in line with the Town's Neighbourhood Traffic Calming Policy.

E.9.3.5.2. Private and Condominium Roads

1. Private and/or Condominium Roads include road **infrastructure** that is built on private property to facilitate access to a building/s on site, or used to facilitate servicing functions (emergency services, waste collection etc.).
2. The following policies apply to Private and Condominium Roads:
 - i. Direct access to Arterial Roads and Collector Roads will need to be carefully considered through the Development Application process.
 - ii. Pedestrian access should be considered through the implementation of suitably wide walkways at each road access point. A pedestrian access plan should be submitted with each new or changed Private or Condominium Road.
 - iii. Private and Condominium Roads should be a minimum of 6m in width (excluding pedestrian walkways) to facilitate emergency access.

- iv. Private and Condominium Roads will be constructed and maintained by the Property Owner or Condominium Board, at no cost to the Town. The construction and maintenance standards will be prescribed as a condition of approval by the Town.

E.9.3.6. Daylighting Triangles

1. Pursuant to the provisions of the Planning Act, the dedication of lands for road allowance widening purposes will be required within the designated future road allowance rights-of-way as specifically established by this Plan and the Region when such lands are proposed to be developed, redeveloped or subdivided, or where such lands are in a Site Plan Control area in a by-law passed under the Planning Act.
2. The dedication of lands for daylighting triangles and possible right-turn channelization abutting existing roads may be required when such lands are proposed to be developed or redeveloped or where such lands are in a site plan control area in a by-law passed under the Planning Act, or where a consent or subdivision approval is required.
3. For roads under the Town’s jurisdiction, the minimum area of land required to be dedicated for daylighting requirements pursuant to site plan control is identified in Table E-5: Daylighting Requirements for Town Roads:

Table E-5: Daylighting Requirements for Town Roads

Road Classification of Intersecting Streets	Maximum Daylighting Requirements
Local to Local	4.5 m Triangle or Radius
Collector or Local to Collector	7 m x 7 m Triangle
Arterial to Local, Collector or Arterial	12 m x 12 m Triangle

4. For roads under the Region’s jurisdiction, the minimum area of land required to be dedicated for daylighting requirements pursuant to site plan control is identified in Table E-6: Daylighting Requirements for Regional Roads:

Table E-6: Daylighting Requirements for Regional Roads

Regional Intersection Type	Maximum Daylighting Requirements
Signaled Intersection in a Settlement Area	10 metres x 10 metres
Non-signaled Intersection within a Settlement Area	6 metres ax 6 metres
Intersection within the Countryside Area	15 metres x 15 metres

E.9.3.7. Right-of-Way Widths

1. As conditions of the approval of a development application under the Planning Act:
 - i. The Town or the Region may acquire land from the landowner required for the road allowance as identified in Table E-7: Road Allowance for Town Roads - Preferred Widths and Table E-8: Road Allowances for Regional Roads – Preferred Widths, at no cost to the Region or the Town and free of all encumbrances, encroachments, and improvements unless otherwise agreed to by the Region and/or Town; and
 - ii. The Town and/or the Region will be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened road allowance is in place.
2. The conveyance of land will be required at no cost to the Region or the Town as a condition of the approval of a development application, beyond the designated road allowance widths identified in Table E-7, to accommodate items such as sight triangles, turning lanes, channelization, grade separations, traffic control devices, rapid transit, public transit facilities and rights-of-way, **active transportation**, cuts, fills and storm drainage requirements, as required to meet accepted engineering design standards. These do not require an amendment to this Plan.
3. Without amendment to this Plan, the Region or the Town may update the designated road allowance widths in Table E-7 and Table E-8 where an alternate width has been approved through a completed Municipal Class Environmental Assessment.
4. The designated right-of-way widths of roads under the jurisdiction of the Town are identified in Table E-7:

Table E-7: Road Allowance for Town Roads - Preferred Widths

Road	From	To	Road Allowance Preferred Width (metres)
Albany Street	Helena Street	Garrison Road	26.2
Bernard Avenue	Thunder Bay	Highway No. 3	23
Brunswick Avenue	Ridge Road	Ridgeway Road	23
Daytona Drive	Dominion Rd	Garrison Road	23
Derby Road	Erie Road	Farr Avenue	23
Gilmore Road	Sunset Drive	Pettit Road	23
King Street	Albany Street	Garrison Road	23
Main Street East	Winger Road	Ott Road	23

Road	From	To	Road Allowance Preferred Width (metres)
Nigh Road	Highway No. 3	Rose Hill Road	23
Pettit Road	Gilmore Road	Garrison Road	23
Phillips Street	Buffalo Road	Crescent Road	23
Point Abino Road	Erie Road	A controlled access gate, located approximately 30 m north of Albino Dunes Road	23
Rebstock Road	Schooley Road	Ridge Road South	23
Ridge Road	Bowen Road	Brunswick Avenue	23
Rose Hill Road	Dominion Road	Highway No. 3	23
Schooley Road	Michener Road	Erie Road	23
Sunset Drive	Highway No. 3	Bowen Road	23
Washington Avenue	Dominion Road	Helena Street	26.2
Winger Road	Bowen Road	Netherby Road	23
Crescent	Dominion Road	Garrison Road	23
Buffalo	Dominion Road	Garrison Road	23
Burleigh	Thunder Bay	Highway No. 3	23
Thunder Bay Rd	Ridge Road	Stone Mill Road	23
Concession	Albany Street	Gilmore Road	23
Baker Rd	Netherby Road	River Trail	23

- The designated right-of-way widths of roads under the jurisdiction of the Region are identified in Table E-8:

Table E-8: Road Allowances for Regional Roads - Preferred Widths

Road	From	To	Road Allowance Preferred Width (metres)
Dominion Road	Gorham Road	Lakeshore Road	20.1
Garrison Road	Rosehill Road	Central Avenue	30.5
Gilmore Road	QEW	Thomson Road	30.5
	Thomson Road	Concession Road	26.2
	Concession Road	Niagara Boulevard	23.2
Thomson Road	Bowen Road	Phipps Street	26.2
Bowen Road	Stephensville Road	Thomson Road	26.2
Phipps Street	Thomson Road	Niagara Parkway	20.1
Netherby Road	Montrose Road	QEW	30.5
	QEW	Niagara Parkway	26.2
Gorham Road	Dominion Road	Bertie Street	26.2
Stevensville Road	Bertie Street	Bowen Road	26.2
	Bowen Road	Northern Boundary of Stevensville	20.1
	Northern Boundary of Stevensville	Netherby Road	26.2
Sodom Road	Netherby Road	Northern Boundary of Fort Erie	26.2
Helena Street / Thomson Road	Dominion Road	Garrison Road	26.2
	Garrison Road	QEW	26.2
Thomson Road	QEW	Phipps Street / Bowen Road	26.2
Central Avenue	Lakeshore Road	Courtwright Street	26.2
	Courtwright Street	Dufferin Street	20.1

Road	From	To	Road Allowance Preferred Width (metres)
	Dufferin Street	Niagara River Parkway	26.2

6. The rights-of-way for all other roads not listed in Table E-9 are to remain as they presently exist.
7. All proposed **development** located adjacent to and in the vicinity of a provincial highway within the Ministry of Transportation’s permit control area under the Public Transportation and Highway Improvement Act will be subject to the Ministry’s approval. Any new areas in the municipality identified for future **development** that are located adjacent to or in the vicinity of a provincial highway, interchange or intersection within the Ministry’s permit control area will be subject to the Ministry’s policies, standards, and requirements.
8. If widening of an existing road is required, the policy will be to widen equally on both sides wherever feasible. In certain cases where factors such as topography, alignment of existing or proposed municipal services, configuration of the road allowances or the location of existing buildings dictate, up to the entire widening may be required entirely on one side of the road.

E.9.4 Accommodating Future Growth

1. The rights-of-way for the **transportation system, major goods movement facilities and corridors, active transportation** and public transit facilities will be planned and protected to meet current and projected needs, while ensuring that **development** is not permitted in **planned corridors** that could preclude or negatively affect the purposes of the **transportation system**.
2. The Town may conduct a Transportation Master Plan to identify the transportation **infrastructure** and right-of-way widths required to accommodate growth and an order of priorities for improvements.
3. As conditions of the approval of a development application under the Planning Act:
 - i. The dedication of lands for road allowance widening purposes will be required within the designated future road allowance rights-of-way, as established by E.9.2 or as otherwise updated by a Transportation Master Plan.
 - ii. The full costs of road improvements on a roadway established by the public road authority, deemed necessary because of proposed **development**, will be paid for by the developer unless otherwise identified in the Development Charges Background Study.
4. The Region will be consulted through the development approval process including site plan approval to provide proper protection to all Regional roadways.

5. No **development** or **redevelopment** will be permitted that does not front entirely on an improved public road of an acceptable municipal standard of construction, subject to the following exception:
 - i. Council may permit the **development** or **redevelopment** on lands fronting a private roadway that existed on the date of passing of the implementing zoning by-law, however, this will only be permitted through an amendment to the implementing zoning by-law.
6. In future subdivision plans, the number of intersections with major roads will be kept to a minimum.
7. Roads proposed in future subdivision plans will be aligned with existing roads where practical and reasonable.
8. The design, layout and orientation of local roads will be considered through the Secondary Plan and Urban Design process.

E.9.4.1. Parking

Parking is an important component of the Town's **transportation system** and must be adequately managed in accordance with the Town's transportation goals. The following policies apply:

1. Off-street parking standards for all land uses and loading facilities standards for industrial and commercial uses will be established in the implementing zoning by-law, and appropriate off-street vehicular and bicycle parking will be provided for all **development** or **redevelopment** pursuant to such standards.
2. Prior to removing or adding on-street parking, the Town will consider the context of the area including walkability and cycling opportunities.
3. The Town may conduct a future parking study to update parking standards in the implementing zoning by-law and other applicable by-laws, policies, and standards.

E.9.4.2. Connected Road Network

1. The Town will coordinate with the Region, the Province, and other agencies to plan for, improve, and protect **planned corridors** and facilities, including the Niagara to Greater Toronto Area (NGTA) Corridor.
2. The Town will collaborate with the Region to maintain and improve **linkages** between the elements of the **transportation system** under the jurisdiction of the Town and the elements under the jurisdiction of the Region.
3. The Town will work with the Niagara Parks Commission to improve **linkages** between the Town's **transportation system** and the Niagara Parks Commission's **transportation system**.
4. The Town will coordinate with the Region, the Federal government, and the Province to help strengthen the provision of an efficient and safe Provincial Highway System throughout the region.

E.9.5 Goods Movement

The Town recognizes that the movement of goods will continue to be a vital element in the planning, design and operation of transportation services within and through Fort Erie. The following policies apply:

1. The Town will work with the Region to develop and implement a Goods Movement Study to identify **major goods movement facilities and corridors**. This includes working with the Region and the Province to plan for and expedite improvements to **major goods movement facilities and corridors** and **planned corridors** to support **freight-supportive employment development and redevelopment**, in alignment with the Strategic Goods Movement Network (SGMN), as planned and directed by the Connecting the GGH: A Transportation Plan for the Greater Golden Horseshoe.
2. Major goods movement facilities and corridors will be protected.
3. Lands adjacent to or near **major goods movement facilities and corridors** will be protected for the expansion of **infrastructure** and uses ancillary to that of the principal **major goods movement facility and corridor**.
4. Truck access will be provided to commercial and industrial **development** with due regard for the need to protect residential neighbourhoods from truck noise, vapour emissions and traffic hazards.
5. Through truck movement will be discouraged on local roads within residential neighbourhoods, where there is an alternate route available on arterial or collector roadway or Provincial Highway.
6. **Development** generating substantial truck traffic will be encouraged to locate near or adjacent to **major goods movement facilities and corridors**.
7. Council may require appropriate building setbacks, screening and buffering along **major goods movement facilities and corridors** to alleviate excessive impacts of noise on adjacent land uses.
8. Trucking along the Niagara River Parkway or other roadways of the Niagara Parks Commission are restricted under the Niagara Parks Act.
9. Appropriate protection of **rail facilities** will be considered in the planning process and the Town will support strategic **infrastructure** improvements such as targeted grade separations.

E.9.6 Active Transportation

1. Comprehensive **active transportation** networks will be integrated into the **transportation system** to achieve:
 - i. A safe and convenient inter-municipal and intra-municipal travel for **active transportation** users; and
 - ii. To provide continuous **linkages** from neighbourhoods to **strategic growth areas, major trip generators, employment land**, tourism destinations, **public service facilities**, post-secondary institutions and transit stations, including sidewalks and

dedicated lane space for cyclists on the major street network, or other safe and convenient alternatives

E.9.6.1. Active Transportation Network

1. The Town recognizes the important role **active transportation** plays in a multi-modal transportation network that provides residents with more choices.
2. The following policies apply:
 - i. The **active transportation** network will be planned to be connected, continuous, and considered safe and comfortable by users.
 - ii. The **active transportation system** will consist of both on-road and off-road facilities, including sidewalks, bike lanes and routes, trails, multi-use paths, and paved shoulders.
 - iii. The **active transportation** network will give priority to connecting with frequent destinations and points of interest, including parks, shopping areas, schools, and hospitals. **Active transportation infrastructure** will also be provided within parks and open space areas where appropriate.
 - iv. The **active transportation** network is shown on Schedule M: Active Transportation. This network may be updated on a regular basis based on appropriate studies.
 - v. The **active transportation** network is shown on Schedule M: Active Transportation includes the Niagara Region Strategic Cycling Network.
 - vi. The Fort Erie Active Transportation Master Plan will be considered in all designs and through the implementation of **active transportation infrastructure** within the Town.
 - vii. Bicycle supportive facilities, such as secure bicycle parking, will be considered at public buildings and places as a model for the private sector.
 - viii. Wherever possible, the Town and Region will work cooperatively in establishing **linkages** to broader regional **active transportation infrastructure** to further promote and extend the range and reach accessible by **active transportation** modes.

E.9.6.2. Public Realm and Active Transportation

1. Regional road allowances will be designed in accordance with the Region's Complete Streets Design Manual and Guidelines. The Region's Model Urban Design Guidelines, as amended, will be used to facilitate a continuous pedestrian experience where Regional and Local Road systems **interface**.
2. The mitigation of microclimate impacts, such as wind, shadowing and seasonal factors, should be considered regarding the impact of **development** on the **public realm**.

3. Alternative road designs that balance the needs of pedestrians, cyclists, public transit users, and motorists, and prioritize road safety will be considered to support **complete streets**.
4. The design of road networks should consider walking distances for public transit users, and the use of an interconnected **transportation system** with consideration for applicable standards and guidelines, to minimize travel distances for cyclists and pedestrians.
5. The Town will work with the Region to support the creation of an enriched urban design experience along Regional Roads will be encouraged by supporting:
 - i. Consistent wayfinding strategy;
 - ii. Pedestrian and **transit-supportive** facilities, such as street trees and street furniture; and
 - iii. Public art in key locations.
6. The Town will work with the Region to support the design of Regional Roads within downtowns and community cores to:
 - i. A function as flexible spaces to support placemaking, temporary community events and initiatives to support **complete communities**;
 - ii. Encourage the creation of seasonal outdoor patios and seating areas;
 - iii. Improve accessibility;
 - iv. Include pedestrian and cycling **infrastructure**; and
 - v. Give priority to pedestrian and cycling **infrastructure** where sufficient street parking can be provided.
7. In partnership with the Region and/or private entities, the Town may develop and administer, capital projects that implement **complete streets**.
8. In collaboration with the Region, the innovative and **sustainable design** elements are encouraged in the design, construction, and refurbishment of Regional Roads.

E.9.7 Future Development

1. The policy objective of this Plan regarding the **active transportation** network will be partly implemented through the development approvals process, in accordance with the following policies:
 - i. When reviewing site plans, secondary plans and **development** proposals, the Town will consider the **active transportation** network shown on Schedule M: Active Transportation. Particular attention will be paid to efficient, safe and pleasant pedestrian movement through the **development** or neighbourhood.
 - ii. Pedestrian **infrastructure**, including sidewalks, will be designed and provided as part of all **development**, and can include the surrounding neighbourhood where necessitated in item i above.

- iii. Arterial and Collector roads will be planned to provide for sidewalks on both sides.
- iv. Local roads will be planned to provide for sidewalks on, at a minimum, one side of the road, whereas **strategic growth areas** will have a sidewalk on both sides of the road.
- v. Where a sidewalk is provided on only one side of the road within two adjacent **developments**, that sidewalk will be located on the same side of the road.
- vi. Where sidewalks are currently not provided, the provision of sidewalks will be considered during major **redevelopment** or substantial reconstruction of the right-of-way.
- vii. Sidewalks may also be required to be constructed outside the limits of the proposed subdivision at the expense of the Developer in order to provide continuity of pedestrian access from the new subdivision to the existing sidewalk systems.
- viii. The Town may consider payment in lieu of sidewalk provision for small development proposals.
- ix. Pedestrian pathways, bike lanes and support facilities, where appropriate, will be designed and provided as a part of new **development**. Such facilities will be dedicated as public rights-of-way.
- x. The Town encourages the protection of abandoned rail corridors and other linear corridors for off-road trail use.
- xi. A **development** that would increase pedestrian crossing volumes at existing intersections may need to install a mid-block pedestrian crossing (in accordance with Ontario Traffic Manual Book 12 and 15).

E.9.8 Public Transit

- 1. Transit service in Fort Erie is provided by the Niagara Transit Commission and falls under the jurisdiction of the Region.
- 2. The following policies apply:
 - i. The Town will coordinate with the Region, the Niagara Transit Commission, the Province, Metrolinx, and organized interest groups to improve transit **linkages** between Fort Erie and neighbouring municipalities.
 - ii. The Town will work with the Region and the Niagara Transit Commission to maintain and enhance on-demand transit service, particularly to frequent destinations such as hospitals, post-secondary institutions and commercial destinations.
 - iii. Town will work with the Region and the Niagara Transit Commission to plan for Garrison Road to evolve into a frequent transit corridor, as conceptually shown on Schedule A: Town Structure, and Schedules A.4 and A.5.

- iv. The Town will advocate for improved transit connections to the Niagara Falls GO station, including a GO bus station to be located within Fort Erie.
- v. The Town will work with the Region, the Province, and Metrolinx, where applicable, to support the integration of **active transportation** and public transit.

E.10 Infrastructure and Servicing

Infrastructure and servicing, including water and wastewater systems, stormwater collection, and other essential public utilities such as electricity and telecommunications, will be designed, built and operated in a manner which protects public health and safety, minimizes **negative impacts** on the natural environment and supports **development** in accordance with the policies of this Plan.

E.10.1 General Policies

1. **Infrastructure** planning, **development**, and asset management will be undertaken in support of the growth management policies of the Town and the Region to promote sustainability and the achievement of **complete communities**.
2. The Town will plan for and protect corridors and rights-of-way for **infrastructure**, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs. The Town will not permit **development** in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.
3. Planning for water and wastewater **infrastructure** will:
 - i. Accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing **sewage and water services**;
 - ii. Ensure that these systems are provided in a manner that can be sustained by the water resources upon which such services rely; and can help mitigate the **impacts of a changing climate**;
 - iii. Is feasible and financially viable over their lifecycle; and protects human health and safety, and the natural environment;
 - iv. Promote water conservation and water use efficiency; and
 - v. Integrate servicing and land use considerations at all stages of the planning process.
4. The Town and the Region will endeavour to:
 - i. Ensure new **development** will not put the Region or Town out of compliance with regulations and consider opportunities to maintain or reduce wet weather overflow and occurrence; and
 - ii. Provide reliability, redundancy and security in its water and wastewater systems with attention to high risk and critical areas.

5. The Region will provide for the **infrastructure** and services within its jurisdiction to accommodate existing development and anticipated growth within the financial capability of the Region.
6. Adequate water and wastewater **infrastructure** will be provided to meet the existing and future **development** needs in alignment with the growth management policies of this Plan, the Water and Wastewater Master Servicing Plan and the Region's capital budget process.
7. **Development** within the **settlement areas** is to be serviced by **municipal sewage services** and **municipal water services**. Existing private services within a **settlement area** are permitted to continue until such time as municipal services are available.
8. Prior to approval of **development**, the municipality will ensure that required **sewage and water services** and servicing capacity are available to support the **development**.
9. Any extensions to the existing water supply or sewage disposal systems must have approval through the current water licenses and sewage disposal system approvals from both the Town and the Region.
10. Coordinate with the Region's Water and Wastewater Servicing Plan on how to operate and plan the delivery of **sewage and water services** throughout the Town.
11. To implement the Town's Assets Management Plans to ensure the sustainable delivery of water and wastewater systems and stormwater **infrastructure**.
12. Planning for water, wastewater, and stormwater **infrastructure** to ensure that decisions on **infrastructure** are integrated with decisions that are designed to protect the **natural environment system**.
13. The extension of **municipal sewage services** and **municipal water services** will be planned, designed and constructed in accordance with a comprehensive water or wastewater master plan or equivalent, informed by **watershed planning**, which:
 - i. Demonstrates that the effluent discharges and water takings associated with the system will not negatively impact the **quality and quantity of water**;
 - ii. Identifies the preferred option for servicing growth and **development** in accordance with the policies of this Plan, which must not exceed the assimilative capacity of the effluent receivers and sustainable water supply for servicing, ecological and other needs;
 - iii. Identifies the full life cycle costs of the system and develops options to pay for these costs over the long term; and
 - iv. Includes a servicing strategy for those lands which are designated for **development** in this Plan, but which are currently beyond the extent of municipal services.
14. All development applications will be evaluated to determine whether the water, wastewater and stormwater **infrastructure** are currently capable or will be capable of supporting the proposed **development** at acceptable levels of service. The Town may

require a peer review of any report or study, such as a functional services report, submitted in support of a development application, which will be conducted at the expense of the applicant.

15. The Town will further assign preliminary municipal water and sewer servicing allocation for draft plans of subdivision or condominium at the time of draft plan approval by the Town. If a draft plan of subdivision or condominium is not registered within three years from the date of draft plan approval, or the draft plan has not proceeded to the satisfaction of the Town within the term of draft plan approval, the Town, at the time of considering extension of the draft plan approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part. Prior to revoking allocation, the Town will afford the developer an opportunity to address the Town on the matter. Servicing allocation will be formally assigned at the time of the execution of the subdivision agreement and/or condominium agreement.
16. Proposed plans of subdivision will not be granted draft plan approval unless adequate services exist or are planned for within the time frame of draft approval (3 years).
17. The provisions of the Local Improvement Requirements of the Municipal Act may be used where necessary to provide services to existing developed areas of the Town.
18. In order to minimize the cost of services provided by all public agencies, no new **development** in the Town will be permitted in any location where it would contribute to a demand for public services that are in the Town's opinion, not economically feasible to provide, improve or maintain. Where municipal services are to be extended, the Town and Region may consider the phasing of **development**, or the use of front ending agreements as provided for in the Development Charges Act.
19. All future service installations will be required to comply with Town and Regional Niagara Municipal Servicing standards, as amended from time to time to address local, regional, and provincial circumstances, legislation and guidelines.
20. Planning for new or expanded **infrastructure** will occur in an integrated manner, including land use planning and the inclusion of lands within a **settlement area**. Lands for new **development** will not be considered without ensuring that required **sewage and water services** and servicing capacity are available and supported by both Town and Regional servicing plans.
21. Extensions of municipal services outside of **settlement area** boundaries will comply with the requirements of the Region. Municipal water supply mains or municipal sewers will not be extended outside the urban areas except:
 - i. Where necessary to correct an existing health problem as determined by the Medical Officer of Health or where there is a clean-up order from the Ministry of the Environment, Conservation and Parks, and provided all alternatives to municipal mains for resolving health concerns have been considered; and
 - ii. Where extensions of the water supply system are for necessary operating purposes, such as the looping of existing mains, the replacement of existing mains, and the interconnection of urban areas.

22. The Town may apply a holding provision to a proposed through the implementing zoning by-law pursuant to the Planning Act until such a time as municipal services are available.
23. The Town will require that all linear municipal services and public transmission or communication utilities be located underground within road allowances and/or easements, where appropriate. Outside of **settlement areas** the Town may require that such facilities be underground. Setbacks from all such services and utilities may be required. Easements for such services and utilities may be provided without amendment to this Plan.
24. New public water treatment and sewage treatment plants and their facilities will not require an amendment to this Plan if subject to an Environmental Assessment Act process.
25. The comments of **utility** providers regarding the availability of utilities and **infrastructure** will be reviewed with respect to growth areas and major infill, **redevelopment** and **intensification** areas during the planning process.
26. Existing Regional or Town servicing properties associated with landfills, treatment plants, reservoirs and pumping stations will be permitted to operate for their intended service use. Should the use cease operation, future land uses on the property, or within 500 metres of lands used as a **waste disposal site**, will be in accordance with the policies of the designation indicated subject to necessary environmental clearances.
27. Expansions of the existing sewage treatment and water treatment plants operated by the Niagara Region are subject to the Municipal Engineer's Municipal Class Environmental Assessment. No amendment to this Plan is required for expansions of either facility on their current property. However, compliance with policies in this Plan are required.
28. Where an existing use is located in the Employment, Commercial, or Institutional designations, and do not have access to existing or planned full municipal servicing, the Town will encourage the exploration of new technologies to provide private wastewater solutions on an interim basis, until such time that full municipal servicing becomes available. This policy does not apply to any use where there is a residential component.
29. Private **lateral connections** to Regional water or wastewater mains is discouraged.
30. **Lateral connections** to Regional water or wastewater mains are not permitted outside of **settlement area** boundaries.
31. Where **development** is proposed on lands adjacent to an existing or proposed water pollution control facility, the location and **development** will be determined by appropriate noise and odour studies that identify suitable separation distances and mitigation measures.

E.10.2 Municipal Water Supply

1. Both the Region and the Town are responsible for municipal water supply, with the Region being responsible for water treatment and transmission, water storage, and trunk watermain facilities and the Town responsible for more localized water distribution.
2. The following policies will apply to the provision of municipal water supply infrastructure:
 - i. The designation of lands for **development** will not be considered a commitment by the Region or the Town to extend water lines to the area until it is determined to be financially feasible to do so.
 - ii. The sizing of water supply **infrastructure** will be based on the monitoring of the planned development pattern, including the potential for infill, **redevelopment** and **intensification**, within the various water supply areas.

E.10.3 Municipal Sanitary Services

1. Improvements to existing wastewater **infrastructure** and the reduction of extraneous flows is a priority for Council.
2. Existing municipal **combined sewer** and storm drainage systems will be separated, where technically and financially feasible over the long-term.
3. Appropriate wastewater treatment **infrastructure** will be installed and maintained to adequately serve the developed areas, with due regard for the protection of water quality in the streams, Lake Erie and the Niagara River.
4. **Development** will be phased in accordance with improvements to the sewershed area and the reduction of extraneous flows in accordance with the Town's Water and Wastewater Master Plan.
5. The sizing of wastewater **infrastructure** will be based on the monitoring of the planned development pattern, including the potential for infill, **redevelopment** and **intensification**, within the various wastewater collection areas.
6. Where two or more buildings are on one connection to the municipal wastewater **infrastructure**, if any sewer reconstruction or major building reconstruction takes place, such buildings are to be provided with individual sewer connections.
7. In consultation with the Region, all new **development** other than minor infilling **development** which is proposed to be connected to existing combined wastewater **infrastructure** will be served with separated systems within the property limits of the **development**.
8. The Town will collaborate with the Region to reduce wet weather flows infiltrating the wastewater **infrastructure** system.

E.10.4 Private Sanitary and Water Services

1. Full municipal servicing is the preferred form of servicing within **settlement areas** to support protection of the environment and minimize potential risks to human health

and safety. Within **settlement areas** with existing **municipal sewage services** and **municipal water services**, **intensification** and **redevelopment** will be promoted wherever feasible to optimize the use of the services.

2. Where **municipal sewage services** and **municipal water services** are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot **development** to support protection of the environment and minimize potential risks to human health and safety.
3. The Town may, at its discretion, choose not to enter into a default responsibility agreement for any private communal water supply or sewage treatment system as may be required pursuant to Ministry of the Environment, Conservation and Parks' guidelines whether or not the existing or proposed **development** is permitted by this Plan or the implementing zoning by-law.
4. Where **municipal sewage services** and **municipal water services** or private communal sewage services and private communal water services are not available, planned or feasible, **individual on-site sewage services** and **individual on-site water services** may be used provided that site conditions are suitable for the long-term provision of such services with no **negative impacts**.
5. Coordinate with the Region to review, update and assess the long-term impacts of **individual on-site sewage services** and **individual on-site water services** on the environmental health and the desired character of **rural settlements** and the feasibility of other forms of servicing.
6. Partial services will only be permitted in the following circumstances:
 - i. Where they are necessary to address failed **individual on-site sewage services** and **individual on-site water services** in existing development; or
 - ii. Where partial services have been provided to address failed services in accordance with the policies of this Plan, infilling on existing lots of record in **rural areas** in municipalities may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided that site conditions are suitable for the long-term provision of such services with no **negative impacts**. In accordance with this Plan, the extension of partial services into **rural areas** is only permitted to address failed **individual on-site sewage** and **individual on-site water services** for existing development.
7. All new **development** located outside **settlement area** boundaries will provide sustainable private water and sewage services. The landowner is responsible for the maintenance, upkeep and repair of all private water supply and sewage disposal systems in accordance with applicable legislation.
8. All new **development** which is proposed to be connected to existing **combined sewer** facilities will be served with separated systems within the property limits of the **development**. The connection to the **combined sewer** will only be considered once a new separated storm outlet has been determined to be unachievable and the available capacity within the existing **combined sewer** services has been confirmed.

9. The minimum lot size will be in accordance with the lot size requirement stipulated for the applicable designation and corresponding policy pertaining to lot creation or existing lot of record.
10. The soil and drainage conditions will be suitable for the proper siting of buildings, the supply of potable water and the long-term operation of a waste disposal system.
11. The natural drainage systems of the surrounding lands will not be interfered with or detrimentally affected by the **development**.
12. Each sustainable private sewage disposal system will require approval by the authority having jurisdiction. If, any area appears questionable for the proper operation of a sustainable private sewage disposal system an evaluation of the subject lands by a competent authority will be required before **development** is allowed to proceed which may include the submission of an engineering report to establish the depth of bedrock and the water table, the feasibility of providing an individual sewage disposal system, and evidence a suitable drinking water supply can be provided.

E.10.5 Stormwater Management

1. The Town will improve or restore both the **quality and quantity of water** by ensuring stormwater management practices minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces.
2. Ensure stormwater management and **green infrastructure** is integrated into the planning and development process.
3. Planning for stormwater management in the Town will:
 - i. Conform with the **watershed planning** policies established by Section D.4.1.18 of this Plan;
 - ii. Be integrated with planning for **sewage and water services** and ensure that systems are optimized, feasible and financially viable over the long term;
 - iii. Minimize, or, where possible, prevent increases in contaminant loads;
 - iv. Minimize erosion and changes in water balance, and prepare for the **impacts of a changing climate** through the effective management of stormwater, including the use of **green infrastructure**;
 - v. Mitigate risks to human health, safety, property, and the environment;
 - vi. Maximize the extent and function of vegetative and pervious surfaces;
 - vii. Promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and **low impact development**; and
 - viii. Consider green infrastructure and other measures which address the impacts of a changing climate.
4. Develop a stormwater master plan or equivalent for serviced **settlement areas** that:

- i. Are informed by **watershed planning** or equivalent;
 - ii. Protect the **quality and quantity of water** by assessing existing stormwater facilities and systems;
 - iii. Characterize existing environmental conditions;
 - iv. Examine the cumulative environmental impacts of stormwater from existing and planned **development**, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;
 - v. Incorporate appropriate **low impact development** and green infrastructure;
 - vi. Identify the need for stormwater retrofits, where appropriate;
 - vii. Identify the full life-cycle costs of the stormwater **infrastructure**, including maintenance costs, and develop options to pay for these costs over the long-term; and
 - viii. Include an implementation and maintenance plan.
5. All new **development** and **redevelopment** in **settlement areas** must be provided with separate storm drainage systems or separate storm drainage connections.
 6. Proposals for **development** proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:
 - i. Conforms with Section D.1.4.1.18 of this Plan;
 - ii. Is informed by a subwatershed study or equivalent;
 - iii. Incorporates an integrated treatment approach to minimize stormwater flows and reliance on stormwater ponds, which includes appropriate **low impact development** and **green infrastructure**;
 - iv. Establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces; and
 - v. Aligns with the Region's stormwater management design guidelines or the equivalent for the **settlement area**, where applicable.
 7. Appropriate storm sewer facilities will be installed and maintained to serve the developed areas, with due regard to the need to protect creek and river areas and adjacent land uses from any possible destructive effects of stormwater runoff.
 8. The staging of construction of storm sewer facilities will be based on the staging of **development** and the sizing of storm sewer facilities will be based on the approved development pattern within the various drainage areas.
 9. Collaborate with the Region on the provision of adequate storm drainage facilities.

10. Stormwater Management Studies will be carried out in consultation with the Niagara Peninsula Conservation Authority, Niagara Parks Commission, the Region, and the Province to:
 - i. Assess downstream constraints (e.g. flooding, erosion, and environmental) and determine how these constraints will be addressed;
 - ii. Indicate the conveyance of stormwater runoff from the site by the major and minor systems;
 - iii. Indicate adequate erosion and sedimentation control techniques which will be utilized during and after construction, where necessary;
 - iv. Consider identifying areas of constraint regarding **combined sewers** and old or outdated **infrastructure**; and
 - v. Storm drainage facilities will be constructed completely separate from sanitary sewer facilities and separation of existing combined systems will be encouraged.

E.10.6 Waste Management

1. The Region will provide for the disposal and treatment of solid wastes, and in alignment with the Region's Long Term Waste Management Strategic Plan.
2. The Region will provide **waste management** systems that are an appropriate size and type to accommodate present and future requirements, and facilitate, encourage, and promote reduction, reuse, and recycling objectives.

E.10.7 Green Infrastructure

Green infrastructure is both natural and human-made elements that provide ecological and hydrological functions and processes. **Green infrastructure** may include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

1. **Green infrastructure** should be incorporated where appropriate, in a manner that recognizes climate change policy objectives of this Plan.
2. Encourage sustainable practices, such as green infrastructure and **low impact development** to address the **impacts of a changing climate**.
3. Ensure **green infrastructure** and stormwater management is integrated into the planning process.
4. The planning and design of water and wastewater **infrastructure** will consider the potential **impacts of a changing climate**.
5. Promote and provide leadership in sustainable forms of **development**, green building technologies and **green infrastructure** investment to:
 - i. Conserve and protect the quality of water resources;
 - ii. Achieve greater energy efficiency and reduce greenhouse gas emissions;
 - iii. Improve access to local foods;

- iv. Support walking, cycling, and public transportation; and
 - v. Reduce and better manage waste.
6. Where possible, integrate both **green infrastructure** and **low impact development**, such as green roofs and permeable surfaces into the design and construction of **infrastructure, public works projects, public service facilities**, and private **development**.
 7. Promote the use of green infrastructure and low impact development by considering green infrastructure in public works projects.
 8. Encourage the use of **green infrastructure** through the review of development applications.
 9. Consider through site plan control the development of **green infrastructure**, such as naturalized retention ponds and rain gardens to increase stormwater offset.
 10. Minimize erosion and changes in water balance and prepare for the **impacts of a changing climate** through the effective management of stormwater, including the use of **green infrastructure**.
 11. Consider **green infrastructure** and climate change when planning for parks, open space and trails.
 12. Incorporate appropriate **low impact development** and **green infrastructure** in stormwater master plans for serviced **settlement areas** in the Town. This also includes when undertaking stormwater management planning to assess the impacts of extreme weather events, encouraging the use of landscape-based stormwater management.
 13. Promote **green infrastructure** to complement **infrastructure**, including the requirement for innovative **low impact development** opportunities and best practices that minimize the risks associated with **hazardous lands** and **hazardous sites**.

E.10.8 Utilities and Telecommunications

1. The Town will develop a telecommunications protocol to provide guidance on matters related to the location of telecommunications facilities, as well as the role of public participation. At a minimum, the protocol will:
 - i. Encourage coordination and consultation between telecommunications providers and the Town regarding the co-location of telecommunication **infrastructure** and optimal site-selection.
 - ii. Provide an opportunity for public participation in determining the location of telecommunication **infrastructure**.
 - iii. Promote awareness to telecommunications providers regarding the following matters that are of importance to the Town:
 - a. Compatibility with surrounding land uses;
 - b. Proximity to other public **infrastructure**;

- c. Protection of the natural environment system; and
 - d. Priority locations for new telecommunication **infrastructure**.
 - iv. Consider opportunities to expedite the review and approval process for new telecommunication **infrastructure** where it can be demonstrated to the Town that the policies of the protocol are satisfied.
 - v. Establish the Town's expectations regarding required material, information, or studies to be prepared by a proponent in support of an application to develop new telecommunications **infrastructure**.
2. Coordinate with both private and public **utility** providers to ensure that utilities are planned and managed in a manner that supports the objectives and policies of this Plan.
 3. The joint use of rights-of-way and corridors is encouraged wherever feasible for various facilities in order to:
 - i. Lessen the impact on the environment of uncoordinated alignments of various single purpose authorities; and
 - ii. Avoid land use and **development** conflicts associated with such rights-of-way and alignments.
 4. The construction of utilities will comply with the **natural environment system** policies of this Plan.
 5. Necessary public utilities will be provided in accordance with the servicing needs of existing and future **development** and with economic, safety and environmental considerations.
 6. The Town will confirm, as part of the development review process, that **utility** providers are able to provide services to support the proposed **development** in a timely manner and that, if required, appropriate location for large **utility** equipment and **utility** cluster sites have been determined.
 7. Ensure that utilities are planned and managed in a manner that supports the objectives and policies of the Town.
 8. The burial of overhead utilities and the co-location of utilities underground is encouraged in areas strategically identified for **intensification** including **strategic growth areas**, and local growth centres and corridors.
 9. Consider the impact of existing **utility infrastructure** and opportunities for enhancement or replacement by coordinating with **utility** providers.
 10. **Utility** providers proposed to locate, relocate, or replace a facility within a Regional Road allowance will require Regional approval and be subject to the provisions of all applicable Regional policies, by-laws, standards, and guidelines.
 11. Necessary public utilities will be provided in accordance with the servicing needs of existing and future **development** and with economic, safety and environmental considerations.

12. **Utility** providers are encouraged to consult with the Town when new major plant locations or **infrastructure** is required, or existing **infrastructure** is identified for upgrade. The Town will work cooperatively with **utility** providers in effort to facilitate their needs while balancing the interests of the area residents.
13. **Utility** companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are compatible with existing and planned **development**, in effort to reduce or eliminate potential conflicts.
14. **Utility** providers will ensure their respective **utility** has been planned and located in accordance with any relevant safety regulations, separation requirements and/or municipal standards, either through individual **utility** plant location or as part of a combined installation.
15. The municipality will consult with the Region and relevant authority having jurisdiction prior to allowing any **utility** to locate in the **natural environment system** or Agriculture land use designation.
16. Work with the Region on Environmental Assessment Studies and the Environmental Assessment process for major **utility** related projects to ensure that potential impacts on matters of Regional and Provincial interest are addressed.
17. In all commercial, industrial and residential areas, both existing and proposed, and in other areas where visual quality is important, local utilities will be located underground where feasible.
18. Preference will be given to the location of utilities within public rights-of-way or existing easements, but consideration will be given to private property if public- rights-of-way or easements are not feasible.
19. The Town encourages the joint use of rights-of-way and corridors wherever feasible for various public utilities to lessen the impact on the environment, minimize visual impact and avoid possible land use and **development** problems. The joint use of rights-of-ways and corridors is wherever feasible in order to lessen the impact on the environment of uncoordinated alignments of various single purpose authorities and avoid land use and **development** conflicts associated with such rights-of-way and alignments.
20. Installation of new utilities in areas designated for new residential **development** will be subject to subdivision and/or site plan control provisions as contained in the Planning Act or successor legislation. The Town will confirm, as part of the development review process, that **utility** providers are able to provide services to support the proposed **development** in a timely manner and that, if required, appropriate locations for large **utility** equipment and **utility** cluster sites have been determined.

E.11 Public Service Facilities

Public service facilities refers to the lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and **affordable** housing.

1. To provide community and **public service facilities** that meet the civic, cultural, educational, recreational, religious, social and emergency services needs of all residents, employees and visitors to the Town, including Indigenous Peoples and equity deserving groups. Community and **public service facilities** are to be responses to the Town's diversity with a range of cultural and age-friendly activities and services.
2. Land use planning objectives will be supported by **infrastructure** and **public service facilities** that:
 - i. Consider the full life-cycle costs of these assets and options to pay for these costs over the long-term;
 - ii. Meet the requirements of forecasted growth within **settlement areas**; and
 - iii. Is planned, built, and maintained in accordance with the applicable policies of the Regional and Town.
3. Priority will be given to maintaining and adapting existing **public service facilities** as **community hubs** by co-locating services.
4. The Town will work with the Region and other levels of government and private and public social services providers to plan for the provision of human and social services.
5. The Town will maintain and enhance its community and **public service facilities** and spaces for the benefit of all residents and as amenities for visitors to the Town. For example, measures can include promoting access to a range of recreational facilities, programs and services and **public service facilities** for all current and future residents.
6. The Town will coordinate with the Region, school boards and other public agencies to improve the delivery of **infrastructure**, **public service facilities**, and other related programs and services for the creation of **community hubs**.
7. **Public service facilities** and public services should be co-located in **community hubs** and integrated to promote cost-effectiveness. The preferred location for **community hubs** is in or near identified **strategic growth areas**.
8. The location of a **public service facility** may be considered at the periphery of a **settlement area** boundary, or within the Rural Area, if it supports a well planned and strategic co-location of uses that have benefit to the broader community.
9. Review existing community and **public service facilities** to determine the services that are available are appropriate and equitable to the community, supporting the improvement and addition of community and **public service facilities** in areas that are underserved to encourage the creation of **complete communities**.
10. The Town is to encourage the reuse of existing municipally owned facilities for new community serving uses, and to encourage the co-location of multiple activities and services, such as recreational buildings, libraries and arts and cultural facilities.

11. Support the development of joint and/or shared community and **public service facilities**, such as schools, community centres, libraries, day care centres or other appropriate facilities, on shared sites and, where appropriate, adjacent to public parks.
12. Support new and renovated community and **public service facilities** that are:
 - i. Appropriately designed;
 - ii. Conveniently accessible by transit, bicycle and on foot;
 - iii. Centrally located in the area in which they provide service;
 - iv. Supportive of active frontages;
 - v. In proximity to other community services and facilities and places of gathering, where possible; and
 - vi. Designed to support universal accessibility and include public art where appropriate.
13. Ensure that community and **public service facilities** are designed to a high standard for safety, size, location, orientation and comfort, including schools, as regulated by school boards, in addition to the specific standards in the zoning by-law to regulate the appropriate size, configuration, siting, sunlight exposure, landscaping, setbacks and buffering provisions for the associated open space and parkland areas.
14. Secondary and elementary schools and other uses pursuant to the Education Act will be coordinated with the Town and the Region, in accordance with the following policies:
 - i. Secondary and elementary school sites will be provided in accordance with the standards of the appropriate Board of Education, where applicable;
 - ii. Applications for the development of a new secondary or elementary school will address the surrounding neighbourhood with particular regard to common elements such as access points, driveways, landscaping and parking areas;
 - iii. The development of secondary or elementary schools in conjunction with municipal parkland and other **public service facilities** may be considered, so that a complementary integration of lands and facilities may be achieved;
 - iv. The coordinated use of recreational facilities located within secondary or elementary schools, or on school properties will be encouraged; and
 - v. Adequate parking and other required facilities will be provided on site. However, schools may provide a portion of the parking and shared parking off-site with nearby parkland and other **public service facilities**, as determined by the School Board in consultation with the Town.
15. **Infrastructure** and **public service facilities** should be strategically located to support the effective and efficient delivery of emergency management services and to ensure the protection of public health and safety.
16. **Public service facilities**, such as municipal works depots, police stations and fire halls, are strongly encouraged to locate within **settlement areas**. Where considered

outside of **settlement areas**, such uses will be compatible with and have minimal impacts on their surroundings.

17. The Town will work with the Region and the applicable governments on locating new Provincial or Federal **institutional uses** or facilities.

E.12 Natural and Human-Made Hazards

In order to ensure a safe community, it is important that the **development of sensitive land uses** occurs on lands where hazards associated with contaminated lands from past industrial/commercial lands or hazards from petroleum or aggregate resource extraction have been appropriately mitigated. It is also important to ensure **sensitive land uses** are appropriately separated from industrial operations to minimize nuisance impacts associated with odour, dust, noise, and vibration.

E.12.1 General Policy

1. **Development** will be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

E.12.2 Hazardous Lands and Sites

1. **Hazardous lands** are identified as lands that could be unsafe for **development** due to naturally occurring processes. **Hazardous lands** may include **flooding hazards**, **erosion hazards** or **dynamic beach hazards**, including dunes.
2. **Development of institutional uses** including hospitals, schools, nurseries, nursing homes and day care facilities, **essential emergency services** and uses associated with the disposal, manufacture, treatment or storage of **hazardous substances** are not permitted within **hazardous lands**.
3. **Development** on, abutting or adjacent to lands affected by mine hazards; oil, gas and salt hazards; or former **mineral mining operations**, **mineral aggregate operations** or **petroleum resource operations** may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
4. Sites with contaminants in land or water will be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.
5. Permitted uses within in all areas identified as **hazardous lands** include:
 - i. Passive non-structural conservation and resource management uses, including flood and erosion control works; and
 - ii. Minor additions, enlargements and reconstruction to **existing uses**, provided that all applicable approvals or permits have been obtained, including from the **conservation authority**.
6. Any **development** undertaken within lands identified as **hazardous lands** or **hazardous sites** should ensure that the effects and risks to public safety are minor so

as to be mitigated in accordance with provincial standards as determined by the demonstration and achievement of:

- i. **Floodproofing standards**, protection works standards, and access standards;
 - ii. Safe access during times of flooding erosion or other emergencies; and
 - iii. New hazards are not created, and existing hazards are not aggravated; and
 - iv. No adverse environmental impacts, particularly water quality impacts will result.
7. All development and site alteration must comply with the applicable regulations of the conservation authority.
 8. There are **hazardous lands** associated with Lake Erie shoreline as well as river and stream systems. There are also **hazardous sites**, which are property or lands that could be unsafe for **development** or **site alteration** due to naturally occurring hazards, such as unstable soils or unstable bedrock.
 9. **Hazardous lands** for river and stream systems consist of the furthest landward limit of the flood hazard or **erosion hazard** limits. The one-hundred-year flood is used to define the flooding hazard within the Town. The **hazardous lands** associated with the Lake Erie shoreline represent the furthest landward limit of the flooding hazard, **erosion hazard**, **wave uprush** or **dynamic beach hazard** limit.
 10. The boundary of **hazardous lands** reflects the definitions of the various hazards and is based on information provided by or prepared for the Niagara Peninsula Conservation Authority, such as **floodplain** mapping and Lake Erie Shoreline Management Plan, respectively.
 11. Where **floodplain** mapping is not available from the Niagara Peninsula Conservation Authority, and the **conservation authority** has a flooding concern respecting a development application, the landowner will be required to prepare mapping as part of any Functional Servicing Study or development application.

E.12.2.2. Hazardous Forest Types and Wildland Fires

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

Development may however be permitted in lands with **hazardous forest types for wildland fire** where the risk is mitigated in accordance with **wildland fire assessment and mitigation standards**.

E.12.3 Excess Soil

1. The proper management of **excess soil** is critical to protect human health and the environment as our communities continue to grow. **Excess soil** is soil that is not required at a construction or development site and must be moved to a new location. In some cases, **excess soil** may be temporarily stored at another location before being brought to a final receiving site. The Provincial policy framework for **excess soil** management provides a life-cycle management approach, which includes placing greater responsibility on source sites where soil is excavated and recognizing opportunities for **excess soil** re-use.

2. **Excess soil** will be managed in accordance with Ontario Regulation 406/19 under the Environmental Protection Act.
3. Best management practices for **excess soil** generated and fill received during **development, site alteration**, including **infrastructure** development, will be implemented to ensure that:
 - i. **Excess soil** generated is to be reused on-site or locally to the maximum extent possible;
 - ii. Temporary storage sites are encouraged to be permitted close to soil reuse sites to reduce transportation and environmental impacts such as greenhouse gas emissions; and
 - iii. **Excess soil** placement at receiving sites are required to demonstrate that the activity will not have a **negative impact** on existing land uses, the natural environment, surrounding land uses and **cultural heritage resources**.
4. **Excess soil** from a **mineral aggregate operation** should be reused on-site or locally to the maximum extent possible. A plan for the reuse of **excess soil**, meeting Provincial requirements will be prepared as part of the Planning Act application process.
5. At the Town's discretion, a **soil management plan**, meeting Provincial best practices, is to be prepared as part of the Planning Act application process for new **development**

E.12.4 Potentially Contaminated Lands

1. Potentially contaminated properties are properties where the environmental condition of the site may have potential for **adverse effects** on human health, ecological health or the natural environment.
2. **Development** may only be permitted on, abutting or adjacent to lands affected by potentially contaminated lands, such as former **mineral mining operations, mineral aggregate operations**, former and active **waste disposal sites**, and oil, gas and salt hazards or **petroleum resource operations** if rehabilitation or other measures to address and mitigate risks associated with the hazard or suspected hazards are underway or have been completed to the satisfaction of the Town. Buildings may not be constructed within the lands adjacent to an active or unplugged **petroleum resource operation** unless in accordance with Provincial policies.
3. The Town requires that **development** take place only on properties where the environmental conditions are suitable for the proposed use.
4. While the identification of potentially contaminated sites is important, the policies of this Plan should not be interpreted as a commitment on the part of the Town to identify all contaminated sites. Rather, these policies should be regarded as an effort on the part of the Town to responsibly utilize available information in the planning application review process.
5. The following list of general uses represents current or past activities on a property that may be causing or may have caused environmental contamination:

- i. Activities involved with the elimination of waste and other residues;
 - ii. Industrial and commercial activities involving the storage and/or use of **hazardous substances**, including but not limited to fuels, oils, chemicals, paints or solvents.
6. As part of a planning application the Town may require development proponents to document (through a Phase One Environmental Site Assessment) detailing the previous uses of a property or surrounding areas to determine the potential for site contamination. The Chief Building Official may require the same documentation for the issuance of a building permit where a change to a more sensitive use is sought, but no Planning Act approval is required.
7. For properties that have been identified as having historic uses that could render the lands as being potentially contaminated, and the Town determines that the application will involve a change of use to a more sensitive land use, the Town will:
- i. Require as a condition of planning approval, written verification to the satisfaction of the Town from a qualified person, defined by Provincial legislation and regulations, that the property or properties in question are suitable or have been made suitable for the proposed use in accordance with Provincial legislation, regulations and standards, including where required by the Town or Provincial legislation and/or regulations, filing of a Record of Site Condition (RSC) signed by a qualified person in the Environmental Registry and submission to the Town of proof that Ministry of the Environment, Conservation and Parks has acknowledged receipt of the RSC.
 - ii. Establish conditions of approval for planning applications to ensure that satisfactory verification of suitable environmental site condition.
 - iii. Where applicable, utilize the holding provisions or site plan control of the Planning Act to ensure that satisfactory verification of suitable environmental site condition is received, and that remediation takes place in accordance with the Record of Site Condition and/or Certificate of property use;
 - iv. The Chief Building Official may require the same documentation for the issuance of a building permit where the change of uses are the same, but no Planning Act approval is required; and
 - v. Where the Town is deeded land for public highways, road widenings, parks, stormwater management, easements, or for any other purpose, the Town may require, as a condition of transfer, satisfactory verification of environmental site condition.
8. Require that sites with contaminants in land or water be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no adverse effects.

E.12.5 Waste Disposal Sites

1. Approval for use of lands within an identified **waste disposal site** will be required from the Ministry of the Environment, Conservation and Parks under Section 46 of the

Environmental Protection Act. This approval will be obtained prior to the approval of any amendment to this Plan or the implementing zoning by-law.

2. The satisfactory verification of suitable environmental site condition in accordance with this Plan will be required as a condition of approval for planning applications on lands containing or affected by former or current **waste disposal sites**.
3. Update the Zoning By-law to restrict **development** of new uses or new or enlarged buildings or structures on lands within the Waste Disposal Area of Influence. As an alternative, all lands within the assessment area will be subject to a Holding provision in the implementing zoning by-law. The removal of a Holding provision permitting the **development** of any new use or new or enlarged buildings or structures within the assessment area will not occur until the approval authority is satisfied that all of the studies required have been completed and the lands are acceptable to permit the proposed **development**.
4. Proposed **development** within the influence area, as determined by Provincial Land Use Compatibility Guidelines or through site specific study, of all **waste management** facilities will demonstrate that the solid **waste disposal site** will not have any unacceptable **adverse effects** on the proposed **development** and will not pose any risks to human health and safety.

E.12.6 Development in Proximity to Rail Facilities

1. It is important that **sensitive land uses** be adequately separated and/or buffered from railway yards, corridors and other facilities so as not to impede future railway operations and ensure the impacts of noise and vibration on **sensitive land uses** are appropriately mitigated.
2. New **sensitive land uses** will generally not be encouraged adjacent to **rail facilities**. **Development** adjacent to or in proximity to railway **infrastructure** will comply with the following policies:
 - i. There are existing established residential neighbourhoods within 300 metres of the Canada National Rail yard in Fort Erie. The 300 metre distance is a Ministry of the Environment, Conservation and Parks guideline for separation distances between heavy industrial uses and **sensitive land uses** which Canada National Rail has adopted as a standard distance separation for rail yards. There may be opportunities for limited infill **development** and areas of **intensification** as identified through the Bridgeburg Secondary Plan within a 300 metre distance, providing opportunities for the efficient use of urban lands. Given the Provincial guideline distance can often be reduced by appropriate studies that ensure reasonable standards of compatibility and public health and safety, and that the rail yard has operated at a reduced capacity for several years; residential **development** maybe permitted within 300 metres of the rail yard subject to the following;
 - a. Residential **intensification** areas will be identified through the Secondary Plan process which Canada National Rail will be provided the opportunity to participate in; and

- b. Residential **intensification** areas within 300 metres will be subject to a noise study prepared to the satisfaction of the Region and/or the Province in consultation with Canada National Rail; and
 - c. Residential **intensification** areas within 100 metres of a rail yard will require a vibration study to the satisfaction of the Region and/or the Province in consultation with Canada National Rail.
- ii. All proposed residential or other sensitive use **development** within 500 metres of a railway right-of-way or 1 km of a rail yard will be required to undertake noise studies to the satisfaction of the Town in consultation with the appropriate railway, and will undertake appropriate measures to mitigate any **adverse effects** from noise that were identified;
 - iii. All proposed residential or other sensitive use **development** within 75 metres of a railway right-of-way will be required to undertake vibration studies, to the satisfaction of the Town in consultation with the appropriate railway, and will undertake appropriate measures to mitigate any **adverse effects** from vibration that were identified;
 - iv. Where applicable, the Town will ensure that sightline requirements of Transport Canada are addressed;
 - v. All proposed **development** adjacent to railways will ensure that appropriate safety measures such as setbacks, berms, and security fencing are provided to the satisfaction of the municipality in consultation with the appropriate railway; and,
 - vi. Implementation and maintenance of any required rail noise, vibration and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the Town in consultation with the appropriate railway.

F. Implementation

F.1 Introduction

Implementing this Plan will be achieved through a number of tools, some of which are provided by Provincial and federal legislation, while others may be through Town by-laws, plans, and supporting guidelines and strategies. Implementation is a shared responsibility with the Region, First Nations and Indigenous communities, agencies and community interest groups, each of whom have a heightened interest and role in the implementation of this Plan.

F.2 Coordination

A coordinated, integrated and comprehensive approach will be implemented by the Town when dealing with planning matters within municipalities, across municipal boundaries, and with other orders of government, agencies, boards, and Service Managers.

F.3 Sustainable Finance

The implementation of this Plan must be financially responsible and sustainable, by ensuring that the required capital expenditures to provide services for **development** and **infrastructure** improvements are paid for in an equitable and appropriate manner. The Town will strive to maintain financial sustainability and integrity by managing its financial resources, assessing the fiscal impact of planning decisions and by undertaking **development** in a fiscally responsible manner. Additionally:

1. Where possible, the Town will use financial mechanisms available to it under any legislative authority, including the Municipal Act, Development Charges Act, Planning Act and any other applicable legislation, for the purposes of land use planning and the provision of **infrastructure** and **public service facilities**.
2. The Town may request a Municipal Financial Impact Assessment from the owner/applicant of any development application, including a review of capital costs, the degree to which development charges finances these costs and potential mitigation that could reduce the magnitude of any **negative impacts**. The terms of reference of such a study will be determined by the Town.
3. A Municipal Financial Impact Assessment will be prepared and may be peer reviewed at the owner/applicant's expense. Development proposals may be refused or deferred on the basis of financial impact and burden on the Town, if suitable mitigation measures are not available.

F.3.2 Development Charges

Development charges are a tool provided to municipalities under the Development Charges Act to collect fees from developers at the time of a building permit. Development charges

are used by the Town to support growth related **infrastructure** and services, such as roads, transit, water and sewer **infrastructure**, public use facilities, and fire and police facilities.

1. The Town will update, as required, a development charge background study pursuant to the requirements of Section 2 of the Development Charges Act, identifying the services that will be funded with the mechanism, including an asset management plan.
2. Enact a development charges by-law that will establish the capital costs to be funded by development charges and the development charges for residential and non-residential **development**.
3. Consider that the capital costs to be funded by development charges may include, but are not limited to:
 - i. Water, wastewater, and stormwater;
 - ii. Road services;
 - iii. Electrical power;
 - iv. Waste diversion;
 - v. Fire and emergency services;
 - vi. Libraries;
 - vii. Public health and long-term care;
 - viii. Parks and recreation, except where those costs or land needs have been fulfilled through the Town's parkland dedication by-law;
 - ix. Child-care facilities, except where funded by community benefits charges;
 - x. Services related to emergency preparedness; and,
 - xi. By-law enforcement.
4. The Town may exempt some or all of the development charge or exempt certain **development** or **redevelopment** from the development charge as a means to promote specific **development**, **redevelopment** or revitalization objectives in accordance with this plan.

F.3.3 Community Benefits Charges

Community benefits charges are a tool available to municipalities pursuant to the Planning Act to collect fees to offset the capital costs of public use facilities, services and matters incurred from **development** and population growth. Community benefits charges are used in conjunction with development charges and parkland acquisition policies to ensure that growth occurs in a financially sustainable way and that new **development** is properly serviced.

1. Complete a Community Benefits Charge Strategy pursuant to the requirements of Section 37 of the Planning Act and Ontario Regulation 509/20, identifying the facilities, services and matters that will be funded with community benefits charges.

2. Enact a Community Benefits Charges By-law which establishes a community benefits charge applicable to construction or **redevelopment** of buildings as defined in the By-law in conformity with the Planning Act. Public consultation will be included in the development and approval of such By-law.
3. The following facilities have been identified as being required, in whole or in part, to meet the increased need for service arising from CBC eligible **development** or **redevelopment**:
 - i. **Public realm**, amenities, including public cultural facilities and public art;
 - ii. Active transportation;
 - iii. **Affordable** housing, or cash-in-lieu of affordable housing units or land;
 - iv. Conservation/replacement of rental housing;
 - v. Child-care facilities, except where funded by development charges;
 - vi. Conservation of heritage resources;
 - vii. Other local improvements identified in Secondary Plans, Community Improvement Plans, capital budgets or other implementation plans or studies;
 - viii. Energy conservation and environmental performance measures; and
 - ix. Conservation of existing parks and open space or the creation of new parks and open space, where not already achieved through parkland dedication.

F.4 Planning Tools

F.4.1 Secondary Plans

Secondary Plans provide detailed local development policies to guide growth and change in a defined area of the Town. They implement the objectives, policies, and land use designations of this Plan to reflect local contexts while providing more detailed direction for such matters as the desired form and type of physical **development**, detailed targets and allocations for population and job growth, the protection of natural and **cultural heritage resources**, and targets for **sustainable development**, phasing, and the implementation of **infrastructure**. Secondary plans may be prepared to plan for future **development** and to accommodate growth on lands within the Town that are currently undeveloped, or in existing developed areas where it is determined that additional land use policies are needed.

1. Secondary plans will be prepared for **designated growth areas** as shown on Schedule P: Secondary Plans, except where a **designated growth area** is less than 15 hectares or where an alternative process may be appropriate in accordance with policy F.4.3.
2. A secondary plan or similar comprehensive planning study may be undertaken for:
 - i. Large scale **development** in existing **designated growth areas** where direction is required to co-ordinate planning and the efficient use of land and **infrastructure**; and

- ii. Existing built-up areas, including those areas that:
 - a. Have desirable characteristics or functions which should be promoted and enhanced;
 - b. Are identified for intensification, including **strategic growth areas**;
 - c. Areas in need of revitalization, new investment and/or coordinated approach
- 3. Where a designated growth area is added through an expansion of the **settlement area** boundary, and is less than 15 hectares, the Town will determine if development may proceed in advance of a secondary planning process or equivalent based on one or more of the following criteria:
 - i. The area is adjacent to and abutting an existing secondary plan boundary; or
 - ii. The area is adjacent to and abutting a **strategic growth area**; and
 - iii. The policies of this Plan can be satisfied through alternative study and subsequent amendment to this Plan.
- 4. Prior to preparing a secondary plan, the Town may prepare a terms of reference in consultation with the Region, and the **conservation authority**, where applicable, that sets out the project scope and required supporting technical studies.
- 5. Privately initiated secondary plans require a terms of reference approved by the Town, in consultation with the Region and **conservation authority** where applicable, prior to development of the secondary plan.
- 6. Secondary plan policies and schedules will ensure the following for community or **employment areas**, as applicable:
 - i. A diversity and mix of land uses;
 - ii. A mix of built form;
 - iii. High quality urban design and **public realm**;
 - iv. Provision of parks and open space;
 - v. Appropriate refinement and implementation of the **natural environment system**;
 - vi. Adequate provision of **infrastructure**, including transit and active transportation;
 - vii. Planning approaches that support sustainable and resilient communities; and
 - viii. Co-location of **public service facilities** where appropriate and adapting existing **public service facilities** and spaces as a priority.
- 7. A secondary plan will be informed by the following studies:
 - i. **Subwatershed study**, or equivalent, in accordance with this Plan, for the **development of designated growth areas**. The scope and content of the study will be determined through development of a terms of reference in consultation with the **conservation authority**;
 - ii. Functional Servicing Study or **Infrastructure** Review that includes water and wastewater servicing plans, and a stormwater management plan;

- iii. Transportation Study;
 - iv. Development Phasing Plan, if applicable;
 - v. Environmental Impact Study, if applicable; and
 - vi. Any other studies related to the location and context of the secondary plan area, as determined in consultation with the Town, Region, or **conservation authority**
8. Unless directed by more specific policies in this Plan, where an adopted secondary plan is required or has been identified as being required but is not yet in-effect, a development application within a secondary plan area will demonstrate:
- i. Consistency with an adopted secondary plan or how the proposed **development** will be positively integrated with the overall plan area where secondary plan direction is not available;
 - ii. The size and/or location of the proposed **development** will not adversely impact the remaining **development** area, or alternatively, is of a significance that it will assist in creating a positive vision for the **development** of the area;
 - iii. How the **development** contributes to the policies of this Plan, in particular Policies F.4.6 and F.4.7.
9. Secondary plans will be approved in accordance with the policy F.3 of this Plan.

F.4.2 Implementing Zoning By-Law

- 1. An zoning by-law prepared in accordance with the provisions of the Planning Act, will implement the policies of this Plan by regulating the use of land and the character, location and use of buildings and structures.
- 2. The implementing zoning by-law may be more restrictive than the provisions of this Plan. It is not intended that the full range of uses, built forms, or heights permitted by this Plan will be permitted by implementing zoning by-law in all cases.
- 3. Within three years of the adoption of this Plan, the existing zoning by-law will be reviewed and amended, or a new zoning by-law prepared and adopted, to conform to the policies of this Plan, in accordance with the Planning Act.
- 4. Until such time as the zoning by-law is amended, the existing zoning by-law will remain in effect. However, any Amendment to the existing zoning by-law is required to be in conformity with this Plan.
- 5. Council will amend the implementing zoning by-law within three years of a revision to the official plan to ensure they conform with the official plan.

F.4.2.2. Minor Zoning By-law Amendments

- 1. Council may, by by-law, delegate the authority to enact an amendment to the implementing zoning by-law that are of a minor nature. Such a by-law can identify any or all of the following types of zoning by-law amendment applications as minor with delegated authority:
 - i. Removing a holding symbol where the provision has been met;

- ii. To amend an existing Holding Provision or establish a new Holding Provision;
 - iii. Correcting of minor errors and omissions;
 - iv. Housekeeping updates to reflect changes to job titles, Town departments, external agencies and organizations, or other policy documents and legislation;
 - v. To prohibit development of a single detached dwelling and a residential care facility on a retained agricultural parcel of land as a result of a surplus farm dwelling identified through a condition of Consent;
 - vi. To recognize a reduced lot area as part of a surplus farm dwelling approved through a Consent application;
 - vii. To amend an existing Holding Provision;
 - viii. To establish a new Holding Provision;
 - ix. To add a use permitted by the Official Plan;
 - x. To remove lands from an environmental protection oriented zone, as per the findings of an **environmental impact study**, or equivalent; and
 - xi. To remove an existing Site Specific Zoning Bylaw where the effect would be to revert to the parent zoning in force and effect.
2. A public meeting is not required for a minor zoning by-law amendment application described above unless concerns have been identified by written submission during the commenting period identified in the Notice of Application, if required.

F.4.2.3. Minor Variance

1. That the Committee of Adjustment will consider applications for minor variances to the use and/or regulation provisions of the implementing zoning by-law in accordance with the provisions of the Planning Act;
2. That when considering an application, the Committee of Adjustment will consider the professional advice provided by the Town staff, including legal, planning, engineering, etc., and the Committee will provide an explanation as to what effect the written and oral submissions it received had on the decision, if any; and
3. The Committee of Adjustment will be satisfied that the general intent and purpose of this Plan and the implementing zoning by-law would be maintained, and that the variance would be minor in nature and desirable for the appropriate **development** or use of the land, building, or structure.

F.4.2.4. Holding Provision

A holding provision is an implementation tool pursuant to the Planning Act that can be included to an amending by-law to ensure local municipal services and **infrastructure** are in place.

1. A holding provision may be applied to ensure that specific criteria or conditions are met before permitting **development** to proceed, subject to conditions that must be

satisfied before the final use of the land is permitted, which may include any of the following:

- i. Adequate **infrastructure** is available, as required to service the proposed **development**;
 - ii. Completion of transportation and **infrastructure** improvements
 - iii. Fulfillment of financial obligations related to open space, recreational and community services and facilities;
 - iv. Environmental remediation or mitigation measures;
 - v. Natural environmental hazard management;
 - vi. Protection of the natural environment including tree preservation;
 - vii. Professional or technical studies to assess potential development impacts;
 - viii. Phasing of **development**;
 - ix. Draft plan of subdivision and/or site plan control approval;
 - x. Approval of a Secondary Plan and/or Block Plan encompassing one or more parcels of land;
 - xi. Provision of affordable and attainable housing, where appropriate;
 - xii. Measures to protect cultural heritage and archaeological resources;
 - xiii. Additional technical studies as may be required; and,
 - xiv. Entering into legal agreements, including a subdivision agreement, and other agreements pursuant to the Planning Act, to secure any of the matters required to satisfy the conditions of removal of the holding provision.
2. Holding by-laws will specify uses (and any additional regulations applicable thereto) which will be permitted while the by-law is in effect, provided that such interim uses do not conflict with the ultimate designated use of the lands. Interim uses may include **agricultural uses**, one single-detached dwelling per lot, and uses existing at the date of adoption of this Plan.
 3. If in the opinion of the Council the criteria for removing the holding have been met, the holding may be removed by amendment to the zoning by-law.

F.4.3 Community Planning Permit System

The community planning permit system is a land use planning tool that the Town use to plan for the future of the community. This tool supports the streamlining of development review and approval processes.

1. The Community Planning Permit System is an additional implementation tool that may be used by the Town to ensure the goals, objectives and policies of this Plan are implemented.
2. The Town may identify one or more areas, including the entire Town, as a community planning permit system area to assist in streamlining the planning processes by

combining zoning, site plan and minor variance(s) into one development application. Council may enact a by-law to establish a community planning permit system for any area within the Town, or the Town in its entirety, based on the following criteria:

- i. There is an opportunity to establish a more streamlined and simplified process for Council, staff, landowners, applicants, and the public in regard to achieving the broad land use planning goals and objectives of this Plan;
 - ii. The housing objectives of this Plan, including creating a greater range and mix of housing options, are best advanced in consideration of the growth management objectives of this Plan;
 - iii. Encourages a more compact, mixed-use built form that contributes to **complete communities** of high-quality design and contributes to an engaging and activated private realm and public realm; and
 - iv. Supports implementation of the **natural environment system** policies of this Plan, encourages **sustainable design** and **low impact development** practices, and safeguards against natural and human-made hazards.
3. A by-law enacted by Council to establish a Community Planning Permit System will:
- i. Delineate the area to which the by-law applies;
 - ii. Contain more specific goals, objectives and policies for a Community Planning Permit System for the area to which it applies;
 - iii. Specify complete application requirements;
 - iv. Identify classes of **development** or **redevelopment** that may be exempt from the by-law;
 - v. Identify the statutory notice procedures, including notices of decision;
 - vi. Establish permitted land uses and discretionary land uses;
 - vii. Establish development standards;
 - viii. Establish the process through which applications are reviewed, and permit decisions are made;
 - ix. Provide that a community planning permit may be amended as described in the by-law;
 - x. Provide that an agreement entered into under the by-law may be amended as described in the by-law;
 - xi. Outline the conditions, if any, that Council may choose to impose conditions in making a decision on an application under the by-law;
 - xii. Sets out the scope of the authority that may be delegated and any limitations on the delegation, where Council may intend to delegate any authority under the by-law; and
 - xiii. State that the placement of a portable classroom on a school site of a district school board is exempt from the requirement for a community planning permit if

the school site was in existence on January 1, 2007, in accordance with section 16. O. Reg. 173/16, s. 4 (2); O. Reg. 234/18, s. 1 (1).

4. That the implementation of a Community Planning Permit System will be undertaken with input from Council and members of the public, as well as relevant agencies and authorities.

F.4.4 Community Improvement Planning

The purpose of a Community Improvement Plan is to help revitalize areas within a community by designating a Community Improvement Plan area and providing programs, such as grants, in order to encourage implementation of the goals identified by the Town.

F.4.4.1. General

1. Community improvement will be accomplished through:
 - i. The ongoing revitalization of communities and areas characterized by one or more of the following:
 - a. Inadequate physical, social, community or recreational **infrastructure**;
 - b. Obsolete/dilapidated buildings; and
 - c. Conflicting land uses.
2. The establishment of comprehensive programs to promote **redevelopment** and rehabilitation that addresses identified economic development, land **development**, environmental, housing, and/or social development issues or needs.
3. Community improvement will be implemented through the designation, by Council, of Community Improvement Project Areas and through the preparation, adoption and implementation of Community Improvement Plans, pursuant to the Planning Act.
4. It is the intent of Council that the entirety of the Town may be designated by by-law as a Community Improvement Project Area.

F.4.4.1.2. Community Improvement Project Areas

1. Community Improvement Project Areas will be designated based on one or more of the following conditions being present:
 - i. Buildings and/or property in need of repair, rehabilitation, or **redevelopment**;
 - ii. **Brownfields**, underutilized lands or unused or abandoned buildings;
 - iii. Non-conforming, conflicting, encroaching or incompatible land uses or activities;
 - iv. Deficiencies in physical **infrastructure** including but not limited to, the sanitary sewer system, storm sewer system, and/or watermain system, roads, parking facilities, sidewalks, curbs, streetscapes and/or street lighting;
 - v. Poor road access and/or traffic circulation;

- vi. Deficiencies in community and social services including but not limited to, public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;
- vii. Inadequate mix of housing types;
- viii. Buildings, structures and lands of heritage and/or architectural significance;
- ix. Known or perceived environmental contamination;
- x. Poor overall visual quality, including but not limited to, streetscapes and urban design;
- xi. Existing designated Business Improvement Areas, potential for inclusion in a designated Business Improvement Area, and/or existing designated commercial area;
- xii. High commercial vacancy rates;
- xiii. Shortage of land to accommodate building expansion, parking and/or loading facilities;
- xiv. Other barriers to the repair, rehabilitation or **redevelopment** of underutilized land and/or buildings; and
- xv. Provisions for energy efficiency and any other environmental, social or community economic development reasons.

F.4.4.2. Community Improvement Plans

This Plan designates the entire Town as a Community Improvement Project Area under the provisions of Section 28 of the Planning Act. The purpose of a Community Improvement Plan is to help revitalize areas within a community by designating a Community Improvement Plan area and providing programs, such as grants, in order to encourage implementation of the goals identified by the Town.

1. Identify areas that may benefit from community improvement by adopting Community Improvement Project Areas and Community Improvement Plans for specific areas of the Town or Town-wide.
2. Support projects and programs that encourage placemaking, including improvements to the built, natural and social environments.
3. Maintain, enhance or facilitate the viability of mixed use, commercial, residential and **employment areas** within the Town.
4. Address housing issues that may be particular to one community or Town-wide, including the promotion of affordable home ownership and rental housing.
5. Promote private initiatives to rehabilitate, restore, or redevelop property, while encouraging the conservation, restoration, adaptive re-use and improvement of **cultural heritage resources**.

6. Encourage and support carbon reduction measures in **development, redevelopment** and built form that align with the climate change goals, objectives and priorities of the Town and this Plan.
7. Promote **on-farm diversified uses**, agriculture-related uses or other measures to promote revitalization and economic activity in the **rural areas** of the Town, in accordance with the permitted uses in this Plan.
8. Continue to improve the Town's physical, social and recreational facilities and services in a co-ordinated manner that may reflect localized or Townwide issues, while recognizing the Town's priorities and financial resources.
9. Prioritize the improvement and make efficient use of public **infrastructure**, public services and utilities.
10. Consider implementing the community improvement objectives of this Plan by:
 - i. Participating in available provincial, regional or other funding programs or opportunities to assist in the implementation of a Community Improvement Plan;
 - ii. Encouraging participation of the private sector in the implementation of a Community Improvement Plan, including infilling and **redevelopment** policies;
 - iii. Supporting and encouraging the participation of local community groups, service clubs and other public organizations in the implementation of the Community Improvement Plan;
 - iv. Improving, acquiring or disposing of land and buildings in a designated Community Improvement Project Area;
 - v. Applying the Ontario Heritage Act to support the preservation of historic or architectural **significant** buildings and the use of funding programs under the Ontario Heritage Act; and
 - vi. Undertaking regular performance review and monitoring of Community Improvement Plans and update the Community Improvement Project Areas or Community Improvement Plans.
 - vii. Prior to adopting a Community Improvement Plan, be satisfied that the Town can reasonably finance the Town's share of costs in its implementation.
 - viii. Collaborate, participate, and consult with the Region to combine financial incentives to assist in the implementation of Community Improvement Plans.

F.4.5 Site Plan Control

Site plan control is a planning tool that the Town can use to evaluate certain site elements on a parcel of land where **development** is proposed. Site Plan control is also a component of the Community Planning Permit System, and the applicable policies in relation to site plan control apply to a Community Planning Permit.

1. All lands within the municipal jurisdiction of the Town is designated as a Site Plan Control area, pursuant to the Planning Act.

2. The following uses will not be subject to Site Plan Control unless such control will assist in managing grading and drainage impacts and locating **development**:
 - i. Agricultural and farm related buildings or structures which are utilized in farming operations, except for building and structures used for indoor cannabis cultivation, outdoor cannabis cultivation, and cannabis processing;
 - ii. Electric power facilities;
 - iii. Regional or municipal facilities; and
 - iv. **Development** consisting of the construction of a building or structure for residential purposes if the parcel of land will contain no more than 10 residential units, unless the **development** relates to a land lease community home, except where such **development** meets any of the following criteria, in which case it is subject to site plan control:
 - a. Any area that is within 300 metres of a railway line;
 - b. Any area that is within 120 metres of:
 1. A wetland;
 2. The shoreline of a Great Lakes-St. Lawrence River System;
 3. An inland lake; or
 4. A river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse.
3. The following matters relating to buildings will not be subject to Site Plan Control:
 - i. Interior design;
 - ii. Exterior design, except to the extent that it is a matter relating to exterior access to a building that will contain **affordable** housing units or to any part of such a building;
 - iii. The layout of interior areas, excluding interior walkways, stairs, elevators, and escalators; and
 - iv. The manner of construction and standards for construction.
4. Require development proponents to execute a site plan agreement under circumstances where there is construction of one or more buildings or structures, where the size of a building is to be substantially increased, where the intensity of a use is to increase, where there is the development of a parking lot, and/or in other circumstances deemed appropriate in accordance with the Town's Site Plan Control By-law.
5. Consider applying certain conditions to site plan approval, and to require that a certain standard of design be applied that is consistent with the urban design policies of this Plan and any applicable design guidelines, and in accordance with the matters related to exterior design as specified in the Planning Act, to the extent that the appearance

impacts matters of health, safety, accessibility, **sustainable design** or the protection of adjoining lands.

F.4.6 Interim Control By-law

Interim control by-laws temporarily prohibit **development** or the certain use of lands to allow for more detailed study or review policies related to the Town or a specific area, or areas thereof.

1. In accordance with Section 38 of the Planning Act, pass an interim control by-law to restrict the use of land, buildings or structures within a defined area until a review or study of land use policies has been completed.
2. Following completion of the study or policy review, the Town may amend this Plan and implementing zoning by-law to implement the recommendations determined by the study.

F.4.7 Temporary Use By-law

Council may enact s temporary use by-laws in accordance with the Planning Act, to allow land and buildings to be zoned for uses which are permitted by this Plan but may not confirm to the implementing zoning by-law.

1. In accordance with Section 39 of the Planning Act, a temporary use by-law may be passed to authorize the temporary use of land, buildings or structures for any purpose established therein that is otherwise prohibited by the zoning by-law provided that:
 - i. The development proponent demonstrates that the use is temporary in nature and appropriate for a limited time span;
 - ii. Maintain the long-term viability of the lands for the uses permitted in this Plan;
 - iii. Be compatible with the adjacent land uses;
 - iv. Be suitable for the site in terms of site layout, building design, accessibility, provision of landscaping, screening and buffering and available services;
 - v. Have no adverse impacts on key natural heritage features and key hydrologic features;
 - vi. Have no adverse impact on traffic, transportation or parking facilities in the area;
 - vii. Provide adequate on-site parking facilities;
 - viii. Provide sufficient services (e.g., sewage and water supply, etc.) to accommodate the proposed temporary use;
 - ix. Not entail any major construction or investment on the part of the owner and no new buildings or expansions of buildings, except for temporary or moveable structures, will be permitted; and
 - x. An agreement be entered into to terminate the use upon expiry of the temporary use by-law. The agreement will include a clause that the applicant cannot advance claim of undue hardship and that the Town will require securities for any

work. A temporary use by-law may be extended where the original criteria provided for above are met, and in accordance with the Planning Act requirements.

2. Council may, by by-law, delegate the authority to pass a by-law to authorize the temporary use of land, buildings, or structures to a committee of Council or an individual who is an officer, employee or agent of the Town.

F.4.8 Delegation of Authority

The Town may: Enact a by-law to delegate the authority to pass by-laws under Section 34 of the Planning Act, that are minor in nature, to a committee of Council or an individual who is an officer or employee of the Town, provided that all notice and public meeting requirements of this Section are satisfied.

1. Delegation of authority to pass by-laws under Section 34 of the Planning Act will be limited to:
 - i. A by-law to remove a holding “H” symbol;
 - ii. A housekeeping by-law for the purpose of making clerical or other changes
 - iii. To assist in the interpretation of the Zoning By-law;
 - iv. An amendment to the Zoning By-law that is deemed to be minor in nature and conforms to the policies of this Plan; and
 - v. A by-law to authorize the use of land, a building, or a structure on a temporary basis.
 - vi. The delegation of authority authorized under this Section may be subject to conditions of Council.

F.4.9 Demolition Control

1. Demolition Control enables the Town to:
 - i. Support the development and conservation of **affordable** and **attainable housing**;
 - ii. Prevent the premature loss of housing stock;
 - iii. Avoid the creation of vacant parcels of land in stable neighbourhoods; and
 - iv. Retain existing residential units until new uses have been considered and **redevelopment** plans have been approved.
2. The Town may, by by-law, designate all lands within the Town as a Demolition Control Area.
3. A Demolition Control By-law may be used as a tool to:
 - i. Preserve and enhance the character of an area;
 - ii. Protect existing housing stock;
 - iii. Protect and support the **affordable** and **attainable housing**; or

- iv. Preserve other buildings, structures or features which the Town deems appropriate.
- 4. No person will demolish or otherwise remove the whole or any part of a residential property in a Demolition Control Area, unless that person is the holder of a demolition permit for that residential property issued by the Town.
- 5. The By-law will not apply where:
 - i. The demolition of part of the residential property does not reduce the number of dwelling units on the residential property;
 - ii. The residential property is exempted from under Federal or Provincial regulations; or
 - iii. The residential property is deemed unsafe in accordance with the Building Code Act, and an order for demolition has been issued by the Chief Building Official.
- 6. Under Section 33 of the Planning Act, the Town may delegate authority to the Chief Building Official to issue demolition permits where;
 - i. No Town concerns have been raised regarding the proposed demolition; or
 - ii. The property is not designated or listed under the Ontario Heritage Act.
- 7. Where a building permit has been issued by the Chief Building Official, the Town may impose conditions related to the timing of completion of replacement buildings, and impose a fee for non-compliance, in accordance with Sections 33(6), 33(7), and 33(11) of the Planning Act.
- 8. Applications to demolish designated cultural heritage buildings or structures will be considered in accordance with the provisions of the Ontario Heritage Act and all other applicable policies of this Plan.

F.4.10 Other Planning Tools

F.4.10.1. Property Standards

This policy is intended to secure the health, safety, convenience and welfare of the present and future inhabitants of the Town. To this end Council has enacted a By-law 186-08, passed under the authority of Section 15.1.3 of the Building Code Act, to prescribe standards for the maintenance and occupancy of property. This By-law and any amendments thereto, will help to maintain a reasonable standard of building and property maintenance within the Town, and as a result, should assist in maintaining a satisfactory level of assessment and property taxes.

F.4.10.2. Content of the By-law

The Town will enact and administer a Property Standards By-law law.

- 1. The Property Standard By-law may establish standards to address the following:
 - i. The physical conditions of vacant land, yards and passageways including the accumulation of debris and rubbish;

- ii. The adequacy of sanitation including drainage, waste disposal, garbage and pest control;
 - iii. The physical condition of accessory buildings;
 - iv. The physical conditions of dwellings or dwelling units, institutional, commercial and/or industrial buildings, structures and properties;
 - v. The protection of cultural heritage resources;
 - vi. The temporary storage of refuse, materials or equipment as it relates to **development** or construction or other standards pertaining to lands under **development**; and
 - vii. The requirement that substandard properties be repaired and maintained to comply with the standards, prohibit the use of a substandard property and require the demolition and clearing of such property which the owner does not intend to repair and maintain.
2. Require financial security through bonding letters of credit or other financial arrangement prior to **development**.

F.4.10.3. Brownfield Remediation

1. The **development** or **redevelopment** of potentially contaminated sites will be assessed and remediated in a manner consistent with the Environmental Protection Act and all other relevant Provincial regulations, guidelines and procedures.
2. Proposed **development** on any known or suspected contaminated site will be the subject of a study by a qualified professional, in accordance with any applicable senior government guidelines, which will investigate and provide a remedial plan as required.
3. Where the need for remediation is confirmed, the proposed restoration works will be completed or implemented prior to **development** taking place or as a secured condition of the required development agreement.

F.4.10.4. Land Acquisition

1. In accordance with the Planning Act, and the Municipal Act, it is deemed that this Plan contains provisions relating to the acquisition of land for the purpose of developing any feature of this Plan, and in particular the Council may acquire and hold such land, or sell, lease or otherwise dispose of such land when it is no longer required, as follows:
 - i. Land comprising a lot that is substandard in lot frontage and/or area according to the regulations in the implementing zoning by-law;
 - ii. Land within a Community Improvement Project area in accordance with the provisions of the Planning Act;
 - iii. Land proposed for industrial **development**; and
 - iv. Land for open space, parks, or other public recreational purposes, or conservation purposes.

F.4.10.5. Land Use Compatibility

1. **Major facilities** and **sensitive land uses** will be planned and developed to avoid, or if avoidance is not possible, to minimize and mitigate any potential **adverse effects** from odour, noise, and other contaminants, minimize risk to public health and safety and to ensure the long-term operational and economic viability of **major facilities** in accordance with provincial guidelines, standards and procedures.
2. To minimize risk to public health and safety, it is important for sensitive land uses to be appropriately separated and buffered from major facilities. When considering amendments to this Plan and the implementing zoning by-law to establish either a new sensitive land use or industrial operation in proximity to the other, Council will have regard for provincial direction, including the Province's D-Series Guidelines, as amended or other applicable guidelines in determining appropriate separation distances and necessity of more detailed compatibility studies.

F.4.10.6. Parkland Dedication

1. Public Open Space will generally be acquired through dedication, grants or the use of funds for park or other public recreational purposes pursuant to the Planning Act based on the following criteria:
 - i. As a condition of residential **development** or **redevelopment**, conveyance of land to the Town for park purposes will be required at a rate of:
 - a. 5-percent of the land proposed for **development**; or
 - b. One hectare of land for each 600 dwelling units proposed.
2. With respect to **development** that will include **affordable** or **attainable housing**, as defined in the Development Charges Act, the amount of land required to be dedicated will be multiplied by the ratio of the number of residential units that are not **affordable** or **attainable** residential units divided by the total number of residential units.
3. As a condition of industrial or commercial **development** or **redevelopment** or recommended condition of approval of a plan of subdivision, the conveyance of land to the Town for park purposes may be required at a rate of 2-percent of the land proposed for **development** or **redevelopment**.
4. In lieu of requiring the conveyance of land required the Parkland Dedication by-law, the Town may require the payment of the value of the lands otherwise required to be conveyed, calculated in accordance with the Town's Parkland Dedication By-law, as follows:
 - i. For all other **development** or **redevelopment**, the payment-in-lieu will be calculated as the equivalent value of the land required based on a property appraisal provided by the applicant, as follows:
 - a. In the case of lands proposed for a residential use, the greater of the following:
 1. If the density of the **development** is 50 units per hectare or less, at a rate of 5-percent of the value of land being developed or redeveloped, or

2. If the density of the **development** is greater than 50 units per hectares, at a rate of the value of one (1) hectare of land for each one thousand (1,000) net residential units proposed.
5. Land to be dedicated for parkland purposes will only be accepted when minimum site and location standards and site preparation are deemed acceptable by the Town.
6. Council will use the lands conveyed to the Town for public park or recreational uses but may sell such lands at any time.
7. All monies received under provisions of policies this Section will be used for the sole purpose of public park or recreational uses in accordance with the Planning Act.
8. Council may utilize any monies identified to acquire or develop public park or recreational uses in any area of the Town it considers necessary.
9. The Town will endeavor to encourage the availability of land and facilities of other agencies and groups for the general use of all residents.
10. The Town may also acquire lands which are of particular value either because of their physical, or if appropriate social or environmental character, or because their location provides a link with other portions of the open space system.
11. Public Recreational areas and parkland are deemed essential for the welfare of the residents, and the policy of this Plan is therefore to provide such areas at the rate of 4 hectares per 1,000 population.
12. The Parks and Open Space Master Plan, prepared by the Town and as updated from time to time, will be used as a guide to Council in its decisions regarding parks and recreational facilities.
13. Land uses will be exempt from the obligations to convey parkland or make a payment in lieu in accordance with the Town's Parkland Dedication By-law. Exempt uses are identified in the Parkland Dedication By-law, which may be updated from time to time.

F.4.10.7. Cash-in-Lieu of Parking

1. In accordance with the Planning Act, such an agreement may contain provisions requiring the landowner to make one or more payments to the municipality and establishing a schedule for such payment.
2. The agreement will be registered in the Registry Office.
3. When all monies agreed upon have been paid to the Town, the landowner may request that the Town Clerk provide a certificate, in registerable form, certifying that all monies have been paid or that the agreement has been terminated.
4. The parking requirements for residential uses located in the **strategic growth areas** can be achieved through the provision of dedicated parking spaces or permit parking in a public parking lot or dedicated spaces in private parking lots located within a reasonable walking distance of the residential use. Long term access to the parking spaces on private property must be secured through an easement in favour of the residential property owner.

F.4.11 Plans of Subdivision and Condominium

F.4.11.1. Plans of Subdivision

1. The Subdivision Plan approval process and Subdivision Agreements pursuant to the Planning Act, will be used by Council to ensure that the policies and land uses of the Official Plan and Secondary Plan are complied with and that a high standard of design is maintained in new **development** areas.
2. The plan of subdivision process is required for lot creation where four or more new lots result from the application or where a service extension is required except where lot frontages for the new lots currently exist on a public road. Notwithstanding, in existing registered plans of subdivision, replotting can occur through the use of deeming by-laws in conjunction with the consent process.
3. Council may approve Plans of Subdivision which satisfy the following:
 - i. The Plan of Subdivision conforms with the policies of this Plan;
 - ii. The plan will not impose an unacceptable financial burden on the Town;
 - iii. The plan of Subdivision can be supplied with adequate services and **public service facilities** such as water supply, sewage disposal facilities, stormwater drainage, solid waste collection and disposal, roads, pedestrian facilities and fire and police protection;
 - iv. The plan will not adversely impact upon the **transportation system** and will support public transit, cycling and walking;
 - v. The plan will not adversely impact the natural environment;
 - vi. The plan will be integrated with surrounding lands, subdivisions and streets; and
 - vii. The plan meets the urban design criteria contained in this Plan and any current or future Urban Design Guidelines.

F.4.11.2. Plans of Condominium

1. Only those development proposals submitted under the Condominium Act that conform to the policies of this Plan will be considered for approval.
2. The Town, when considering applications for plans of condominium, will have regard for the provisions of the Planning Act and related Provincial policies and plans, along with applicable **conservation authority** policies and procedures. In addition, the Town will approve only those plans of condominium that meet the following criteria:
 - i. The plan conforms to the policies of this Plan;
 - ii. The plan will not impose an unacceptable financial burden on the Town;
 - iii. The plan of condominium can be supplied with adequate services and **public service facilities**;
 - iv. The plan will not adversely impact upon the **transportation system** and will support public transit, cycling and walking;

- v. The plan will not adversely impact the natural environment;
 - vi. The plan will be integrated with surrounding lands, subdivisions and streets; and
 - vii. The plan meets the urban design criteria contained in this Plan and any current or future Urban Design Guidelines.
3. The Condominium Act allows the approval authority to exempt a plan of condominium from the relevant provisions of the Planning Act, which deal with the draft plan approval with conditions and parkland dedication. The Town may consider granting an exemption for plans of condominium where:
- i. Site Plan Approval has been granted; and
 - ii. All municipal issues are addressed.

F.5 Public Works

All works undertaken within the Town, including any by-law enacted by Council, will be undertaken in accordance with the policies of this Official Plan. A Capital Works programme will be prepared in conformity with this Plan and will be updated annually.

F.6 Consultation and Public Participation

The Planning Act requires that municipalities allow for sufficient opportunity for the public, stakeholders, and Indigenous communities to participate and provide feedback. The following policies establish requirements for consultation with First Nations and Indigenous communities, as well as public engagement and notification for all applications made under the Planning Act.

F.6.1 Duty to Consult

1. The Town is located on the traditional territories of the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, and also treaty lands, including Treaty #381, the Niagara Purchase (May 9, 1781) signed by representatives of the Crown and certain Anishinaabe peoples, and Treaty 3, the Between the Lakes Purchase, (December 7, 1792) signed by representatives of the Crown and certain Mississauga peoples.
2. In the spirit of reconciliation, in acknowledging the “free, prior and informed consent” as set out in the United Nations Declaration on the Right of Indigenous Peoples as applied and interpreted by Courts of competent jurisdiction, and the right to carry out traditional pursuits in a respectful and unrestricted manner, the Town will continue its work on building a new relationship with Indigenous Communities prior to **development** and gaining consent before moving forward, where appropriate.
3. The Town will consider the consultation of the First Nations that have traditional territory in this area, including the Anishinaabe, the Mississaugas of the Credit First Nation, and the Haudenosaunee when engaging on planning matters or **public works projects**.

4. The Town will engage with and consider First Nations and Indigenous communities when identifying, protecting, and managing **cultural heritage resources** and **archaeological resources**, planning for sustainability and climate change, and the **natural environment system**. This may include circulating certain studies to First Nations.
5. Archaeological Assessments that identify sites and archaeologies resources of Indigenous interest will be provided to the community of closest cultural affiliation to the site and/or resources. The Town will:
 - i. Direct the proponent to the appropriate First Nations and Indigenous communities and facilitate communication by providing contact names and numbers, and a list of those agencies that can assist with the engagement process;
 - ii. Require proponents to engage with First Nations and Indigenous communities at the earliest opportunity and consider their interests when identifying, protecting, and managing **cultural heritage resources** and **archaeological resources**;
 - iii. Require documentation that the licensed archaeologist has engaged with First Nations and Indigenous communities in accordance with the Standards and Guidelines for Consulting Archaeologists of the Region's Archaeological Management Plan (AMP); and
 - iv. Require documentation that the proponent has provided a copy of the Archaeological Assessment report to those communities with the closest cultural affiliation to identified **archaeological resources** and in whose traditional territories the **archaeological resources** were found.
6. Proponents are encouraged to engage with the First Nations and Indigenous communities with the closest cultural affiliation to the site and/or **archaeological resources** and in whose traditional territories the **archaeological resources** were found, to address their interest in the resource, when planning for sustainability and the **impacts of a changing climate**, and relative to **natural environment system**. Proponents should confirm whether the First Nation or Indigenous community would like to repatriate the **archaeological resources**, and if not, define interpretive and commemorative opportunities related to the resource, where preservation of the resource is not possible in its current location.
7. The Town will seek to develop, in partnership with Indigenous communities, consultation and engagement protocols that:
 - i. Identifies who will be responsible for consultation/engagement, including municipally initiated policy and **development** initiatives and for private **developments**,
 - ii. Indicates when consultation and engagement is warranted and in what scenarios;
 - iii. Determines how consultation and engagement will be undertaken;
 - iv. Outlines how often consultation/engagement is undertaken and how often the protocols are updated; and

- v. If the protocols are developed with and agreed to by the partnered Indigenous community, they may take precedence over the other policies of this Plan, but only for matters related to that Indigenous community. For matters related to Indigenous communities without an agreed protocol, the policies of this Plan continue to apply until such time that alternative protocols are agreed upon.

F.6.2 Public Participation

1. The Planning Act establishes the statutory requirements regarding public meetings, notification requirements, and processing timelines for the consideration of development applications. The Town will adhere to the public notification procedures and regulations on planning matters in accordance with the provisions of the Planning Act.
2. Council will ensure the consultation and engagement process or procedures is accessible, inclusive, and is undertaken pursuant to the minimum requirements under the Planning Act.
3. The Town will ensure sufficient opportunity for the public to review and discuss the proposed plan amendments, by-laws or by-law amendments and to prepare their comments, with the notice of any public meeting required for amendments to this Plan or the implementing zoning by-law will be given at least twenty (20) days prior to the date of the meeting.
4. The Town will hold at least one public meeting prior to the adoption of an amendment to this Plan or the implementing zoning by-law, at which the public may make representations in respect of the matter being considered.
5. A new public meeting for a planning application(s) will be required when any of the following circumstances occur:
 - i. Any application(s) that has not been considered by Council within two years after the date it was considered at a previous statutory public meeting; and/or,
 - ii. An application(s) has been significantly amended, at the discretion of the Town, such as an increase to the proposed density and/or building height, beyond what was proposed and considered by Council at a previous public meeting.
6. Council may consider or request additional public meetings, beyond the minimum requirements of the Planning Act as determined from time-to-time. An applicant may be requested to conduct additional public engagement that goes beyond the minimum statutory requirements of the Planning Act.
7. Where there are changes to a proposed amendment as a result of a public meeting, Council may decide to hold additional meetings to obtain further public input.
8. Where amendments to this Plan or the implementing zoning by-law are related to technical matters do not otherwise change the intent of this Plan, or require a formal amendment to this Plan in accordance with Policy F.3, no public meeting or public notice is required.

F.7 Planning Act Applications

Development within the Town may be subject to approvals pursuant to the Planning Act, including amendments to this this Plan, the implementing zoning by-law, site plan control, plans of subdivision, and consents. Proponents of Planning Act applications are subject to a process in accordance with the policies of this Plan.

F.7.1 Pre-Consultation, Complete Application Requirements and Supporting Studies

Preconsultation with the Town is highly encouraged and is recognized as an important opportunity for a more streamlined development application review process. The following policies establish the Town's expectations for pre-consultation and complete application requirements for all development applications:

1. A pre-application consultation meeting with the Town is highly encouraged prior to the submission of an application for an Official Plan Amendment, a Zoning By-law Amendment, Draft Plan of Subdivision, Draft Plan of Condominium and/or Site Plan Approval, and Consents and is recommended for Minor Variance applications.
2. The purpose of the pre-application consultation meeting will be to:
 - i. Allow the Town to review a draft development proposal for the lands affected by the proposed application(s);
 - ii. Determine the required information and submission materials for the application(s); and
 - iii. Identify external review agencies that an applicant may be required to consult with in addition to the Town.
3. For the purposes of deeming an application complete, the following information is required:
 - i. Completed application form for the applicable development approval;
 - ii. The prescribed application fee in accordance with the Town's Fees and Charges By-law in effect on the date the application is submitted to the Town;
 - iii. A draft of the amendment to this Plan or the implementing zoning by-law, including the proposed text and all proposed schedules;
 - iv. All other information, studies and material(s) as may be identified through the pre-application consultation meetings(s), including the requirements set by external review agencies, in a form satisfactory to the Town.
4. The Town will, in consultation with affected external review agencies, evaluate a submitted application for completeness, and if the submission does not contain the information, material and studies required by the Province or through the pre-application consultation process, or does not address technical and policy issues identified through pre-application consultation, the Town may refuse to accept or further consider the application.
5. Appendix II of this Plan establishes information, studies and materials, or other information, that may be required to be submitted in support of a complete application. The required studies and plans will comply with the applicable Terms of Reference,

Standards and Guidelines prepared by the Town and/or Region, as amended and deemed to be applicable.

6. That through the review process for a development application that has been deemed complete, the Town or other review agency may require additional reports, studies and information. The request for additional information, however, will not affect the date the original application was deemed complete.
7. That where a study has been submitted in support of a development application, and it is determined by the Town that a peer review is required, the peer review will be coordinated by the Town but at the expense of the applicant.
8. The Town will require that approvals of Draft Plan of Subdivision include a lapsing date in accordance with Section 51(32) of the Planning Act.

F.7.2 Official Plan and Zoning By-law Amendments

It is recognized that this Plan or the implementing zoning by-law may not anticipate all forms of **development** that is appropriate and desirable in the community over the planning horizon. As such, Amendments to this Plan and the implementing zoning by-law may be initiated or considered by the Town at any time, subject to the following policies:

1. The Town will Consider requests for amendments to this Plan or the implementing zoning by-law upon a complete application, and will evaluate such requests, in consideration of the overall intent, vision, goals, principles and policies of this Plan, and on the basis of the following criteria:
 - i. Suitability of the location of the site for the proposed land use;
 - ii. Compatibility of the proposed land use with surrounding uses;
 - iii. The need for and feasibility of the use, where considered appropriate;
 - iv. The impact of the proposal on municipal services, **infrastructure**, and community services and facilities;
 - v. The economic benefits and financial implications to the Town; and,
 - vi. Regard for the Provincial Planning Statement.
2. The statutory procedure for amending this Plan and the implementing zoning by-law will be undertaken pursuant to the Planning Act.
3. Amendments to this Plan will not be required for office consolidations, changes such as typographical, editorial, or formatting corrections to text or Schedules, none of which are deemed to alter or otherwise modify the intent of the Plan, its policies, or its interpretation.

F.7.3 Consents

1. Consents in **settlement areas** will only be granted where it can be satisfactorily demonstrated that registering a plan of subdivision is not in the public interest. If a plan of subdivision is not deemed necessary, regard will be had to other policies of the Official Plan, matters pursuant to the Planning Act and to the following criteria when considering an application for consent:
 - i. The proposed **development** should generally be infilling in nature and/or assist with, but not hinder, the efficient **development** of the area;

- ii. Approval of the conveyance and the **development** of the proposed and remnant lots should not be unduly detrimental to the financial status of the Town. Consents should be granted only in areas where the undue extension of any major service or facility, such as a road, would not be required;
 - iii. The proposed **development** will be serviced by municipal water and sanitary sewer services; and
 - iv. Regard should be had to the compatibility of the proposed use and lot size with uses and lot sizes in adjacent areas and the effect of such use and lot size on the surrounding area.
2. Consents will be granted only when the land fronts on an existing public road that is of a reasonable standard of construction. Direct access from major roads should be restricted, and residential lots should, where possible, have access only from internal or minor roads. In no case should consent be granted for land adjacent to a road from which access is to be obtained where a traffic hazard would be created because of limited sight lines on curves or grades.
 3. In no case should any parcel be created which does not conform with the provisions of the implementing zoning by-law. If a rezoning is required to permit a proposed use, it will be a condition of approval that the By-law to amend the implementing zoning by-law may be passed by council and granted approval by the Ontario Land Tribunal if required, in accordance with the provisions of the Planning Act prior to consent being given.
 4. Consents to land severances may be permitted outside of the Town's **settlement areas** where, in the opinion of the municipality, a plan of subdivision is not required, and provided that the consent complies with the other relevant policies of this plan.
 5. Consents will not sever through Natural Heritage features, including watercourses, **provincially significant wetlands**, Non-Provincially Significant Wetlands, **significant woodlands**, **significant valleylands**, or **areas of natural and scientific interest**.

F.8 Legal Non-conforming Uses, Buildings, and Structures

1. The use of land, buildings or structures which do not conform to the implementing zoning by-law, but which lawfully existed prior to the approval of the implementing zoning by-law, are considered to be legal non-conforming. When a legal non-conforming use ceases, then the rights derived from the legal non-conforming use shall terminate.
2. It is the intention and expectation that legal non-conforming uses, buildings or structures will eventually cease to exist and be replaced by uses, buildings or structures that conform with the intent of this Plan and comply with the implementing
3. The Town may recognize uses that exist at the time of the approval of this Plan and which do not have a **negative impact** on the environment and do not pose a significant threat to health and safety. This will be done by means of a site-specific zoning by-law. Such zoning will not be considered to be in contravention of the policies of this Plan and will:

- i. Only be accomplished by the adoption of a site-specific zoning by-law which will incorporate specific and appropriate regulations relative to the existing specific use and site; and
- ii. Be restricted to the property boundaries of the land owned at the time of the approval of this Plan.

F.8.1.2. General Policies Relating to Expansion or Enlargement of Non-Conforming Uses

1. Subject to the policies of this Plan it is Council's intent that any land use existing at the date of approval of this Plan which does not conform with the land use designation shown on Schedule E, Land Use Plan termed a 'non-conforming use', eventually should cease to exist so that the affected land may convert to a use in conformity with this Official Plan and the provisions of the implementing zoning by-law. In certain instances, however, enlargement or **redevelopment** of a non-conforming use to avoid unnecessary hardship may be permitted. Such proposed extension or enlargement will be dealt with pursuant to the Planning Act.
2. Council will determine the feasibility of acquiring the property concerned and of holding, selling, leasing or redeveloping it in accordance with the provisions of the Planning Act. Council will give special attention to the potential and merits for the relocation of such use to a different location where it would be in compliance with this Plan.
3. If municipal acquisition is not feasible and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, Council may consider the passing of a zoning by-law pursuant to Section 34 of the Planning Act.
4. Before passing such a by-law, Council will be satisfied that the following requirements which are relevant to each application are, or will be, fulfilled to ensure the protection of the wider interests of the general public:
 - i. That the proposed extension or enlargement of the established non-conforming use will not unduly aggravate the situation created by the existence of the use, especially in regard to the land use designation of this Plan and the requirements of the implementing zoning by-law applying to the specific area;
 - ii. That the proposed extension or enlargement will be in an appropriate proportion to the size of the non-conforming use established prior to the passing of the original implementing zoning by-law;
 - iii. That an application which would affect the boundary between areas of different land use designations in this Plan will only be processed under these policies if it can be considered as a 'minor adjustment' under this Plan. Major intrusions will, however, require an amendment to this Plan;
 - iv. That the characteristics of the existing non-conforming use and the proposed extension or enlargement will be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting and traffic generation. No amendment to the implementing zoning by-law will be made if one or more of such nuisance factors will be created or increased so as to add substantially to the incompatibility of the use with the surrounding area;

- v. That the neighbouring conforming uses will be protected where necessary by the provision of areas for landscaping, buffering or screening, appropriate setbacks for building and structures, devices and measures to reduce nuisances and, where necessary, by regulations for alleviating **adverse effects** caused by outside storage, lighting, advertising signs, etc. Such provisions and regulations will be applied to the proposed extension or enlargement and, wherever feasible, be extended to the established use in order to improve its compatibility with the surrounding area;
 - vi. That traffic and parking conditions in the vicinity will not be adversely affected by the approval of the application, and traffic hazards will be kept to a minimum by appropriate design of entrance and exit points to and from the site, and improvement of sight conditions especially near intersections;
 - vii. That adequate provisions have been or will be made for off-street parking and loading facilities;
 - viii. Those municipal services such as water supply, sanitary and storm sewers and roads are adequate or can be made adequate;
 - ix. That the proposed expansion will not increase the burden on public agencies and public health and safety because of the non-conforming use's location in a Hazard Land area;
 - x. Compliance with the Natural Heritage, Agricultural, Rural and other policies of this plan; and
 - xi. Compliance with any applicable regulations of the Niagara Peninsula Conservation Authority under the Conservation Authorities Act and requirements of the Niagara Parks Commission.
5. The Town will notify property owners in the vicinity of the lands included in each application for an extension or enlargement of a non-conforming use prior to a final decision on the matter in order to obtain their views and to satisfy the requirements of Section 34 of the Planning Act.

F.8.1.3. Existing Undersized Lots

- 1. The Town recognizes that there are vacant lands in the Agricultural, Rural, and particularly the Rural Residential designation. Many of these vacant lots are under 0.4 hectare in size and in areas where there is a concentration of lots, being three or more lots that could result in long term drainage and groundwater impacts. The Town aims to direct residential **development** into **settlement areas** where it can be serviced in an efficient manner and where natural features and resources in the rural area can be conserved. The construction of a dwelling on a vacant lot will be permitted provided:
 - i. The zoning by-law will require a minimum lot size of that can adequately accommodate private water and wastewater facilities, unless the lot is created by consent or plan of subdivision in accordance with the Planning Act, in which case the lot will comply with the applicable policies of this Plan and the implementing zoning by-law requirements;

- ii. The plot plan identifies the building envelope, area for sewage disposal system and spare area, as well as lot grading and drainage plan and type and location of private water supply;
 - iii. The lot fronts on an improved public road;
 - iv. Should the lot be situated within an area regulated under the Conservation Authorities Act, all requirements of the Niagara Peninsula Conservation Authority will be met prior to the issuance of a building permit; and
 - v. Any **development** will comply with the **natural environment system** policies of this Plan.
2. The construction of a dwelling may be permitted on an existing undersized lot provided the hydrogeological study demonstrates there will be no groundwater impacts and that all other relevant policies of this Plan are conformed with.
 3. The lot size requirements specified in this sub-section may be refined based on a comprehensive hydrogeological study should funding for such a study become available.

F.8.1.4. Public Participation

During the preparation of a Community Improvement Plan and any subsequent amendments, Council will inform the public and obtain public input in keeping with the policies contained in this Plan for notification and public meetings.

F.9 Official Plan Review and Monitoring

The Town will continue to monitor the implementation of this Plan, and as required pursuant to the Planning Act or otherwise, undertake a review and update of its policies.

The following will be used to inform a review and update of this Plan:

1. Collaborate and develop, with the Region, Province, **conservation authority**, and neighbouring municipalities, other government agencies, and the community, to identify and monitor appropriate indicators to assess the effectiveness of this Plan.
2. Monitor **development** within the Town on a regular basis to ensure that the Vision, Guiding Principles, and policies of this Plan are being achieved
3. Monitor appropriate financial indicators, such as tax rates and user fees, service levels, capital contribution levels, debt levels, assessment base composition, vacancy rates, and overall growth rates, to assess the financial performance of the municipality.
4. Develop and implement a monitoring program to assess the effectiveness of the policies, decisions, and programs in meeting the objectives of the total tree canopy within the Town. Potential metrics that may be evaluated include total forest cover, total hectares of lands protected, and an inventory of species at risk.
5. Housekeeping amendments will be carried out as required to address changes in legislation or where there is a demonstrated need for policy revisions on certain issues. These revisions will be incorporated into this Plan pursuant to the Planning Act.

F.10 Interpretation

F.10.1 Conflict

Where this Plan may conflict with any Provincial Plan policies, the following apply:

1. In very general terms, a conflict arises if the application of one policy prevents another policy from being implemented. Municipalities are, however, permitted to have policies that are different from, more detailed or more restrictive, without this being considered a conflict, except under very specific, prescribed circumstances.
2. Given the overlapping nature of the Provincial Planning Statement, the policies of the Provincial Planning Statement take precedence in the case of a conflict.
3. Where there is a conflict between a provision of a Protection Plan, under the Clean Water Act, the provisions of the **Source Protection Plan** prevail.

F.10.2 Land Use Boundaries

1. The boundaries between land use areas designated as shown in Schedule E: Land Use Plan will be considered as general only and are not intended to define the exact limits of such areas. Except in the case of the **settlement area** boundaries and Rural and Agricultural areas identified in the Regional Plan, roads, railways and other definite physical barriers, minor boundary adjustments may be made for the purpose of any Zoning By-law without necessitating an amendment to this Plan. Other than such minor adjustments, no areas or zones will be created that do not conform with this Plan in respect to Land Use.
 - i. When determining the boundary of any designation as shown on any schedule forming part of this Official Plan, the following provisions will apply:
 - ii. A boundary indicated as following a highway, street or lane will be the centre line of such highway, street or lane. In the event that a street or lane which forms the boundary between such designations is closed, the boundary between such designations will be construed as the former centre line of the said closed street or lane;
 - iii. A boundary indicated as following a right-of-way of a railway or any electrical, gas or oil transmission line will be the centre line of such right-of-way;
 - iv. A boundary associated with a feature within the **natural environment system** can be more accurately identified in the field through an **environmental impact study** and/or through confirmation by the appropriate agency. Provided the general intent of the Plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan. Where boundaries are reduced, the corresponding adjacent designation will apply unless there is no other natural heritage feature present. The relevant policies will apply based on the significance of the natural heritage feature as identified by the Town's Natural Areas Inventories;
 - v. A boundary indicated as approximately following lot lines shown on a registered plan of subdivision or lot and concession lines will follow such lines;
 - vi. A boundary indicated as following a closed road, lane or railway will imply that the property formerly in the said road, lane or railway will be included within the

designation of the adjoining property on either side of the said closed road, land or railway. In the event that the said road, lane or railway was a designation between two or more different designations, the new boundary will be the former centre line of the said closed road, lane or railway;

- vii. Where a boundary is indicated as approximately parallel to a street line or other similar feature indicated, and the distance from such street line or other feature is not indicated, and policies (d) or (e) above is not applicable, the boundary will be interpreted as parallel to that feature and its location will be determined using the scale shown on Schedule E: Land Use Plan; and
- viii. A boundary indicated as following the limits of the Municipality will follow such limits.

F.10.3 Road Location

The location of roads as indicated on Schedule L: Road Classifications, will be considered as approximate only. Amendments to this Plan will not be required in order to make minor adjustments or deviations to the location of roads, provided that the general intent of this Plan is maintained.

F.10.4 Secondary Plan Boundaries

Secondary plan boundaries shown in Schedule P: Secondary Plans will be considered as approximate only, and amendments to this Plan will not be required in order to make minor adjustments to such boundaries, or where a secondary plan is adopted by Council.

F.10.5 Plan Intent

The Plan is designed to express the general intent of the municipality, Interpretation of the intent of this Plan, or any part thereof, will be made by Council after receiving the advice of staff.

F.10.6 Office Consolidation

This Plan, including the appendices and schedules, may be updated from time to time to reflect and consolidate amendments approved under the Planning Act, in which case the Town may undertake an administrative process to consolidate the contents of this Plan, referred to as an “office consolidation”.

F.10.7 Policy Interpretation

1. This Plan is intended to be read in its entirety and existing and proposed land uses may be subject to policies within different sections of the Plan.
2. Where multiple policies apply, these are to be applied in either a cumulative or integrated manner, such that all of the policies that relate to a matter are addressed, with the more restrictive policy applies where there may be conflicts.

F.11 Glossary of Defined Terms

A

Active Transportation

Any form of self-propelled transportation that relies on the use of human energy such as walking, cycling, inline skating, jogging, or travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices at a comparable speed (PPS, 2024).

Additional Needs Housing

Any housing, including dedicated facilities, in whole or in part, that is used by people who have specific needs beyond economic needs, including but not limited to, needs such as mobility requirements or support functions required for daily living. Examples of additional needs housing may include, but are not limited to long-term care homes, adaptable and accessible housing, and housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for older persons (PPS, 2024).

Additional Residential Units

Self-contained dwelling units with a private kitchen, bathroom facilities, and sleeping areas within a dwelling and ancillary to the primary residential use, or within a building ancillary to a dwelling. The self contained apartment may be created through converting of or adding onto an existing single detached, semi-detached or townhouse dwelling (By-law 118-2013).

Adjacent Lands

- e. For the purposes of lands contiguous to existing or planned corridors and transportation facilities where **development** would have a negative impact on the corridor or facility. The extent of the adjacent lands may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives;
- f. For the purposes of those lands surrounding a key natural heritage feature, natural heritage feature and area and/or key hydrologic feature where it is likely that **development** or **site alteration** would have a negative impact on the feature;
- g. For the purposes of those lands contiguous to lands on the surface of known petroleum resources, mineral deposits, or deposits of mineral aggregate resources where it is likely that **development** would constrain future access to the resources. The extent of the adjacent lands may be recommended by the Province; and
- h. For the purposes of those lands contiguous to a protected heritage property or as otherwise defined in the municipal official plan (PPS, 2024).

Adverse Effects

As defined in the *Environmental Protection Act*, means one or more of:

- a. Impairment of the quality of the natural environment for any use that can be made of it;
- b. Injury or damage to property or plant or animal life;
- c. Harm or material discomfort to any person;
- d. An adverse effect on the health of any person;
- e. Impairment of the safety of any person;
- f. Rendering any property or plant or animal life unfit for human use;
- g. Loss of enjoyment of normal use of property; and
- h. Interference with normal conduct of business (PPS, 2024).

Affordable

In the case of ownership housing, the least expensive of:

- a. Housing for which the purchase price results in annual accommodation costs which do not exceed 30 per cent of gross annual household income for low and moderate income households; or
- b. Housing for which the purchase price is at least 10 per cent below the average purchase price of a resale unit in the regional market area;

In the case of rental housing, the least expensive of:

- a. A unit for which the rent does not exceed 30 per cent of gross annual household income for low and moderate income households; or
- b. A unit for which the rent is at or below the average market rent of a unit in the regional market area (PPS, 2024).

Agricultural Impact Assessment

A study that evaluates the potential impacts of non-agricultural **development** on agricultural operations and the agriculture system and recommends ways to avoid, or, if avoidance is not possible, minimize and mitigate adverse impacts (PPS, 2024).

Agricultural System

The system mapped and issued by the Province, comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a. An agricultural land base comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous, productive land base for agriculture; and
- b. An agri-food network, which includes infrastructure, services and assets important to the viability of the agri-food sector (PPS, 2024).

Agricultural Uses

The growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment (PPS, 2024).

Agriculture-Related Uses

Those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity (PPS, 2024).

Agricultural Source Material

Treated or untreated materials, as defined by the Nutrient Management Act, other than compost that meets the Compost Guidelines, or a commercial fertilizer, if they are capable of being applied to land as nutrients.

Agri-food Network

Within the agricultural system, a network that includes elements important to the viability of the agri-food sector such as Regional infrastructure and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities (PPS, 2024).

Agri-Tourism Uses

Those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation (PPS, 2024).

Alternative Energy Systems

A system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems (PPS, 2024).

Archaeological Resources

Includes artifacts, archaeological sites, marine archaeological sites, as defined under the Ontario Heritage Act. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act (PPS, 2024).

Archaeological Site

Any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest.

Areas of Archaeological Potential

Areas with the likelihood to contain archaeological resources. Criteria to identify archaeological potential are established by the Province. The Ontario Heritage Act requires archaeological potential to be confirmed by a licensed archaeologist.

Areas of Natural and Scientific Interest (ANSI)

Areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education (PPS, 2024).

- a. Life Science ANSI means an area identified as being high quality example(s) of ecological form and function in each Eco-district in the province (provincially significant) and the region (regionally significant) and are generally defined by natural heritage features (e.g., a woodland, valley top of bank, etc.) and generally exclude anthropogenic land uses (e.g., residential areas / properties). Life Science ANSIs include areas identified as provincially significant and regionally significant by the Province using evaluation procedures established by the Province, as amended from time to time.
- b. Earth Science ANSI means an area that represent the best examples of geologic and geomorphic landforms and areas (e.g., a moraine) in each Ecodistrict in the province (provincially significant) and the region (regionally significant). They may encompass a single feature or a group of related features (e.g., a drumlin field). As geologic / geomorphic landforms, the overlying land use may include a composite of natural and anthropogenic uses (e.g., woodland, agricultural, rural residential, etc.). Earth Science ANSIs include areas identified as provincially significant and regionally significant by the Province using evaluation procedures established by the Province, as amended from time to time.

Artifact

Any object, material or substance that is made, modified, used, deposited or affected by human action and is of cultural heritage value or interest.

Attainable Housing

Rental or ownership housing provided by the market for moderate income households that are generally within the fifth and sixth income decile of the regional market area. Attainable housing can include dwelling types of various sizes, densities, and built forms, and is intended to provide individuals with the opportunity to access housing more suitable to their needs.

B

Brownfields

Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant (PPS, 2024).

Buffer

An area of land located adjacent to natural heritage features and areas and watercourses and usually bordering lands that are subject to **development** or **site alteration**. The purpose of a buffer is to protect the features and areas and their ecological functions by mitigating impacts of the proposed **development** or **site alteration**. Buffers will consist of natural self-sustaining vegetation as a condition of **development** (except where certain agricultural uses are exempt from the requirement of a buffer).

Built Form

The function, shape, and configuration of buildings, as well as their relationship to streets and open spaces.

C

Cemetery

Religious or commercial enterprises that include the in-ground and above-ground interment of human remains, including, but not limited to, associated death care uses and interment services such as a funeral home, mausoleum, crematorium, columbarium, places of worship and chapels, and related uses including service buildings, administrative offices and parking.

Coastal Wetlands

In the Town, a **wetland** located on Lake Erie or the Niagara River or a **wetland** on a tributary to Lake Erie or the Niagara River and lies, either wholly or in part, downstream of a line located 2 kilometres upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Combined Sewers

A sewer designed to convey both sanitary sewage and stormwater through a single pipe to a sewage treatment plant.

Community Housing

Housing owned and operated by non-profit housing corporations, housing co-operatives and municipal governments, or district social services administration boards. Community housing providers offer subsidized or low-end-of market rents.

Community Hubs

Locations that serve as central access points, which offer services, in collaboration with different community agencies and service providers, reduce administrative duplication, and improve services for residents and are responsive to the needs of their communities.

Compact Built Form

A land-use pattern that encourages the efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional) all within one neighbourhood, active transportation, proximity to transit and reduced need for infrastructure. Compact built form can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail. Walkable neighbourhoods can be characterized by roads laid out in a well-connected network, destinations that are easily accessible by transit and active transportation, sidewalks with minimal interruptions for vehicle access, and a pedestrian-friendly environment along roads to encourage active transportation (PPS, 2024).

Compatible

A **development**, building and/or land use that can co-exist or occur without conflict with surrounding land uses and activities in terms of its uses, scale, height, massing and relative location.

Complete Communities

Places such as mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.

Complete Streets

Streets that are planned to balance the needs of all road users, including pedestrians, cyclists, transit-users, and motorists, and are designed for the safety of people of all ages and abilities.

Connectivity

The degree to which key natural heritage features, natural heritage features and areas and/or key hydrologic features are connected to one another by links such as plant and animal movement corridors, hydrologic and nutrient cycling, genetic transfer and energy flow through food webs.

Conservation Authority

Refers to the Niagara Peninsula Conservation Authority and its authority under the *Conservation Authorities Act*.

Conserved

The identification, protection, management and use of built heritage resources, cultural heritage landscapes and archaeological resources in a manner that ensures their cultural heritage value or interest is retained. This may be achieved by the implementation of recommendations established by a conservation plan, archaeological assessment, and/or cultural heritage impact assessment that has been approved, accepted or adopted by the relevant planning authority and/or decision maker. Mitigative measures and/or alternative **development** approaches can be included in these plans and assessments (PPS, 2024).

Cultural Heritage Landscapes

A defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association (PPS, 2024). Cultural heritage landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms.

Cultural Heritage Resources

Built heritage resources, cultural heritage landscapes and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

D

Deposits of Mineral Aggregate Resources

An area of identified mineral aggregate resources, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Designated Growth Areas

Lands within settlement areas designated in an official plan for growth over the long-term planning horizon, but which have not yet been fully developed. Designated growth areas include lands which are designated and available for residential growth, as well as lands required for employment and other uses. Designated Growth Areas are shown on Schedule A: Town Structure, and Schedule A.1 through A.7.

Development

The creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act but does not include:

- a. Activities that create or maintain infrastructure authorized under an environmental assessment process, including a Class Environmental Assessment, with the exception of lands designated as being within an Area of Development Control under the Niagara Escarpment Planning and Development Act; or
- b. Works subject to the Drainage Act (PPS, 2024).

Dynamic Beach Hazard

Areas of inherently unstable accumulations of shoreline sediments along large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the flooding hazard limit plus a dynamic beach allowance (PPS, 2024).

E

Ecological Function

The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions.

Ecological Integrity

Includes hydrological integrity and means a condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes.

Ecological Value

The value of ecological functions performed by natural heritage features and areas, key natural heritage features, key hydrologic features and key hydrologic areas to the native biodiversity and wildlife habitats. These functions include, but are not limited to, providing cover and refuge; breeding, nesting, denning, and nursery areas; corridors for wildlife movement; food chain support; and natural water storage, natural flow attenuation, and water quality improvement, which enhances habitat for wildlife and biodiversity.

Employment Areas

Areas designated in an official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land described by subsection 1(1.1) of the Planning Act. Uses that are

excluded from employment areas are institutional and commercial, including retail and office not associated with the primary employment use listed above (PPS, 2024).

Employment Land

Lands that are designated in this Official Plan or the Town's zoning by-law for employment uses. Employment lands may be within and outside of employment areas.

Endangered Species

A species that is classified as "Endangered Species" on the Species at Risk in Ontario List, as updated and amended from time to time (PPS, 2024).

Environmental Impact Study

A science-based study of ecological features and functions and impacts to those features and functions resulting from **development** and/or **site alteration**, prepared in accordance with the Region's environmental impact study guidelines. The purpose of an environmental impact study is to:

- a. Collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes, and functions of components of the Natural Environment System;
- b. Determine whether there are any additional components;
- c. Undertake a comprehensive impact analysis;
- d. Propose appropriate mitigation measures;
- e. Clearly articulate any impacts that cannot be avoided or mitigated;
- f. Where appropriate, recommend monitoring provisions;
- g. Consider climate change, cumulative and/or watershed impacts where possible; and
- h. Demonstrate that ecological enhancement to the Natural Environment System is achieved.

Erosion Hazard

The loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using considerations that include the 100 year erosion rate (the average annual rate of recession extended over a one hundred year time span), an allowance for slope stability, and an erosion/erosion access allowance (PPS, 2024).

Essential Emergency Services

Services that would be impaired during an emergency as a result of flooding, the failure of floodproofing measures and/or protection works, and/or erosion.

Excess Lands

Vacant, unbuilt but developable lands within settlement areas but outside of built-up areas that have been designated in an official plan for **development** but are in excess of what is needed to accommodate forecasted growth.

Excess Soil

Soil, or soil mixed with rock that has been excavated as part of a project and removed from the project area for the project as defined under O.Reg. 406/19 under the Environmental Protection Act.

Existing Uses

Existing Uses (Greenbelt Plan Area only): uses legally established prior to the date that the Greenbelt Plan came into force on December 16, 2004; or for the purposes of lands added to the Greenbelt Plan after December 16, 2004, uses legally established prior to the date the Greenbelt Plan came into force in respect of the land on which the uses are established.

F

Fish

As defined in the *Fisheries Act*, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish Habitat

As defined in the *Fisheries Act*, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which ‘fish’ depend directly or indirectly in order to carry out their life processes.

Flood Fringe

For river, stream and small inland lake systems, means the outer portion of the floodplain between the floodway and the flooding hazard limit. Depths and velocities of flooding are generally less severe in the flood fringe than those experienced in the floodway.

Flooding Hazards

The inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a. Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the **one hundred year flood level** plus an allowance for wave uprush and other water-related hazards;
- b. Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
- c. The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a

specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;

- d. The one hundred year flood; and
- e. A flood which is greater than one or two. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry; except where the use of the **one hundred year flood** or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodplains

For river, stream and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Floodproofing Standard

The combination of measures incorporated into the basic design and/or construction of buildings, structures, or properties to reduce or eliminate flooding hazards, wave uprush and other water-related hazards along the shorelines of large inland lakes, and flooding hazards along river, stream and small inland lake systems.

Floodway

For river, stream and small inland lake systems, means the portion of the floodplain where **development** and **site alteration** would cause a danger to public health and safety or property damage. Where the one zone concept is applied, the floodway is the entire contiguous floodplain. Where the two zone concept is applied, the floodway is the contiguous inner portion of the floodplain, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the floodplain is called the flood fringe.

Freight-Supportive

In regard to land use patterns, means transportation systems and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and transportation systems. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Frequent Transit Service

A public transit service that runs at least every 15 minutes in both directions throughout the day and into the evening every day of the week.

Fringe Lands

The area between the agricultural/rural countryside and the built-up settlement area/suburbs. It can further be described as the edge of the urban region where patterns of building **development** and non-development interweave. The urban fringe is often an area with contrasting land uses and compatibility conflicts.

G

Garden Suite

A temporary self-contained detached building containing a single residential unit that is accessory to a single detached dwelling unit and that is designed to be portable.

Green Infrastructure

Natural and human-made elements that provide ecological and hydrological functions and processes. Green infrastructure can include components such as natural heritage features and systems, parklands, stormwater management systems, street trees, urban forests, natural channels, permeable surfaces, and green roofs.

Greyfield Sites

Previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict, or vacant.

Groundwater Feature

Water-related features in the earth's subsurface including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeological investigations.

H

Habitat of Endangered Species and Threatened Species

Habitat within the meaning of Section 2 of the *Endangered Species Act, 2007*.

Hazardous Forest Types for Wildland Fire

Forest types assessed as being associated with the risk of high to extreme wildland fire using risk assessment tools established by the Ontario Ministry of Natural Resources, as amended from time to time.

Hazardous Lands

Property or lands that could be unsafe for **development** due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where

applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Hazardous Sites

Property or lands that could be unsafe for **development** and **site alteration** due to naturally occurring hazards. These may include unstable soils (sensitive marine clays [leda], organic soils) or unstable bedrock (karst topography).

Hazardous Substances

Substances which, individually, or in combination with other substances, are normally considered to pose a danger to public health, safety and the environment. These substances generally include a wide array of materials that are toxic, ignitable, corrosive, reactive, radioactive or pathological.

Heritage Attributes

The principal features or elements that contribute to a protected heritage property's cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a protected heritage property).

Higher Order Transit

Transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. Higher order transit can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way.

Highly Vulnerable Aquifers

Aquifers, including lands above the aquifers, on which external sources have or are likely to have a significant adverse effect.

Home Industry

An industry that is carried out in the home or in a building that is accessory to the home or if the home is located on a farm, to the agricultural operation and:

- a. If the home is not located on a farm, the use is carried on as a small-scale use that is secondary to the principal use of the home as a single dwelling; provides a service such as carpentry, metalworking, welding, electrical work or blacksmithing, primarily

to the farming community; and does not include uses such as auto repair or paint shop or furniture stripping; or

- b. If the home is located on a farm, the use is carried on as a small-scale use that is secondary to the principal use of the farm as an agricultural operation and may include but is not limited to a sawmill, welding or woodworking shop, manufacturing or fabrication shop, equipment repair and seasonal storage of boats or trailers.

Home Occupation

An occupation for profit or gain conducted entirely within a dwelling unit that is incidental and secondary to the use of the dwelling unit for residential purposes and does not change the residential character of the dwelling unit.

Hydrological Evaluation

A science-based study of hydrologic features and areas and impacts to those features and hydrologic functions resulting from **development** and/or **site alteration**. The purpose of a hydrologic evaluation is to:

- a. Collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes of permanent and intermittent streams, inland lakes and their littoral zones, seepage areas and springs, wetlands, groundwater features, surface water features, floodplains, flooding hazards, floodways, shoreline areas, and related hydrologic functions;
- b. Determine whether there are any additional hydrologic features and areas;
- c. Assess the significance and sensitivity of hydrologic features and their hydrologic functions;
- d. Undertake a comprehensive impact analysis;
- e. Propose appropriate mitigation measures;
- f. Identify planning, design and construction practices that will maintain and, where possible, enhance or restore the health, diversity and size of the hydrologic feature and functions and its connectivity with other hydrologic features, natural heritage features and areas and key natural heritage features;
- g. Clearly articulate any impacts that cannot be avoided or mitigated;
- h. Where appropriate, recommend monitoring provisions to evaluate the long-term effectiveness of the identified mitigation measures; and
- i. Consider climate change, cumulative and/or watershed impacts where possible

Hydrologic Functions

The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things.

Impacts of a changing climate

The present and future consequences from changes in weather patterns at local and regional levels including extreme weather events and increased climate variability (PPS, 2024).

Individual On-Site Sewage Service

Sewage systems, as defined in O. Reg. 332/12 under the *Building Code Act*, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-Site Water Service

Individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Industrial Effluent System

Systems which convey and discharge the by-product from an industrial process that can contain contaminants from non-domestic wastes.

Infrastructure

Physical structures (facilities and corridors) that form the foundation for **development**. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/ telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.

Inland Lakes and their Littoral Zones

Any inland body of permanently standing water larger than a pool or pond or a body of water filling a depression in the earth's surface, where their water levels and hydrologic functions are not directly influenced by either Lake Erie or Lake Ontario. Inland lakes do not include stormwater management ponds, ponds constructed for irrigation purposes, such as those on a golf course or used for agriculture, lakes that have been constructed and managed with the sole purpose of supporting essential infrastructure, and where their ecological function is not a consideration in their management.

Institutional Use

Include uses such as government buildings, hospital, schools, churches, cemetery uses. For the purposes of this Plan, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are

sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intensification

The **development** of a property, site or area at a higher density than currently exists through:

- a. **Redevelopment**, including the reuse of brownfields;
- b. The **development** of vacant and/or underutilized lots within previously developed areas;
- c. Infill **development**; and
- d. The expansion or conversion of existing buildings.

Intake Protection Zone

An area delineated by this Plan and in the Source Protection Plan for the Niagara Peninsula Source Protection Area that surrounds a municipal surface water intake and within which it is desirable to regulate or monitor drinking water threats. Where a conflict in mapping arises, the Source Protection Plan will prevail.

Interface

The physical relationship between two or more uses, such as, a building and street. It is the intent of urban design to reinforce this relationship and increase its impacts positively on the public realm.

Intermittent Stream

Stream-related watercourses that contain water or are dry at times of the year that are more or less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year.

K

Key Hydrologic Areas

Significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas that are necessary for the ecological and hydrologic integrity of a watershed.

Key Hydrologic Features

Permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands.

Key Natural Heritage Features

Habitat of endangered species and threatened species; fish habitat; wetlands; life science areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars.

L

Lateral Connection

The point at which a sewer or water line coming out from homes and businesses connects to the municipal sewer or water line.

Legal or Technical Reasons

Severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

Linkages

An area, that may or may not be associated with the presence of existing natural features and areas, that provides and maintains ecological connectivity between core areas consisting of natural features and areas, and supports a range of community and ecosystem processes enabling plants and animals to move among natural heritage features, in some cases over multiple generations, thereby supporting the long-term sustainability of the overall natural environment system.

Low and Moderate Income Households

In the case of ownership housing, households with incomes in the lowest 60 per cent of the income distribution for the regional market area; or in the case of rental housing, households with incomes in the lowest 60 per cent of the income distribution for renter households for the regional market area.

Low Impact Development

An approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. Low impact development can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems. Low impact development often employs vegetation and soil in its design, however, that does not always have to be the case and the specific form may vary considering local conditions and community character.

M

Major Facilities

Facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation infrastructure and corridors, rail facilities, marine facilities, sewage treatment facilities, waste management systems, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities.

Major Goods Movement Facilities and Corridors

Transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives.

Major Transit Station Areas

The area including and around any existing or planned higher order transit station or stop within a settlement area; or the area including and around a major bus depot in an urban core. Major transit station areas generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk, and include protected major transit station areas.

Major Trip Generators

Origins and destinations with high population densities or concentrated activities which generate many trips (e.g., urban growth centres and other downtowns, major office and office parks, major retail / major commercial, employment areas, community hubs, large parks and recreational destinations, post-secondary institutions and other public service facilities, and other mixed-use areas).

Minerals

Metallic minerals and non-metallic minerals as herein defined, but does not include mineral aggregate resources or petroleum resources.

Metallic minerals means those minerals from which metals (e.g. copper, nickel, gold) are derived.

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite).

Mineral Aggregate Operation

- a. Lands under license or permit, other than for wayside pits and quarries, issued in accordance with the Aggregate Resources Act;

- b. For lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c. Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Aggregate Resources

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the *Aggregate Resources Act* suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the *Mining Act*.

Mineral Deposits

Areas of identified minerals that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction.

Mineral Mining Operation

Mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use.

Minimum Distance Separation Formulae

The formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Mixed-Use Development

The development of land or building(s) with two or more different uses, such as residential, office and retail. Mixed-use may occur within a single building, or multiple buildings on a single site.

Multimodal Transportation

A transportation system which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine.

Municipal Sewage Services

A sewage works within the meaning of section 1 of the *Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal Water Services

A municipal drinking-water system within the meaning of section 2 of the Safe Drinking Water Act, 2002.

N

Natural Environment System

An ecologically integrated system made up of the natural heritage features and areas, other wetlands, key natural heritage features, key hydrologic features, key hydrologic areas, shoreline areas, hydrologic functions, supporting features and areas, hazardous lands, and linkages intended to provide connectivity and support natural processes which are necessary to maintain biological and hydrological diversity, ecological functions, ecosystem services, viable populations of indigenous species, and ecosystems.

Natural Heritage Features and Areas

Features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands, fish habitat, significant woodlands, significant valleylands, habitat of endangered species and threatened species, significant wildlife habitat, and significant areas of natural and scientific interest, which are important for their environmental and social values as a legacy of the natural landscapes of an areas. For the purposes of this definition, natural heritage features and areas includes other woodlands, earth science areas of natural and scientific interest (provincial and regional), and life science areas of natural and scientific interest (provincial and regional).

Natural Heritage System

A system made up of natural heritage features and areas, wetlands, and linkages intended to provide connectivity (at the regional or site level) and support natural processes which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species, and ecosystems. These systems can include key natural heritage features, key hydrologic features, federal and provincial parks and conservation reserves, other natural heritage features and areas, lands that have been restored or have the potential to be restored to a natural state, associated areas that support hydrologic functions, and working landscapes that enable ecological functions to continue.

Negative Impacts

- a. In regard to water, degradation to the quality or quantity of surface or groundwater, key hydrologic features or vulnerable areas and their related hydrologic functions, due to single, multiple or successive **development** or **site alteration** activities;
- b. In regard to fish habitat, any permanent alteration to, or destruction of fish habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and
- c. In regard to other natural heritage features and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is

identified due to single, multiple or successive **development** or **site alteration** activities.

Normal Farm Practices

A practice, as defined in the Farming and Food Production Protection Act, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices will be consistent with the *Nutrient Management Act, 2002* and regulations made under that Act.

O

One Hundred Year Flood

For river, stream and small inland lake systems, means that flood, based on an analysis of precipitation, snow melt, or a combination thereof, having a return period of 100 years on average, or having a one percent chance of occurring or being exceeded in any given year.

One Hundred Year Flood Level

- a. For the shorelines of the Great Lakes, the peak instantaneous stillwater level, resulting from combinations of mean monthly lake levels and wind setups, which has a one per cent chance of being equalled or exceeded in any given year;
- b. In the connecting channels (St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers), the peak instantaneous stillwater level which has a one per cent chance of being equalled or exceeded in any given year; and
- c. For large inland lakes, lake levels and wind setups that have a one per cent chance of being equalled or exceeded in any given year, except that, where sufficient water level records do not exist, the one hundred year flood level is based on the highest known water level and wind setups.

On-Farm Diversified Uses

On a farm; secondary use; limited in area; includes, but is not limited to, **home occupations**, home industries, agri-tourism uses and value-added uses; compatible with surrounding agricultural operations.

Other Water-Related Hazards

Water-associated phenomena other than flooding hazards and wave uprush which act on shorelines. This includes, but is not limited to ship-generated waves, ice piling and ice jamming.

Other Woodlands

Woodlands determined to be ecologically important in terms of features, functions, representation, or amount, and contributing to the quality and diversity of an identifiable

geographic area or natural heritage system. Other woodlands include all terrestrial treed vegetation communities where the percent tree cover is greater than 25 per cent. Other woodlands would not include woodlands meeting the criteria as significant woodlands.

P

Permanent Streams

Watercourses that contain water during all times of the year.

Petroleum Resource Operation

Oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons.

Petroleum Resources

Oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons.

Planned Corridors

Corridors or future corridors which are required to meet projected needs, and are identified through this Plan, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ministry of Transportation, Ministry of Energy and Mines, Metrolinx, or Independent Electricity System Operator (IESO) or any successor to those Ministries or entities, is actively pursuing the identification of a corridor. Approaches for the protection of planned corridors may be recommended in guidelines developed by the Province.

Portable Asphalt Plant

A facility:

- a. With equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b. Which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable Concrete Plant

A building or structure:

- a. With equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b. Which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime Agricultural Area

Areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture, Food, Agriculture and Agribusiness and the Ontario Ministry of Rural Affairs or any successor to those ministries.

Prime Agricultural Land

Specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.

Protected Heritage Property

Property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites.

Provincial and Federal Requirements

- a. Legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including fish and fish habitat), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- b. Legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincially Significant Wetlands

Those wetlands identified as provincially significant by the Province using evaluation procedures established by the Province, as amended from time to time. Includes Significant Coastal Wetlands.

Public Realm

The publicly owned places and spaces that are accessible by everyone. These can include municipal streets, lanes, squares, plazas, sidewalks, trails, parks, open spaces, waterfronts, public transit systems, conservation areas, and civic buildings and institutions.

Public Service Facilities

Lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services. Public service facilities do not include infrastructure.

Public Works Projects

Construction projects, such as roads, highways or dams, bridges and waterworks financed by public funds and constructed by or under contract with the Region or Local municipality for the benefit or use of the public.

Q

Quality and Quantity of Water

Measured by indicators associated with hydrologic function such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime

R

Rail Facilities

Rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities.

Redevelopment

The creation of new units, uses or lots on previously developed land in existing communities, including brownfield sites.

Regional Market Area

An area that has a high degree of social and economic interaction. The boundaries of the Region will serve as the regional market area for the purposes of assessing housing market conditions.

Renewable Energy System

A system that generates electricity, heat and/or cooling from a renewable energy source. For the purposes of this definition: A renewable energy source is an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Residence Surplus to an Agricultural Operation

An existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

Risk Management Official

A person appointed under Part IV of the Clean Water Act, 2006, by the Council of a municipality that has authority to pass by-laws respecting water production, treatment, and storage under the Municipal Act, 2001 (Source Protection Plan for the Niagara Source Protection Area).

River, Stream and Small Inland Lake Systems

All watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural Areas

A system of lands within local municipalities that may include rural settlements, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas.

Rural Lands

Lands which are located outside settlement areas, and which are outside prime agricultural areas.

Rural Settlements

Communities located in rural areas, as shown on Schedule A: Town Structure, that are serviced by individual private on-site water and/or private wastewater systems, contain a limited amount of undeveloped lands that are designated for **development**, and are to accommodate limited growth. All settlement areas that are identified as hamlets in the Greenbelt Plan, or as minor urban centres in the Niagara Escarpment Plan are considered rural settlements for the purposes of this Plan, including those that would not otherwise meet this definition.

S

Seepage Areas and Springs

Sites of emergence of groundwater where the water table is present at the ground surface.

Sense of Place

The emotional attachments, meanings and identities people develop or experience in particular locations and environments. It is also used to describe the distinctiveness or unique character of a place.

Sensitive

In regard to surface water features and groundwater features, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants.

Sensitive Land Uses

Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Settlement Area

Urban areas and rural settlements within local municipalities (such as cities, towns, villages and hamlets) that are:

- a. Built up areas where **development** is concentrated and which have a mix of land uses; and
- b. Lands which have been designated in an Official Plan for **development** in accordance with the policies of this Plan. Where there are no lands that have been designated for **development**, the settlement area may be no larger than the area where **development** is concentrated.

Sewage and Water Services

Includes municipal sewage services and municipal water services, private communal sewage services and private communal water services, individual on-site sewage services and individual on-site water services, and partial services.

Shoreline Areas

The interface between terrestrial and aquatic environments, allowing for interactions between them, providing: specialized habitats (e.g., natural beach, overhanging cover, bird stopover or nesting, etc.), natural cover, areas of shoreline erosion or accretion, nutrient and sediment filtration / buffering, shading, foraging opportunities.

Short-Term Rental (STR)

Means all or part of a dwelling unit, either dedicated or owner-occupied as defined below, subject to licencing by the Town, to provide sleeping accommodation for any period of thirty (30) calendar days at a time or less in exchange for payment, but does not include any type of institutional dwelling, hotels, or other similar uses.

Short Term Rental, Dedicated

Means a STR that is located on a property where the Owner is not a full-time resident.

Short Term Rental, Owner-Occupied

Means a STR that is located on a property where the Owner is a full-time resident occupying the property on a full-time basis, including the duration of the rental term.

Significant

In regard to cultural heritage and archaeology, resources that have been determined to have cultural heritage value or interest. Processes and criteria for determining cultural heritage value or interest are established by the Province under the authority of the Ontario Heritage Act.

Significant Areas of Natural and Scientific Interest

Those areas of natural and scientific interest identified as provincially significant and regionally significant by the Province using evaluation procedures established by the Province, as amended from time to time.

Significant Groundwater Recharge Area

An area that has been identified as:

- a. A significant groundwater recharge area by any public body for the purposes of implementing the PPS;
- b. Significant groundwater recharge area in the assessment report required under the *Clean Water Act*, 2006; or
- c. An ecologically significant groundwater recharge area delineated in a subwatershed study or equivalent in accordance with provincial guidelines. For the purposes of this definition, ecologically significant groundwater recharge areas are areas of land that are responsible for replenishing groundwater systems that directly support **sensitive** areas like cold water streams and wetlands.

Groundwater recharge areas are also classified as “significant” where they supply more water to an aquifer than the surrounding area (NPCA, 2013). In other words, a recharge area is considered significant when it helps to maintain the water level in an aquifer that supplies a community with drinking water, or supplies groundwater recharge to a coldwater ecosystem that is dependent on this recharge to maintain its ecological function (N.V.C.A., 2015b).

Significant Surface Water Contribution Areas

Areas, generally associated with headwater catchments that contribute to baseflow volumes which are significant to the overall surface water flow volumes within a watershed. Significant surface water contribution areas include headwater drainage features classified as protection, conservation and mitigation.

Significant Valleylands

Valleyland which is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. These are to be identified using criteria established by the Province.

Significant Wildlife Habitat

Wildlife habitat that is ecologically important in terms of features, functions, representation, or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. These are to be identified using criteria established by the Province.

Significant Woodlands

Woodlands that are ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history.

Site Alteration

Activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site.

Soil Management Plan

A plan completed by a professional engineer or geoscientist that outlines the condition of soil at a source site where soil is excavated (Best Management Practices for Excess Soil and modified for this Plan).

Source Protection Plan

A drinking water source protection plan prepared under of the *Clean Water Act*, 2006 (Niagara Peninsula Source Protection Plan).

Special Policy Area

An area within a community that has historically existed in the floodplain and where site specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and address the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning **development**. The criteria and procedures for approval are established by the Province. A Special Policy Area is not intended to allow for new or intensified **development** and **site alteration**, if a community has feasible opportunities for **development** outside the floodplain.

Specialty Crop Area

Areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:

- a. Soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b. Farmers skilled in the production of specialty crops; and
- c. A long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.

Stormwater Management Facility

A facility for the treatment, retention, infiltration or control of stormwater.

Strategic Growth Areas

Within settlement areas, nodes, corridors, and other areas that have been identified in Schedule A: Town Structure to be the focus for accommodating intensification and higher-density mixed uses in a more compact built form. Strategic growth areas include urban growth centres, regional growth centres, major transit station areas, and other major opportunities that may include infill, **redevelopment**, brownfield sites, the expansion or conversion of existing buildings, or greyfields. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as strategic growth areas).

Subwatershed

An area that is drained by a tributary or some defined portion of a stream. A subwatershed is smaller nested drainage area within a quaternary watershed. There are over 200 subwatersheds in the Region.

Subwatershed Study

The plan or outcome from a subwatershed planning exercise.

Surface Water Feature

Water-related features on the earth's surface, including headwaters, rivers, stream channels, inland lakes, seepage areas, recharge/discharge areas, springs, wetlands, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation, or topographic characteristics.

Sustainable Development

The integration of environmental, social, economic and cultural considerations in decision-making. Applying this framework to policy formulation and analysis favours an integrated

approach in which these elements are brought together as a forethought in planning and decision making.

T

Threatened Species

A species that is classified as “Threatened Species” on the Species at Risk in Ontario List, as updated and amended from time to time.

Transit-Supportive

Relating to **development** that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, **mixed-use development** that has a high level of employment and residential densities. Transit-supportive **development** will be consistent with Ontario’s Transit Supportive Guidelines.

Transportation System

A system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park-and-ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, airports, marine facilities, ferries, canals and associated facilities such as storage and maintenance.

Two Zone Concept

An approach to floodplain management where the floodplain is differentiated in two parts: the floodway and the flood fringe.

U

Universal Design

The design and composition of an environment so that it can be accessed, understood and used to the greatest extent possible by all people regardless of their age, size, ability or disability.

Urban Agriculture

Food production in settlement areas, whether it is for personal consumption, commercial sale, education, or therapy. Examples include, but are not limited to, vertical agriculture facilities, community gardens, greenhouses, and rooftop gardens.

Utility

Any system, works, plant, pipeline, or equipment providing a service necessary to the public interest including but not limited to electric power generation and transmission, stormwater

management, water supply, sewage treatment and disposal, waste management, communications and telecommunications, and oil and gas pipelines and associated facilities.

V

Valleylands

A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Vegetation Protection Zone

A vegetated buffer area surrounding a key natural heritage feature or key hydrologic feature.

Vulnerable

Surface and/or groundwater that can be easily changed or impacted.

W

Waste Disposal Sites

The application of untreated septage, the storage, treatment, and discharge of tailings from mines and waste disposal sites as defined under Part V of the *Ontario Environmental Protection Act*, 1990 with respect to Source Water Protection.

Waste Management

The activities and actions required to manage waste from its inception to its final disposal. This includes the collection, transport, treatment, and disposal of waste, together with monitoring and regulation of the waste management process.

Water Budget

An accounting of the inflow to, outflow from, and storage changes of water in a hydrologic unit.

Water Lot

A legally defined area of land covered by water which may be either contiguous or attached to dry land, or may be separated entirely from dry land, - may be filled, partially filled or not filled – or a piece of land normally covered with water at high tide.

Water Resource System

A system consisting of groundwater features and areas and surface water features (including shoreline areas), and hydrologic functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water

consumption. The water resource system comprises of key hydrologic features and key hydrologic areas.

Water Services

Any works provided by the municipality for the distribution, lateral connection, transmission, and treatment of drinking water.

Watershed

An area that is drained by a river and its tributaries.

Watershed Planning

Planning that provides a framework for establishing goals, objectives, and direction for the protection of water resources, the management of human activities, land, water, aquatic life, and resources within a watershed and for the assessment of cumulative, cross-jurisdictional, and cross-watershed impacts. Watershed planning typically includes: watershed characterization, a water budget, and conservation plan; nutrient loading assessments; consideration of the impacts of a changing climate and severe weather events; land and water use management objectives and strategies; scenario modelling to evaluate the impacts of forecasted growth and servicing options, and mitigation measures; an environmental monitoring plan; requirements for the use of environmental best management practices, programs, and performance measures; criteria for evaluating the protection of quality and quantity of water; the identification and protection of hydrologic features, areas, and functions and the inter-relationships between or among them; and targets for the protection and restoration of riparian areas.

Wave Uprush

The rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside Pits and Quarries

A temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wetlands

Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland Fire Assessment and Mitigation Standards

The combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife Habitat

Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands

Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands will be delineated according to the Province's Ecological Land Classification system definition for forest. For the purposes of this definition, forests include terrestrial vegetation communities as defined in accordance with the Ecological Land Classification (ELC) system, where the tree cover is greater than 60 per cent.

G. Site Specific Policy Areas

Site Specific Policy Areas are created through amendments to this Plan. Area-specific policies may apply to a single site or area containing multiple properties. They are meant to provide a further direction on land use planning matters. The following policies provide direction regarding the interpretation of the Site Specific Policy Areas:

1. The location of site specific policy areas are shown on Schedule O.
2. Where there is a conflict between the policies of this Plan and the policies of Part G, the policies of Part G as they apply to lands shown on Schedule O will prevail.
3. Unless otherwise established by the policy of a Site Specific Policy Area, all other policies of this Plan, including any applicable Secondary Plan, will apply.

G.1 Crystal Beach Public School Lands

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas, and labelled G.1 Crystal Beach Public School Lands:

1. Only the following residential uses are permitted:
 - i. Apartment dwelling;
 - ii. Semi-detached dwelling;
 - iii. Single detached dwelling;
 - iv. Townhome; and
 - v. Uses accessory to residential uses are also permitted.
2. A density ranging between 25 to 75 units per hectare is required.
3. The maximum permitted building height is four-storeys.
4. A building height greater than four storeys may be permitted, subject to an amendment to the implementing zoning by-law and where it can be demonstrated to the satisfaction of the Town that the proposed height is compatible with surrounding land uses, such as through a visual impact assessment or shadow study.
5. Institutional uses are permitted.
6. Any removal of the existing building and the overall **redevelopment** of the site should contain at a minimum, an apartment/condominium block with a minimum of 32 units.

G.2 Bertile Public School Lands

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.2 Bertile Public School Lands:

1. The maximum permitted building height is four-storeys.

1. A building height greater than four storeys may be permitted, subject to an amendment to the implementing zoning by-law and where it can be demonstrated to the satisfaction of the Town that the proposed height is compatible with surrounding land uses, such as through a visual impact assessment or shadow study.
2. **Institutional uses** are also permitted, subject to Policy X.
3. Permit **institutional uses** subject to the policies contained in 4.18.10.
4. Any removal of the existing building and the overall **redevelopment** of the site should contain at a minimum, an apartment/condominium block with a minimum of 45 units.

G.3 Harbourtown Village

The following policies apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.3 Harbourtown Village:

1. The following additional uses are permitted on lands designated Open Space:
 - i. Active recreational uses;
 - ii. Passive recreational uses;
 - iii. Surface parking; and
 - iv. Stormwater management facilities.

G.4 2651 Nigh Road

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.4 2651 Nigh Road:

1. **Development** will be limited to three dwelling units or lots having a minimum lot area of 1 hectare. No further **development** will be permitted without an amendment to this Plan

G.5 615 Burleigh Road North

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.5 615 Burleigh Road North:

1. **Development** will be limited to four dwelling units or lots having a minimum lot area of 1 hectare. No further **development** will be permitted without an amendment to this Plan

G.6 0-6489 Nigh Road

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.6 0-6489 Nigh Road:

1. **Development** will be limited to a total three lots, subject to the following additional policies:
 - i. One lot will have lot area 2.6 hectares; and

- ii. The remaining two will have a lot area 1.1 hectare and minimum lot frontage of 90 metres each.

G.7 Lions Douglas Heights Senior Residence

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.7 Lions Douglas Heights Senior Residence:

1. The maximum permitted density is 108 units per hectare.
2. An apartment dwelling with a maximum of 8-storey (10-storeys at the rear) is permitted.

G.8 4197 Niagara River Parkway

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled 4197 Niagara River Parkway:

1. The Subject Lands are permitted to be serviced by partial municipal services, which includes municipal sanitary services and private water services.

G.9 1640 Garrison Road High School

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled 1640 Garrison Road High School:

1. A public school and ancillary uses are permitted on existing municipal services to be located outside of the **settlement area** boundary.

G.10 Helena Street Industrial Lands

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.10 Helena Street Industrial Lands:

1. The Subject Lands are intended to be used for low intensive industrial uses on private sanitary services.
2. The low intensive industrial uses are identified in the implementing zoning by-law.
3. Additional uses as permitted by the implementing zoning by-law may also be permitted without an amendment to this Plan provided they adhere to the Ministry's D6 separation distances

G.11 Royal Ridge Subdivision

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled Royal Right Subdivision:

1. Only the following uses are permitted on the Subject Lands:
 - i. Semi-detached dwelling;
 - ii. Townhouse dwelling; and

- iii. Stormwater management facility.
- 2. A minimum density of 16 units per net hectare is required.

G.12 Fort Erie Hills

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.12 Fort Erie Hills:

- 1. The following policies apply to lands designated “Core Mixed-Use”:
 - i. Commercial uses are only be permitted on the ground floor and will not occupy more than 50-percent of the total ground floor area.
 - ii. Residential uses are permitted on the ground floor and will not occupy more than 50-percent of the total ground floor area.
- 2. Maximum height will be established by Zoning By-law 129-90.
- 3. The following policies apply to lands designated “Community Area”:
 - i. The minimum density is 50 units per hectare;
 - ii. The maximum density is 85 units per hectare;
 - iii. **Stormwater management facilities** and any necessary pumping stations are permitted as additional uses.
- 4. Active recreational uses and passive recreational uses are permitted.

G.13 Miller Lands

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.13 Miller Lands:

- 1. The following policies apply to lands designated “Community Area”:
 - i. The minimum density is 50 people and jobs per hectare.
 - ii. The maximum density is 85 people and jobs per hectare.
 - iii. Prepare a Secondary Plan concept to be approved by the Town, demonstrating how the site will integrate with the entire Bridgeburg North Neighbourhood.
 - iv. The developable area will be determined following approval of a Environmental Impact Assessment (EIS).
- 2. The following policy applies to lands labelled designated Natural Environment System:
 - i. Pedestrian paths are permitted, subject to an approved **environmental impact study**.
- 3. The following additional policies apply:
 - i. An approved environmental impact study will address the following matters to the satisfaction of the Town and conservation authority:

- a. Terms of Reference to be developed in consultation with and approved by the **conservation authority**;
- b. Environmental surveys to address the Endangered Species Act, including but not limited to Bat Habitat surveys, etc;
- c. Further refinement to the Environmental Conservation Areas to demonstrate “No **negative impact**”; and
- d. Upon final approval of an **environmental impact study** or alternatively approval of an Overall Benefit Permit by applicable agencies, those areas identified for protection will be appropriately zoned through the implementing zoning by-law.

G.14 613 Ridge Road North

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.14 613 Ridge Road North:

1. An apartment dwelling with a maximum density of 122 units per net hectare is permitted.

G.15 Compass Heights Development

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.15 Compass Heights Development:

1. The maximum density is 349 units per hectare.

G.16 Safari Niagara

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.16 Safari Niagara:

1. A theme park is permitted on approximately 116 hectares (288 acres) of land located on the west side of Regional Road 116 (Stevensville Road), north of the former CP rail line east of House Road and south of College Road in the Town of Fort Erie.
2. **Development** on these lands may connect into existing municipal sewer and water systems subject to the approval of the Region and the Town of Fort Erie.
3. No **development** will be permitted within the environmental areas to be protected as shown on the Figure G.1 Safari Niagara Protected Area Map.

Figure G-1: Safari Niagara Protected Area Map



G.17 Niagara Parks Marina at Millers Creek

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.17 Niagara Parks Marina at Millers Creek:

1. The marina use, the marina **redevelopment**, and the ancillary uses are considered to be a resource based rural recreational use that is consistent with the Provincial Planning Statement, 2024 and conforms to this Plan.
2. The rejuvenation and **redevelopment** of the marina is encouraged to support the tourism and boating economy on the Niagara River.
3. The following uses are permitted to facilitate the **development** and **redevelopment** of the marina:
 - i. A marina is permitted as the principal land use;
 - ii. Hotel Accommodation;
 - iii. Ancillary uses including, the management or use of resources, resource-based recreational uses (including recreational dwellings), **home occupations** and home industries, limited residential **development**, cemeteries, and other rural land uses are permitted;
 - iv. With regard to recreational dwellings and residential **development**, all forms of tenure will be permitted for new, expanded or **redevelopment** of the marina property; and
 - v. Accommodation catering to the travelling public and providing ongoing services and recreational facilities normal and incidental to a commercial setting.
4. **Development** and **redevelopment** will be subject to the following being satisfactorily addressed:

- i. The scale, size and density of **development**;
- ii. Compatibility of use;
- iii. Site characteristics;
- iv. Water quality;
- v. Protection of shoreline;
- vi. Approved environmental impact study;
- vii. Navigability of the Niagara River;
- viii. Servicing;
- ix. Transportation; and
- x. Details of the **development** and **redevelopment** will be addressed through the Town of Fort Erie Official Plan and Zoning By-law and in accordance with the provisions of this Plan.

G.18 Michener Road and Schooley Road

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.18 Michener Road and Schooley Road:

1. The urban area identified on the map below in the community of Crystal Beach, is located outside of the current Crystal Beach Secondary Plan. **Development** pursuant to the Planning Act will not be able to proceed until such time as the Region's Transportation Master Plan is updated to 2051 and any land use related transportation recommendations are considered by amendment to the local Official Plan.

G.19 Fort Erie Industrial Park

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.19 Fort Erie Industrial Park:

1. This Plan recognizes that the Subject Land are susceptible to flooding in a Regional flood event. This Site Specific Policy Area is in accordance with the Natural Hazard Policies of the Provincial Planning Statement.
2. Provincial **floodplain** policy normally does not permit **development** in the **floodplain** as determined by the **conservation authority**. However, a **Special Policy Area** designation can be granted in areas where economic and social conditions warrant some new **development** or **redevelopment**. **Special Policy Areas** may be exempted by the Province from the minimum levels of protection specified in Provincial policy provided alternate **floodplain** management policies are included in the Official Plan in a manner acceptable to the Town, the **conservation authority** and the Province.
3. The "Fort Erie Industrial Park" is identified as a **Special Policy Area** approved by the Province in recognition of:
 - i. The integral role of this area in achieving the industrial **development** objectives of the Town;

- ii. Investments made by the Town to provide full municipal services to the site;
 - iii. The long term commitments made to industrial **development** through both the Official Plan and implementing zoning by-law;
 - iv. The impracticality of flood proofing as determined by the **conservation authority** for economic, technical and aesthetic reasons, and;
 - v. The impracticality of providing alternate flood protection measures such as relocation, dyking or enlargement of the culverts under the railway line to the north of the site.
4. Notwithstanding any other policies in this Plan, the Hazard area (1 in 100 year flood) is identified as the level of flood protection that will be applied to the Subject Lands. Accordingly, the following **floodplain** management provisions will apply to this area:
- i. No new buildings or structures other than those required for flood erosion control or flood management purposes will be permitted in the **hazardous lands** as determined by the **conservation authority**;
 - ii. Extensions, enlargements or reconstructions of existing buildings and structures may be permitted within the 1 in 100 year **floodplain** provided they are protected up to the 1 in 100 year flood level;
 - iii. Prior to the issuance of any building permit within the 1 in 100 year **floodplain**, the Town will consult with the **conservation authority** regarding the administration of the Authority's fill and construction regulations to address any proposed flood damage reduction measures which may include such matters as building setbacks, basement elevations, the strength of foundation walls, the placement of fill and control of building opening elevations; and
 - iv. Any amendment to the implementing zoning affecting the Subject Lands will conform to the provisions of this subsection. In this regard the Town may, in consultation with the **conservation authority**, incorporate flood reduction measures in the by-law relating to such matters as building setbacks, minimum heights of openings to buildings and maximum lot coverage.

G.20 Mobile Home Park

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.20 Mobile Home Park:

- 1. The continued use of a mobile home park is permitted on the Subject Lands.

G.21 Waste Disposal Sites

The Subject Lands are owned and / or operated by the Regional Municipality of Niagara.

- 1. The Bridge Street landfill is currently active whereas the Winger Road landfill site is closed. The designations identified on Schedule E: Land Use Plan within the Site Specific Policy Area, reflects the ultimate intended land use of the site after closure of the landfill operation.

2. The existing Bridge Street landfill operation will be permitted to continue to operate in accordance with applicable Certificate of Approvals, regulations and/or guidelines of the Ministry of the Environment, Conservation and Parks.

G.22 Flintlock Hazard Lands

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled Flintlock Hazard Lands:

1. The Subject Lands may be used for boat docks or a marina, without buildings, provided applicable regulations of the **conservation authority** and all other policies of this Plan are complied with.

G.23 Frenchman's Creek

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled Frenchman's Creek:

1. Given the significant natural heritage features on the Subject Lands, a **subwatershed study**, completed by a qualified consultant on behalf of the developer(s) or property owner(s), will be required in accordance with this Plan. The SWS should be completed in association with a Secondary Plan outlining how the lands will be developed and serviced in accordance with the policies of this Plan.
2. A Comprehensive Servicing Study and overall Storm Water Management Plan will also be required and will form important components of the Secondary Plan.

G.24 209 Jarvis Street

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.24 209 Jarvis Street:

1. Apartment dwellings may be located on the ground storey of a commercial building, provided they remain ancillary to the commercial uses on the property and do not occupy in excess of 50-percent of the ground floor area

G.25 209 Ridge Road North

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.25 209 Ridge Road North:

1. Notwithstanding the General Commercial designation, these lands may also be used for commercial brewing facility producing a maximum of 3,000 hectolitres per year and occupying a maximum floor area of 409 square metres.
2. A maximum of one accessory apartment dwelling may be located on the ground storey of a commercial building.

G.26 255 Emerick Avenue

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.26 255 Emerick Avenue:

1. Uses permitted in the Institutional land use designation may also be permitted.

G.27 5179 Albino Hills Road

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.27 5179 Albino Hills Road:

1. The **development** of an accessory structure with a 71.31square metre (768 +/- square foot) footprint and 33.63 (362 +/- square foot) square metres of living space on the second floor is permitted as an additional use.

G.28 Bowen Road Industrial Lands

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.28 Bowen Road Industrial Lands:

1. Low intensive industrial area on private sanitary services is permitted.
2. The low intensive industrial uses are identified in the implementing zoning by-law, and other uses may be permitted without an amendment to this plan provided they can adhere to Provincial guidelines regarding land use computability.

G.29 0 Petit Road, 1011 Gilmore Road, and 0-13130 Thomson Road

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.29 0 Petit Road, 1011 Gilmore Road, and 0-13130 Thomson Road:

1. An Environmental Impact Assessment, Buffer and/or Edge Management plans, as necessary, is required prior to any **development** of the Subject Lands.

G.30 80-84 and 94 Jarvis Street

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.30 80-84 and 94 Jarvis Street:

1. The maximum building height is 5 storeys.

G.31 Kraft Drain Area

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.31 Kraft Drain Area:

1. Given the significant natural heritage features on site, a **subwatershed study**, completed by a qualified consultant on behalf of the developer(s) or property owner(s),

will be required in accordance with the **natural environment system** of this Plan. The SWS should be completed in association with a Secondary Plan outlining how the lands will be developed and serviced in accordance with the policies of this Plan.

2. A Comprehensive Servicing Study and Storm Water Management Plan will form important components of the Secondary Plan.

G.32 Waterline Outside of Urban Areas

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.32 Waterline Outside of Urban Areas:

1. The following waterlines have been reviewed in accordance with Niagara Regions policies regarding Municipal Water and Wastewater Servicing Outside of Urban Areas and are deemed to comply with these policies:
 - i. A waterline to provide services to the Ridge View Estates Subdivision located in the community of Ridgeway in the Town of Fort Erie;
 - ii. A 150 millimetre (6 inch) waterline extension of about 100 metres (300 feet) along Stonemill Road from the existing municipal waterline on MacDonald Drive to the Windmill Point Park and Campground in the Town of Fort Erie; and
 - iii. A waterline extension of approximately 1280 metres (4200 feet) to a local watermain outside the urban area boundary of the Town of Fort Erie.

G.33 Private Services Blackcreek

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.33 Private Services Blackcreek:

1. The existing lot of record located south of Townline Road, on the east side and at the extreme southerly limit within the urban area boundary, a single residential dwelling will be permitted on private services, subject to satisfying regional private septic system criteria and **conservation authority** regulatory requirements.
2. Vacant lots of record south of Townline Road between Black Creek Trail and the Queen Elizabeth Expressway may develop with single detached residential dwellings on private septic systems provided regional private septic system criteria can be met and Niagara Peninsula **conservation authority** approval can be obtained.
3. Lands located on the north side of the Queen Elizabeth Expressway between Black Creek and Switch Road within the identified urban area boundary have partial servicing (sanitary only). Feasibility of water connection is unlikely during the planning period and there has not been any capital planning set out to provide municipal water to these lands. These lands are regarded as having a relatively high degree of environmental constraint. Despite such conditions, if any further residential **development** potential can be identified with frontage on Switch Road that is capable of meeting zoning criteria, while also having satisfied the Town and any other regulatory approval authority in respect of a potable water supply, the consent process may be considered for creating a new lot. Should there be any new lot creation, connection to existing sanitary services will be mandatory and connection to municipal

water supply will also be required should a municipal water supply become available in future as the result of a local improvement initiative by property owners.

G.34 0-17644 Baker Road

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.34 0-17644 Baker Road:

1. The commercial lands located on the southeast corner of Netherby Road and Baker Road will serve in the capacity of a local convenience commercial centre. These lands are encouraged to include residential rental apartments above commercial units to assist in supplying the community with a form of housing that meets with age in-place objectives. More specifically, providing opportunities for young families and mature youth to find accommodation within the community with a longer term goal of retaining their residence in Douglastown Black Creek as they transition through adulthood.
2. Commercial uses will be defined in the zoning and are intended to service the community on a whole in addition to “pass-by” traffic.
3. Should any future market demand demonstrated through landowner study result in only a portion of this site being viable for convenience commercial uses, a remnant southern portion may be used for medium density residential, provided access to the lands via public road allowance can be secured. Not more than 50-percent of the designated lands would be eligible and a zoning by-law amendment would be required without further amendment to this Plan.
4. This location is of significance with respect to this intersection being the primary point of entry into the northern community. Design of the site and building will have regard to such matters as:
 - i. High quality architectural design and materials to serve in a capacity of a landmark or gateway level building;
 - ii. Enhancement of landscaping on the Baker Road frontage to soften appearance and provide a level of visual screening from headlights from on-site traffic to the residential on the north side of the street.
 - iii. Use lighting treatments to enhance the building and parking areas while limiting impacts on area residential, including residential that may be provided for on upper levels.
 - iv. Provide clearly defined pedestrian passage from the site frontage and potentially from adjacent properties (community centre, church and medium density block) in the form of sidewalks or hard surface trail linkage, where such pedestrian movement is likely to occur
 - v. Design for fully enclosed waste management either internal to the building or in an accessory structure in a less prominent location on site.
 - vi. Site should consider being designed to accommodate (potential/future) transit vehicle turning in the event that local and/or regional transit services become feasible in providing a level of service to Douglastown-Black Creek.

G.35 4301 Niagara River Parkway

The following policies will apply to lands shown on Schedule O: Site Specific Policy Areas and labelled G.35 4301 Niagara River Parkway:

1. This site has operated commercially for a number years, including instances of at-grade retail and upper floor residential. Commercial viability has negatively impacted this site in the past decade, rendering it vacant for extended periods.
2. Consideration will be given to allowing rezoning of this property, without need to amend this Plan, for multi-residential uses while maintaining sensitive built form and massing to adjacent dwellings. Design considerations should include and may be found in a site specific by-law containing additional regulation on:
 - i. Building height should not exceed 3 storeys (or 11m);
 - ii. Design and building placement/addition should be sensitive to proximity to the Niagara River Parkway with setbacks being considered maximized where possible;
 - iii. Parking in rear lot area will be a consideration where it can be balanced with Parkway setback and maintain quality site design;
 - iv. Minimum of 5 units and maximum of 9 units;
 - v. Site access will be from Black Creek Road unless otherwise permitted by Niagara Parks Commission; and
3. Site Plan Control will be used to ensure compliance with all other zoning or municipal requirements.
4. If through consolidation with adjacent property on Black Creek Road, the site increases in total lot area, general policies of medium density will apply. Should modification to the provisions of multi-unit residential zoning be required to address such matters as height, density, setbacks or building placement, a site specific zoning by-law amendment will need to be undertaken but will not require an amendment to this Plan.

G.36 Fort Erie Waterfront Area

The following policies apply to lands shown on Schedule O: Site Specific Policy Area and labelled G.36 Fort Erie Waterfront Area:

1. The Fort Erie Waterfront Area is generally located on lands abutting Lake Erie between Point Abino Road South and Helena Street and are more precisely shown on Schedule O.36.
2. Land uses within the Fort Erie Waterfront Areas are generally comprised of low-rise, detached dwellings of differing scales and architecture that have been developed on historic lotting patterns that vary in area and configuration, generally comprised of single detached dwelling, developed along the water with deeper lots with moderate street frontage.

3. The existing lots of record have generally been established through historic severance activity in the absence of comprehensive and detailed planning direction or **infrastructure** planning regarding matters such as municipal servicing, transportation, and stormwater management.
4. This area has evolved over time into a desirable location for both permanent and seasonal residents due to its proximity to Lake Erie, the Lake Erie shoreline, as well as the surrounding community and the many amenities that are offered as a destination for residents and visitors alike who are afforded both public and private direct access to the shoreline.
5. The Town recognizes that the Fort Erie Waterfront Areas contribute to the vision, goals, and objectives of this Plan, including local economic development, provision of housing options, **sense of place**, character and a vibrant, engaging community.
6. Based on the historical **development** patterns and evolution of the applicable land use planning framework, the Fort Erie Waterfront Areas has not been comprehensively planned for **development, redevelopment**, or intensification.
7. More specifically, **development, redevelopment** and **intensification** of the broader Fort Erie Waterfront Area is not planned for in the absence of comprehensive study that addresses matters related to land use, functional servicing, transportation, **hydrologic function**, archaeological potential, cultural heritage, as well as the **natural environment system**, including the **water resource system**.
8. It is further established that the **redevelopment** and/or **intensification** of lands within the Fort Erie Waterfront Areas is not required to accommodate the forecasted population or employment growth of this Plan, and that there are more strategic areas of the Town where growth may be accommodated, including **strategic growth areas**.
9. The following uses are permitted within the Lake Erie Waterfront Area:
 - i. Legally existing uses;
 - ii. **Home occupation**;
 - iii. **Additional residential units**, in accordance with policy E.2.4 of this Plan and the implementing zoning by-law; and
 - iv. **Short-term rentals**, in accordance with policy E.2.6 of this Plan and the implementing zoning by-law.
10. The following minimum **development** criteria apply to the Lake Erie Waterfront Area:
 - i. The maximum building height, massing, orientation, and setbacks will be harmonious and complementary to adjacent and surrounding land uses;
 - ii. The minimum lot frontage is the existing lot frontage;
 - iii. The minimum lot depth is the existing lot depth;
 - iv. Landscaped open space contributes to and is harmonious with adjacent land uses to create a more visually consistent and complementary built form;

- v. Notwithstanding that legally existing uses are permitted, a maximum 25-percent increase in the lot coverage of the principal dwelling is permitted to the total area of an existing **development**.
- 11. An amendment to this Plan will be required where there is an application made pursuant to the Planning Act for a proposed change to the existing lot frontage or lot depth.
- 12. The implementing zoning by-law will establish more detailed direction regarding the size, scale, orientation, and character of lots and buildings within the Lake Erie Waterfront Area.
- 13. The implementing zoning may establish regulations that are more restrictive than the policies of G.36 Fort Erie Waterfront Area. Where that may occur, it is deemed that the regulations of the implementing zoning by-law conform to Policy G.36 Fort Erie Waterfront Area.
- 14. The Town, in consultation with Indigenous communities, landowners, the **conservation authority**, and relevant agencies including the Region, may initiate a more detailed process that comprehensively studies the entirety of lands subject to Site Specific Policy Area 36 to inform land use planning direction within the Fort Erie Waterfront Area. An amendment to this Plan is required to implement any direction resulting from said comprehensive study.
- 15. Lands with municipal address 4239 Erie Road located in Crystal Beach are not subject to the policies of G.36.10 and G.36.11, provided that an application pursuant to Planning Act Section 53 is submitted to the Town and deemed complete on or before December 31, 2025, after which date the policies of G.36.10 and G.36.11 will apply. An amendment to this Plan is not required for this policy to take effect.

H. Secondary Plans

1. Part H is reserved for Secondary Plans, which form an operative part of this Plan.
2. Secondary Plans will be consolidated into this Plan through future initiative(s) undertaken by the Town.
3. The following Secondary Plans are in full force and effect, and must be read and interpreted in conjunction with the policies of this Plan:
 - i. Bridgeburg Secondary Plan
 - ii. Gateway Secondary Plan
 - iii. Speares / High Point Secondary Plan
 - iv. Ridgeway – Thunder Bay Secondary Plan
 - v. Stevensville Secondary Plan
 - vi. Douglastown – Black Creek Secondary Plan
 - vii. Southend Secondary Plan
 - viii. Crystal Beach Secondary Plan
4. Interpretation of Secondary Plans are subject to the interpretation policies of this Plan, and where there is an inconsistency between this Plan and a Secondary Plan, specific reference will be made to policy A.3.5.

Appendix I

Removal of Land from Employment Areas

It must be demonstrated that the following policies are satisfied to remove lands from a delineated Employment Area, as shown on Schedule C:

1. There is an identified need for the removal and the land is not required for uses permitted in an **employment area** over the long-term.
2. The proposed uses would not negatively impact the overall viability of the employment area by:
 - i. Avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned **employment area** uses in accordance with this Plan and provincial guidelines, standards and procedures pertaining to land use compatibility; and
 - ii. Maintaining access to major goods movement facilities and corridors.
3. Existing or planned infrastructure and public service facilities are available to accommodate the proposed uses.
4. The Town has sufficient employment lands to accommodate projected employment growth to the horizon of this Plan.
5. Alternative locations for the proposed land uses have been evaluated and there are no reasonable alternative locations.
6. Potential impacts to uses permitted within **employment areas** are minimized and mitigated.
7. The land is not identified as provincially significant through a Provincial plan exercise or as regionally significant by an affiliated economic development corporation.
8. All or part of the site is restricted from **development** or **redevelopment** by natural heritage feature(s).
9. All or part of the site is restricted from **development** or **redevelopment** by physical man-made features or other hazardous conditions.
10. The site has qualities or characteristics that makes it less desirable / marketable for uses permitted within an **employment area**.
11. The proposed uses are compatible with existing and planned surrounding land uses located within and adjacent to the **employment area**, including land uses located outside of the settlement area boundary, as applicable.
12. The application is consistent with municipal strategic interests and policies.

Appendix II

List of Required Studies

The following list identifies studies, reports, information, materials, or any combination thereof that the Town which may deem to be required through an application made pursuant to the Planning Act:

1. Affordable Housing Report/Rental Conversion Assessment
2. Aggregate Resource Assessment
3. Aggregate/Mineral Resource Analysis
4. Agricultural Impact Assessment
5. Air Quality Study
6. Archaeological Assessment
7. Channel Design And Geofluvial Assessment
8. Chloride Impact Study
9. Concept Plan
10. Construction Management Plan
11. Contaminant Management Plan
12. Cost Recover Agreement
13. Cultural Heritage Assessment – Documentation And Salvage Plan
14. Cultural Heritage Impact Assessment
15. Cut And Fill Analysis
16. Cycling Route Analysis
17. Draft Official Plan Amendment/Draft Zoning By-Law Amendment
18. Dust Impact Analysis
19. Energy And Environmental Assessment Report
20. Environmental Impact Statement (EIS) And Summary Of Environmentally Significant Areas Impact Evaluation Group Comments (Where Applicable)
21. Environmental Site Assessment and/or Record Of Site Condition
22. Erosion And Sediment Control Plan
23. Erosion Hazard Assessment
24. Farm Economics Report
25. Financial Impact Analysis

26. Fish Habitat Assessment
27. Floodline Delineation Study/Hydraulic Analysis
28. Full Disclosure Report
29. Functional Servicing Feasibility Report
30. General Vegetation Inventory
31. Grading Plan
32. Housing Report
33. Hydrogeological Study
34. Impact Assessment For New Private Waste Disposal Sites
35. Karst Assessment/Karst Contingency Plan
36. Land Use Compatibility Study
37. Land Use In The Vicinity Of Existing Pipelines Study
38. Land Use/Commercial Needs And Impact Assessment
39. Landfill Impact Assessment
40. Landscape Plan
41. Limit Of Environmentally Significant Area, Or Limit Of Conservation Authority Regulated Area
42. Linkage Assessment
43. Market Impact Study
44. Master Drainage Plan
45. Materials Palette Or Imagery
46. Meander Belt Assessment
47. Minimum Distance Separation Calculation
48. Ministry of the Environment, Conservation and Parks – Environmental Compliance Approval
49. Modern Roundabout And Neighbourhood Roundabout Analysis
50. Neighbourhood Traffic Calming Options Report
51. Noise Impact Studies (Noise Feasibility and/or Detailed Noise Study)
52. Nutrient Management Study
53. Odour Impact Assessment
54. Odour, Dust and/or Light Impact Assessment
55. Parking Analysis/Study
56. Pedestrian Route And Sidewalk Analysis

57. Planning Justification Report
58. Pre-Technical Conservation Authority Review
59. Public Consultation Summary And Comment Response Report
60. Recreation Feasibility Study
61. Recreation Needs Assessment
62. Restoration Plan
63. Right Of Way Impact Assessment
64. Roadway/Development Safety Audit
65. School Accommodation Issues Assessment
66. School And City Recreation Facility And Outdoor Recreation/Parks Issues Assessment
67. Servicing Options Report
68. Shoreline Assessment Study/Coastal Engineer's Study
69. Site Lighting Plan
70. Site Plan And Building Elevations
71. Slope Stability Study And Report
72. Soil Management Plan
73. Soils/Geotechnical Study
74. Species Habitat Assessment
75. Storm Water Management Report/Plan and/or Update To An Existing Storm Water Management Plan
76. Sub-Watershed Plan and/or Update To An Existing Sub-Watershed Plan
77. Summary Response To Formal Consultation Comments
78. Sun/Shady Study
79. Survey Plan
80. Traffic Impact Assessment
81. Transit Assessment
82. Transportation Demand Management Options Report
83. Transportation Impact Study
84. Tree Management Plan/Study
85. Tree Protection Plan
86. Urban Design And Architectural Guidelines
87. Urban Design Report And Design Review Panel Summary Of Advice And Response (Where Applicable)

88. Vibration Study
89. Visual Impact Assessment
90. Water And Wastewater Servicing Study
91. Watermain Hydraulic Analysis
92. Water Well Survey And Contingency Plan
93. Wildland Fire Assessment
94. Wind Study
95. Zoning Compliance Review
96. 3D Modelling, Visualization, or Demonstration Plan

Fort Erie Official Plan

Schedule A - Town Structure

Final For Council Adoption | August 2025

Town Structure

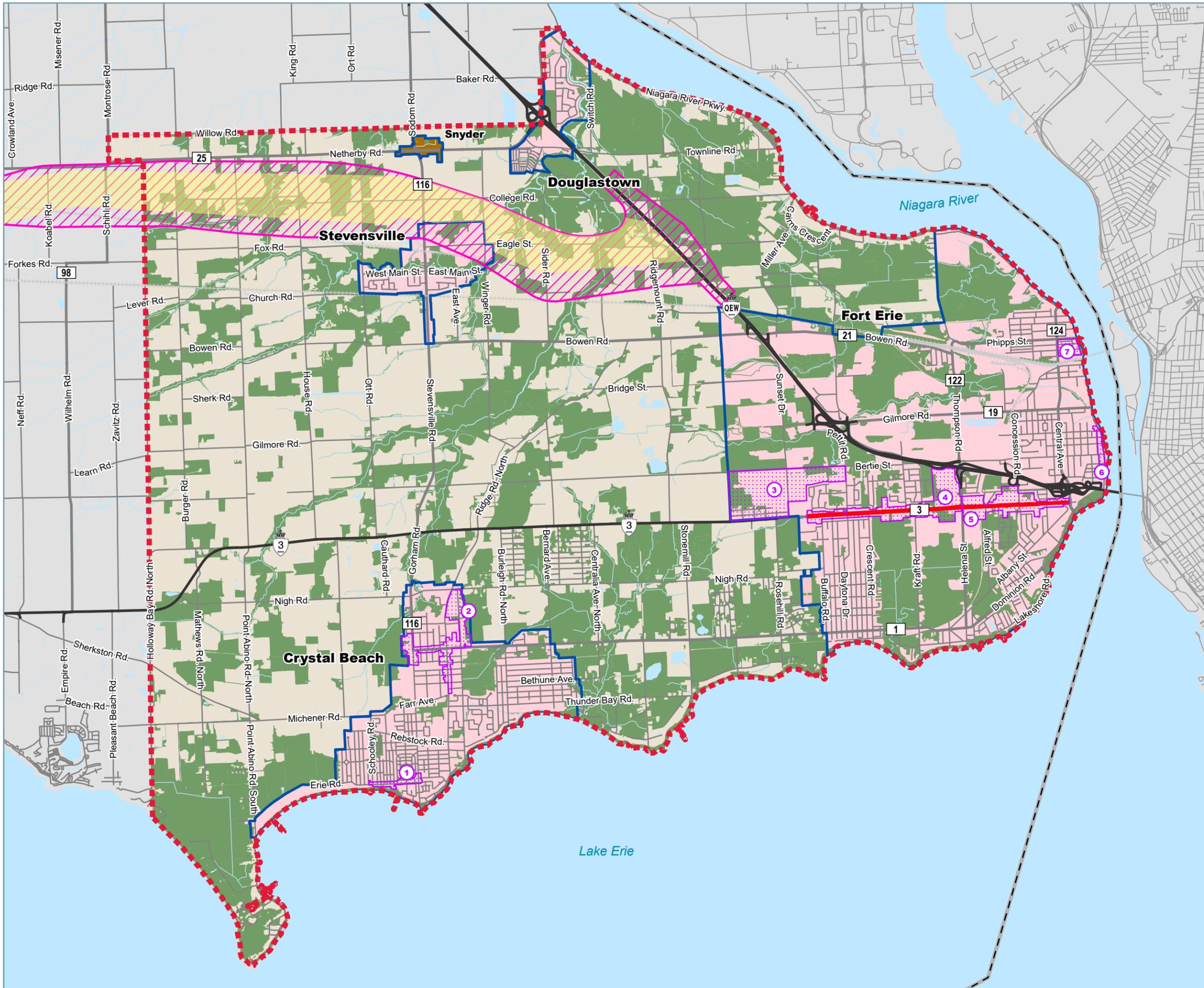
- Settlement Area
- Rural Settlement Area
- Countryside
- Natural Environment System
- Strategic Growth Area
- Ontario Ministry of Transportation Study Area for the Niagara to Greater Toronto Area Corridor
- Town of Fort Erie Preferred Alignment of the Proposed Niagara to Greater Toronto Area Corridor
- Conceptual Transit Corridor

Base Features

- Municipal Boundary
- International Border
- Settlement Area Boundary

Strategic Growth Areas

- Crystal Beach SGA
- Ridgeway SGA
- Garrison-Sunset SGA
- Garrison West SGA
- Garrison East SGA
- Niagara Boulevard SGA
- Bridgeburg SGA



Fort Erie Official Plan

Schedule A.1 - Strategic Growth Area

Crystal Beach SGA

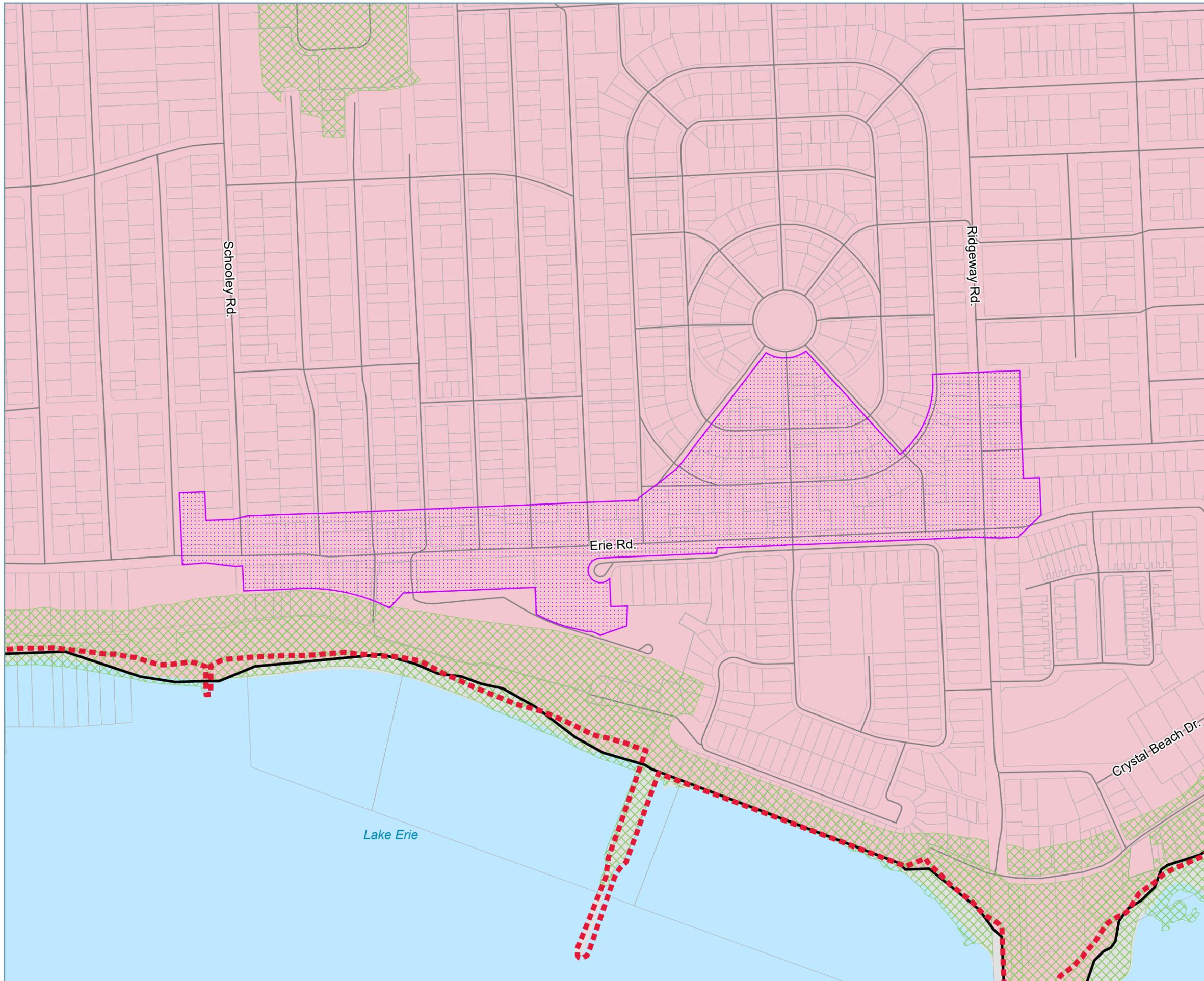
Final For Council Adoption | August 2025

Town Structure

-  Settlement Area Boundary
-  Urban Area
-  Parcel Boundary
-  Strategic Growth Area
-  Natural Environment System

Base Features

-  Municipal Boundary



Fort Erie Official Plan

Schedule A.2 - Strategic Growth Area

Ridgeway SGA

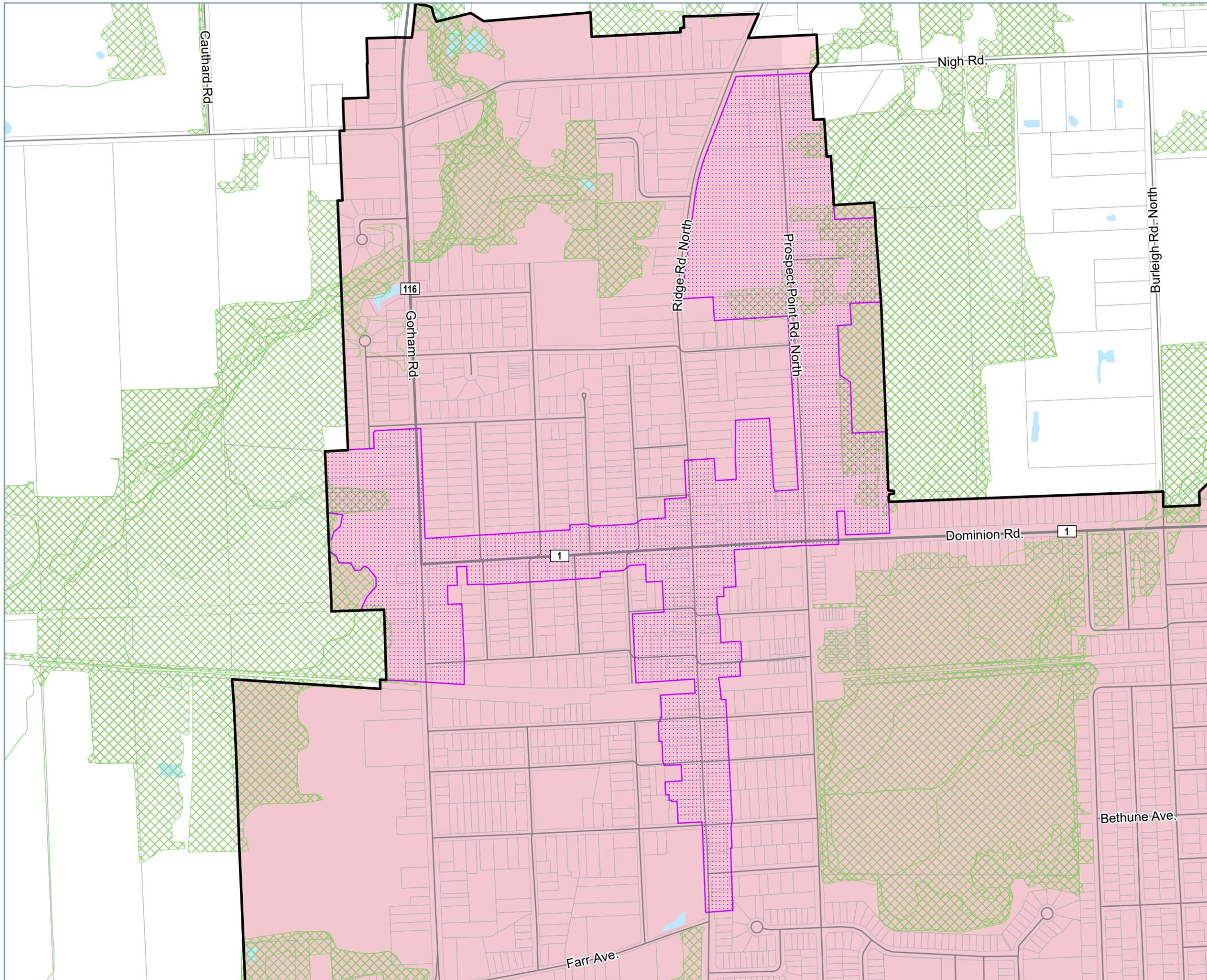
Final For Council Adoption | August 2025

Town Structure

-  Settlement Area Boundary
-  Urban Area
-  Parcel Boundary
-  Strategic Growth Area
-  Natural Environment System

Base Features

-  Municipal Boundary



Fort Erie Official Plan

Schedule A.3 - Strategic Growth Area

Garrison-Sunset SGA

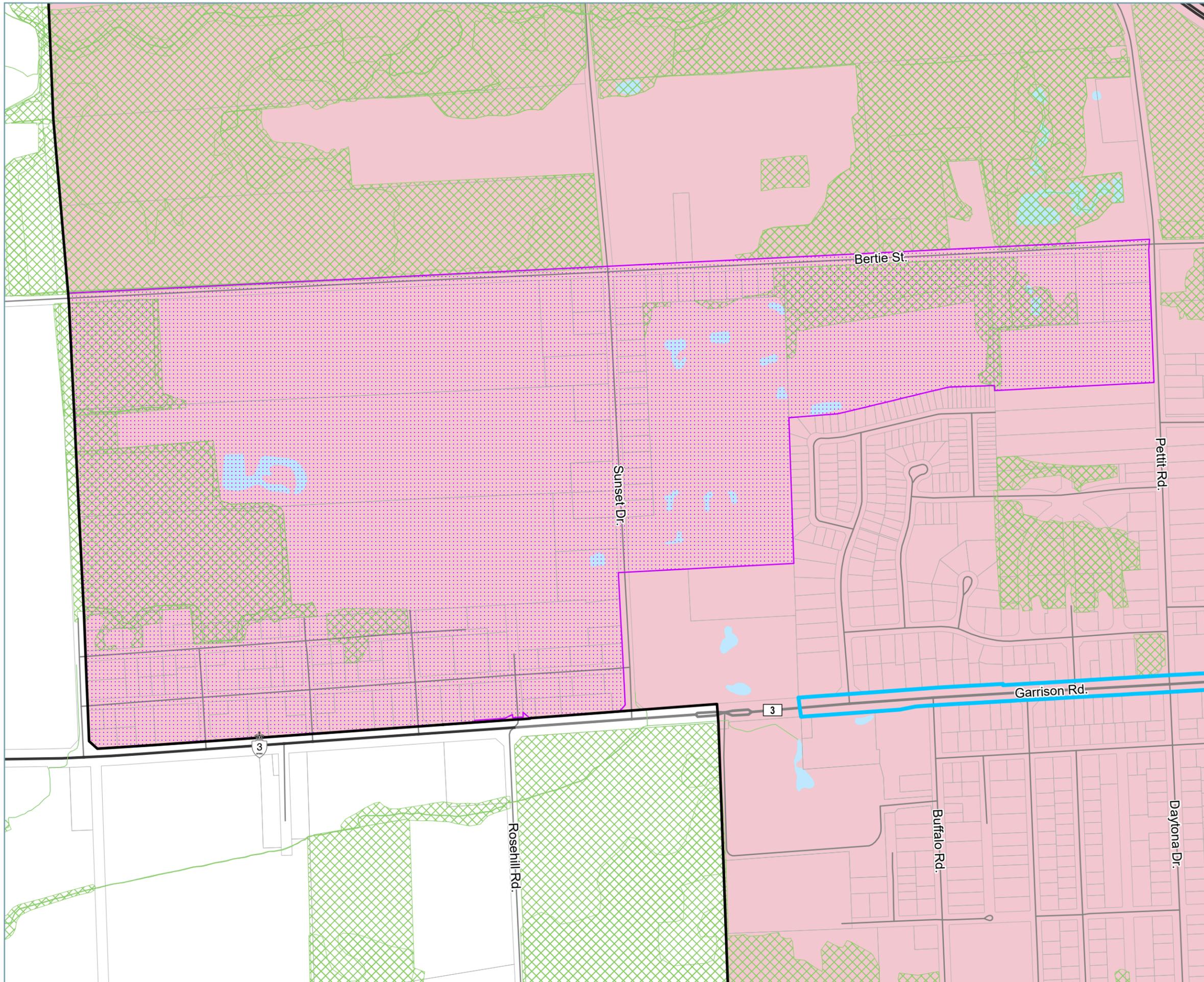
Final For Council Adoption | August 2025

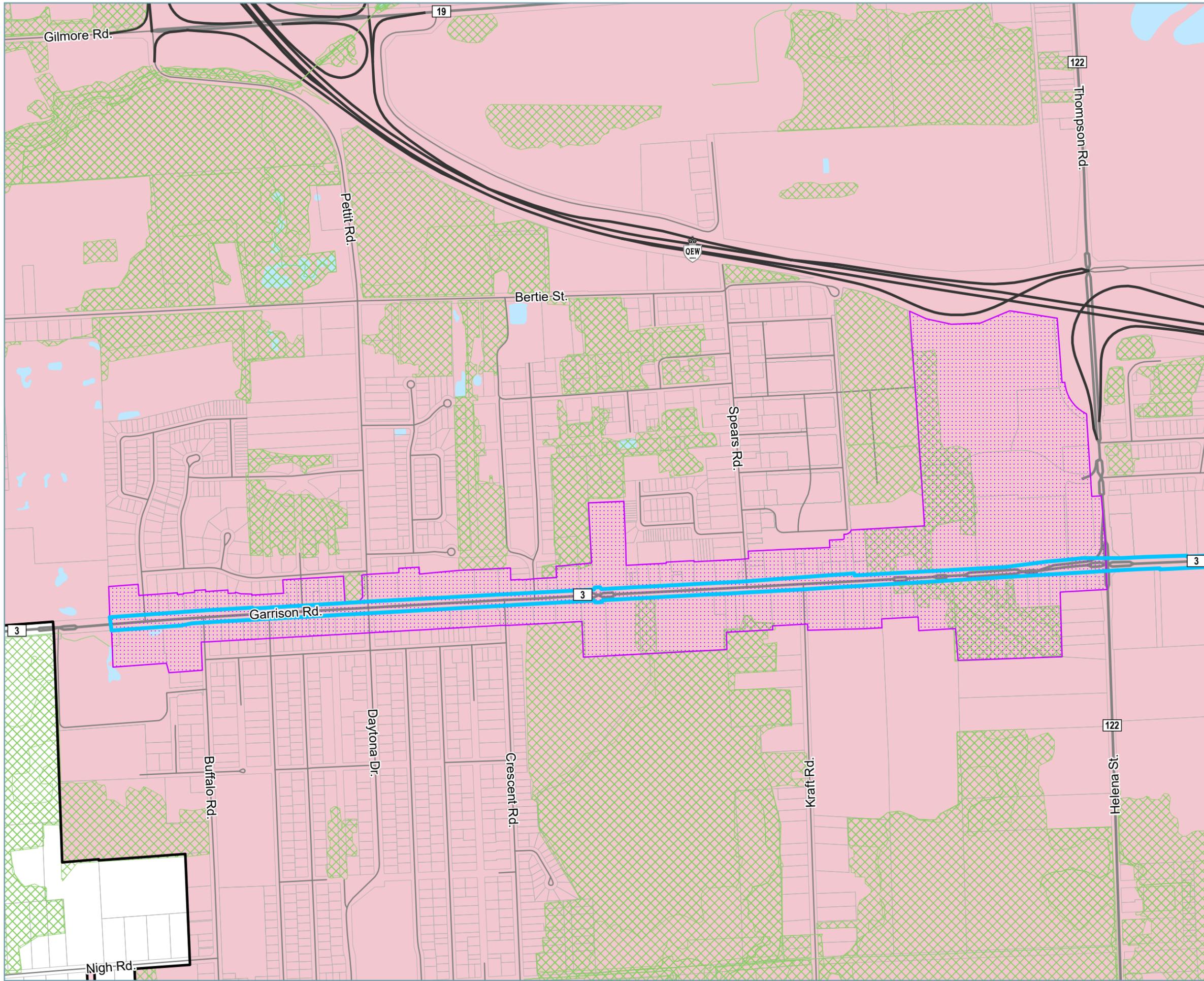
Town Structure

-  Settlement Area Boundary
-  Urban Area
-  Parcel Boundary
-  Strategic Growth Area
-  Natural Environment System
-  Conceptual Transit Corridor

Base Features

-  Municipal Boundary





Fort Erie Official Plan

Schedule A.4 - Strategic Growth Area

Garrison West SGA

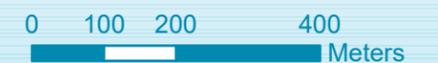
Final For Council Adoption | August 2025

Town Structure

-  Settlement Area Boundary
-  Urban Area
-  Parcel Boundary
-  Strategic Growth Area
-  Natural Environment System
-  Conceptual Transit Corridor

Base Features

-  Municipal Boundary



Fort Erie Official Plan

Schedule A.5 - Strategic Growth Area

Garrison East SGA

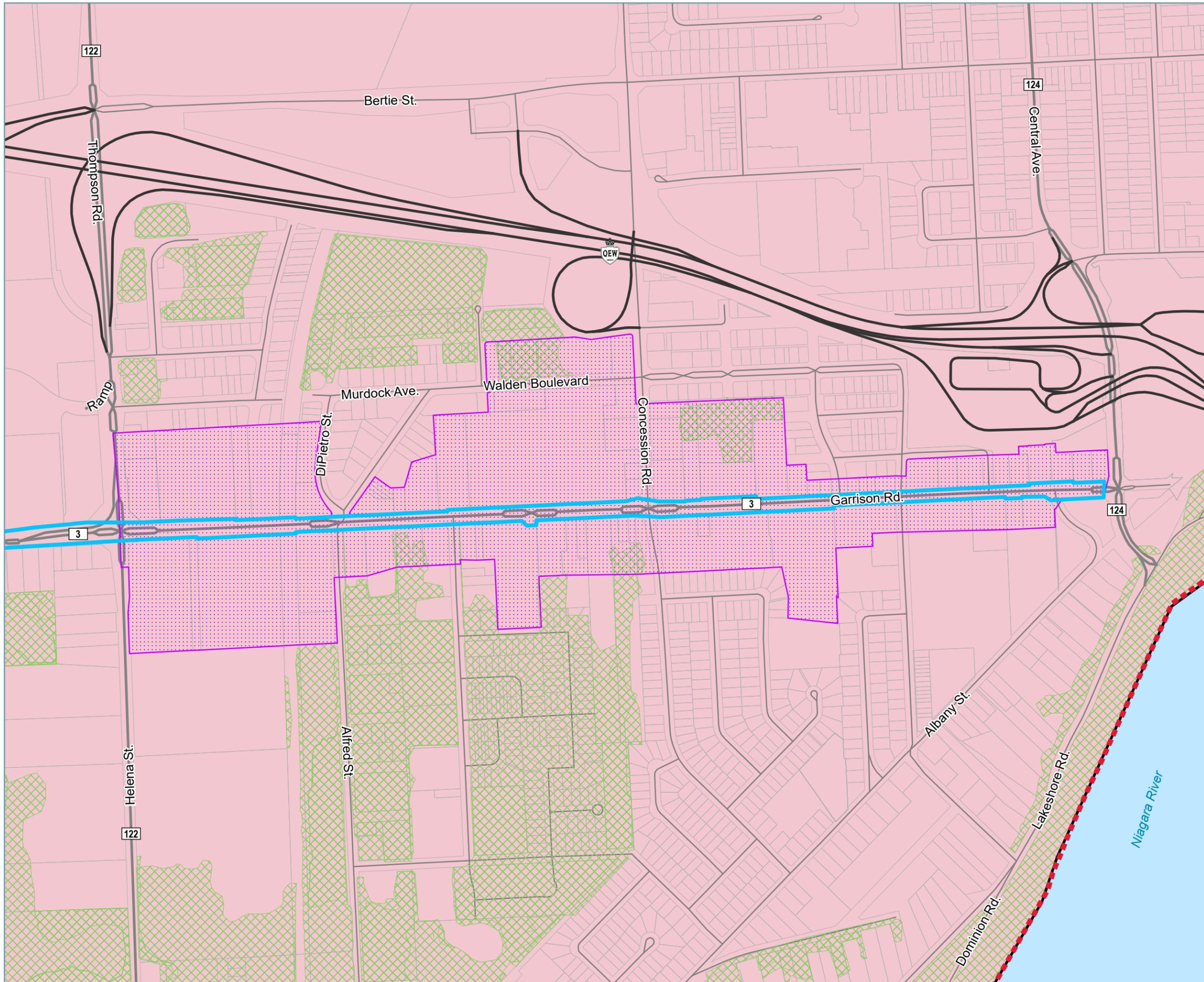
Final For Council Adoption | August 2025

Town Structure

-  Settlement Area Boundary
-  Urban Area
-  Parcel Boundary
-  Strategic Growth Area
-  Natural Environment System
-  Conceptual Transit Corridor

Base Features

-  Municipal Boundary



Fort Erie Official Plan

Schedule A.6 - Strategic Growth Area

Niagara Boulevard SGA

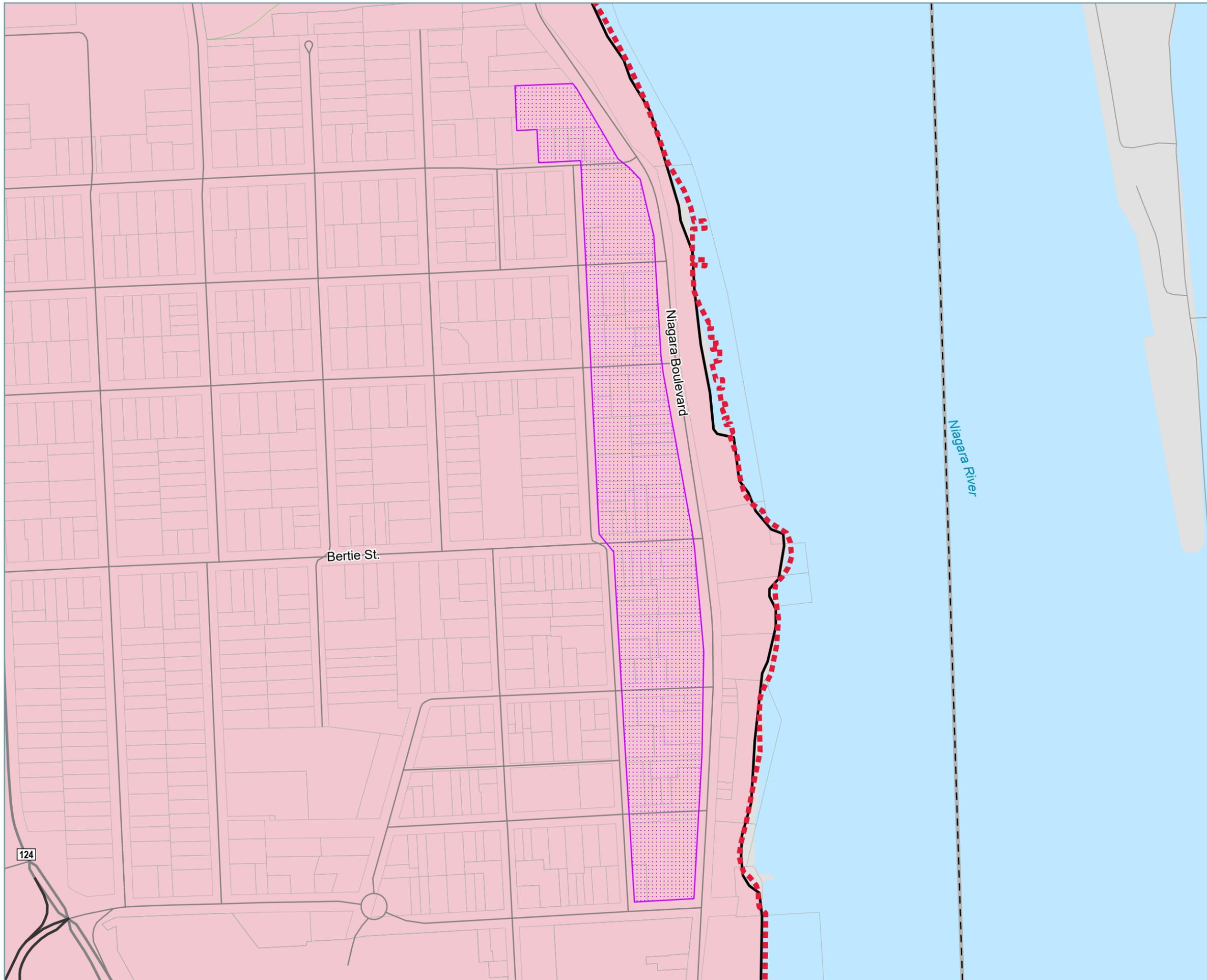
Final For Council Adoption | August 2025

Town Structure

-  Settlement Area Boundary
-  Urban Area
-  Parcel Boundary
-  Strategic Growth Area

Base Features

-  Municipal Boundary
-  International Border



0 40 80 160
Meters



Fort Erie Official Plan

Schedule A.7 - Strategic Growth Area

Bridgeburg SGA

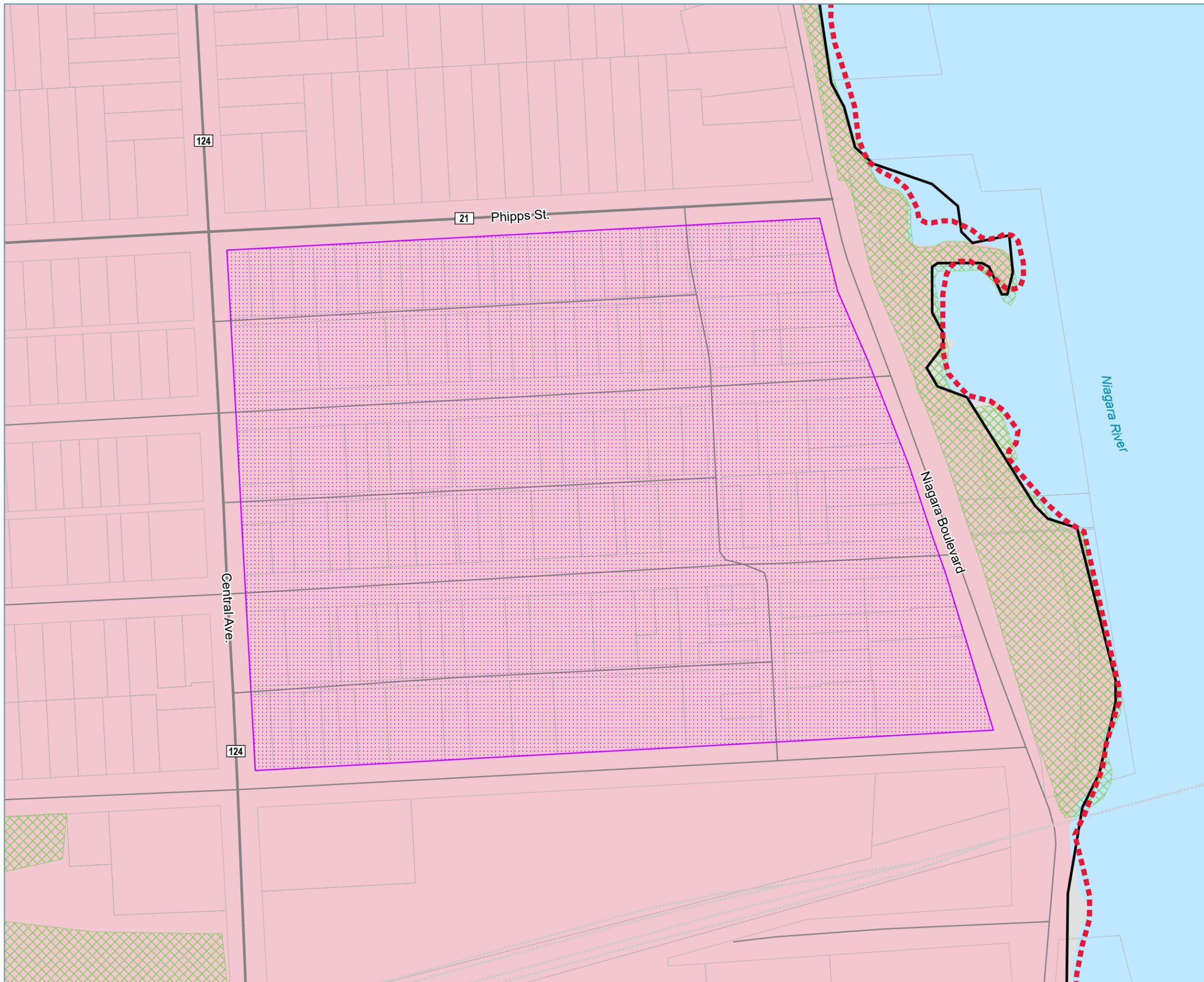
Final For Council Adoption | August 2025

Town Structure

-  Settlement Area Boundary
-  Urban Area
-  Parcel Boundary
-  Strategic Growth Area
-  Natural Environment System

Base Features

-  Municipal Boundary



Fort Erie Official Plan

Schedule B - Designated Growth Areas

Final For Council Adoption | August 2025

Town Structure

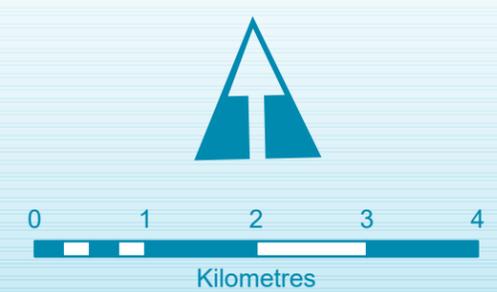
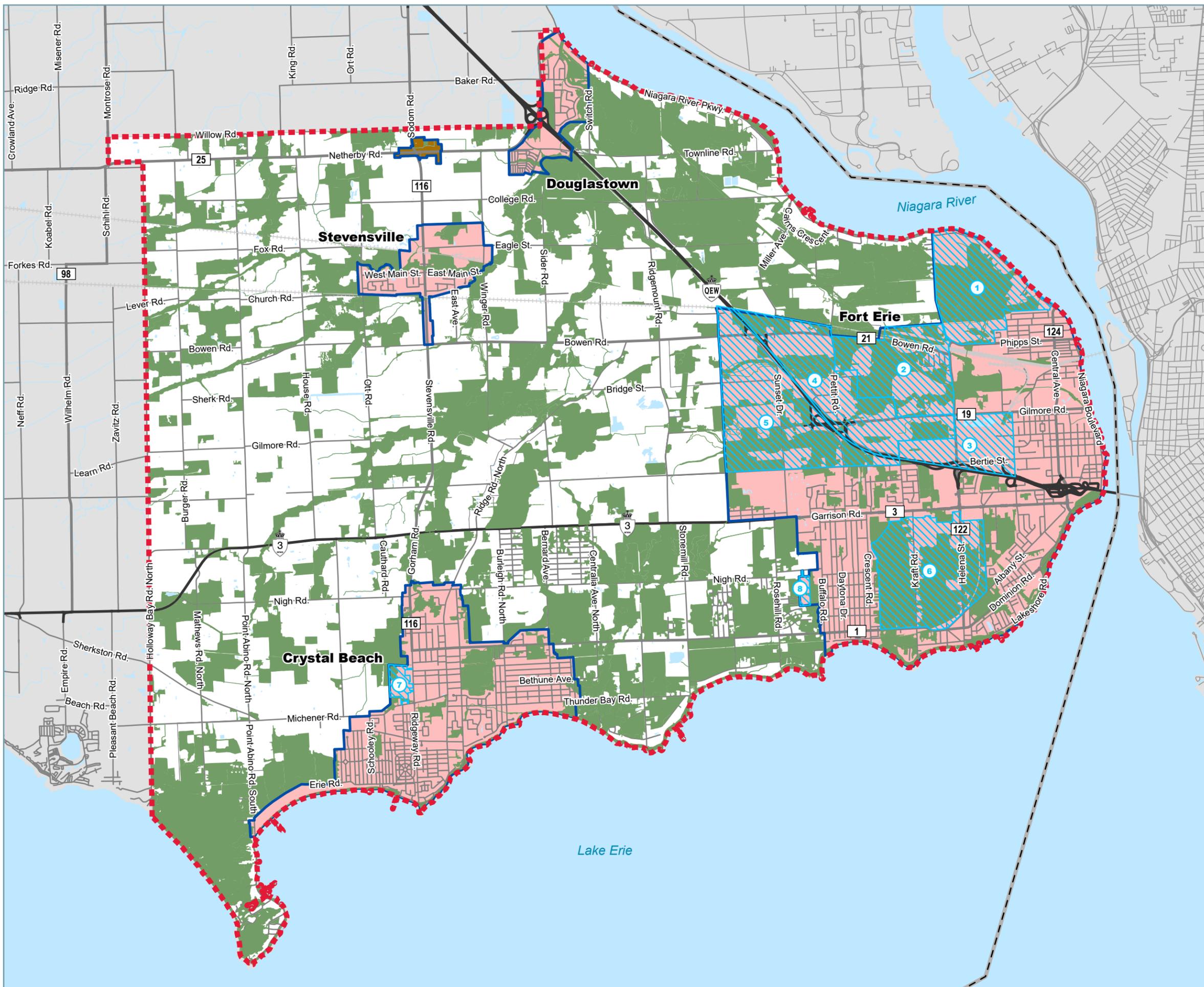
- Settlement Area
- Countryside
- Natural Environment System
- Designated Growth Area

Base Features

- Municipal Boundary
- Settlement Area Boundary
- International Border

Designated Growth Areas

1. Bridgeburg North DGA
2. Bowen Road DGA
3. Strategic Economic DGA
4. Queen Elizabeth Way DGA
5. Sunset Employment Lands DGA
6. Kraft DGA
7. Gorham DGA
8. Nigh Road DGA



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse)

Fort Erie Official Plan

Schedule C - Employment Areas

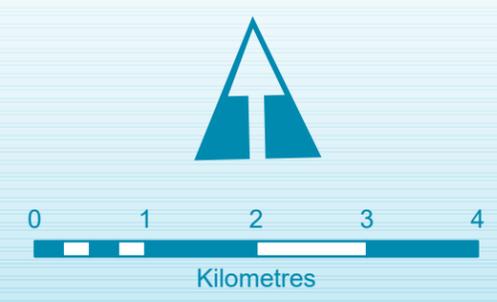
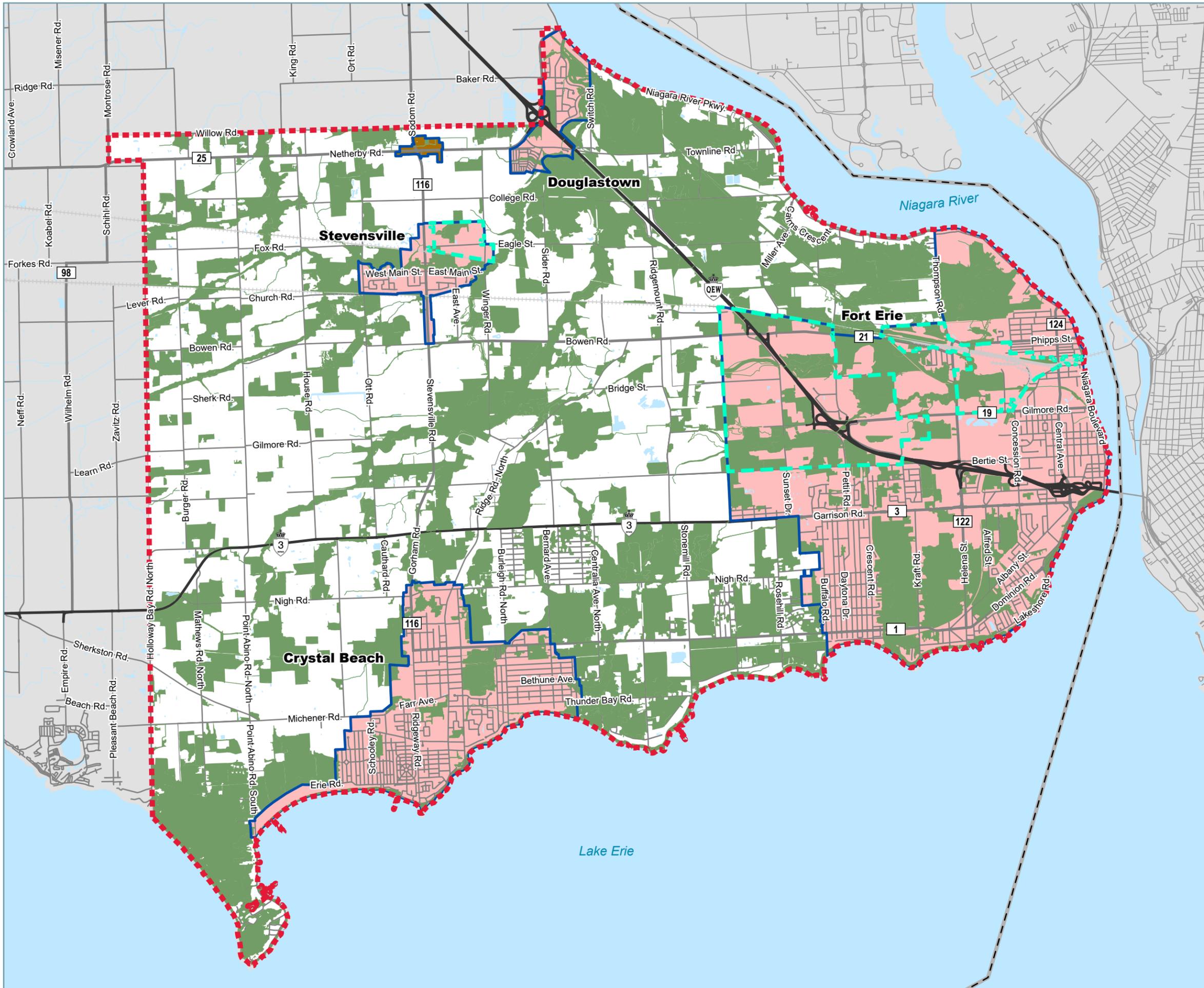
Final For Council Adoption | August 2025

Town Structure

-  Employment Areas
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse)

Fort Erie Official Plan

Schedule C.1 - Bridgeburg Rail Zone

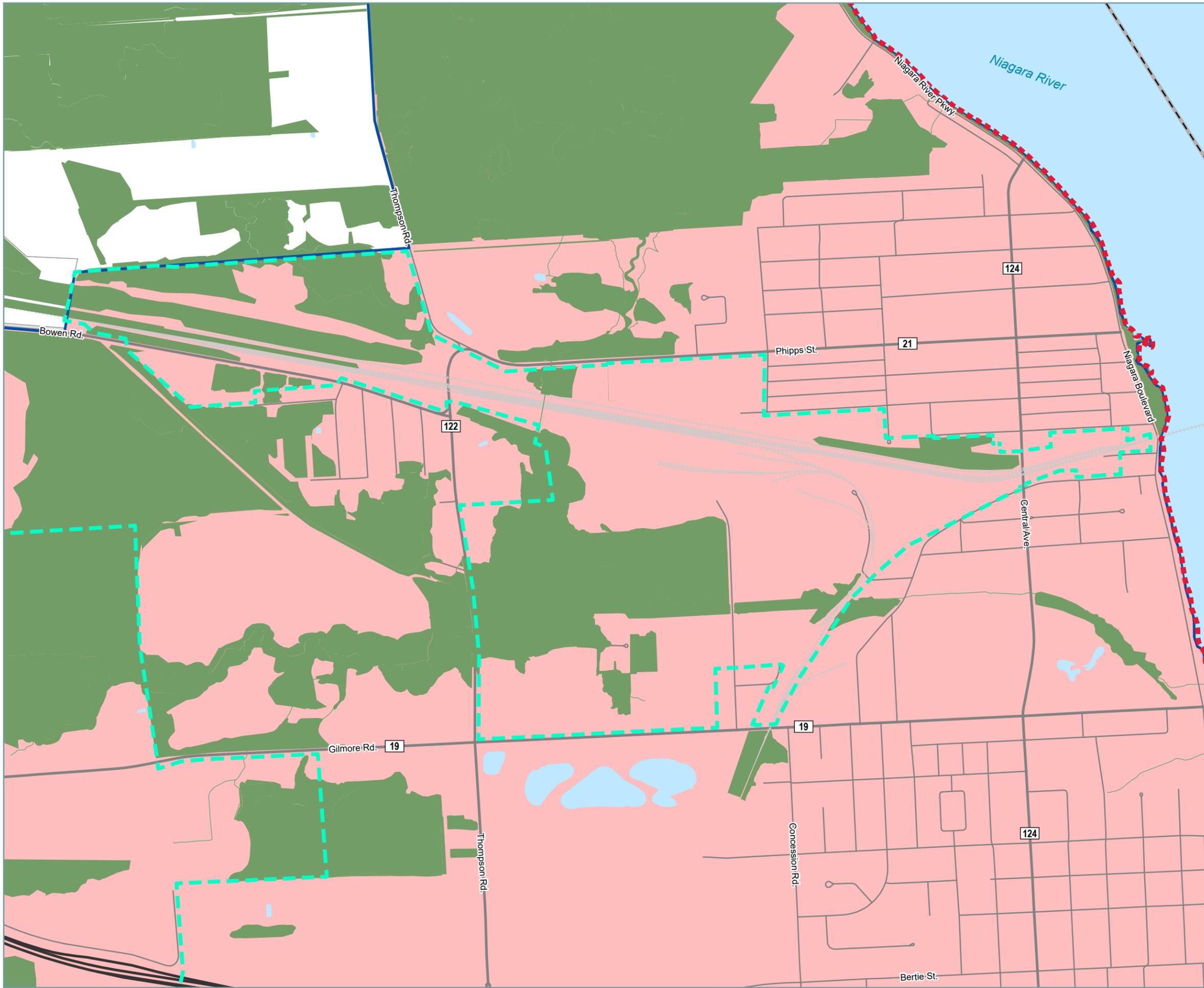
Final For Council Adoption | August 2025

Town Structure

-  Employment Areas
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse)

Fort Erie Official Plan

Schedule C.2 - International Peace Bridge Trade Hub

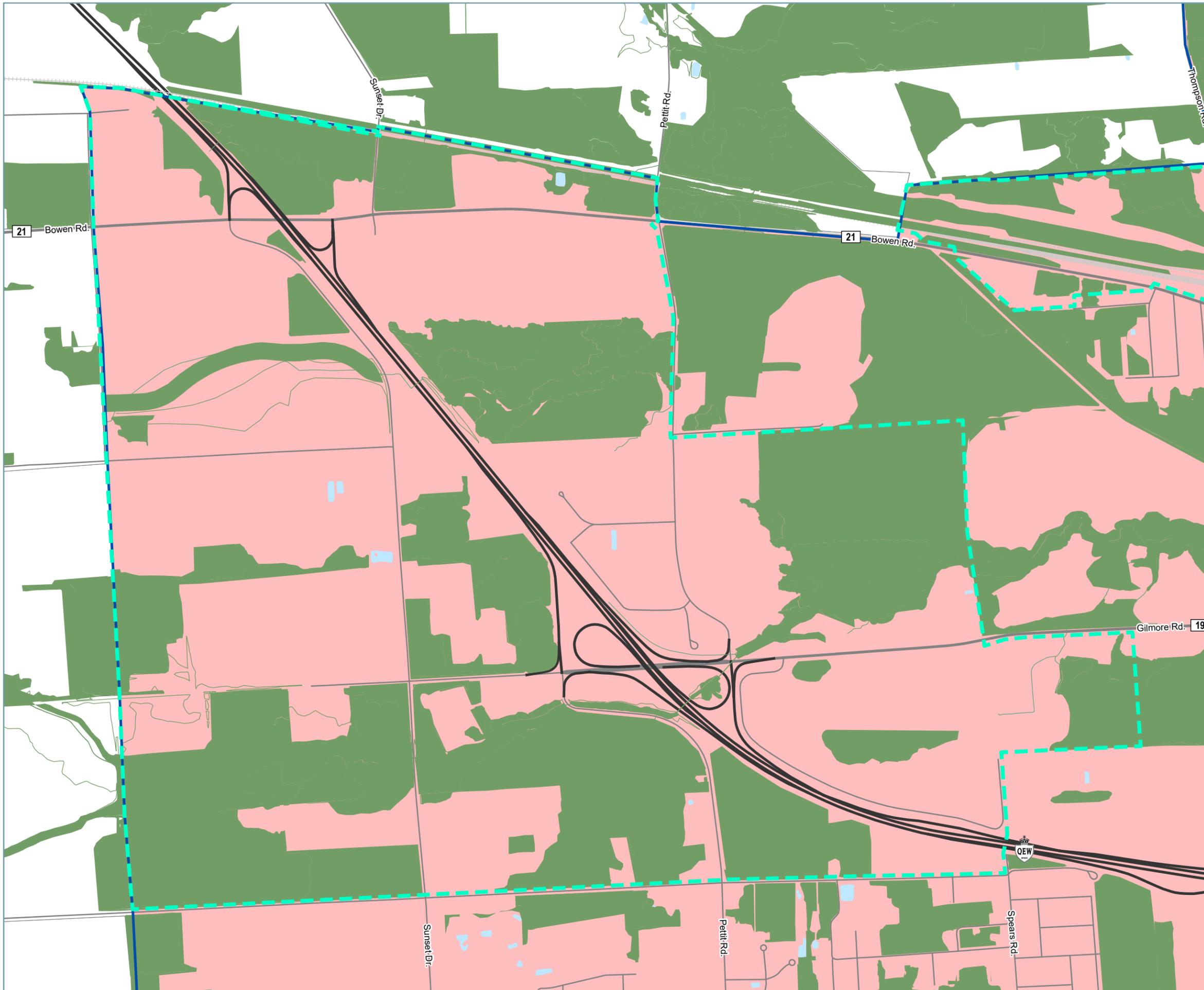
Final For Council Adoption | August 2025

Town Structure

-  Employment Areas
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



Fort Erie Official Plan

Schedule C.3 - Stevensville Industrial Cell

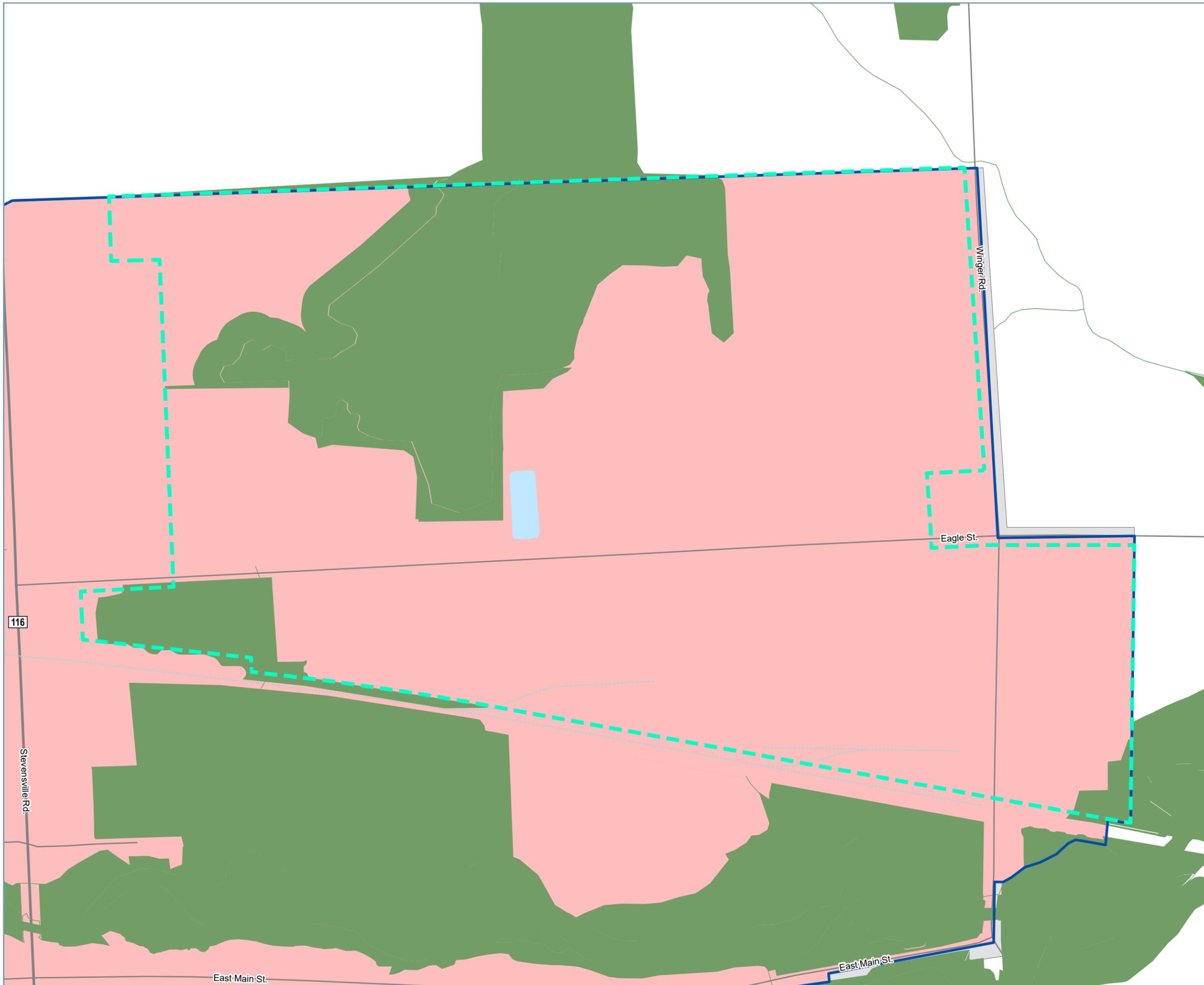
Final For Council Adoption | August 2025

Town Structure

-  Employment Areas
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



Fort Erie Official Plan

Schedule D - Delineated Built Up Area

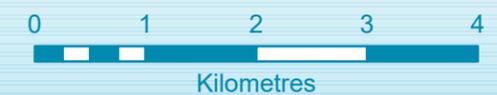
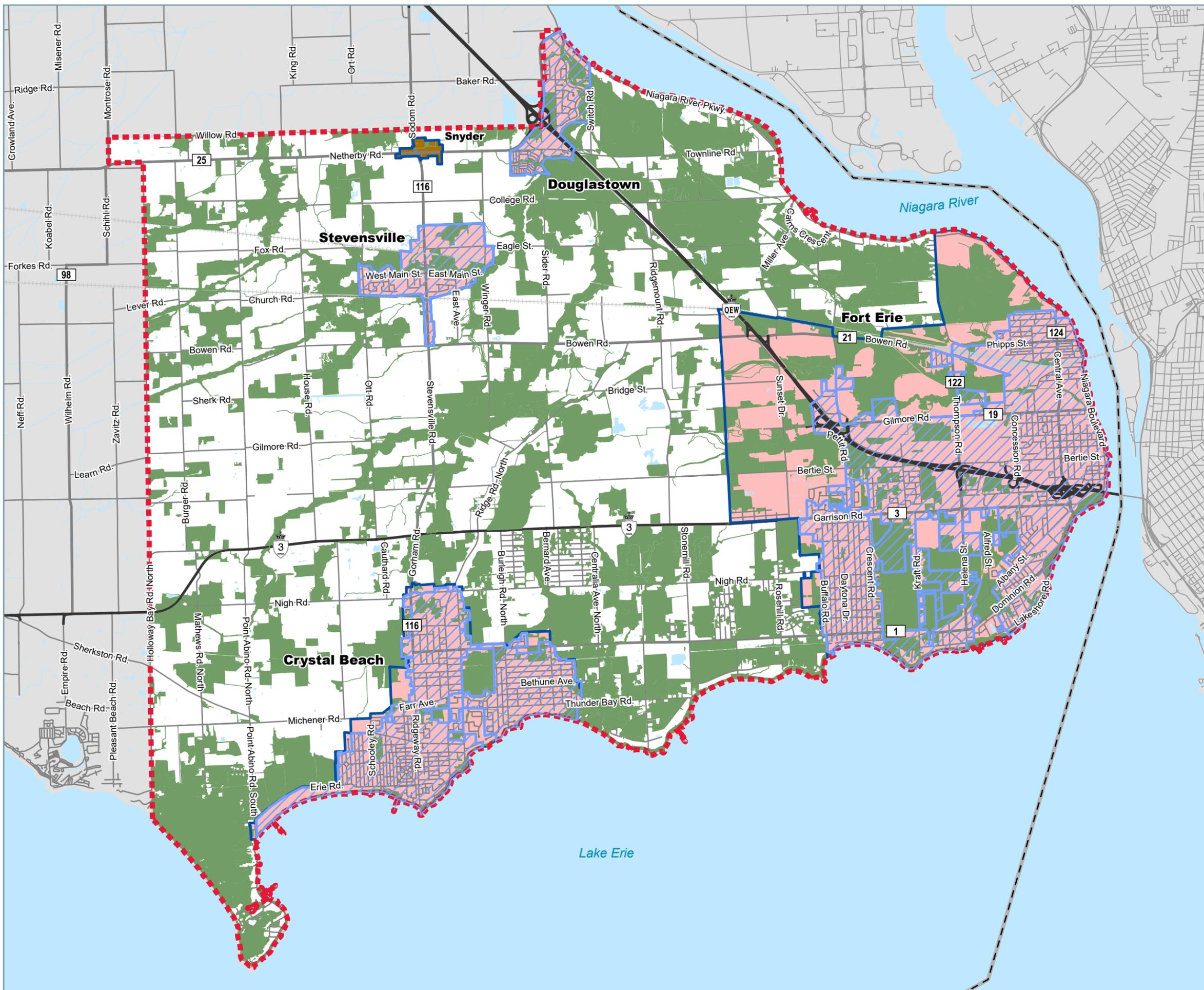
Final For Council Adoption | August 2025

Town Structure

-  Delineated Built Up Area
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



Fort Erie Official Plan

Schedule D.1- Fort Erie

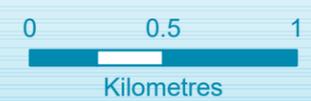
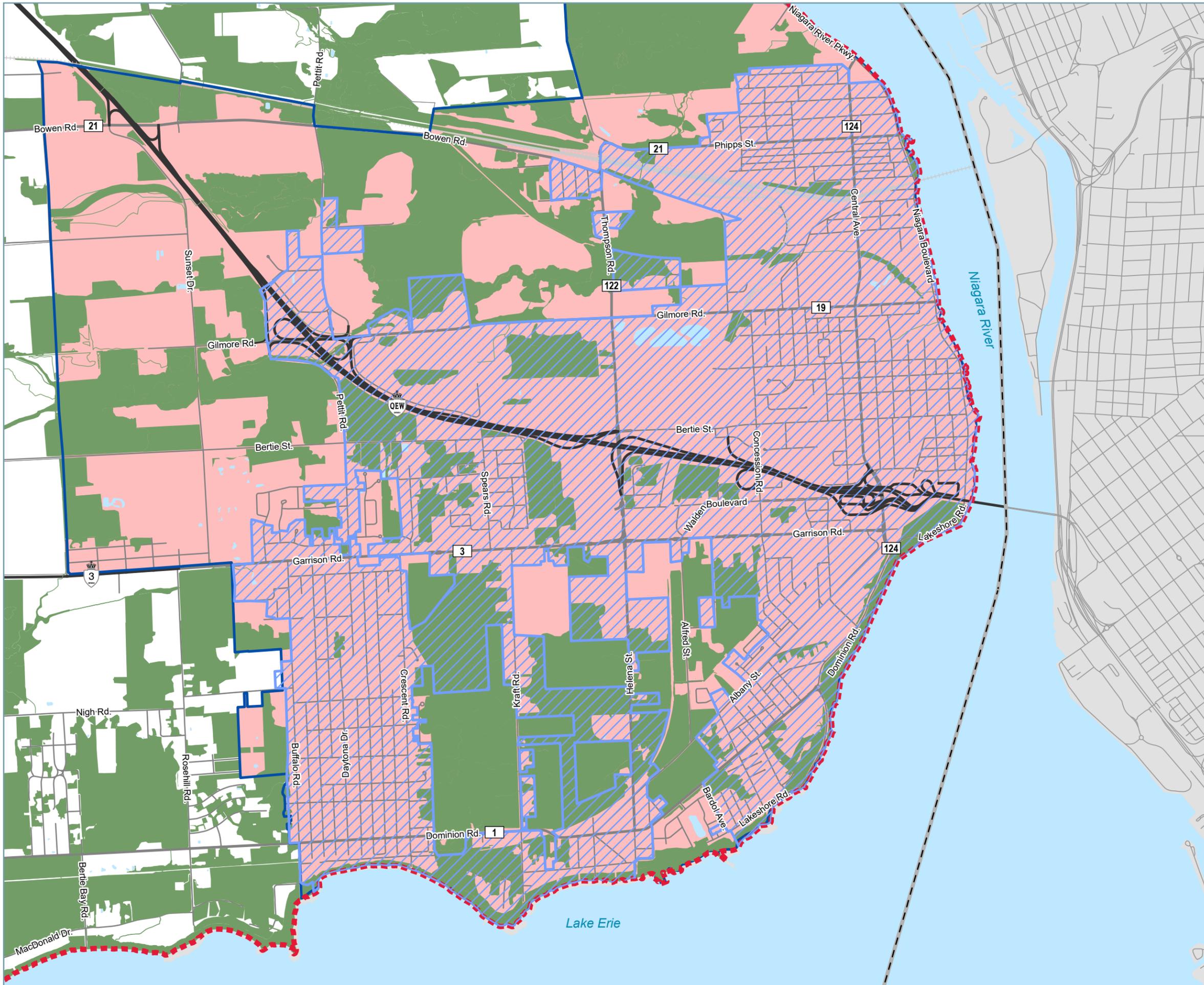
Final For Council Adoption | August 2025

Town Structure

-  Delineated Built Up Area
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse)

Fort Erie Official Plan

Schedule D.2- Crystal Beach

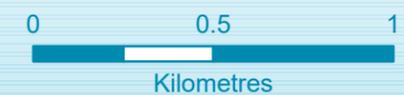
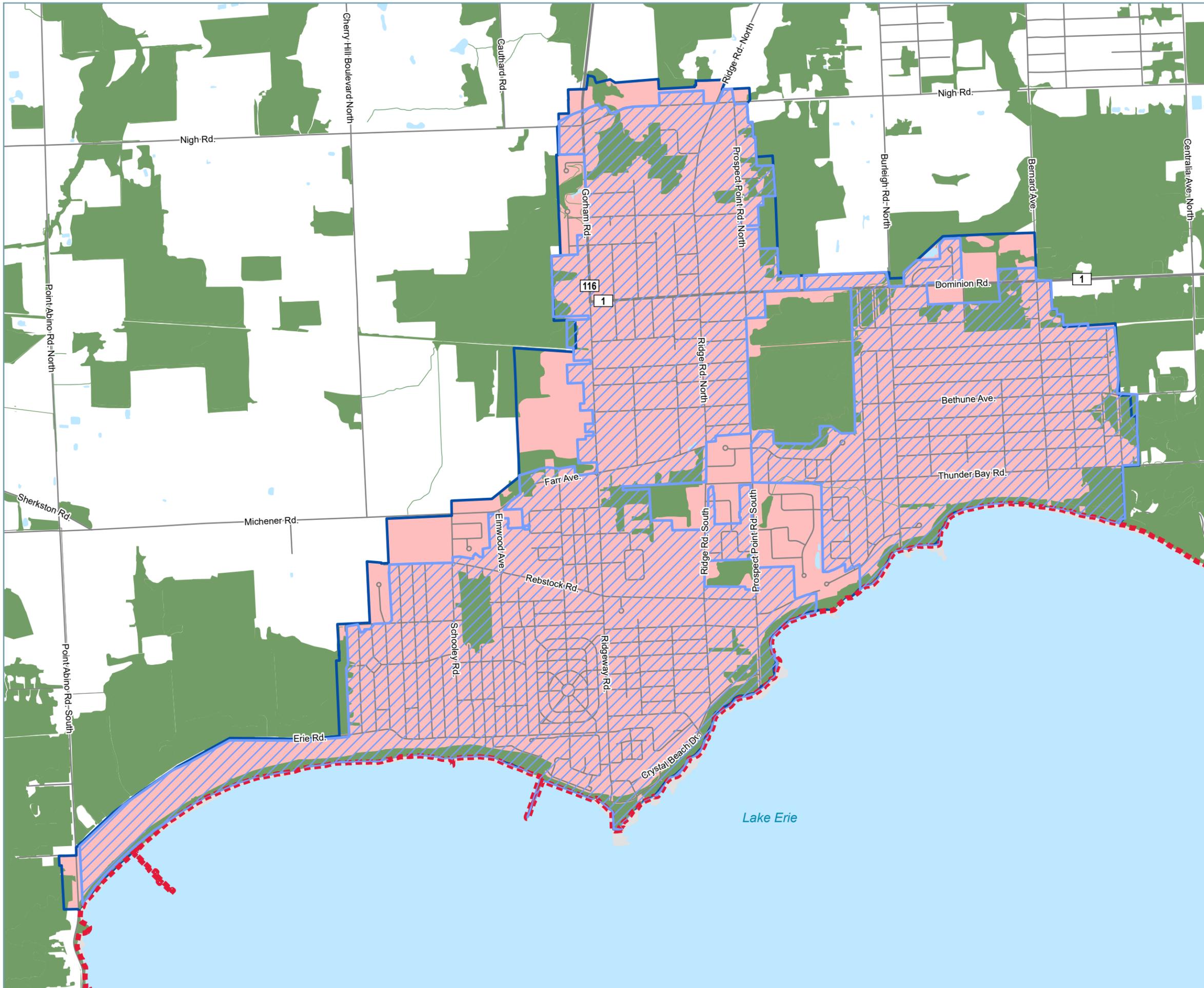
Final For Council Adoption | August 2025

Town Structure

-  Delineated Built Up Area
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



Fort Erie Official Plan

Schedule D.3- Stevensville

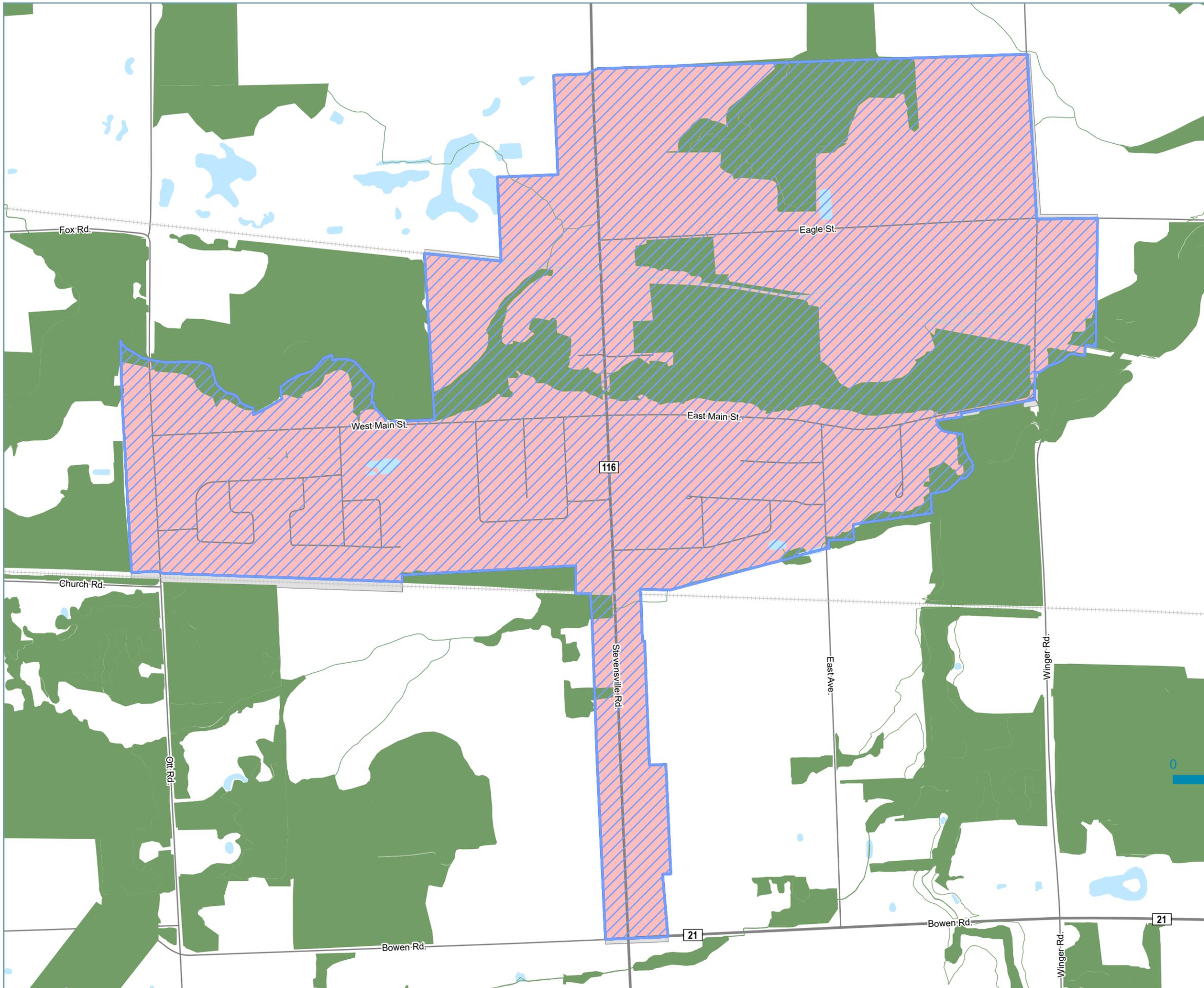
Final For Council Adoption | August 2025

Town Structure

-  Delineated Built Up Area
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



0.5

Kilometres



Fort Erie Official Plan

Schedule D.4- Douglastown

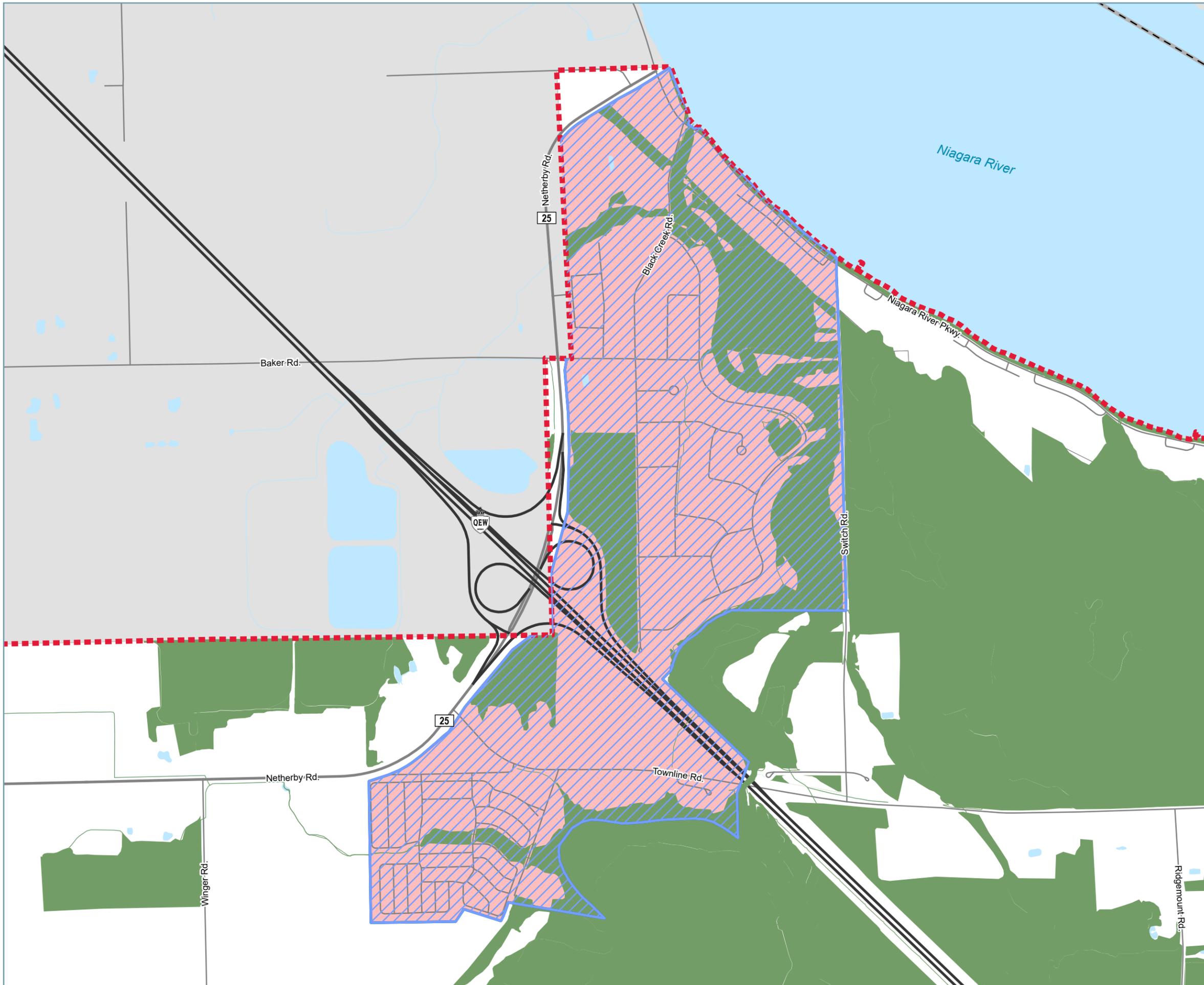
Final For Council Adoption | August 2025

Town Structure

-  Delineated Built Up Area
-  Settlement Area
-  Countryside
-  Natural Environment System

Base Features

-  Municipal Boundary
-  Settlement Area Boundary
-  International Border



0.5

Kilometres



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse)

Fort Erie Official Plan

Schedule E - Land Use Plan

Final For Council Adoption | August 2025

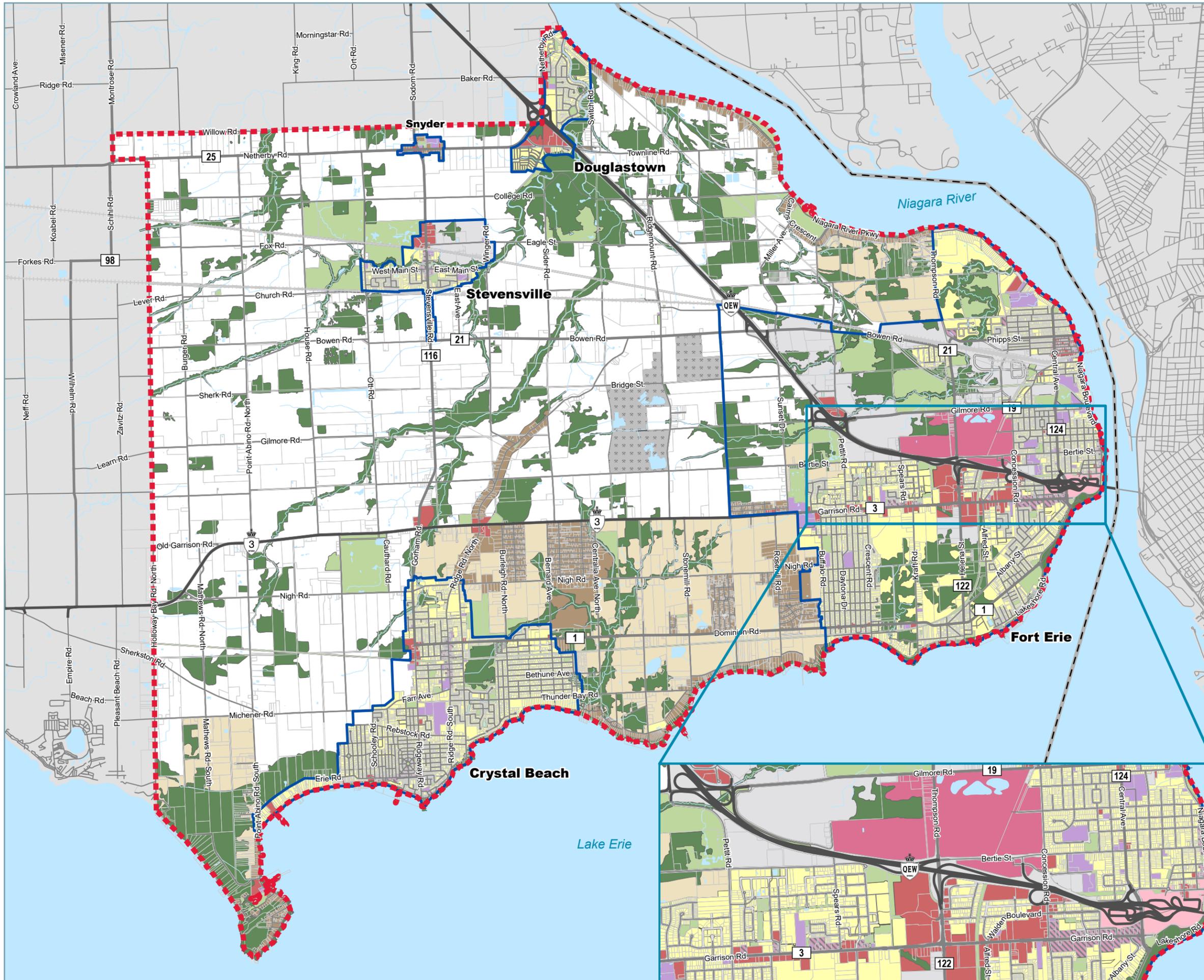
Legend

Land Use Designations

- Core Mixed Use
- Community Area
- Employment
- Strategic Economic Area
- Commercial
- Institutional
- Peace Bridge International Gateway
- Agriculture
- Rural
- Rural Residential
- Extractive Industrial
- Natural Environment System
- Open Space

Base Features

- Municipal Boundary
- Settlement Area Boundary
- International Border



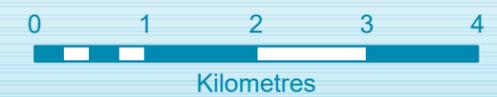
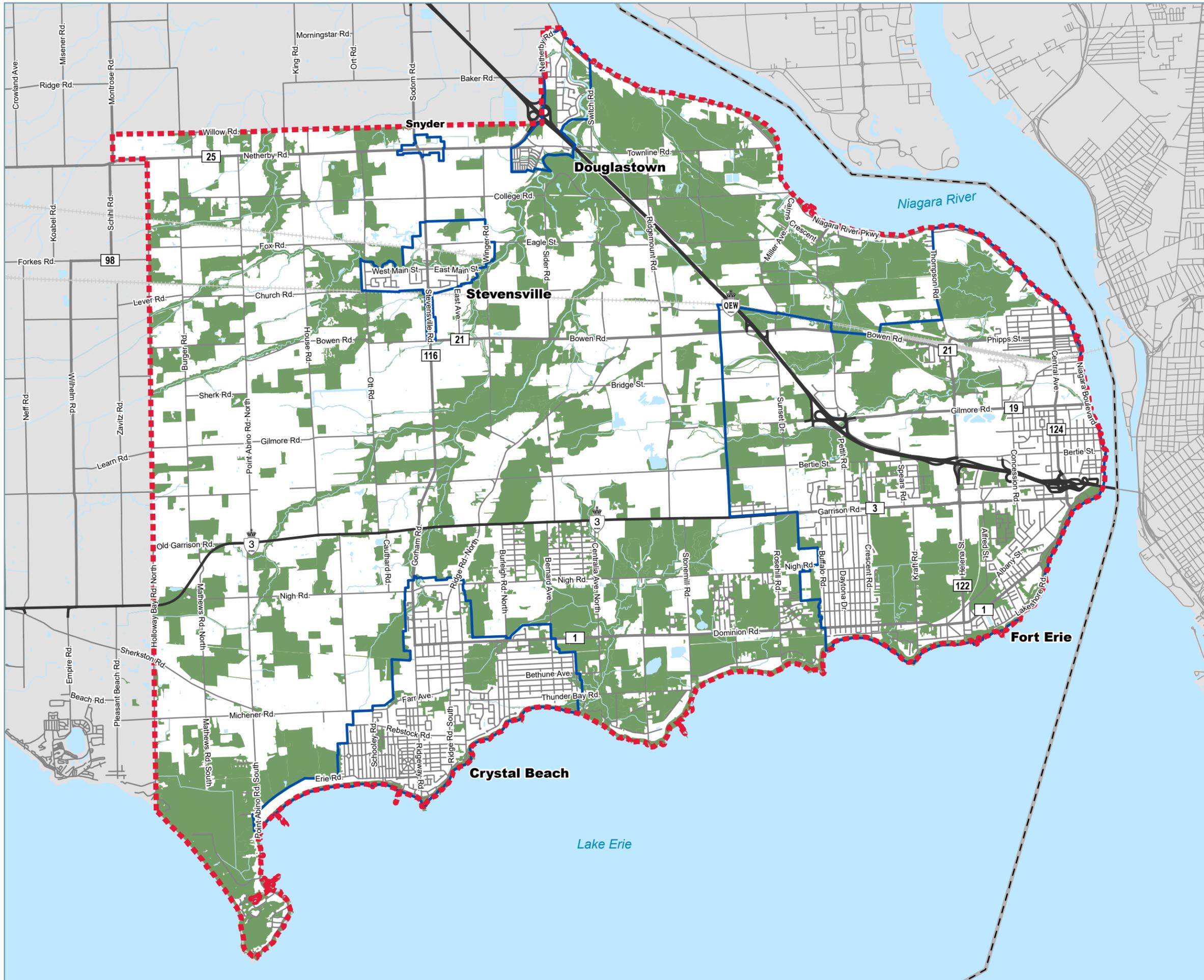
Fort Erie Official Plan

Schedule F - Natural Environment System

Final For Council Adoption | August 2025

Legend

- Natural Environment System
- Base Features**
- Municipal Boundary
- Settlement Area Boundary
- International Border



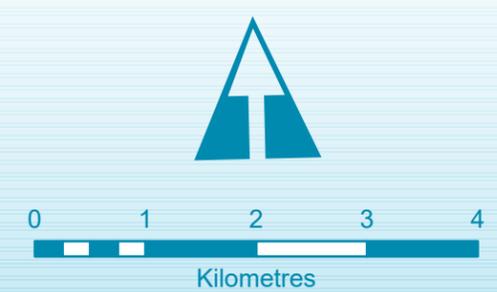
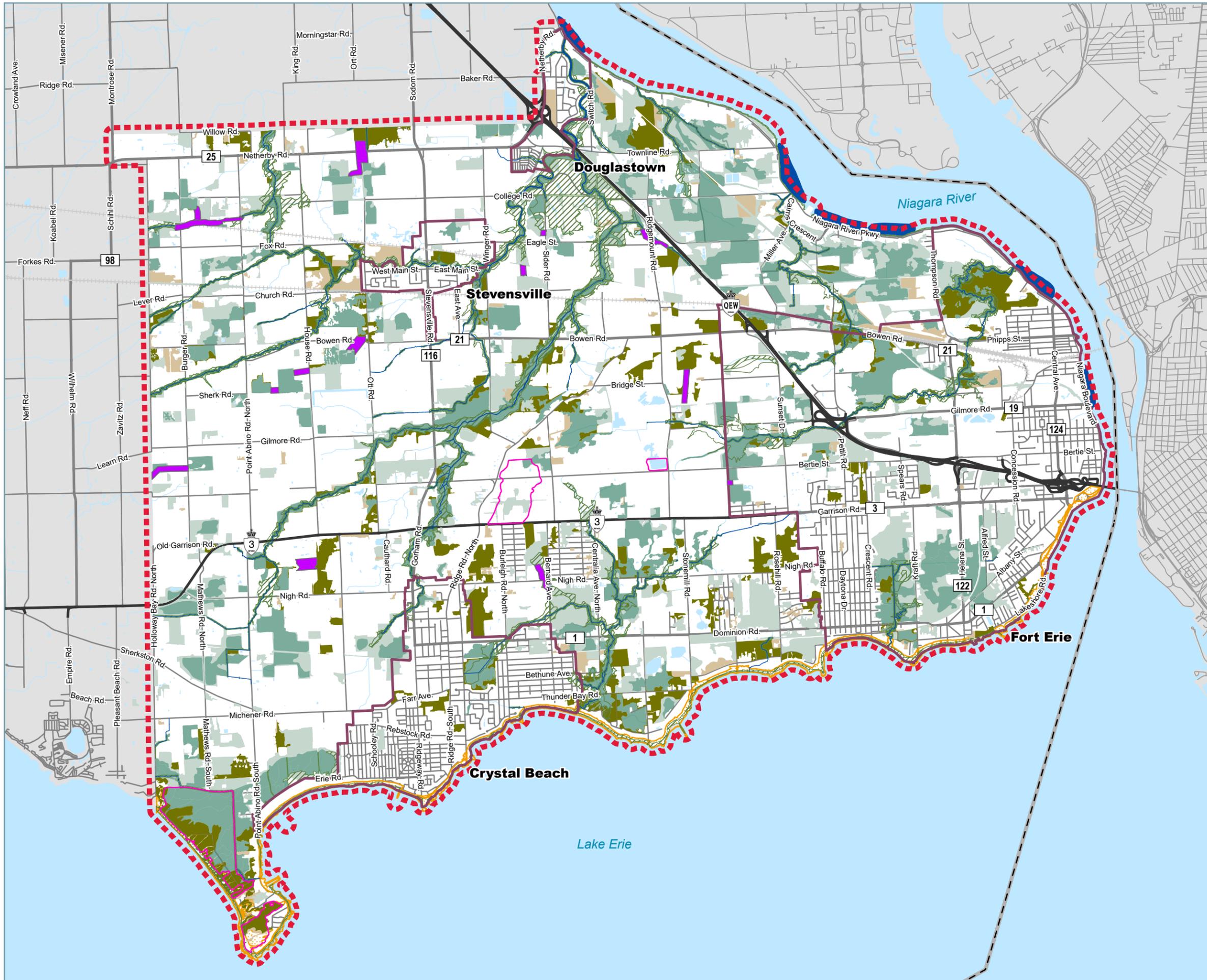
Fort Erie Official Plan

Schedule G - Natural Environment System Features

Final For Council Adoption | August 2025

Legend

-  Areas of Natural and Scientific Interest (ANSI)
 -  Linkages
 -  Dune Protection Areas
 -  Non-Provincially Significant Wetlands
 -  Provincially Significant Wetlands
 -  Significant Valleylands, Valleylands, and Stream Corridor
 -  Significant Woodlands
 -  Other Woodlands
 -  Fish Habitat
- ### Base Features
-  Municipal Boundary
 -  Settlement Area Boundary
 -  International Border



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse)

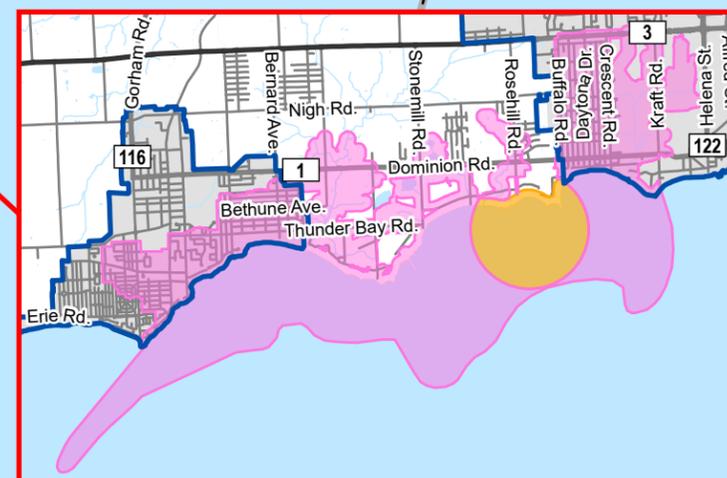
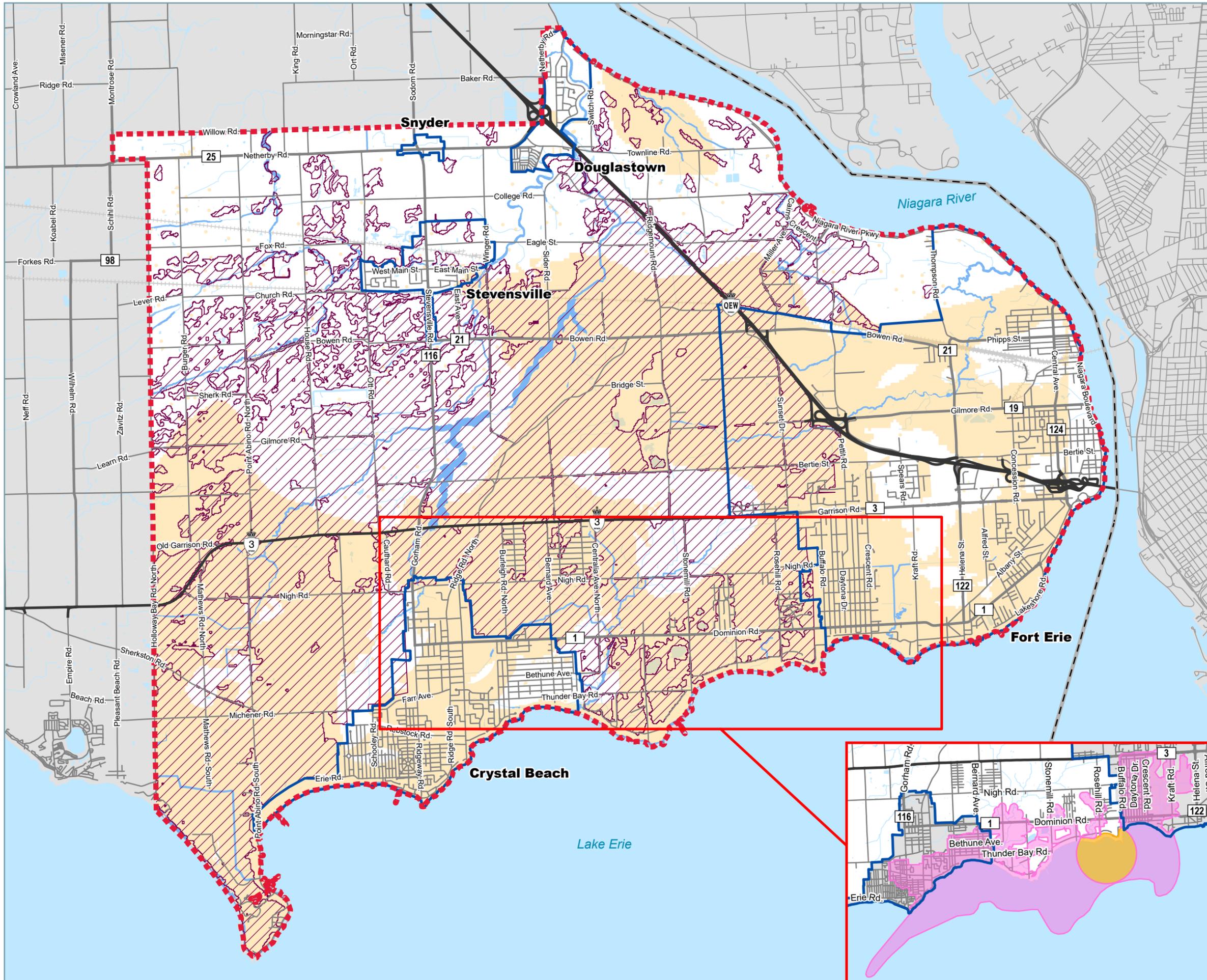
Fort Erie Official Plan

Schedule H - Key Hydrologic Areas and Intake Protection Zones

Final For Council Adoption | August 2025

Legend

-  Shoreline Areas
-  Significant Groundwater Recharge Area
-  Highly Vulnerable Aquifers
- Base Features**
-  Municipal Boundary
-  Settlement Area Boundary
-  International Border
- Intake Protection Zone (IPZ)**
-  IPZ-1
-  IPZ-2



Fort Erie Official Plan

Schedule J - Mineral Aggregate and Petroleum Resources

Final For Council Adoption | August 2025

Legend

Mineral Inventory

- Active Mineral Aggregate Operation
- Non-operating Mineral Aggregate Operation

Mineral Aggregate Areas

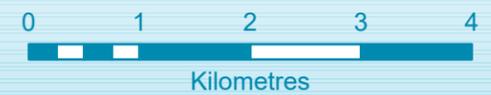
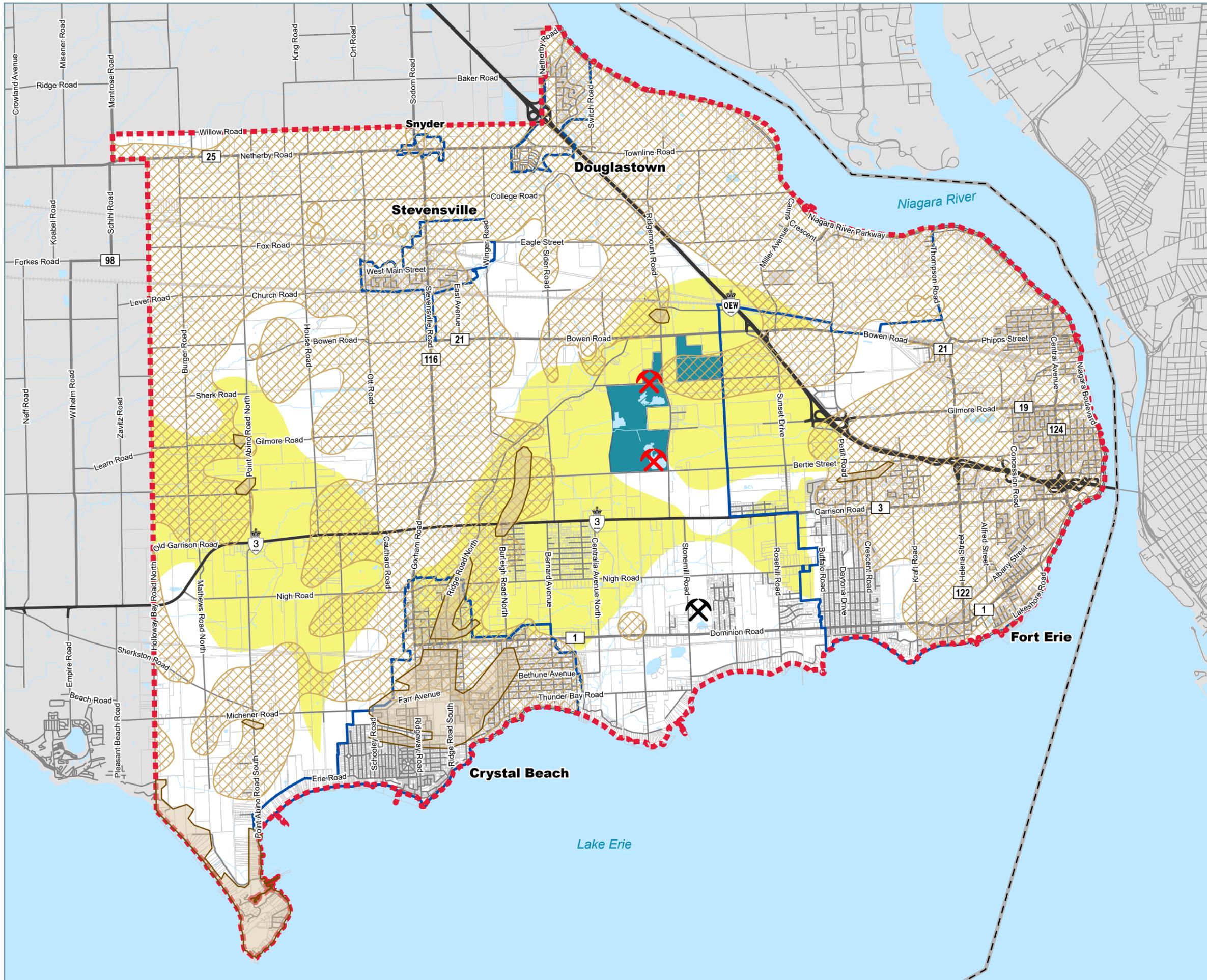
- Licensed Aggregate Operations

Sand and Gravel Significance

- Tertiary Significance
- Stone Resource

Petroleum

- Natural Gas Pool
- Municipal Boundary
- Settlement Area Boundary
- International Border



Fort Erie Official Plan

Schedule K - Cultural Heritage Resources

Final For Council Adoption | August 2025

Legend

Archaeological Zone

Archaeological Potential

Archaeological Sensitive Area

War of 1812 Zone of Sensitivity

Peace Bridge Zone of Sensitivity

Point Abino Zone of Sensitivity

Archaeological Sensitive Area (ASA)

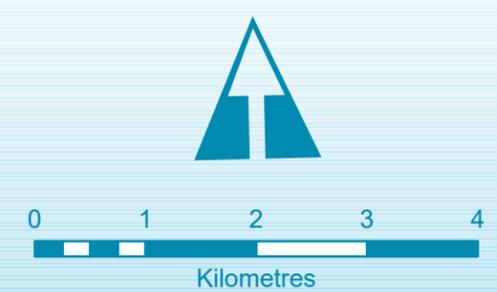
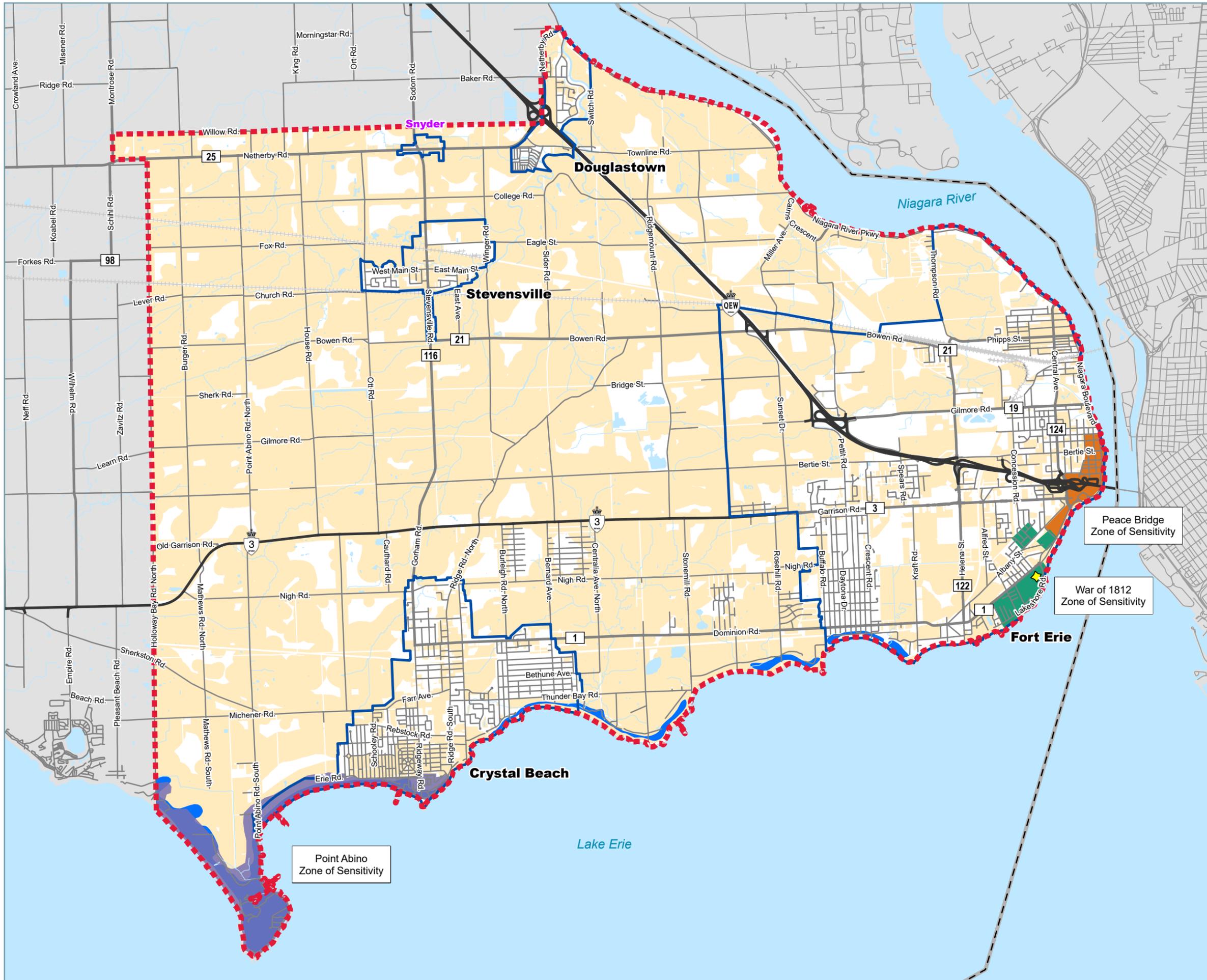
Old Fort Erie National Historic Site

Base Features

Municipal Boundary

Settlement Area Boundary

International Border



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse); Ministry of Mines (Geology Ontario); Geospatial Ontario (Ontario GeoHub)

Fort Erie Official Plan

Schedule L - Road Classifications

Final For Council Adoption | August 2025

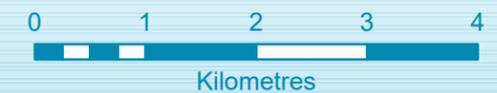
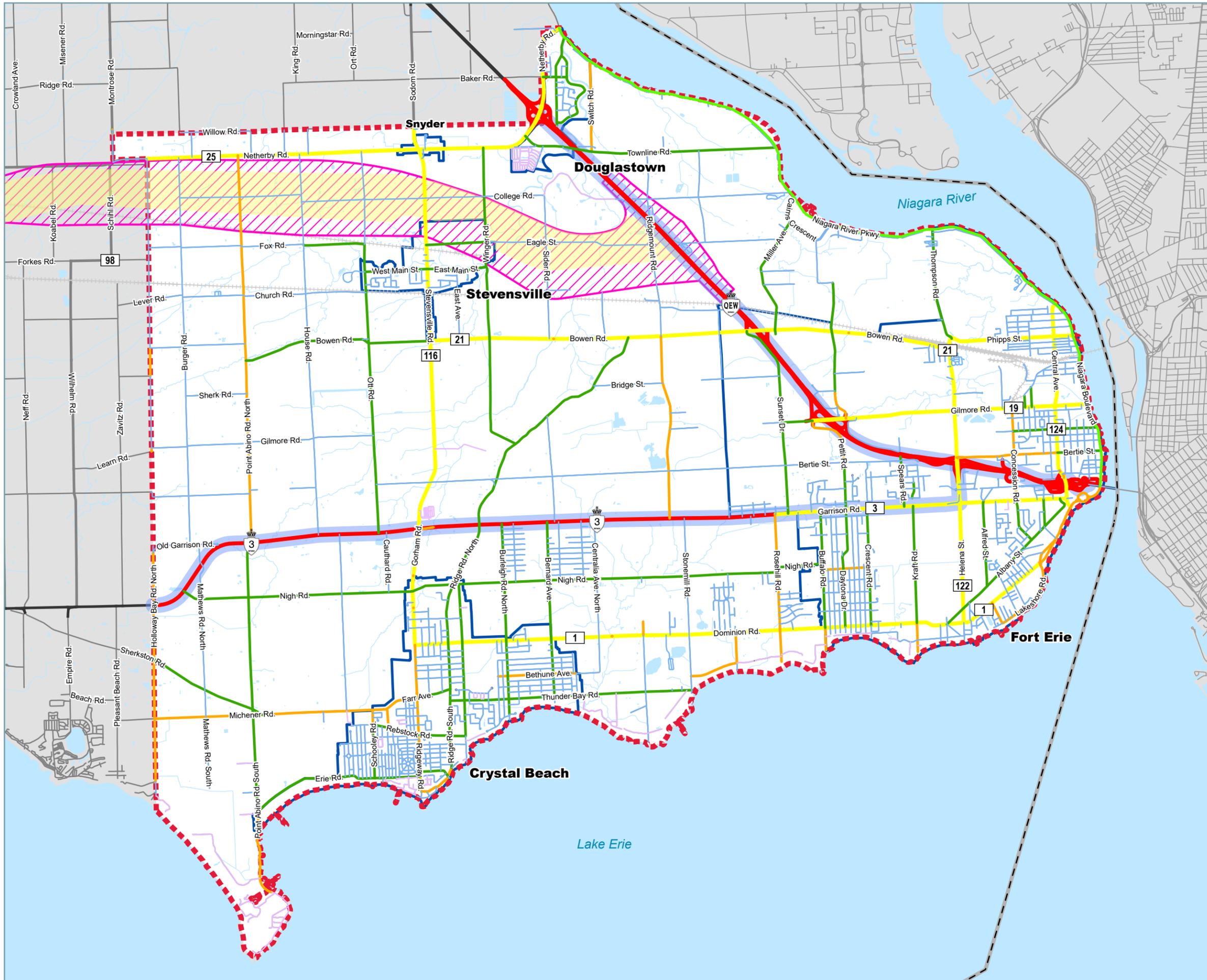
Legend

Road Classification

- Highway
- Regional
- Arterial
- Collector
- Local
- Private
- Niagara River Parkway
- Strategic Goods Movement Network

Base Features

- Municipal Boundary
- Settlement Area Boundary
- Ontario Ministry of Transportation Study Area for the Niagara to Greater Toronto Area Corridor
- Town of Fort Erie Preferred Alignment of the Proposed Niagara to Greater Toronto Area Corridor
- International Border



Fort Erie Official Plan

Schedule M - Active Transportation

Final For Council Adoption | August 2025

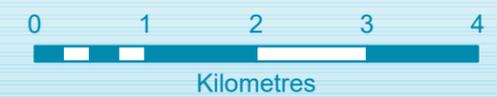
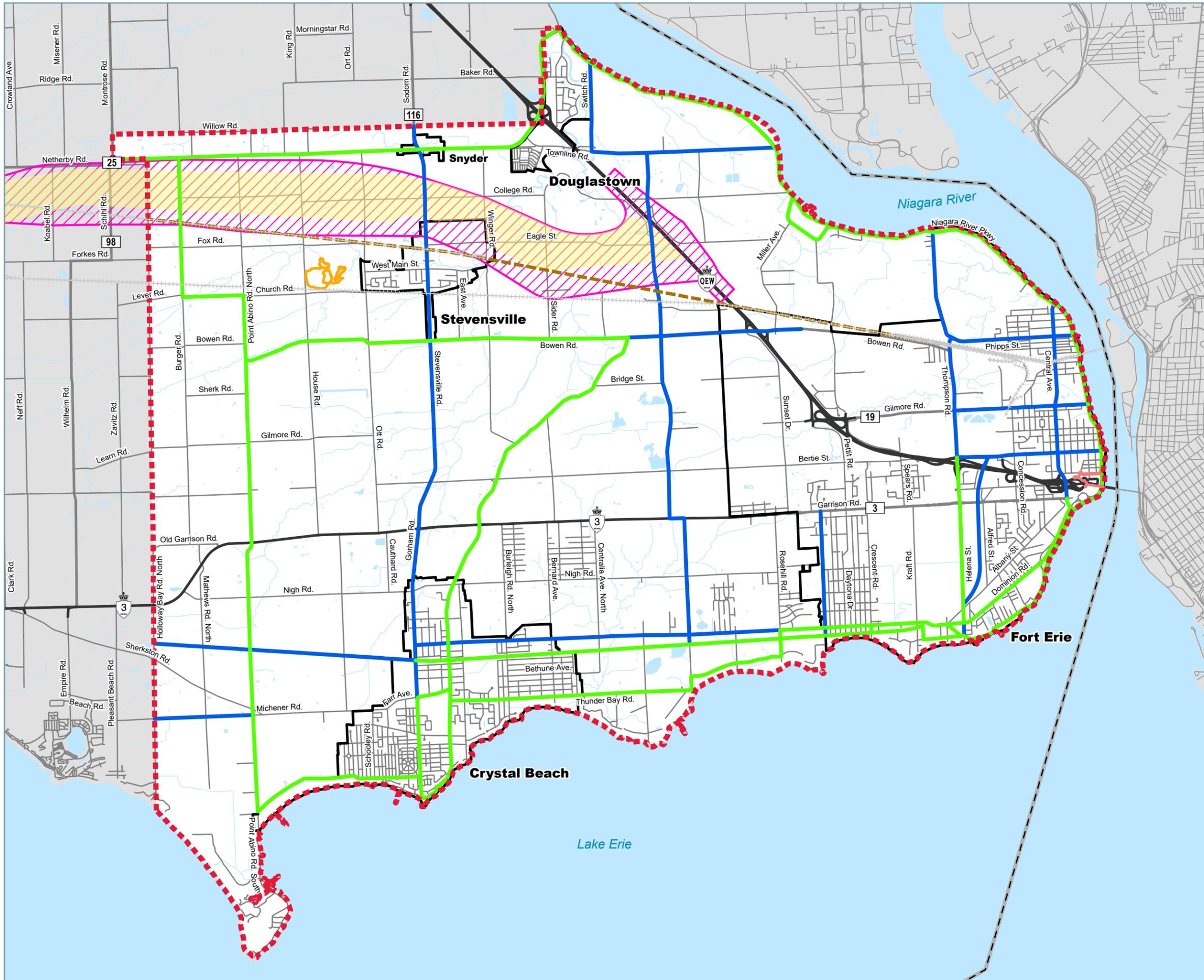
Legend

Active Transportation Routes

- Local Bicycle Network
- Regional Bicycle Network
- Regional Off Road Trail
- Hiking Trail
- Bi National Recreational Trail

Base Features

- Municipal Boundary
- Settlement Area Boundary
- Study Area for Niagara to Greater Toronto Area Corridor
- Preferred Alignment of the Proposed Niagara to Greater Toronto Area Corridor
- International Border



Fort Erie Official Plan

Schedule N - Parks and Open Space

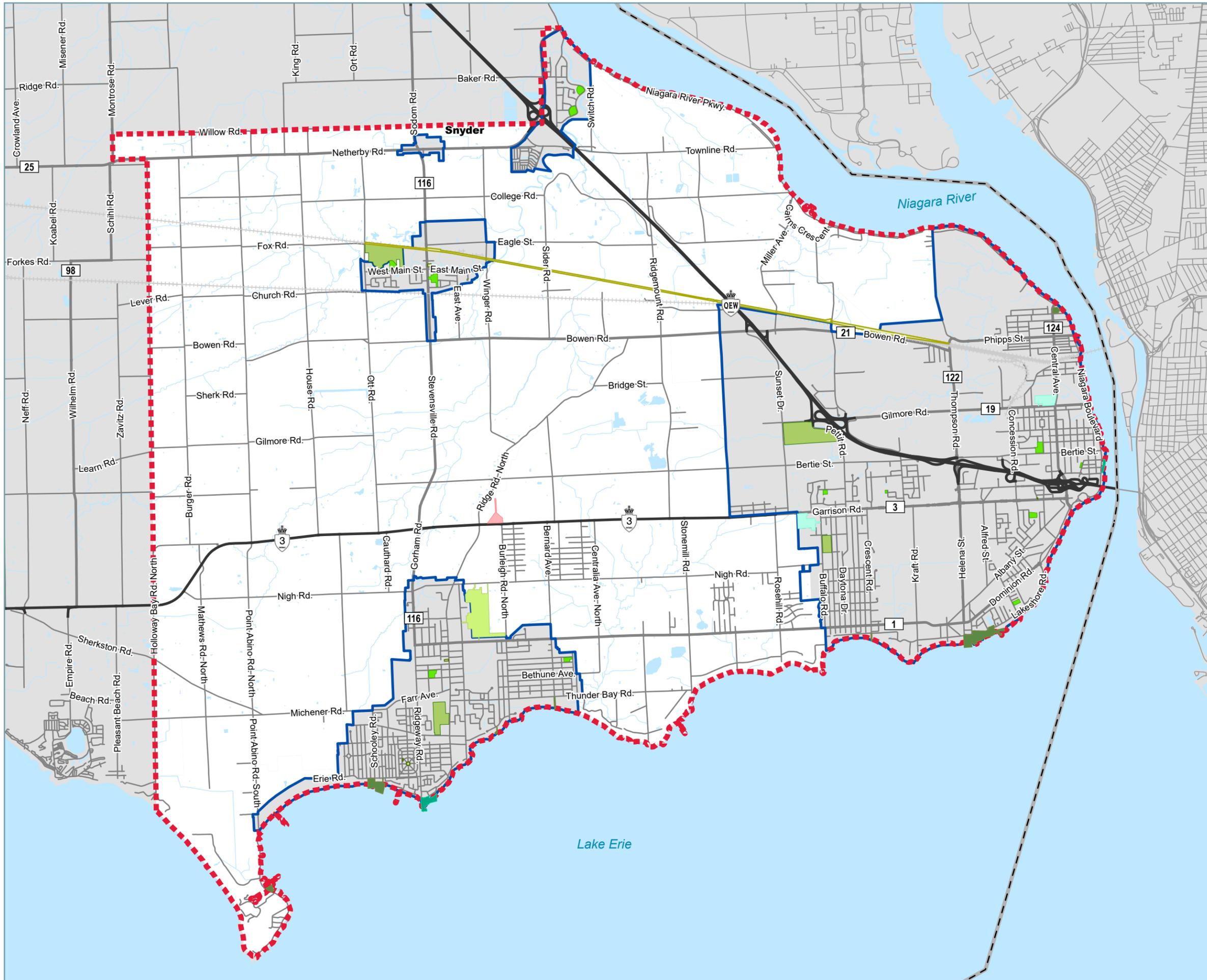
Final For Council Adoption | August 2025

Park Classification

- Community Park
- Neighbourhood Park
- Village Green
- Urban Waterfront Park
- Waterfront Park
- Regional Trail
- Cultural Space
- Destination Park
- Nature Park

Base Features

- Municipal Boundary
- Settlement Area Boundary
- International Border



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse)

Fort Erie Official Plan

Schedule O - Site Specific Policy Areas

Final For Council Adoption | August 2025

Legend

- Site Specific Policy Areas
- Settlement Area Boundary

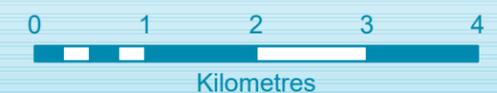
Base Features

- Municipal Boundary
- International Border
- Parcel Boundary

Site Specific Policy Areas (SSPA)

- | # | Policy Reference and Name |
|------|---|
| G.1 | Crystal Beach Public School Lands |
| G.2 | Bertie Public School Lands |
| G.3 | Harbourtown Village |
| G.4 | 2651 Nigh Road |
| G.5 | 615 Burleigh Road North |
| G.6 | 0-6489 Nigh Road |
| G.7 | Lions Douglas Heights Senior Residence |
| G.8 | 4197 Niagara River Parkway |
| G.9 | 1640 Garrison Road High School |
| G.10 | Helena Street Industrial Lands |
| G.11 | Royal Ridge Subdivision |
| G.12 | Fort Erie Hills |
| G.13 | Miller Lands |
| G.14 | 613 Ridge Road North |
| G.15 | Compass Heights Development |
| G.16 | Safari Niagara |
| G.17 | Niagara Parks Marina at Millers Creek |
| G.18 | Michener Road and Schooley Road |
| G.19 | Fort Erie Industrial Park |
| G.20 | Mobile Home Park |
| G.21 | Waste Disposal Sites |
| G.22 | Flintlock Hazard Lands |
| G.23 | Frenchman's Creek |
| G.24 | 209 Jarvis Street |
| G.25 | 209-215 Ridge Road North |
| G.26 | 255 Emerick Avenue |
| G.27 | 5179 Albino Hills Road |
| G.28 | Bowen Road Industrial Lands |
| G.29 | 0 Petit Road, 1011 Gilmore Road, and 0-13130, Thompson Road |
| G.30 | 80-84 and 94 Jarvis Street |
| G.31 | Kraft Drain Area |
| G.32 | Waterline Outside of Urban Areas* |
| G.33 | Private Services Blackcreek* |
| G.34 | 0-17644 Baker Road |
| G.35 | 4301 Niagara River Parkway |
| G.36 | Fort Erie Waterfront Area |

*This Site Specific Policy Area is not mapped. Refer to Section G of the Official Plan.



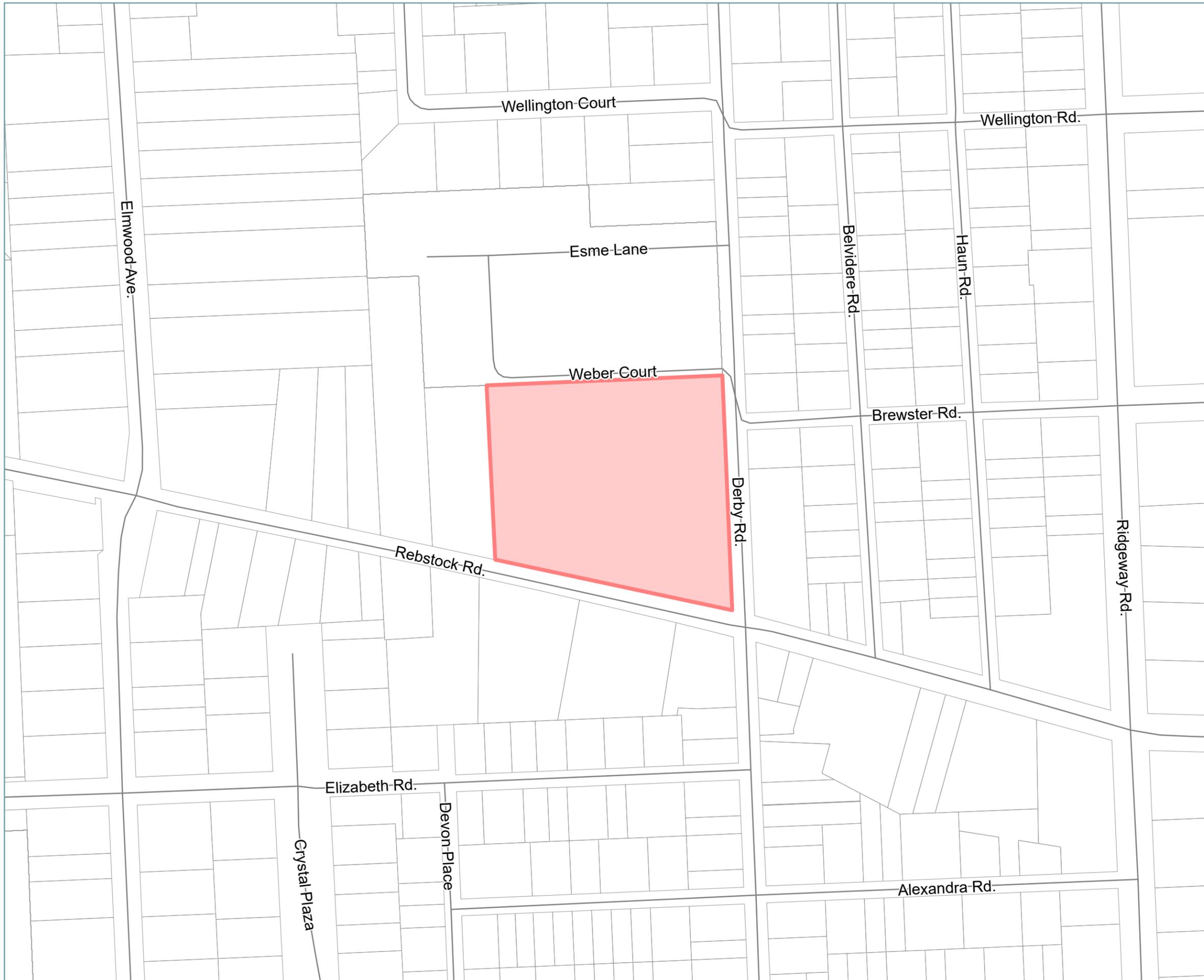
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.1 Crystal Beach Public School Lands

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.2 Bertile Public School Lands

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



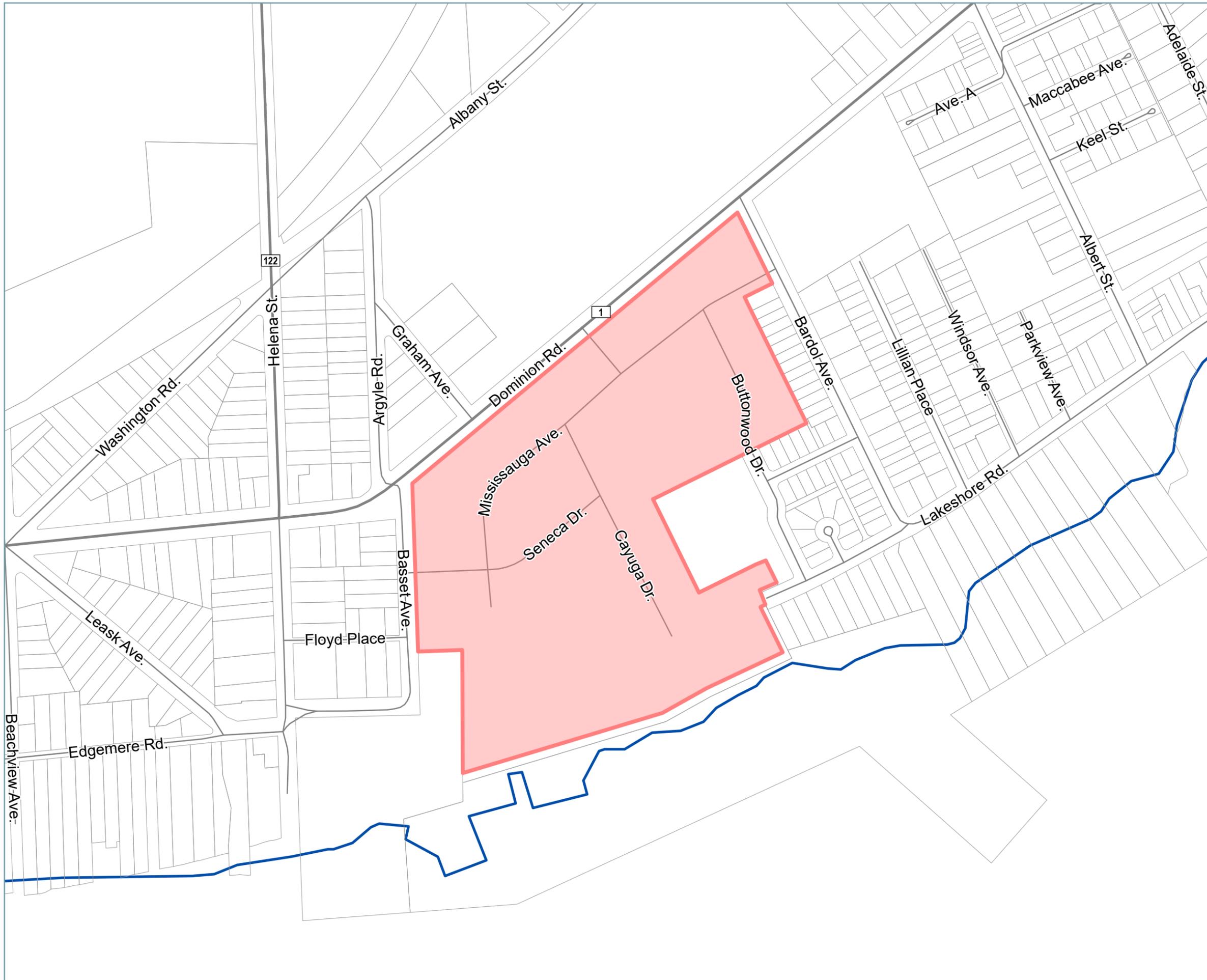
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.3 Harbourtown Village

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



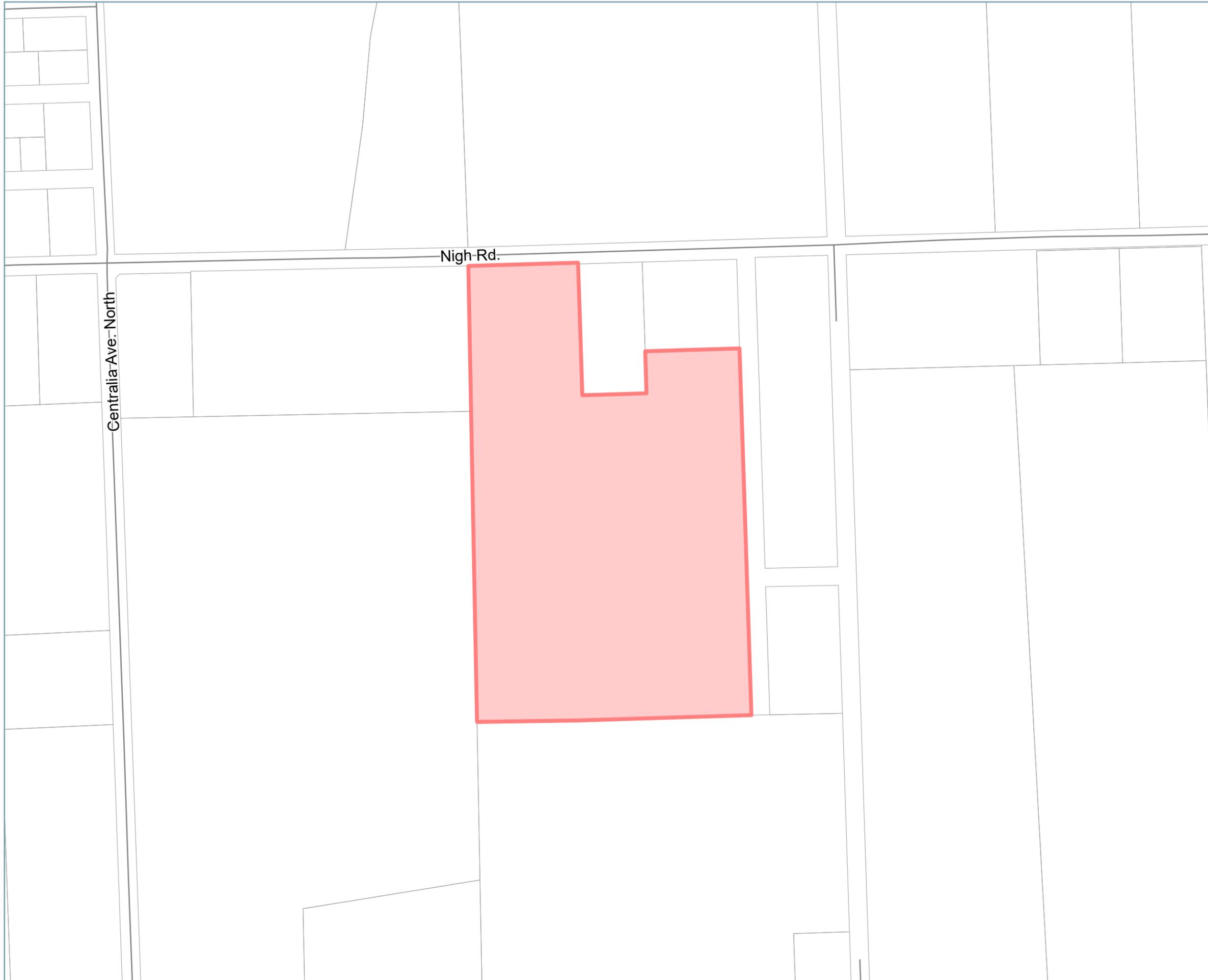
Fort Erie Official Plan

Schedule O - Site
Specific Policy Areas
G.4 2651 Nigh Road

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



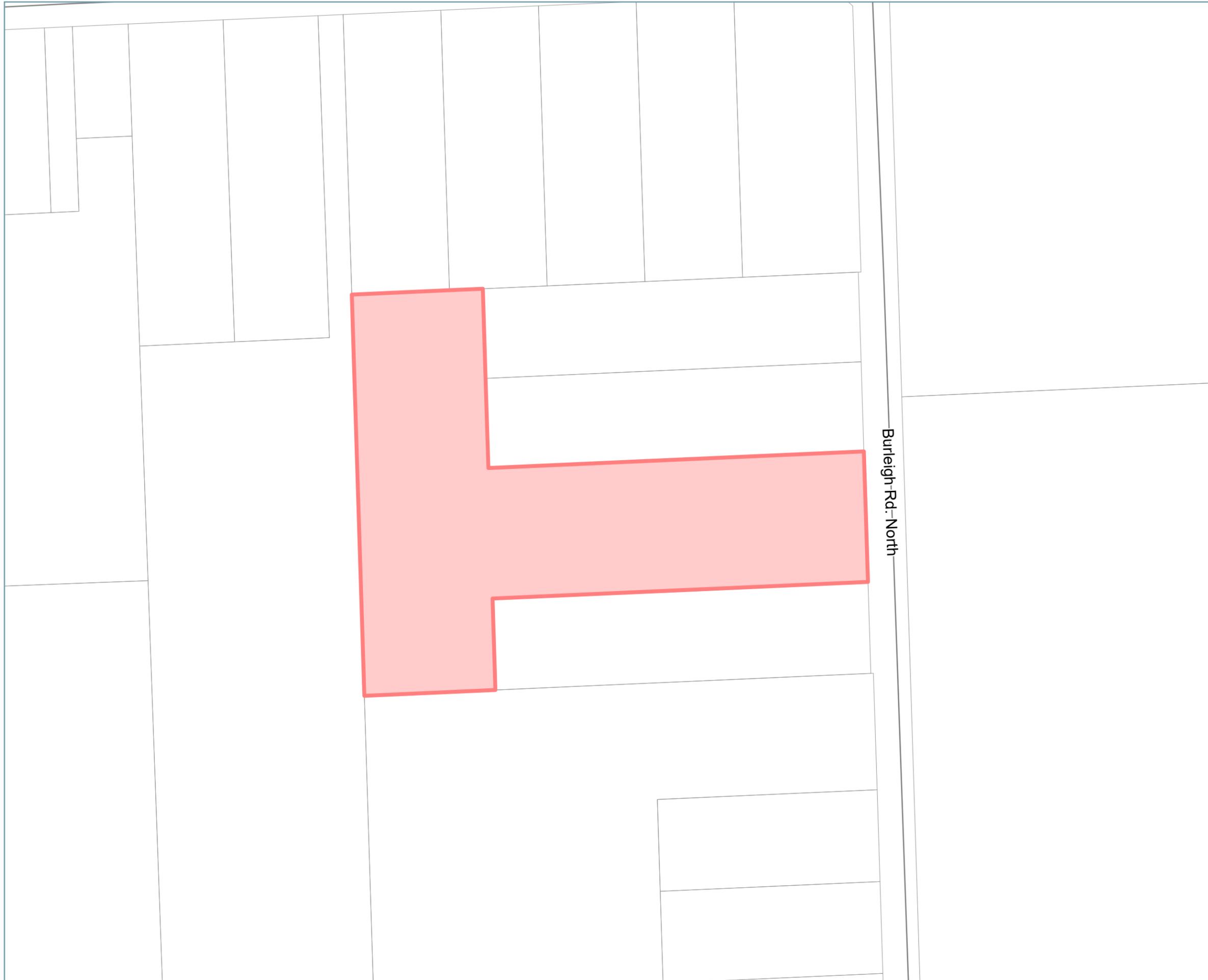
Fort Erie Official Plan

Schedule O - Site
Specific Policy Areas
G.5 615 Burleigh Road North

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



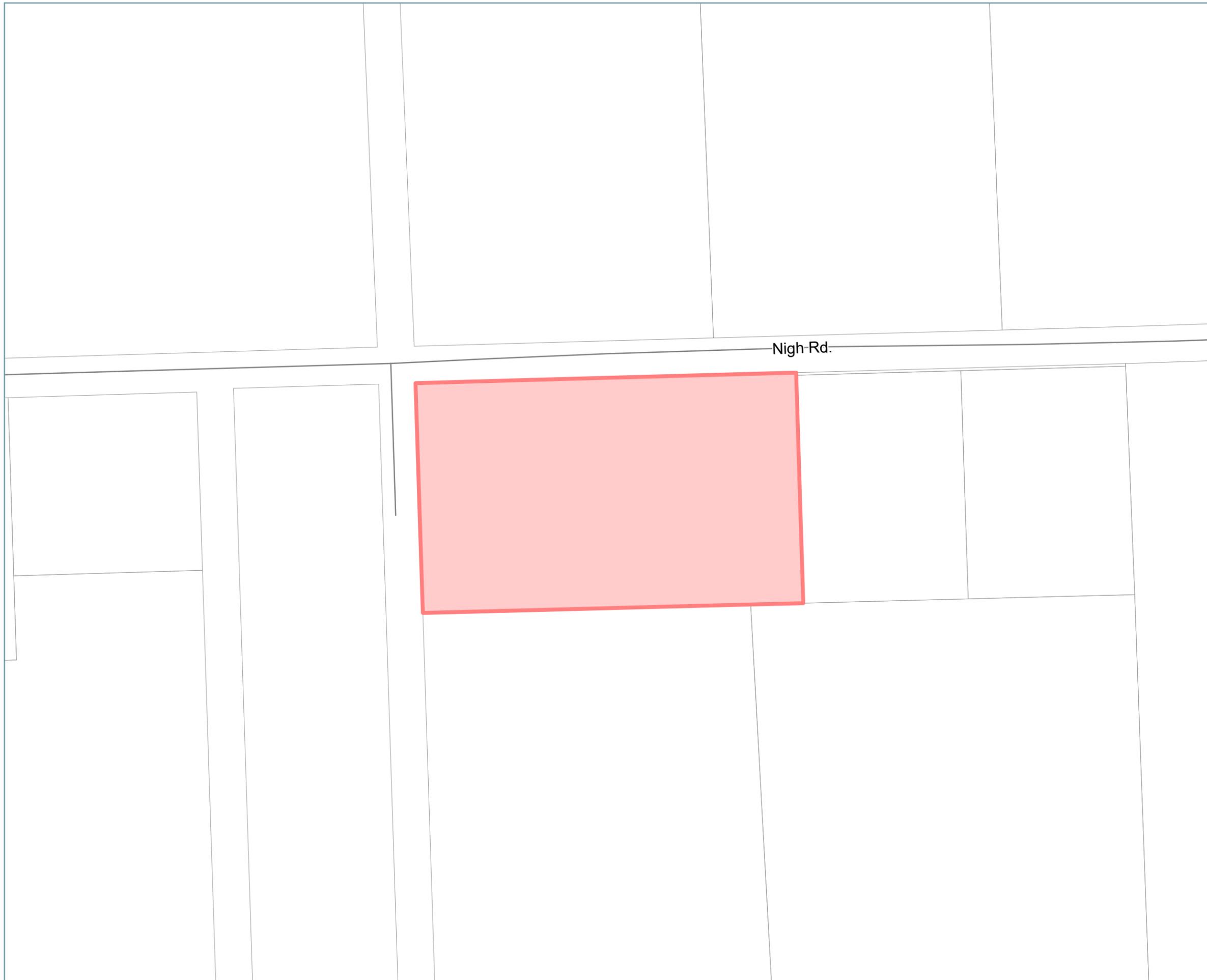
Fort Erie Official Plan

Schedule O - Site
Specific Policy Areas
G.6 0-6489 Nigh Road

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



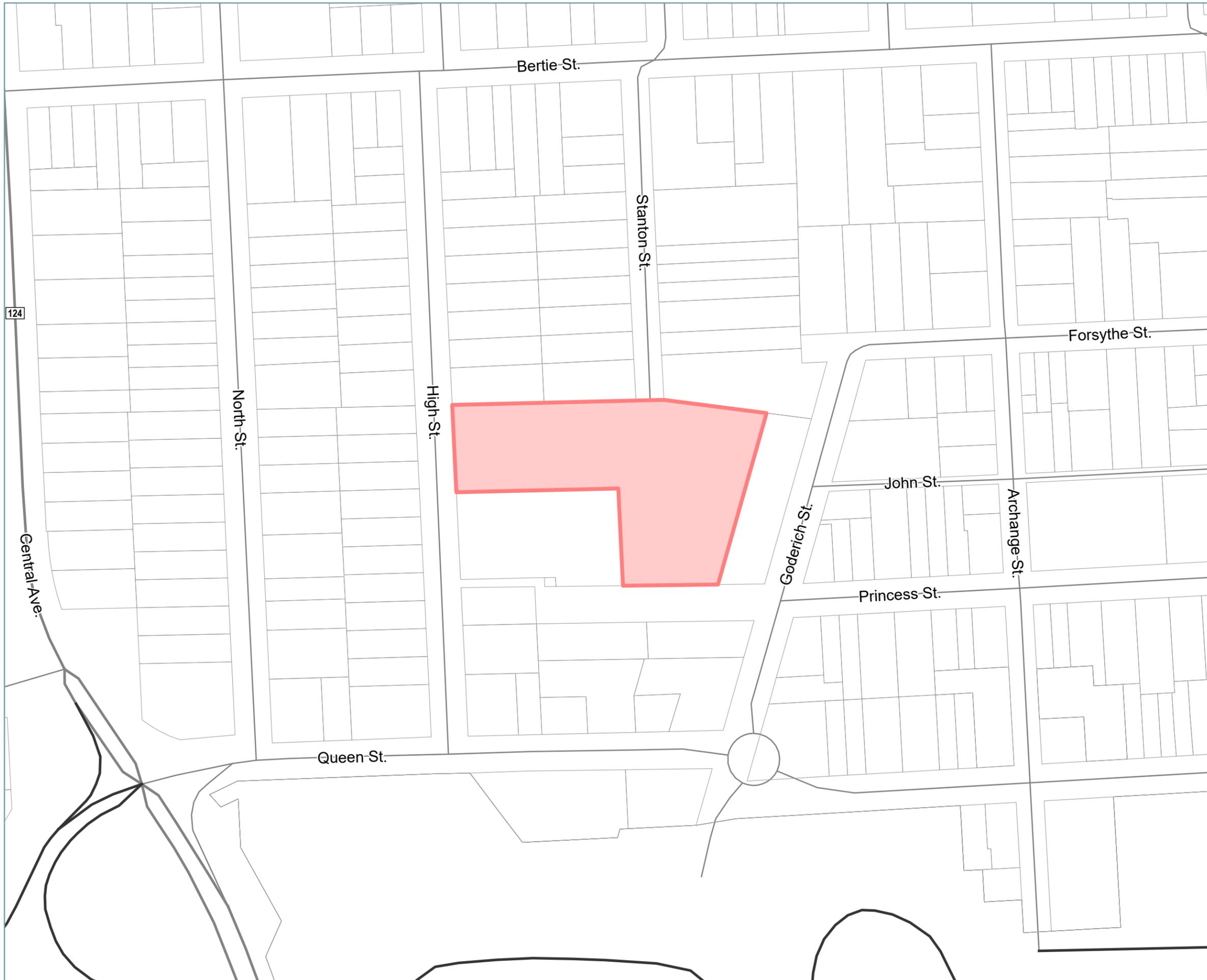
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.7 Lions Douglas Heights Senior Residence

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



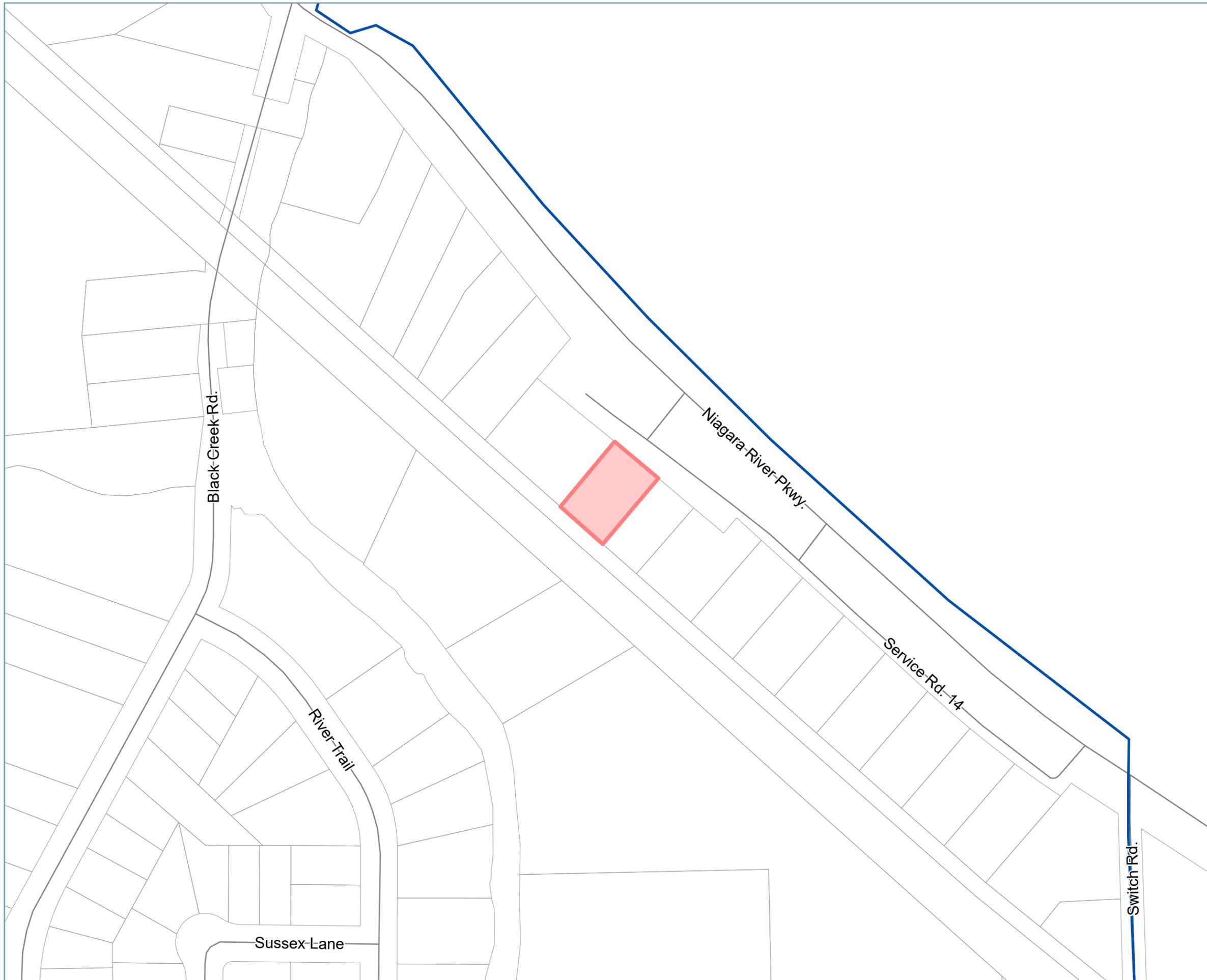
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.8 4197 Niagara River Parkway

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



Fort Erie Official Plan

Schedule O - Site

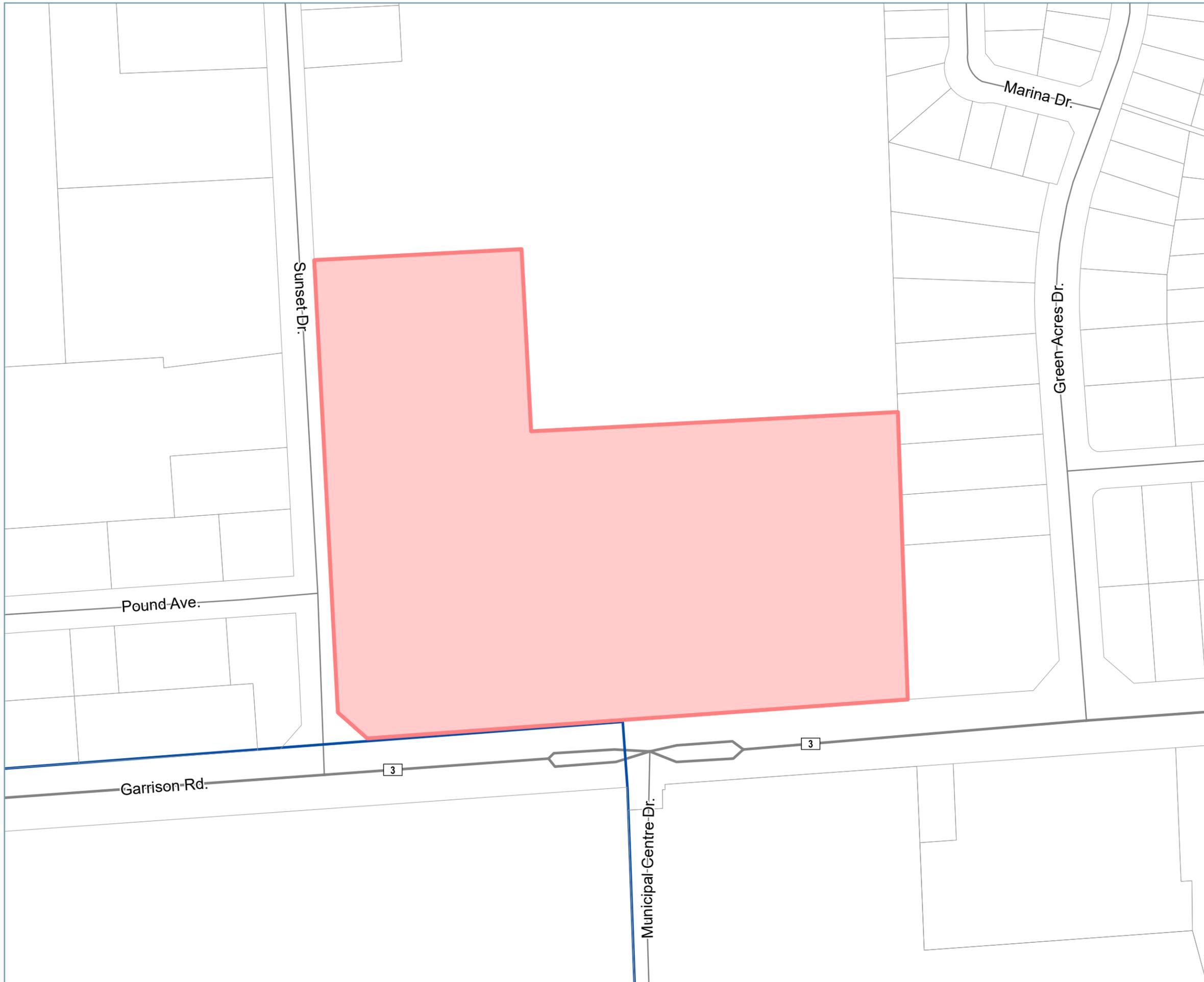
Specific Policy Areas

G.9 1640 Garrison Road High School

Final For Council Adoption | August 2025

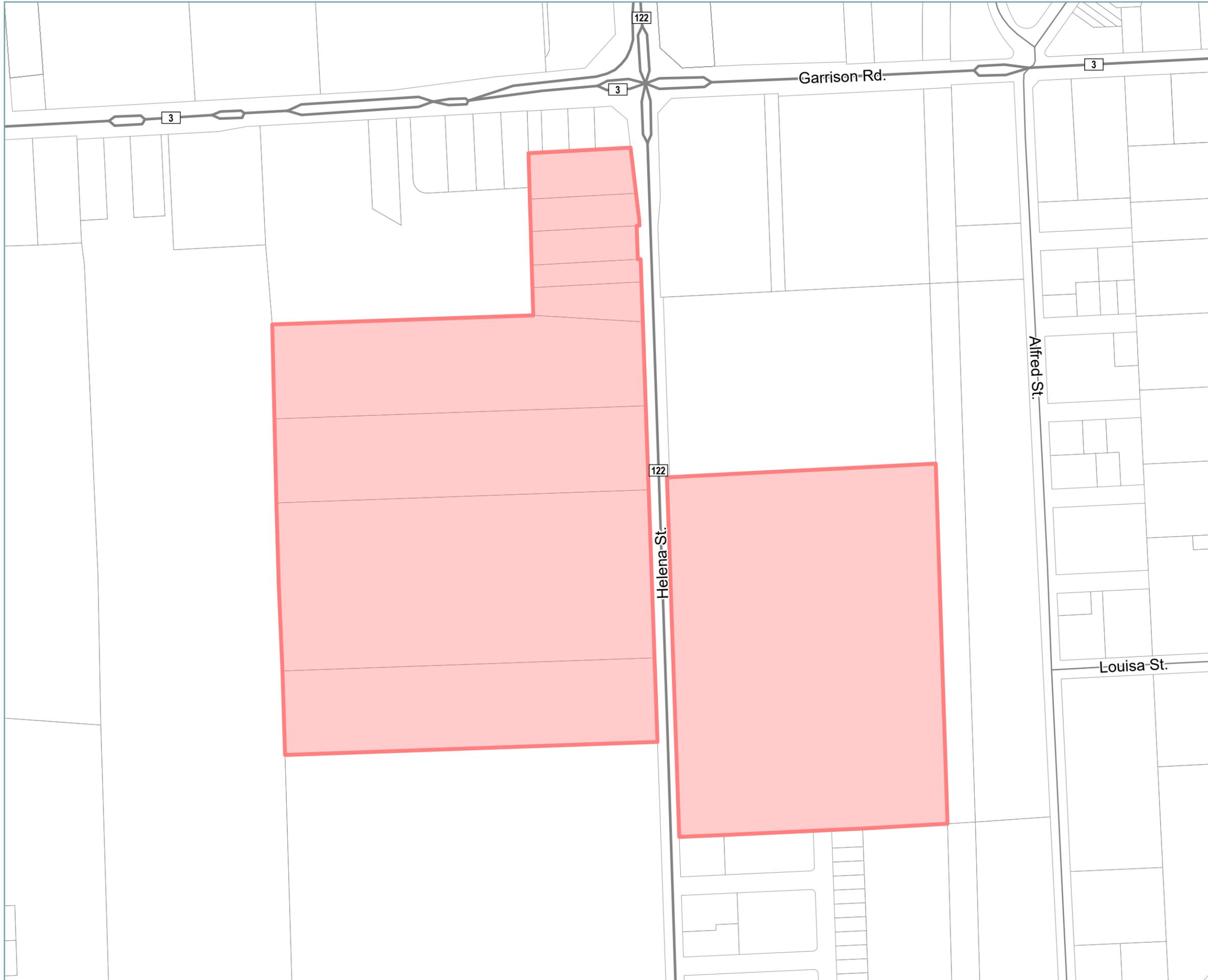
Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters





Fort Erie Official Plan

Schedule O - Site Specific Policy Areas

G.10 Helena Street Industrial Lands

Final For Council Adoption | August 2025

Legend

- Subject Lands
- Settlement Area Boundary
- Parcel Boundary



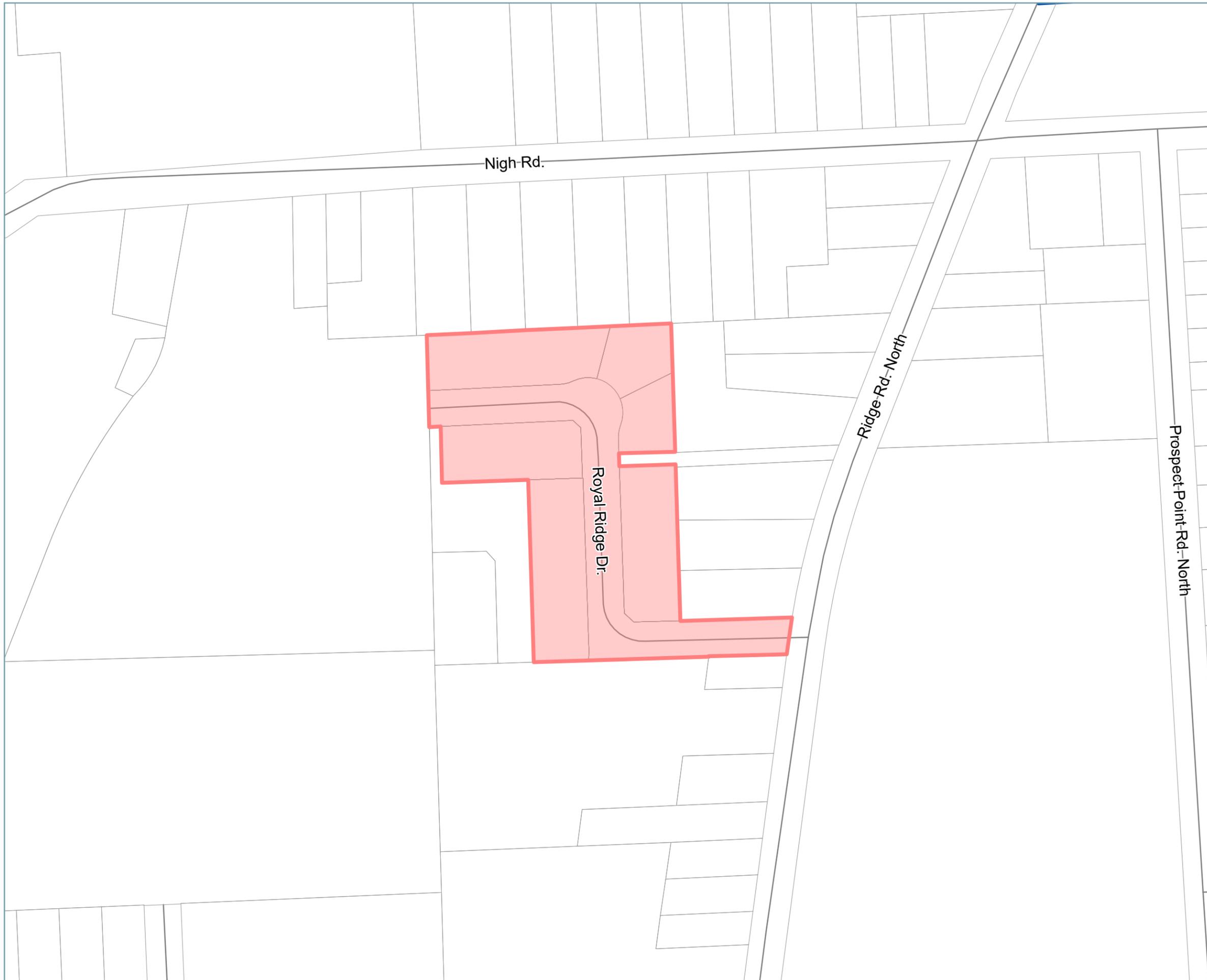
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.11 Royal Ridge Subdivision

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



PLANNING FOR THE FUTURE 2051



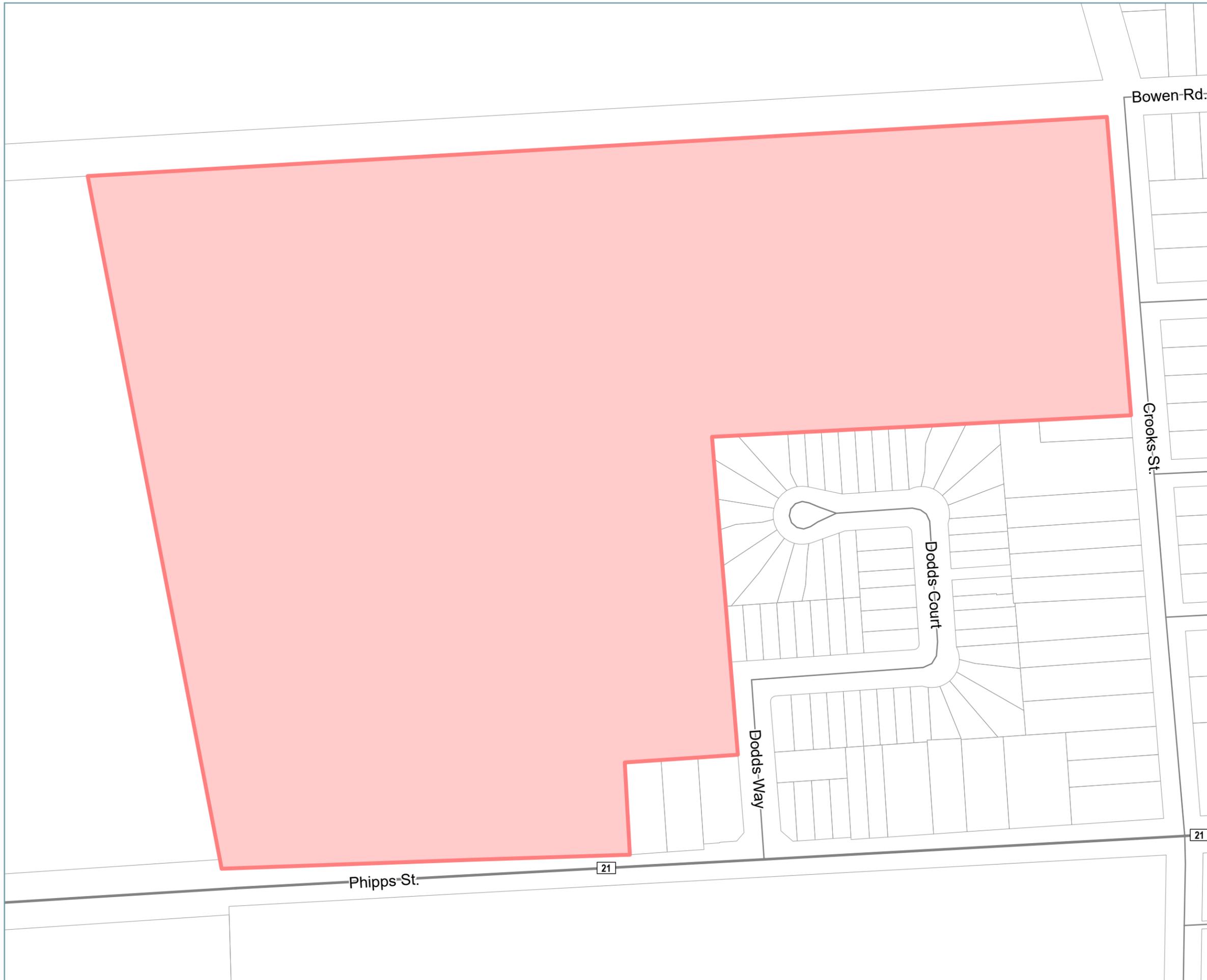
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.12 Fort Erie Hills

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



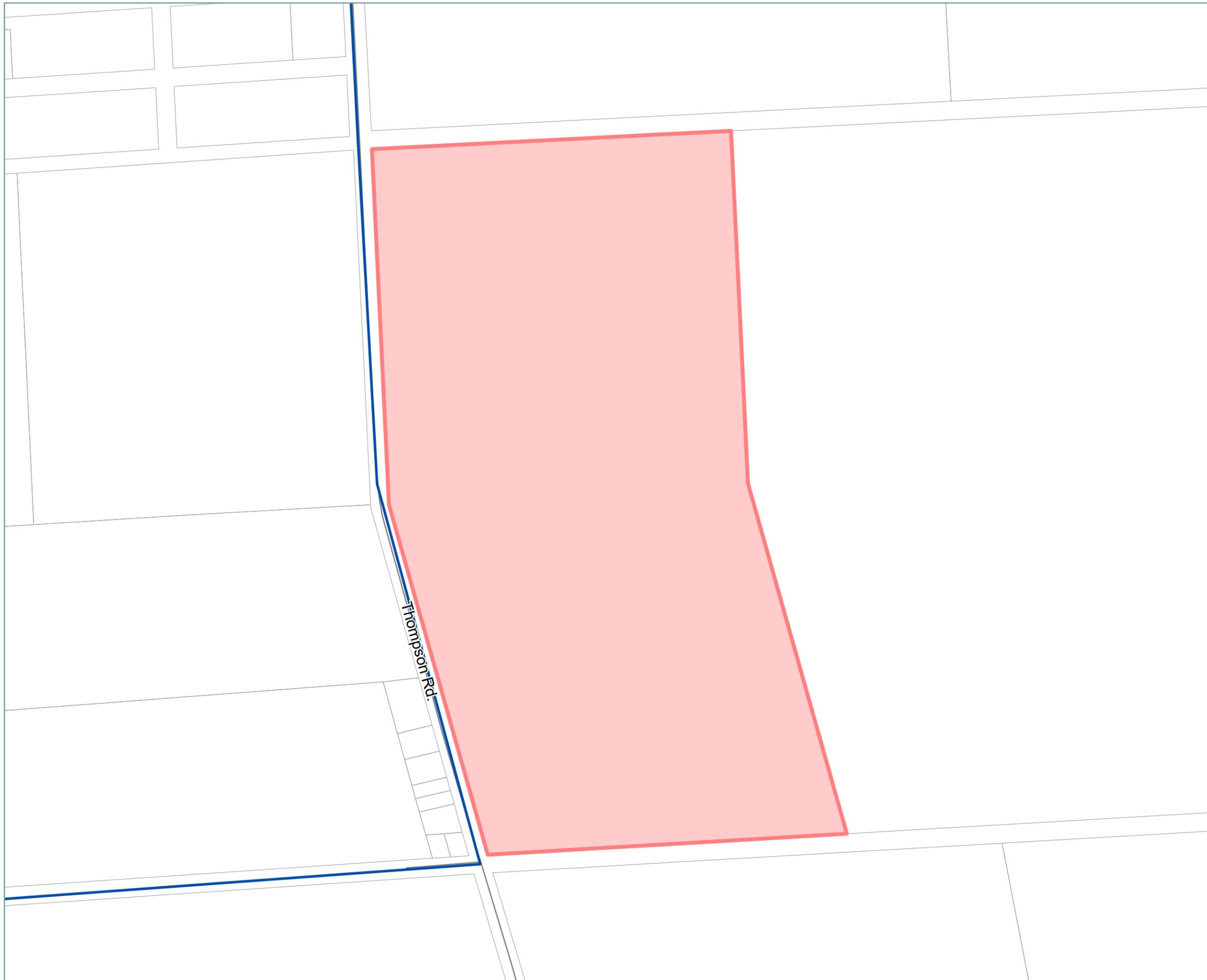
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.13 Miller Lands

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



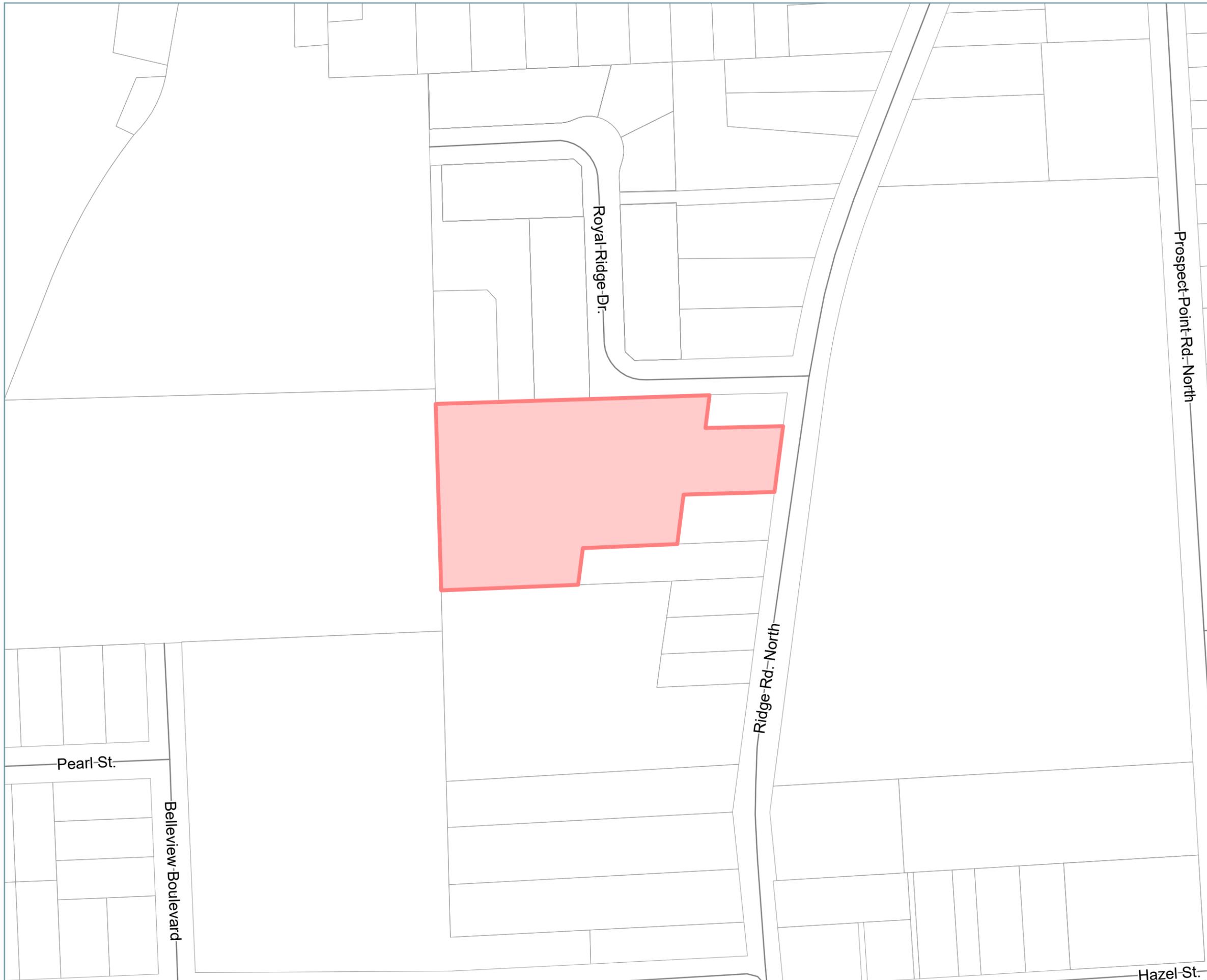
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.14 613 Ridge Road North

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



Fort Erie Official Plan

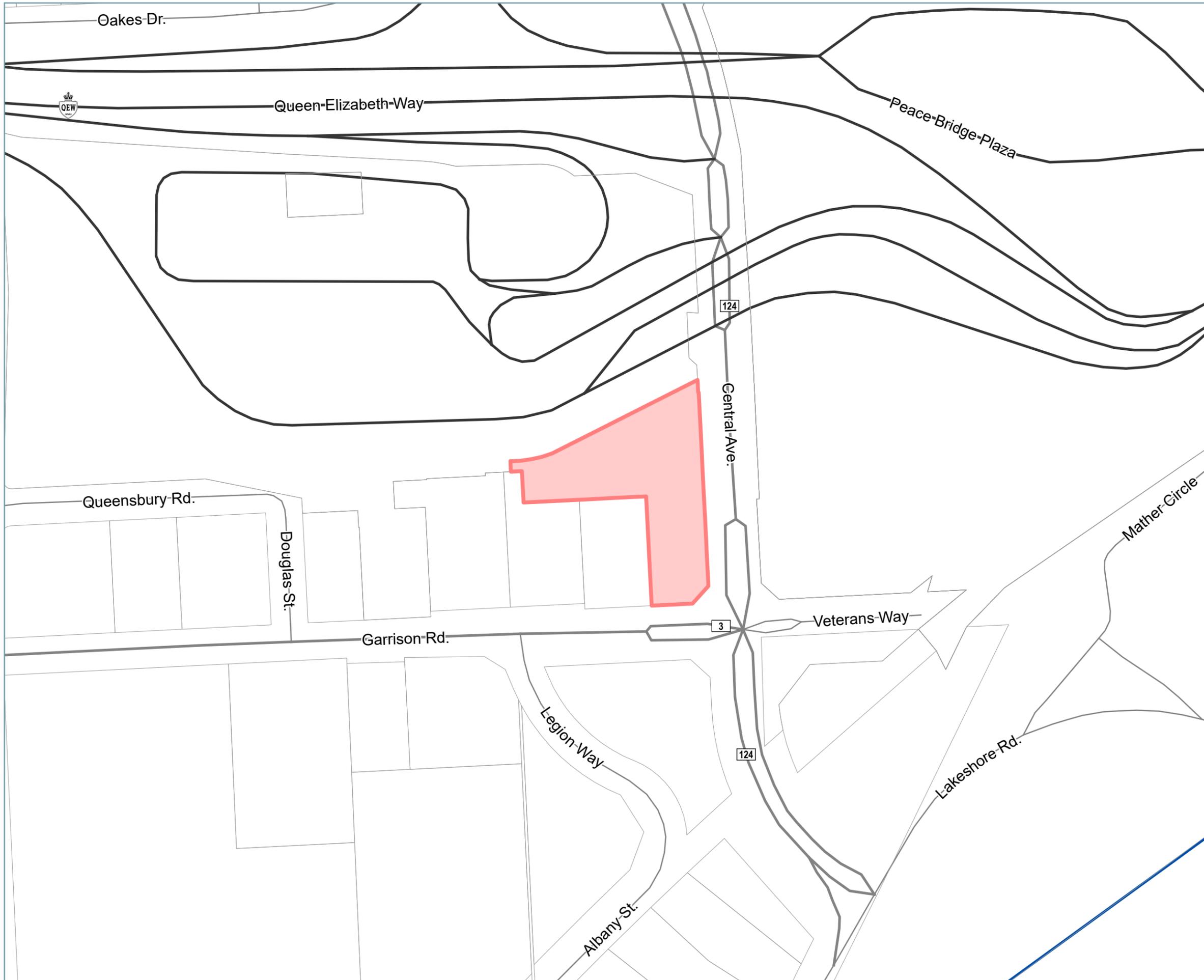
Schedule O - Site Specific Policy Areas

G.15 Compass Heights Development

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



Fort Erie Official Plan

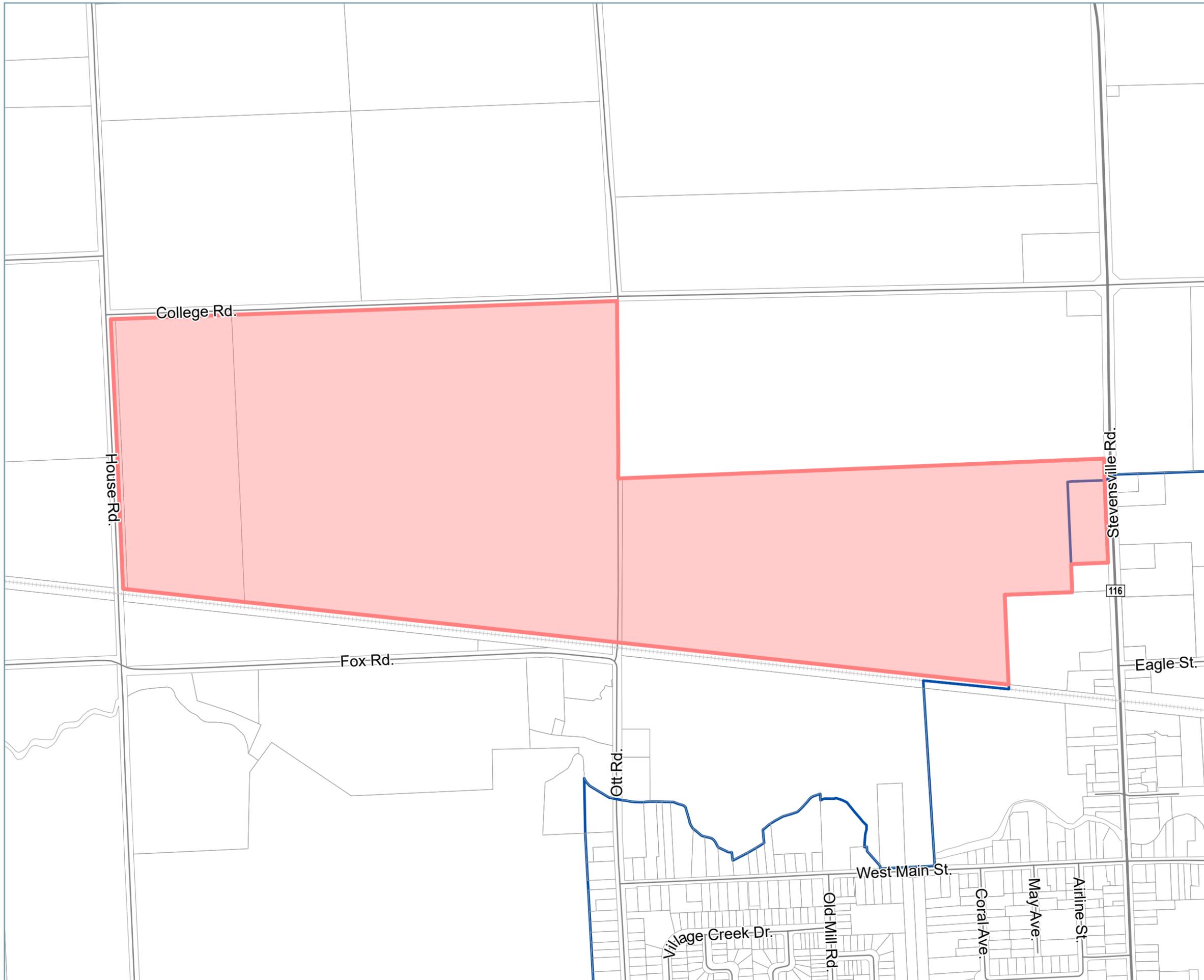
Schedule O - Site Specific Policy Areas

G.16 Safari Niagara

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



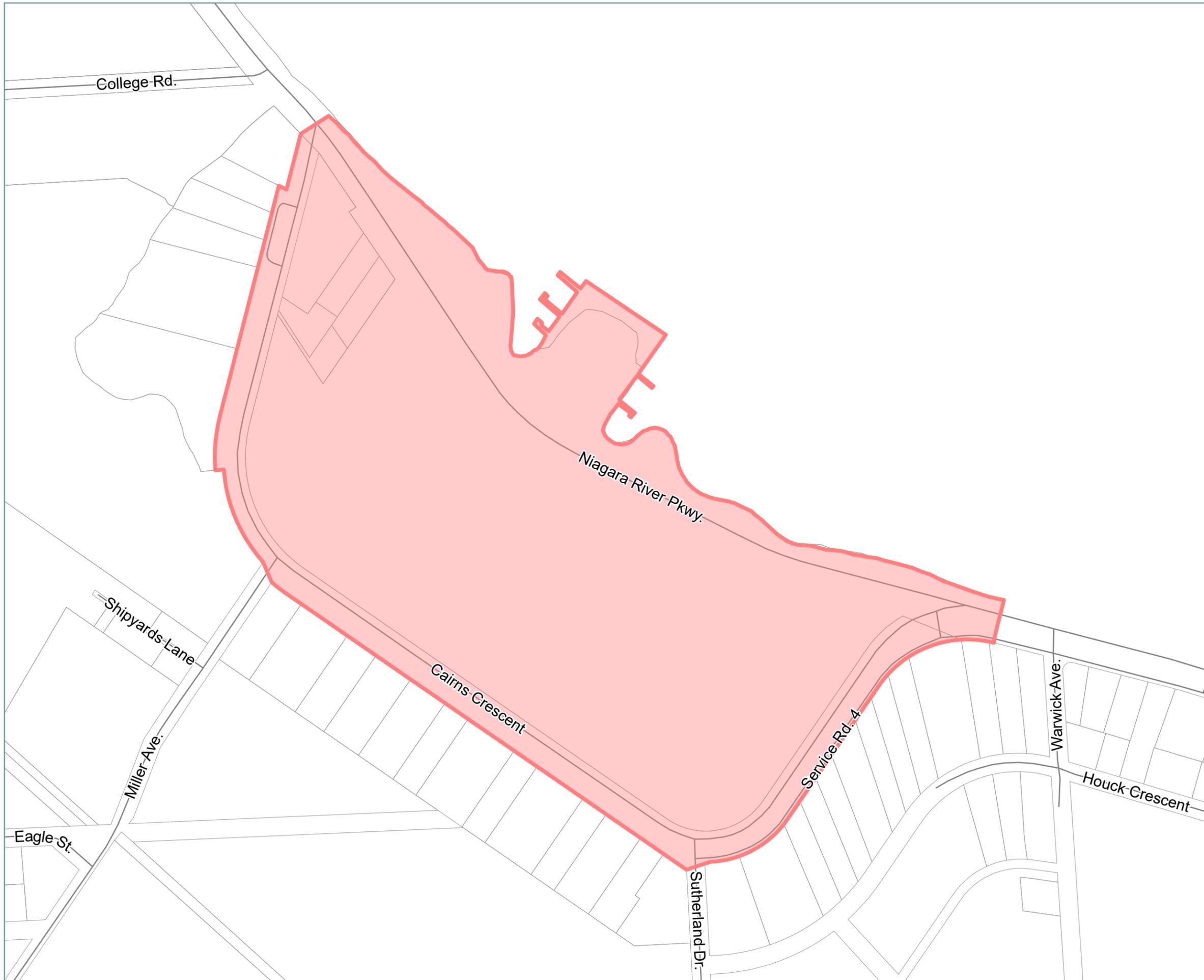
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.17 Niagara Parks Marina at Millers Creek

Final For Council Adoption | August 2025

Legend

- Subject Lands
- Settlement Area Boundary
- Parcel Boundary



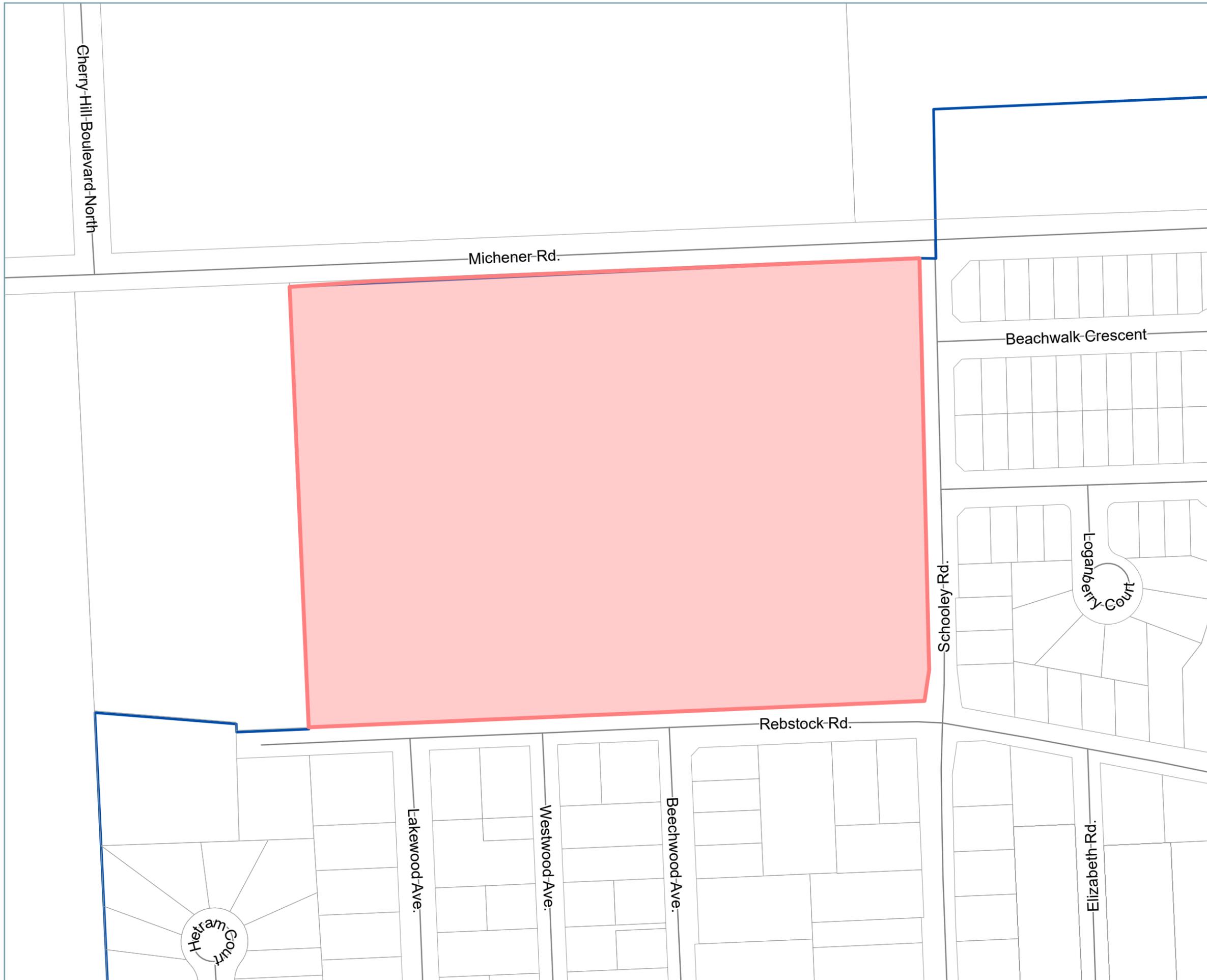
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.18 Michener Road and Schooley Road

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



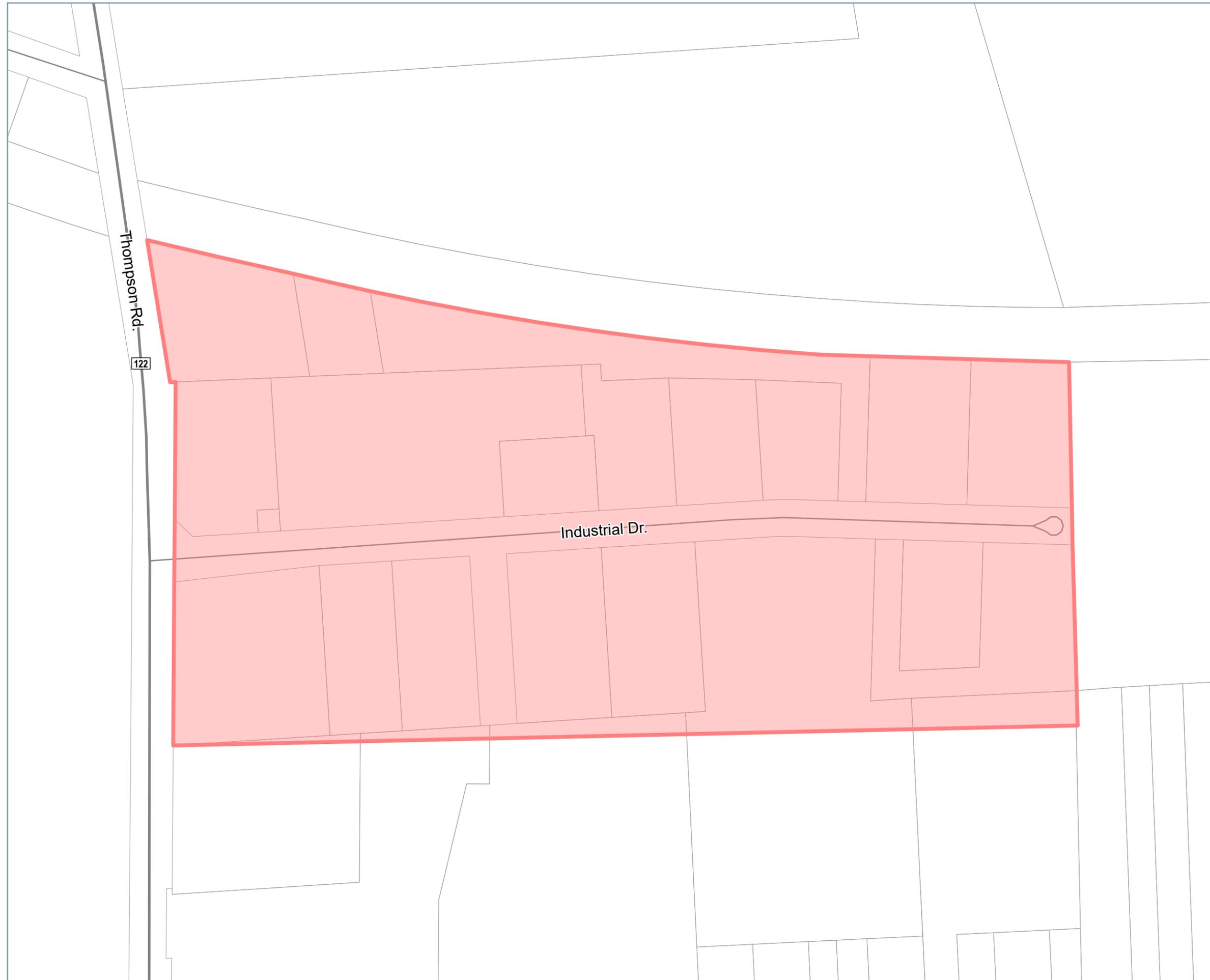
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.19 Fort Erie Industrial Park

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



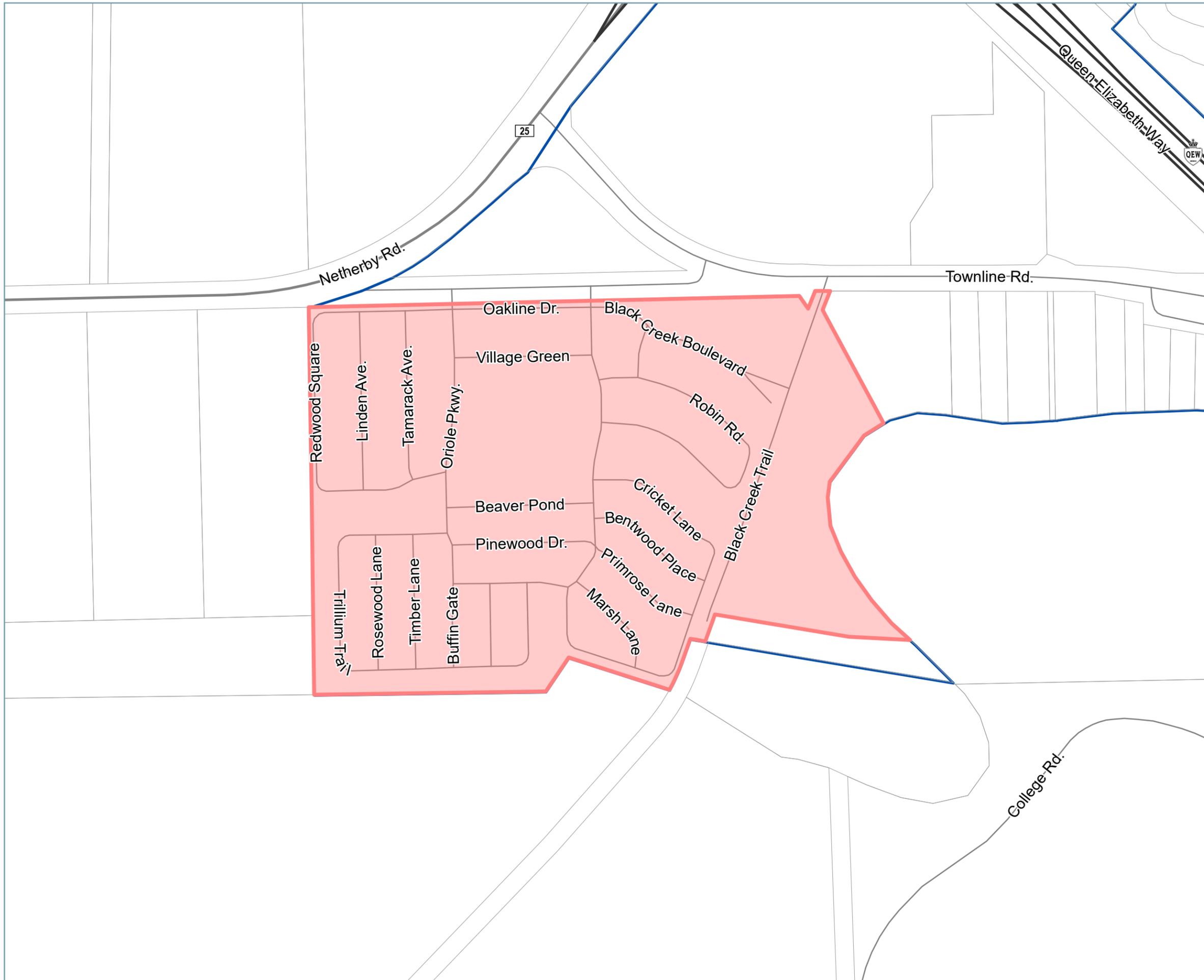
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.20 Mobile Home Park

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



PLANNING FOR THE FUTURE 2051



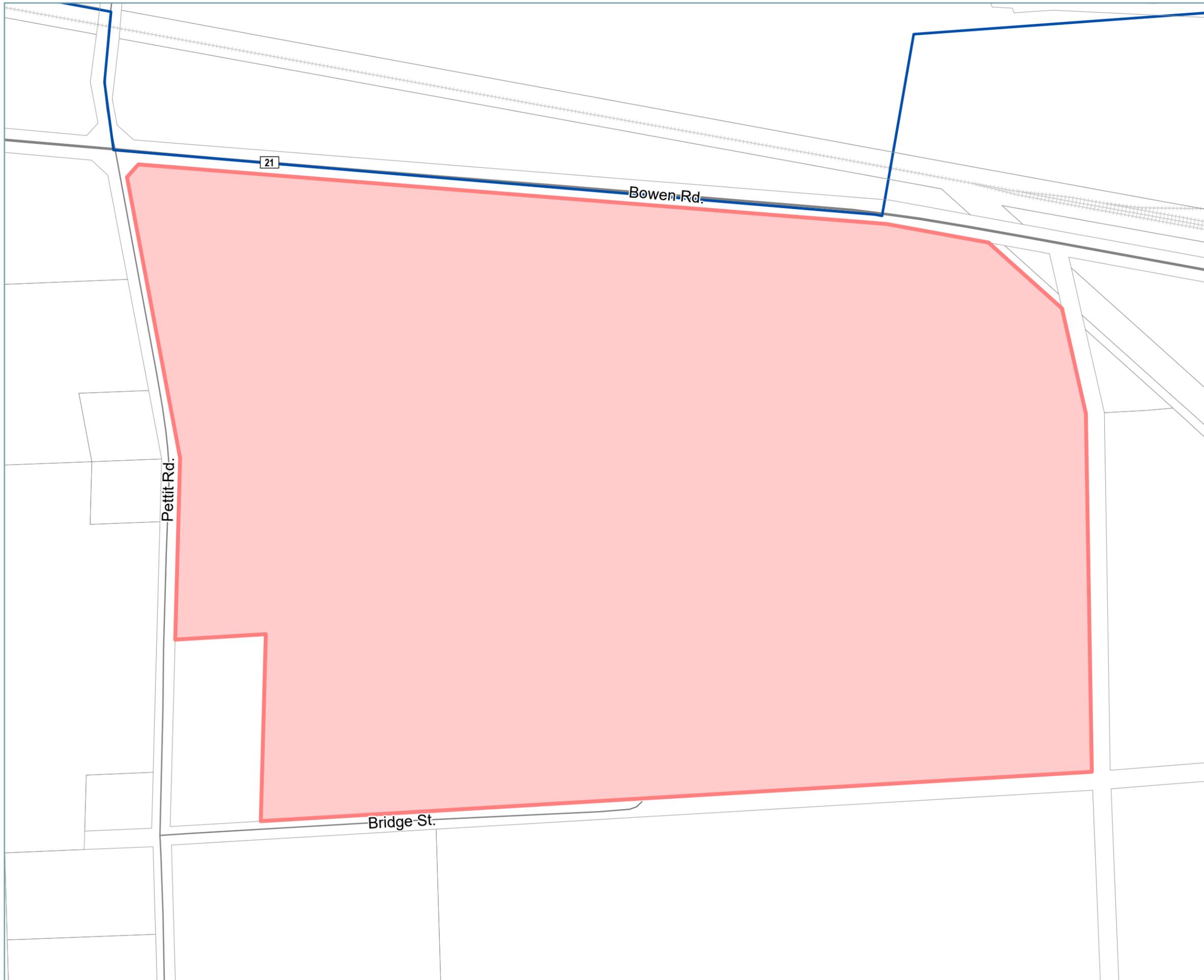
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.21 Waste Disposal Sites

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



Fort Erie Official Plan

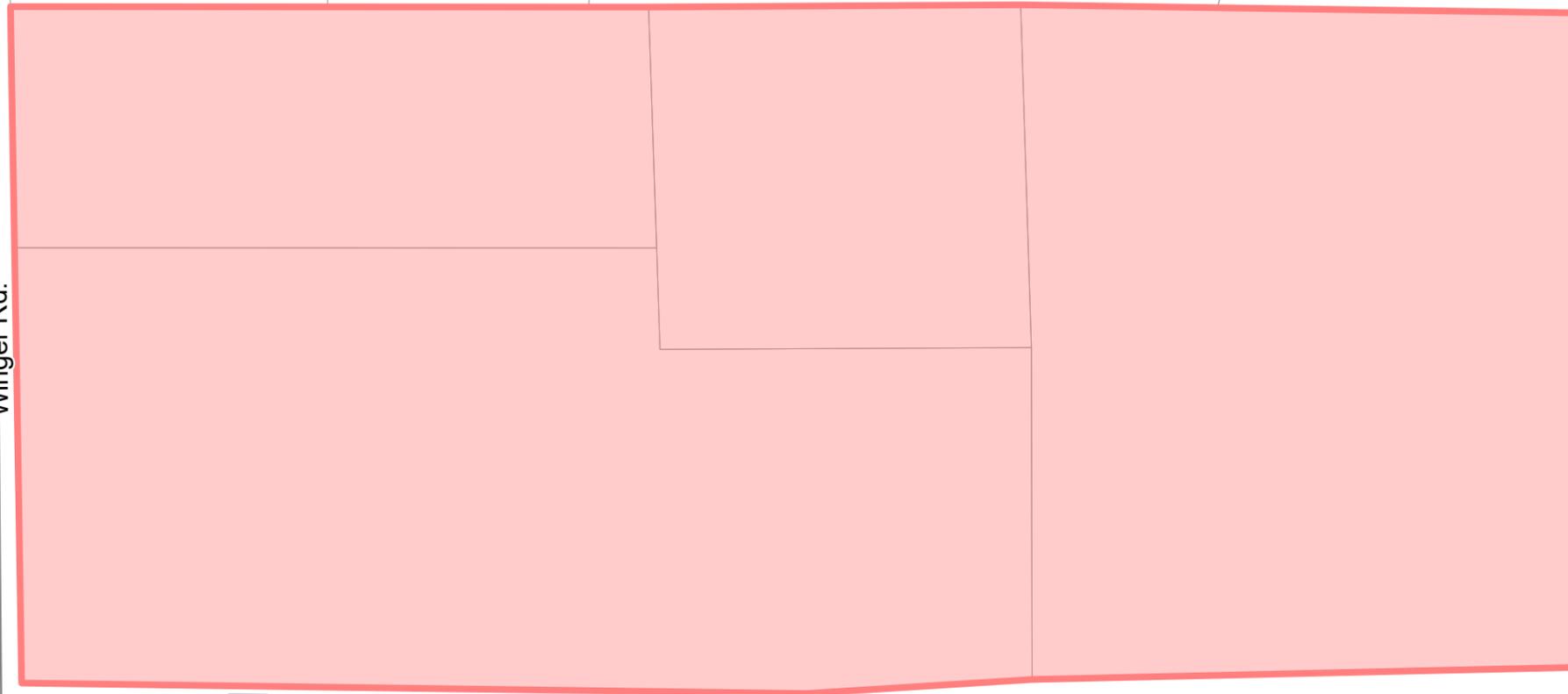
Schedule O - Site Specific Policy Areas G.21 Waste Disposal Sites

Final For Council Adoption | August 2025

Legend

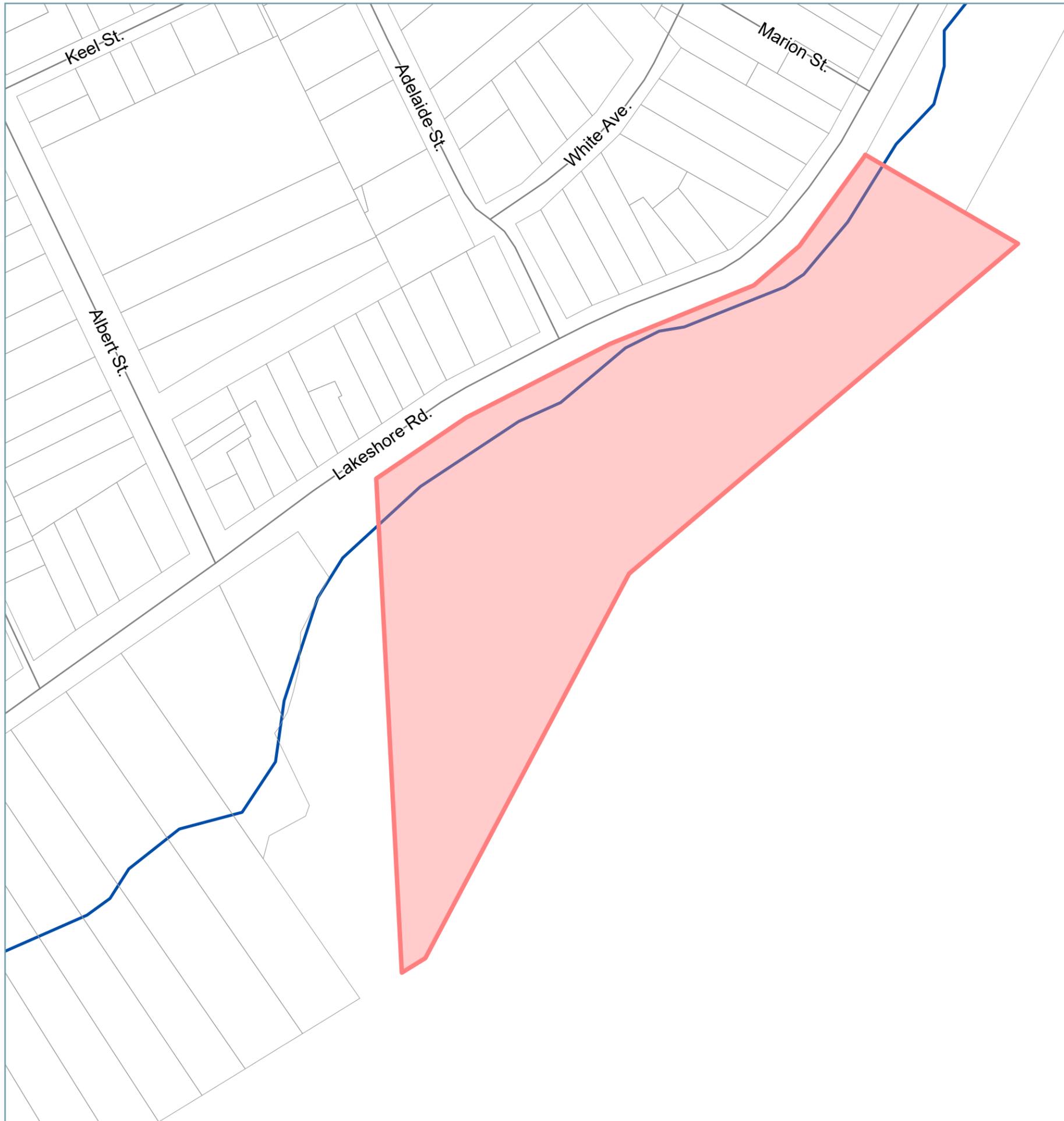
-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary

Winger Rd.



0 37.5 75 150 225 Meters





Fort Erie Official Plan

Schedule O - Site Specific Policy Areas

G.22 Flintlock Hazard Lands

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



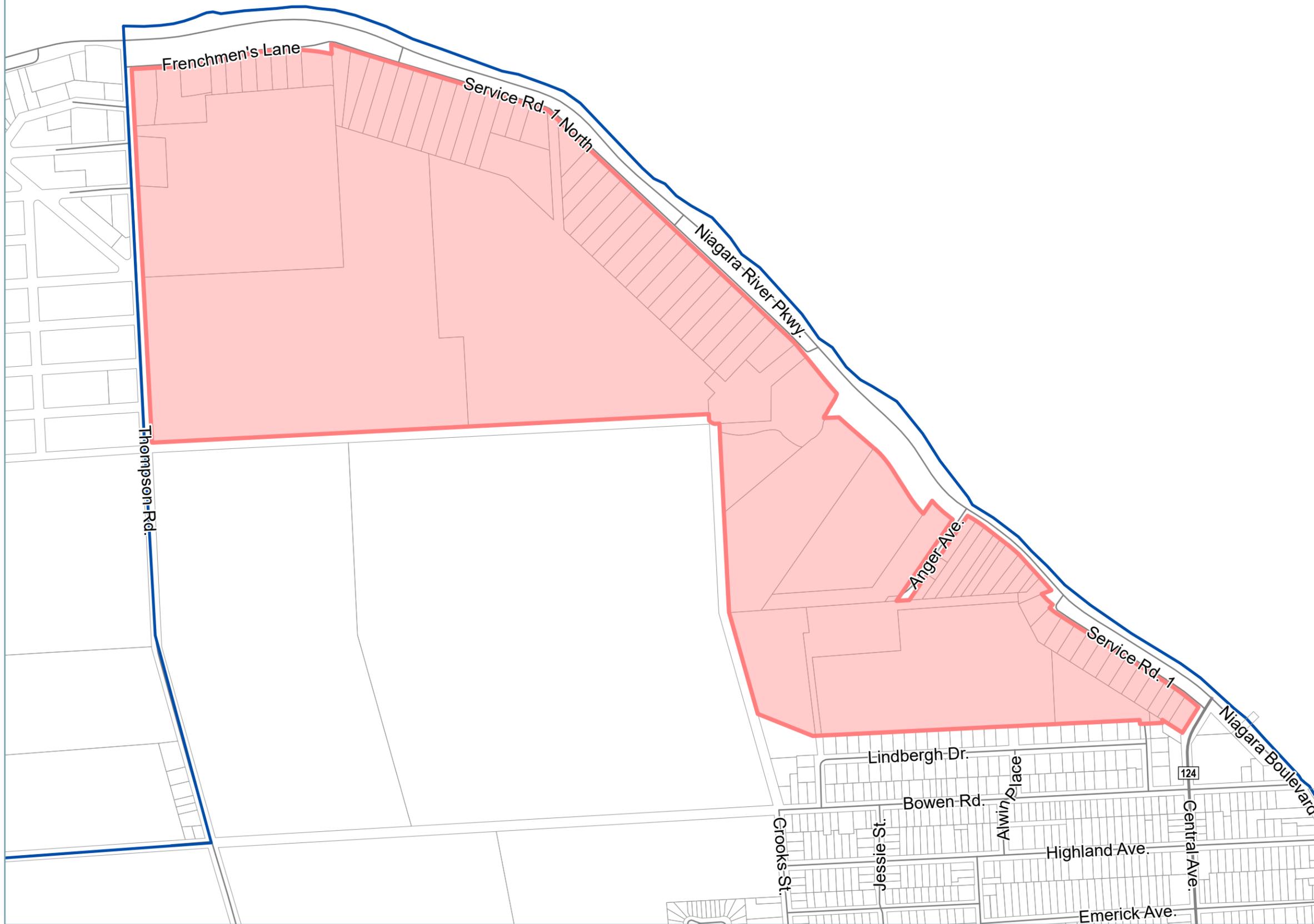
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.23 Frenchman's Creek

Final For Council Adoption | August 2025

Legend

- Subject Lands
- Settlement Area Boundary
- Parcel Boundary



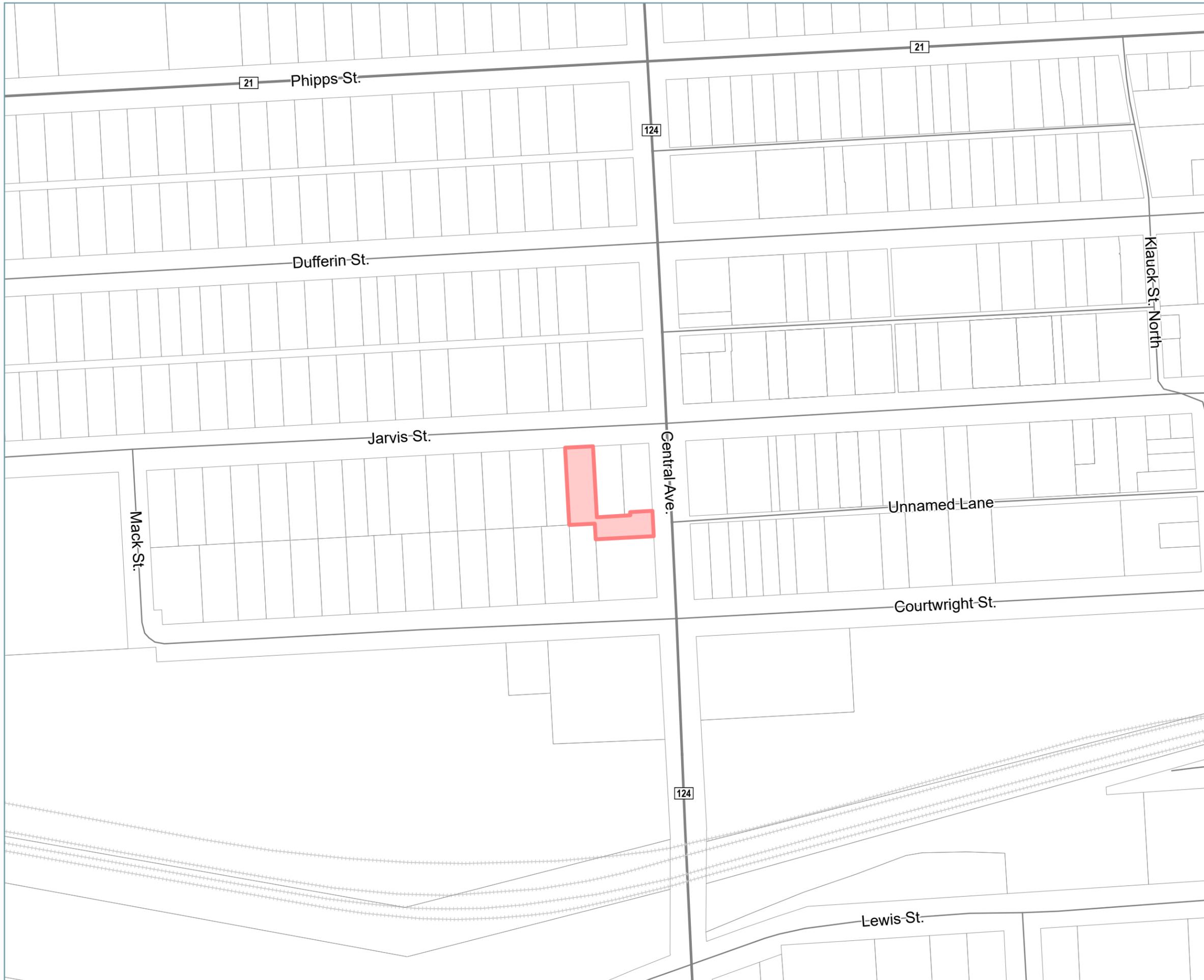
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.24 209 Jarvis Street

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



Fort Erie Official Plan

Schedule O - Site
Specific Policy Areas
G.25 209-215 Ridge Road North

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.26 255 Emerick Avenue

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



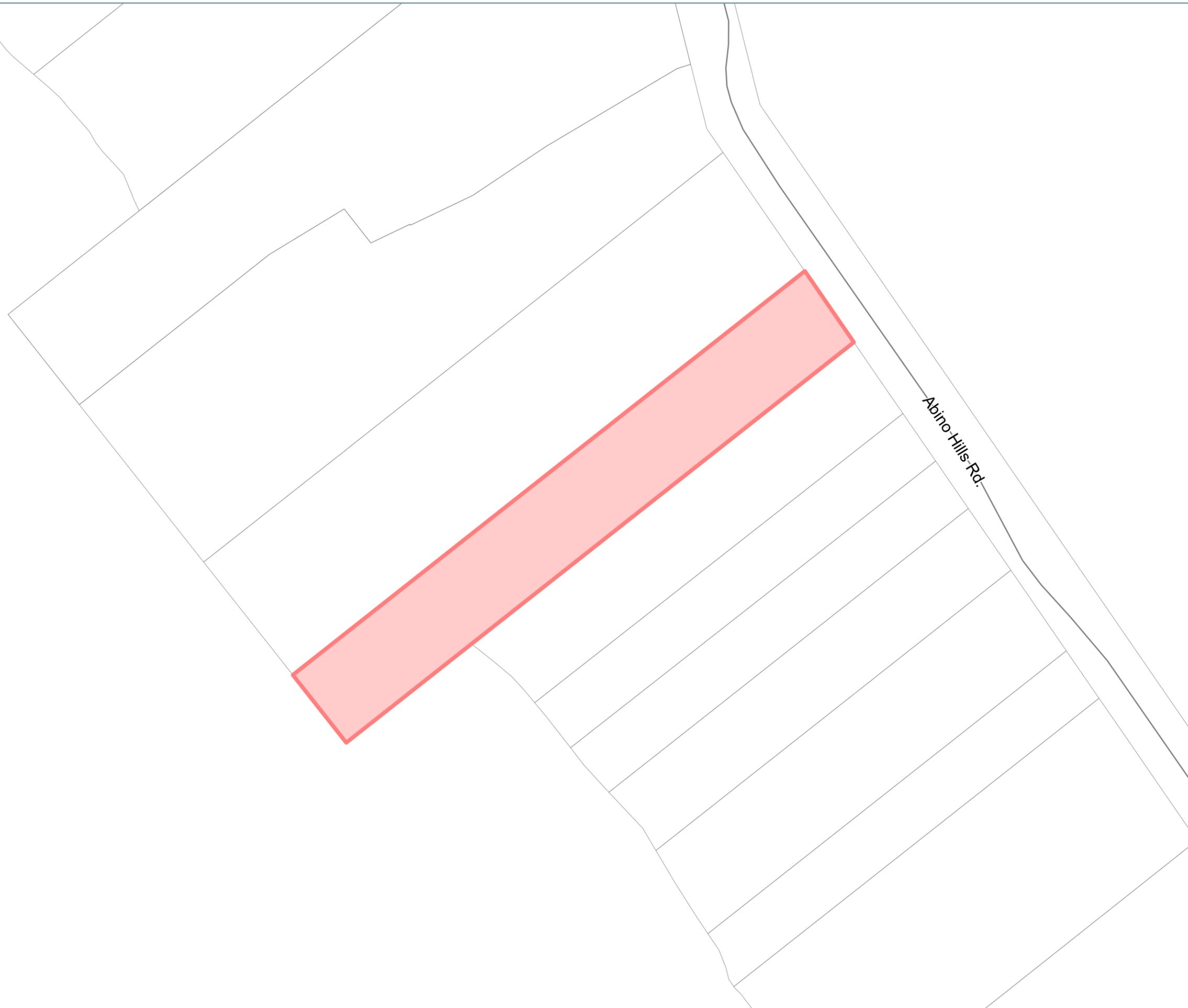
Fort Erie Official Plan

Schedule O - Site
Specific Policy Areas
G.27 5179 Albino Hills Road

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



Fort Erie Official Plan

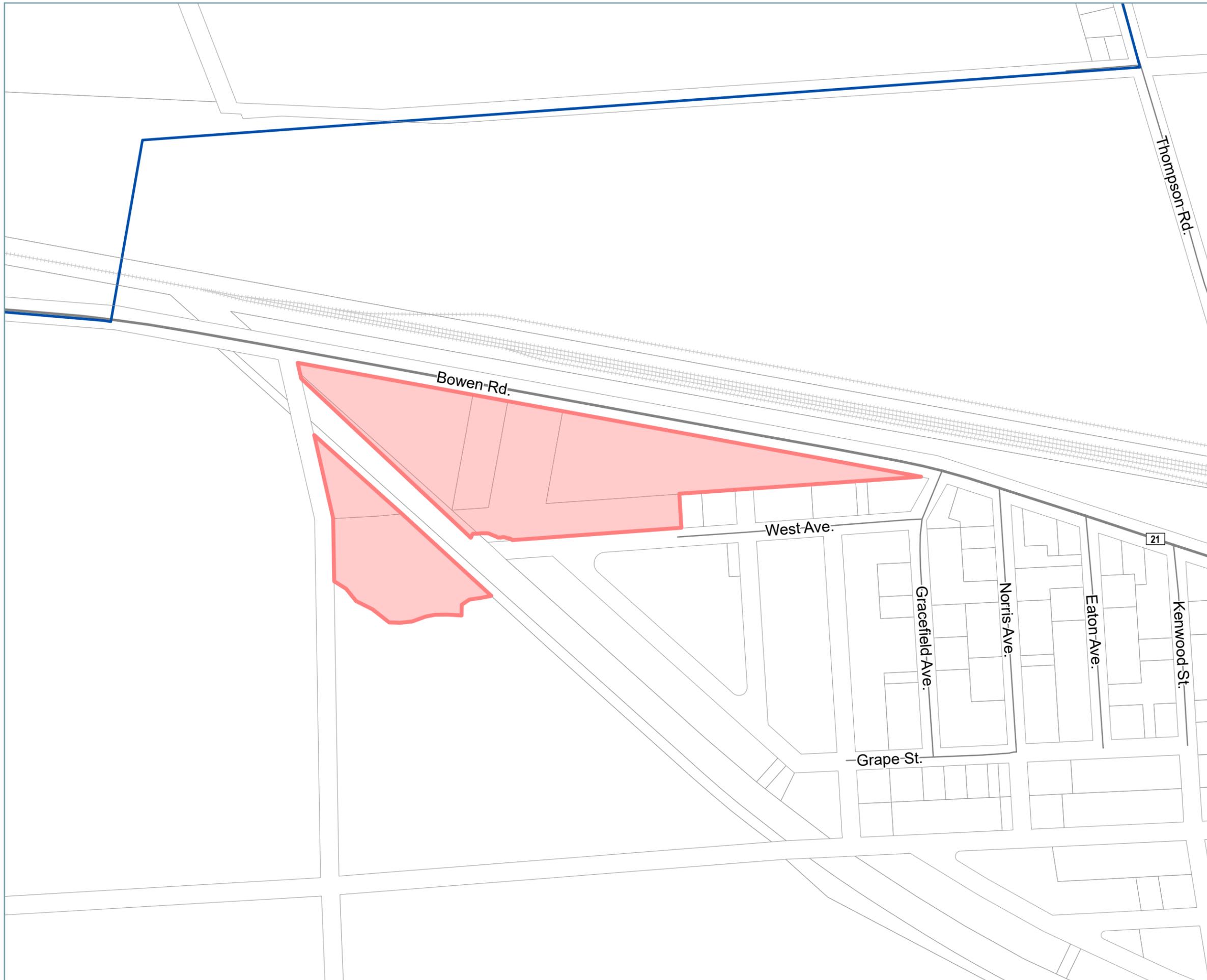
Schedule O - Site Specific Policy Areas

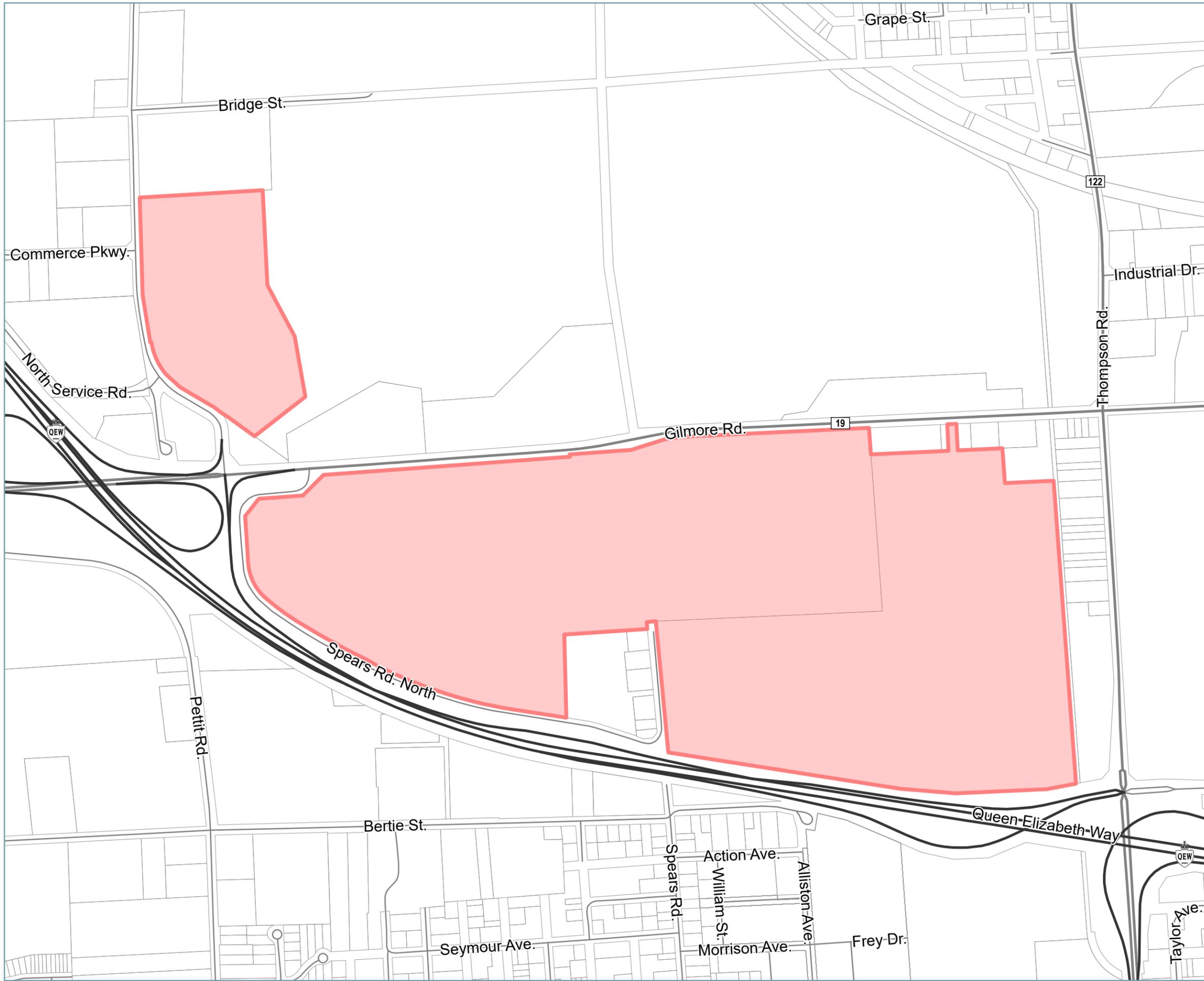
G.28 Bowen Road Industrial Lands

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary





Fort Erie Official Plan

**Schedule O - Site
Specific Policy Areas**
**G.29 0 Petit Road, 1011 Gilmore Road,
and 0-13130, Thompson Road**
Final For Council Adoption | August 2025

Legend

- Subject Lands
- Settlement Area Boundary
- Parcel Boundary



Fort Erie Official Plan

Schedule O - Site
Specific Policy Areas
G.30 80-84 and 94 Jarvis Street

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



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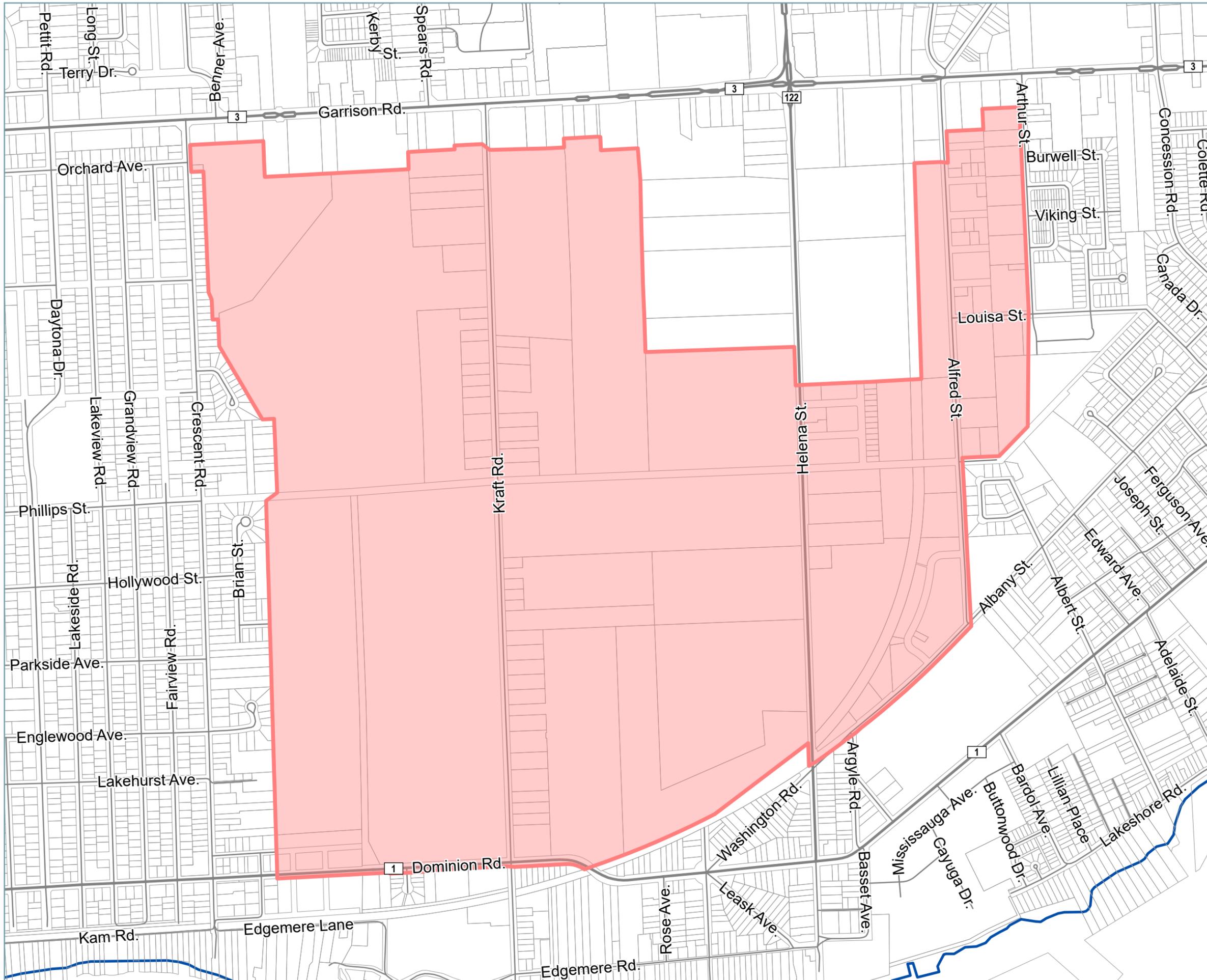
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.31 Kraft Drain Area

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



Source: Town of Fort Erie, Niagara Region (Niagara Open Data); New York State (NYS GIS Clearinghouse)

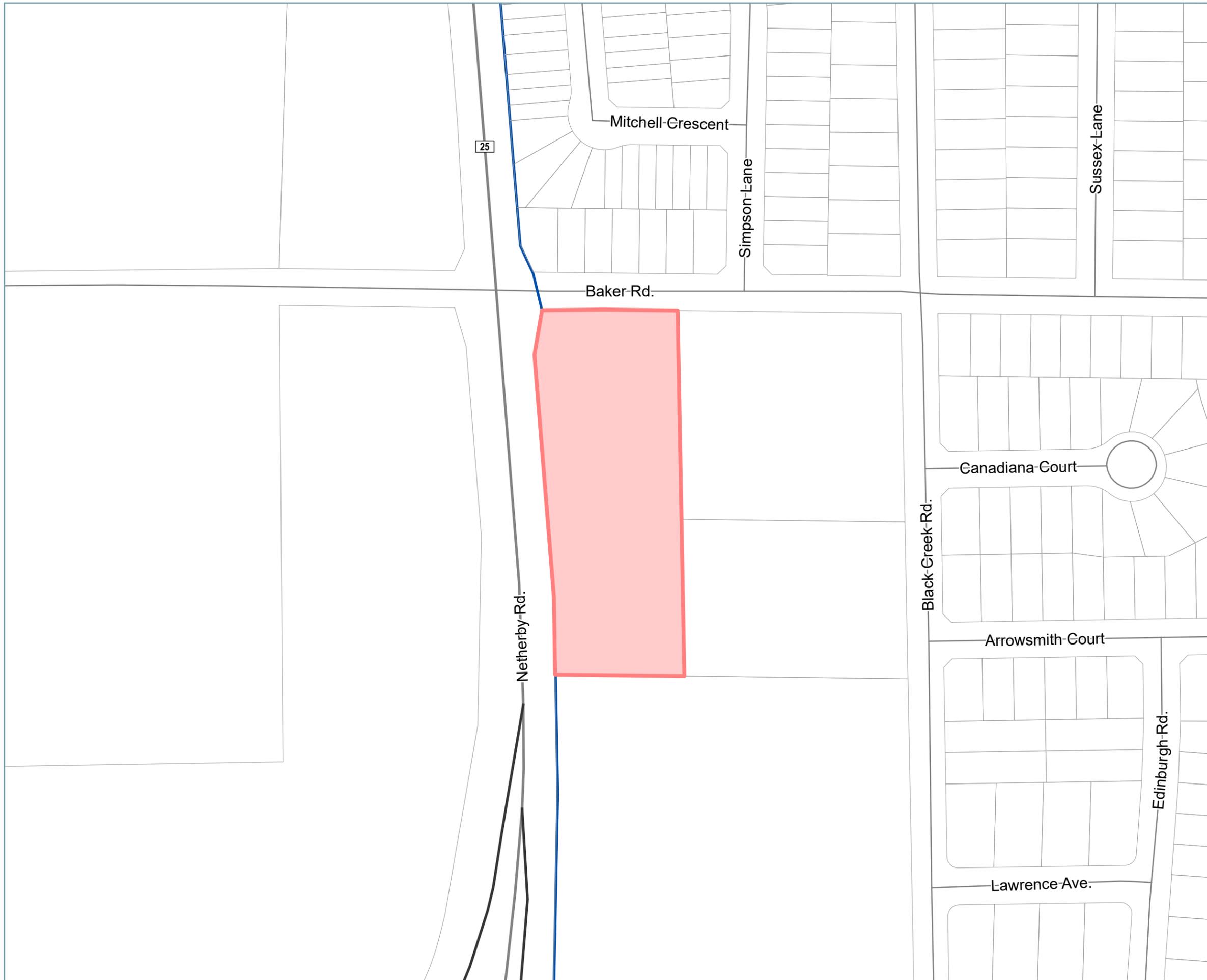
Fort Erie Official Plan

Schedule O - Site
Specific Policy Areas
G.34 0-17644 Baker Road

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



Fort Erie Official Plan

Schedule O - Site
Specific Policy Areas
G.35 4301 Niagara River Parkway

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



0 15 30 60 90 Meters



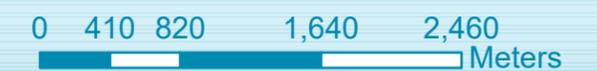
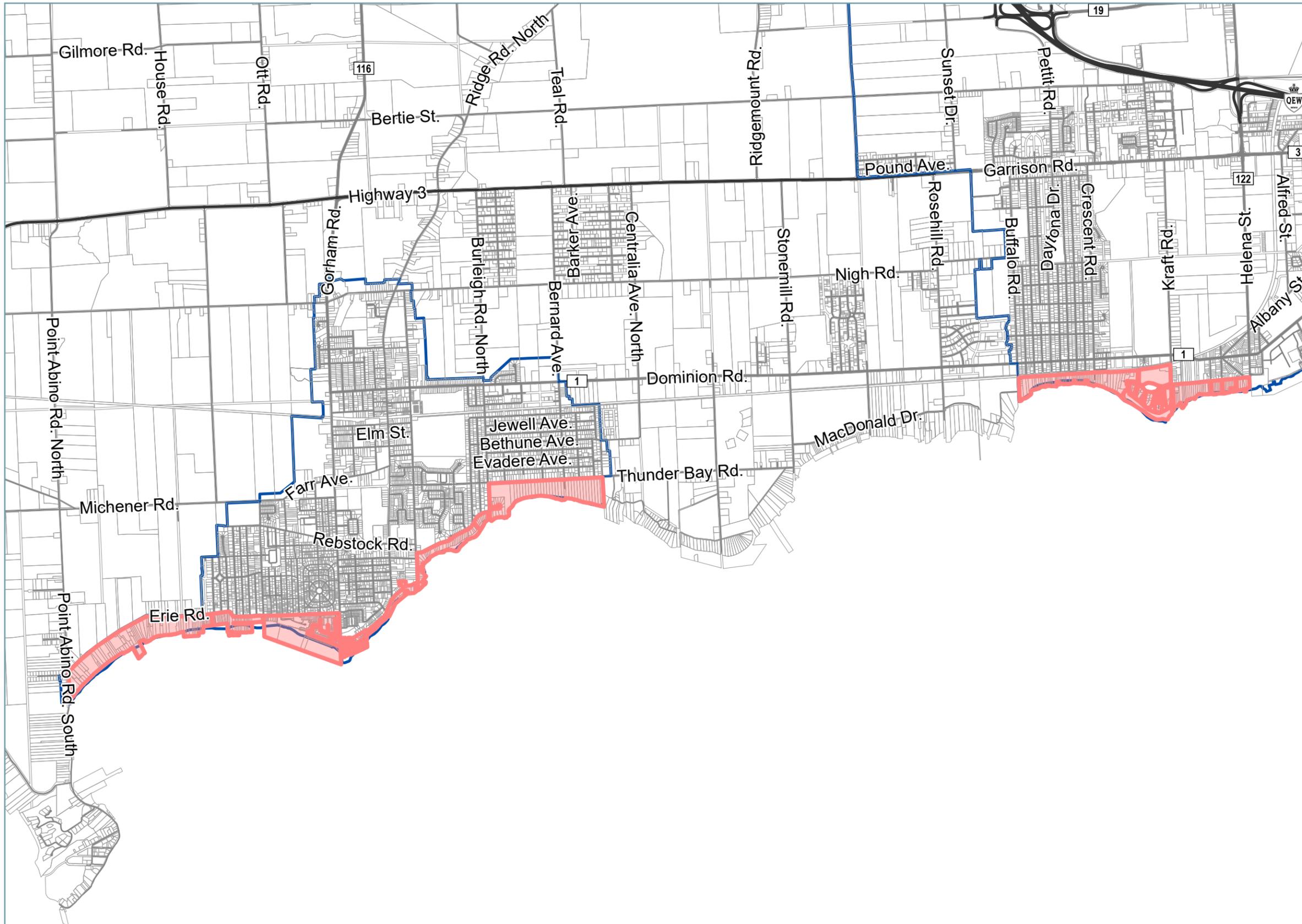
Fort Erie Official Plan

Schedule O - Site Specific Policy Areas G.36 Fort Erie Waterfront Area

Final For Council Adoption | August 2025

Legend

-  Subject Lands
-  Settlement Area Boundary
-  Parcel Boundary



Fort Erie Official Plan

Schedule P - Secondary Plan Areas

Final For Council Adoption | August 2025

Legend

 Secondary Plan Boundary

Base Features

 Municipal Boundary

 Settlement Area Boundary

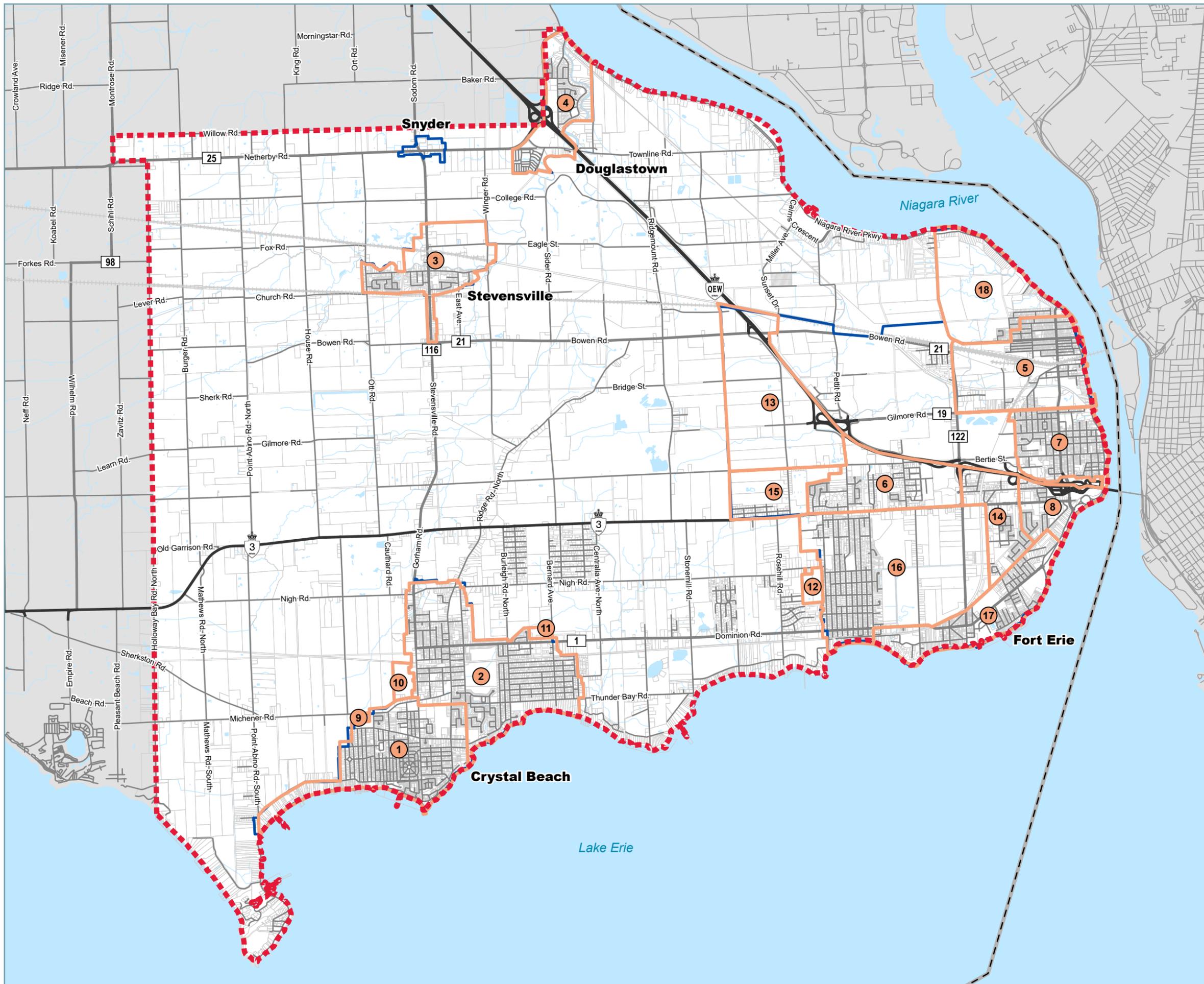
 International Border

Existing Secondary Plan Areas

1. Crystal Beach Secondary Plan
2. Ridgeway - Thunder Bay Secondary Plan Area
3. Stevensville Secondary Plan Area
4. Douglastown - Black Creek Secondary Plan Area
5. Bridgeburg Secondary Plan
6. Spears/High Pointe Secondary Plan Area
7. Southend Secondary Plan Area
8. Gateway Secondary Plan Area

Future Secondary Plan Areas

9. Expansion Area
10. West Gorham Community Expansion Area
11. Expansion Area
12. Nigh Road Expansion
13. Bowen-West QEW Employment Expansion Area
14. Walden/Garrison Neighbourhood
15. High Pointe West Community Expansion Area
16. Crescent Park/Kraft Neighbourhoods
17. Lakeshore Neighbourhood
18. Bridgeburg North Secondary Plan





Town of Fort Erie

Schedule B: Bridgeburg Secondary Plan

4.15. BRIDGEBURG SECONDARY PLAN

Note: The Bridgeburg Secondary Plan was approved by Regional Council but is under appeal to the Ontario Municipal Board (OMB). The lands shall be used in accordance with the land use designations on Schedule A and corresponding policies in this Plan, unless the Ontario Municipal Board (OMB) approves Regional Council's decision to expand the urban area boundary in Bridgeburg north as reflected in Part 1 of Regional Policy Plan Amendment #4-2006, and Official Plan Amendments # 5 and 65 to the Town of Fort Erie Official Plan. Should local Official Plan Amendment (OPA) #5 be approved by the OMB, all of the policy text and Schedules associated with Section 4.15 of this Plan, which reflect OPA #5, shall be referred to for interpretation and implementation of this Plan.

4.15.1. PURPOSE OF THE BRIDGEBURG SECONDARY PLAN

The purpose of the Bridgeburg Secondary Plan is to provide a framework for renewal within this community. The Secondary Plan consists of a land use plan and related policies to guide development and redevelopment. The plan will provide a guide for planning this neighbourhood for the next approximately 20 years, and will be subject to amendments and review as may be required during this time frame. Other non-land matters are addressed in the Bridgeburg Neighbourhood Plan, which was approved by the Municipal Council on December 8, 2008 through Resolution No. 11. The Bridgeburg Neighbourhood Plan is a guideline for recommended actions by the Town and other stakeholders, on a wide range of matters including land use, housing, core area revitalization, adaptive reuse of historical structures, brownfield redevelopment, natural and cultural heritage, by-law enforcement, parking and social condition improvement. The Bridgeburg Neighbourhood Plan should be referred to for more detailed information on the goals, objectives and policies surrounding this Amendment.

4.15.2. VISION

The desired future state of the Bridgeburg Neighbourhood, within the approximate 20-year time frame of this Plan, is a balanced, stable community in which the diverse needs of all stakeholders are met. The Plan is guided by the following vision statement, which was produced by the Community Focus Group and formed part of the Neighbourhood Plan:

Bridgeburg is a vibrant neighbourhood with a strong sense of community and a rich history linked to the Canadian railroad industry. The most unique aspects of Bridgeburg include our beautiful riverfront location together with a defined, historic core area

encompassing a number of heritage buildings and places. We promote business and tourism related to our riverfront and our railway heritage, while we remain connected to and mindful of our neighbouring residential community.

Those elements that make Bridgeburg special for us and reflect our values and aspirations for the future are embodied in our commitments.

- a) Well thought-out neighbourhood planning that sustains the value of our community*
- b) Respectful use and care for the environment including our parks, trails and especially our riverfront lands*
- c) Communication and Involvement of Citizens*
- d) Vibrant business growth, consistent with a defined historical core*
- e) Safety and Education in our Community*

4.15.3. **GOALS**

The Bridgeburg Secondary Plan will provide for a variety of residential densities, commercial, mixed use, open space and other areas to meet the diverse needs of its many citizens that include homeowners, businesspersons, shoppers, visitors, and tourists. The area is intended to become the Town's primary location for intensification and infilling, with higher densities directed towards appropriate locations such as the Central Business District, the Niagara River Waterfront, Brownfield Areas, and along major transportation corridors.

4.15.4. **OBJECTIVES**

The main objectives of the Bridgeburg Secondary Plan are to:

- a) Provide a diversity of suitable housing choices.
- b) Ensure new infill housing and renovations are compatible with existing development.

- c) Encourage development forms which are compact, to help provide opportunities to relieve pressures for urban expansion, such as higher densities and mixed use along major transportation corridors.
- d) Provide employment choices within the area that are compatible with residential uses, allowing residents the option to live and work in close proximity.
- e) Conserve all existing open space areas and natural areas, including significant features such as Frenchman's Creek and the Niagara River waterfront.
- f) Provide a strong single central business district in the Jarvis Street area.
- g) Eliminate industrial uses in the core area over the long term and redevelop these Brownfield sites for residential purposes to create urban renewal, make better use of existing infrastructure and create opportunities for compact walkable communities that are more compatible with the surrounding residential community. Industrial uses are better suited to areas with more direct access and/or visibility to major transportation corridors such as the Queen Elizabeth Highway.
- h) Conserve built heritage features, including buildings and areas of historical and architectural significance, especially features associated with the Neighbourhoods rich railway heritage.
- i) Enhance the design and identity of the Bridgeburg Neighbourhood by the addition of design features to accentuate streetscapes and gateways.
- j) Ensure that the transportation system provides for the needs of all citizens, encourages a compact urban form and enables the use of alternative travel modes.
- k) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public / private utilities are provided to adequately service the residents, businesses and institutions of this area.
- l) In order to provide a catalyst for urban renewal and downtown revitalization, revisions to existing residential approvals together with some limited

opportunities for new growth and development will be provided through a minor rounding out of the urban boundary in the North Bridgeburg area.

- m) The North Bridgeburg area shall be promoted for new housing development catering to the needs of empty nesters and retirees in an adult lifestyle community living environment and resource based recreation development owing to the proximity of these lands to the Niagara River Parkway and related amenities.
- n) New housing development will be integrated with existing built up areas, open spaces and natural heritage features. Previously approved subdivision plans featuring large one acre lots on municipal water and private services will be revised to reflect urban development requirements on full municipal services.

4.15.5. **RESIDENTIAL - GENERAL POLICIES**

- a) Schedule “Bridgeburg-2” designates areas for residential redevelopment, intensification and infilling in the Bridgeburg Neighbourhood, in an effort to promote a compact urban form, reduce urban sprawl and encourage population growth, which in turn can assist in revitalizing the Central Business District.
- b) The Bridgeburg Secondary Plan provides for an additional 1000 dwelling units and 2400 persons in the Bridgeburg Neighbourhood over the next approximately 20 years.
- c) An appropriate level of affordable housing and senior citizen’s housing shall be considered by the Town when reviewing development applications in the Bridgeburg Neighbourhood, in keeping with Provincial Policy. Such developments shall be integrated with other forms of housing rather than segregated and isolated, in order to provide a more cohesive and inclusive neighbourhood and environment.

4.15.6. **LOW DENSITY RESIDENTIAL POLICIES**

- a) The lands designated on Schedule “Bridgeburg-2” as “Low Density Residential” shall be reserved for single detached, semi-detached and duplex dwellings, and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7.

- b) An overall target of 70% low density residential use shall be expected in the Neighbourhood.
- c) Schedule “Bridgeburg-2” provides for an additional approximately 560 low density units, bringing the total to 1750 units over the next approximately 20 years.
- d) The residential density associated with lands designated as Low density Residential shall be 10 to 25 units per gross hectare.

4.15.6.1. POLICY AREA 1 – CROOKS/BOWEN DEVELOPMENT SITE

Due to the unique natural constraints located upon and adjacent to lands shown as Policy Area 1, an Environmental Impact Study (EIS) shall be required prior to development of this site, as per the policies of Section 7.B.1.11 of the Regional Niagara Policy Plan as amended from time to time.

4.15.7. MEDIUM TO HIGH DENSITY RESIDENTIAL POLICIES

- a) The lands designated on the Schedule “Bridgeburg-2” as “Medium to High Density Residential” shall be reserved for multiple-unit structures (townhomes and apartment homes), and their accessory uses, and the Residential policies of Section 4.7 shall apply.
- b) An overall target of 30% Medium to High Density Residential use is expected in the Neighbourhood, due to the opportunities that exist for higher density residential development on brownfield sites and infill sites.
- c) Schedule “Bridgeburg-2” provides for an additional approximately 440 Medium to High Density units, bringing the total to 750 units over the next approximately 20 years.
- d) The residential density associated with lands designated as Medium to High Density Residential shall be 25 to 50 units per gross hectare.
- e) Lands designated Medium to High Density Residential, including site specific Policy Areas, shall not be downzoned for lesser density than permitted by the implementing zoning by-law.

- f) Building heights shall be no greater than five (5) stories, except as otherwise noted through Site-Specific Policy Areas in this Plan and in the implementing zoning by-law. Additional building height may be considered if it is demonstrated through the zoning approval process that additional height is compatible.

4.15.7.1. POLICY AREA 2 – WEST JARVIS BROWNFIELD SITE

- a) The land designated as Policy Area 2 on Schedule “Bridgeburg-2” shall be reserved for “Medium to High Density Residential” use in order to provide additional housing opportunities in the core area of Bridgeburg.
- b) The Town shall encourage rehabilitation and redevelopment of this site through policies contained in its Brownfields Community Improvement Plan, including possible financial assistance for an environmental assessment of the site and site clean-up prior to it being utilized for residential purposes.
- c) The maximum height of any building on this site shall be four (4) storeys.

4.15.7.2. POLICY AREA 3 – HORTON RESIDENTIAL REVITALIZATION AREA

- a) The Subject lands shall be redesignated from Industrial and Commercial to Residential, in accordance with the Bridgeburg Neighbourhood Plan and Council’s stated intention that the subject brownfield areas be redeveloped for a Residential use more compatible with the surrounding neighbourhood.
- b) Lands designated as Policy Area 3 are intended for a mix of low, medium and high density residential uses as well as ancillary uses required to serve the residential area. Commercial uses shall be limited in light of the site’s proximity to the Central Business District. With respect to built form, the subject area shall be developed for a mix of small-lot singles, townhomes and low-to-mid rise apartment houses. The maximum height of any building in this area shall be six (6) storeys.
- c) The Town may promote the subject area as the prime candidate for Brownfield Redevelopment, and shall liaise with other government agencies and the landowner to promote the site and obtain any financial assistance available for the remediation and redevelopment of the site for residential purposes.

- d) The Town and the Economic Development and Tourism Commission may encourage existing Industrial and Commercial uses within the area to relocate to more suitable areas elsewhere in the municipality, including the Fort Erie Business and Industrial Park located along the Queen Elizabeth Way.
- e) Any development plan for this area shall reserve the former Erie-Niagara Railway lands for linear open space/trail use in accordance with Schedules “Bridgeburg-2”, “Bridgeburg-3” and “Bridgeburg-4”.
- f) Notwithstanding the provisions of Section 4.15 d)7 of this Plan, the permitted use of lands located at 40 Jennet Street, being the former Horton CBI Steel property described as ARN 2703-010-047-02300-0000 shall also include storage, warehousing, offices, accessory indoor assembly operations, forging operations excluding drop forges, and expansions thereof within buildings existing on the site as of the date of approval of the Secondary Plan by Town Council. These uses may be more specifically recognized in a by-law passed under Section 34 of the Planning Act. In conjunction with the intensification and/or expansion of any existing industrial use, a Site Plan Agreement pursuant to Section 41 of the Planning Act shall be submitted and approved by Council within one year of adoption of the Secondary Plan by Town Council. In considering a Site Plan, Council shall be satisfied if matters pursuant to Section 4.2.A of the Official Plan relative to landscaping and stormwater management are addressed.
- g) Notwithstanding the provisions of Section 4.15.7 of this Plan, the permitted use of lands located at 465 Central Avenue, described as ARN 2703-010-047- 02805-0000 and 469 Central Avenue, described as ARN 2703-010-047- 02800-0000 shall also include limited commercial uses which may be more specifically recognized in a by-law passed under Section 34 of the Planning Act.

4.15.8. CORE MIXED-USE POLICIES

The lands designated as “Core Mixed-Use” on Schedule “Bridgeburg-2” shall be reserved for a variety of retail and office uses, as well as residential uses, and the policies of Section 4.8 and Section 4.15.15.1 shall apply.

4.15.8.1. POLICY AREA 4 – BRIDGEBURG CORE MIXED-USE AREA

- a) The lands designated as Policy Area 4 on Schedule “Bridgeburg-2” shall be reserved for “Core Mixed-Use” as per Section 4.8, including higher density

residential use and limited commercial use located on the ground floor only, in order to provide additional housing opportunities in the core area of Bridgeburg.

- b) The Town shall encourage rehabilitation and redevelopment of this area through policies contained in its Brownfields Community Improvement Plan, including possible financial assistance for an environmental assessment of specific sites within the area and site clean-up prior to use for residential purposes.
- c) The maximum height of any building in this area shall be five (5) storeys, and the residential density shall be 25 to 50 units per gross hectare.

4.15.9. **COMMERCIAL POLICIES**

The lands designated as “Commercial” on Schedule “Bridgeburg-2” shall be reserved for a variety of retail and office uses, and the policies of Section 4.9 shall apply.

4.15.9.1. POLICY AREA 5 – BRIDGEBURG CENTRAL BUSINESS DISTRICT

- a) The Town shall initiate an updated Community Improvement Plan and Streetscape Plan for Jarvis Street and those portions of Central Avenue and Niagara River Parkway lying between Jarvis Street and the CNR lands.
- b) The Community Improvement Plan and Streetscape Plan shall refine the key aesthetic and functional integration issues outlined in the Bridgeburg Neighbourhood Plan, in order to create a clean, healthy, livable environment that offers visual and cultural richness.
- c) The Town shall encourage rehabilitation and redevelopment of this area through policies contained in the updated Community Improvement Plan, including financial assistance/tax abatement programs for sites within the designated area.
- d) The Town shall encourage retention of the character of Jarvis Street by restricting the height of buildings to a maximum of three (3) storeys, except those lands east of Klauck Street and west of the Niagara River Parkway where the height of buildings shall be restricted to a maximum of ten (10) storeys.
- e) Financial incentive programs as approved under Section 28 of the Planning Act, as may be revised, will continue to be provided for the Central Business District,

within the Town's financial ability to do so. The addition of any new financial incentive programs will be undertaken only with the proper approval of such programs under the Planning Act or other applicable legislation. Funding programs will be investigated to enhance and upgrade the appearance of the commercial areas and also for residential intensification projects. These may include programs similar to the façade restoration program, or other programs, to encourage property owners to upgrade and / or restore storefronts.

- f) Municipal investment in the infrastructure of the Central Business District, such as improvements to lighting and other amenities, may be proposed through various studies. These will be used to help promote additional private investment and upkeep in these areas. Such improvements and associated costs will require approval by Council, through the budget processes, once specific studies are prepared.

4.15.10. **INSTITUTIONAL GOVERNMENT POLICIES**

The lands designated as “Institutional/Government” on Schedule “Bridgeburg-2” shall be reserved for a variety of public and institutional uses, and the policies of Section 4.12 shall apply.

4.15.10.1.POLICY AREA 6 – MENTHOLATUM ADAPTIVE REUSE SITE

- a) The Town shall encourage the acquisition of the subject site by a non-profit or governmental agency, and shall liaise with community partners in order to identify an appropriate purchaser and/or tenant for the building.
- b) The Museum and Cultural Heritage Committee shall investigate this site for possible designation as a Heritage Property, in recognition of its historic place in the early development of the Bridgeburg community.
- c) The main use of the building shall be for a variety of community purposes and events, as well as operations space for community organizations.
- d) The use of the site for youth services shall be strongly encouraged.

4.15.11. **INDUSTRIAL/BUSINESS EMPLOYMENT**

- a) Lands designated as “Industrial/Business Employment” on Schedule “Bridgeburg-2” shall be reserved for an integrated mix of industrial and

manufacturing operations as well as business activities, and the Industrial/Business Employment policies of Section 4.10 shall apply.

- b) All future industrial/manufacturing uses in the Bridgeburg Neighbourhood shall be located within the areas designated for such use on Schedule “Bridgeburg-2”. Other lands currently designated for Industrial use in the Town of Fort Erie Official Plan, particularly within close proximity to residential areas and the Central Business District, shall be redesignated to a more appropriate and compatible use as described on Schedule “Bridgeburg-2”.
- c) Prior to development of the Industrial/Business Employment Area, the Town shall initiate a Master Servicing and Development Study in accordance with Section 4.15.16 c).
- d) This Plan encourages the connectivity between the Industrial/Business Employment Area and the Residential Areas to the north and east through the proposed Transportation Network as shown on Schedule “Bridgeburg-4”, including pedestrian, bicycle, and transit linkages.

4.15.11.1.POLICY AREA 7 – SPECIAL POLICY AREA: INDUSTRIAL DRIVE FLOODPLAIN AREA

The lands designated as Policy Area 7 shall be governed by the policies contained in Section 4.14.3, in recognition of the unique character of the area and its location in proximity to the 1-in-100 year floodplain.

4.15.12. OPEN SPACE

- a) The lands designated as “Open Space” on Schedule “Bridgeburg-2” shall be reserved for a variety of active and passive recreational and open space uses, and the Open Space policies of Section 4.13 shall apply.
- b) A minimum additional 2.2 ha of land for Neighbourhood Parks shall be reserved in the Neighbourhood in a location as generally shown on Schedule “Bridgeburg-2”.
- c) Improvements to, and additional facilities for, parks within the Bridgeburg Neighbourhood shall generally be implemented as per the Parks and Open Space Master Plan, and any amendments thereto as approved by Council.

- d) An aquatic facility shall continue to be a feature of Sugarbowl Park, in recognition of the importance of such a facility to the revitalization of the Neighbourhood, and its importance to the Town as a whole. Staff shall investigate any outside funding sources for the implementation of this project.
- e) Any development of these lands shall only be permitted above the 1-in- 100-year flood elevation pursuant to the approval of the Niagara Peninsula Conservation Authority.

4.15.12.1.POLICY AREA 8 – RIVERFRONT PUBLIC PLAZA SITE

- a) The Town recognizes the subject site as a key public focal point in the neighbourhood, due to its prime waterfront location, with potential to act as a catalyst for future residential and commercial growth in the area.
- b) The Town shall investigate development of the subject site as a Riverfront Public Plaza, in cooperation with other public bodies and agencies.
- c) A feasibility study and refined concept plan shall be initiated for the subject property, in order to identify those uses that are best suited to the site and would provide positive economic benefits for the Central Business District, the Neighbourhood, and Fort Erie as a whole.
- d) The Town shall liaise with community partners in order to identify funding sources for the development of the Riverfront Public Plaza Site.
- e) Any development of this site shall incorporate the Trans-Canada Trail/Greater Niagara Circle Route into the development, and allow for its unimpeded continuation through the development site.
- f) Any development of these lands shall only be permitted above the 1-in-100-year flood elevation pursuant to the approval of the Niagara Peninsula Conservation Authority.

4.15.13. NATURAL HERITAGE POLICIES

All of the policies of Section 8 shall apply to natural heritage resources within the Bridgeburg Secondary Plan Area. The following additional policies also apply:

4.15.13.1.GENERAL

An Environmental Planning Study shall be undertaken in conjunction with the Master Servicing and Development Study described in Section 4.15.12c, for any development within and/or adjacent to Environmental Conservation Areas and Environmental Protection Areas. Such study shall also consider recommendations stemming from the Fort Erie Creeks Watershed Plan.

4.15.13.2.ENVIRONMENTAL PROTECTION AREA

- a) Lands designated as “Environmental Protection” on Schedule “Bridgeburg-2” and Schedule “Bridgeburg-3” shall be protected from incompatible development in accordance with the policies of Section 8. No development or site alteration shall occur within an Environmental Protection Area.
- b) The Town shall adopt a zoning by-law amendment to reflect the Environmental Protection Area.
- c) No development will be considered on lands adjacent to an Environmental Protection Area without benefit of an Environmental Impact Study (EIS) as may be required by the policies of Section 7.B.1.11 of the Regional Niagara Policy Plan, as amended from time to time.
- d) The Niagara Peninsula Conservation Authority and the Regional Municipality of Niagara shall be consulted with respect to any development proposals adjacent to or within 120m of an Environmental Protection Area.

4.15.13.3.ENVIRONMENTAL CONSERVATION AREA

- a) The policies of Section 8, and the regulations of the Niagara Peninsula Conservation Authority shall apply to lands identified on Schedule “Bridgeburg-2” and “Bridgeburg- 3” as “Environmental Conservation (Overlay)”.
- b) The Niagara Peninsula Conservation Authority shall be consulted with respect to any development proposals located within, adjacent to or within 50m of an Environmental Conservation Area.
- c) No development will be considered without benefit of an Environmental Impact Study (EIS) as per the policies of Section 7.B.1.11 of the Regional Niagara Policy Plan, as amended from time to time.

4.15.13.4. NATURAL HERITAGE CORRIDORS (REGIONAL)

The policies of Section 7B of the Regional Niagara Policy Plan (Core Natural Areas including Potential Natural Heritage Corridors) shall apply to those areas identified on Schedule “Bridgeburg-3” as “Natural Heritage Corridors (Regional)”.

4.15.14. SENSITIVE USES IN PROXIMITY TO RAILWAYS AND RAILYARDS POLICIES

Any proposed residential or other sensitive use development shall be in conformity with Section 10.6.

4.15.15. TRANSPORTATION POLICIES

- a) Improvements to the road system and road reconstruction shall be carried out in accordance with the standards adopted by Council pertaining to municipal roads, and Council will strongly consider the existing character of the neighbourhood when making road improvement decisions.
- b) It is not intended that all road improvement proposals will be undertaken in the immediate future, but the Town shall, in conjunction with the Region, prepare a detailed staging plan for road improvements and establish an order of priorities for such improvements.
- c) The Town shall initiate a Master Servicing and Development Study which includes an Environmental Planning Study for the Bridgeburg Neighbourhood, in order to determine the parameters, costs, impacts and alternatives associated with development of transportation improvements. New roads shown within or adjacent to Environmental Conservation areas are conceptual and their final location shall be determined through the above-noted studies.
- d) Niagara River Parkway - Residential development outside the Urban Area is generally not permitted direct access to the Niagara River Parkway, but rather obtains access through a service road system which is also controlled by the Niagara Parks Commission. Approval of the Niagara Parks Commission shall be required for any Commercial developments fronting along the Parkway. The comments of the Niagara Parks Commission relating to traffic concerns and/or requirements shall be obtained pertaining to large-scale development applications up to 800 metres from Niagara Parks Commission lands.

- e) The development of the road network in Bridgeburg shall be in accordance with Section 12.7 of the Town Official Plan.
- f) The Bridgeburg Neighbourhood Plan identifies several important transportation initiatives essential to the successful comprehensive redevelopment of the Neighbourhood. These initiatives are subject to financing and budgeting considerations of the Town and the Region and may require additional financial assistance from other levels of government and other agencies/partners. In certain cases, the private sector may be required to contribute towards transportation improvements in order to facilitate redevelopment.

4.15.16. **PUBLIC TRANSIT POLICIES**

- a) The Town shall continue to provide convenient, local transit service to the Bridgeburg Neighbourhood within its financial capability to do so.
- b) Any study undertaken by the Town respecting the provision of municipal transit services shall examine the Bridgeburg Neighbourhood, in order to determine possible system improvements to increase convenience to riders, increase access to key neighbourhood focal points, and to ensure that transit vehicles can accommodate the physically challenged.
- c) The Town shall explore the feasibility of establishing a multi-modal transit terminal, and shall consider Bridgeburg as a possible location for such a terminal in light of the opportunity for future passenger rail service being established along the CNR/CPR lines into Fort Erie and Buffalo.
- d) The Town shall encourage the provision of expanded Niagara Falls People Mover service to the Old Fort Erie Historic Site and the Central Business District, in order to provide opportunities for visitors to transfer to Regional and Inter-Regional transit systems, and to promote Jarvis Street as a shopping and dining area.

4.15.17. **BRIDGEBURG GREENWAYS – OPEN SPACE NETWORK POLICIES**

- a) The Town shall promote the Bridgeburg Greenways, a trailway system throughout the Bridgeburg Neighbourhood as shown on Schedule “Bridgeburg-3”, in order to link key focal points of the neighbourhood including the Central

Business District, Sugarbowl Park, Library, Rail Heritage Interpretive Area, Frenchman’s Creek Natural Area, and also to link the Neighbourhood with the Niagara River Recreational Trail and the Friendship Trail and thereby the Greater Niagara Circle Route and the Trans-Canada Trail System.

- b) Any future transportation and/or leisure studies and ensuing public works in Bridgeburg shall incorporate the Bridgeburg Greenways into its design where appropriate.
- c) The Bridgeburg Greenways shall generally follow the route outlined on Schedule “Bridgeburg-3”, including the routes previously identified by the Regional Niagara Bikeways Master Plan.
- d) The portion of the Bridgeburg Greenways abutting the former CN Rail Yard and remaining buildings, lying west of Lewis Street and north of Warren Street, shall be designated as a “Rail Heritage Interpretive Area”, incorporating historical items and themes showcasing the history of Bridgeburg and its historic importance as a major rail centre in Canada.
- e) The various components of the Greenways system will be prioritized and developed in phases, based on the financial ability of the Town to fund such development, and the involvement of funding partners such as the Region, the Province and the Niagara Parks Commission.
- f) The Town shall strongly encourage the Niagara Parks Commission to complete its Niagara River Recreational Trail through Bridgeburg, from its current terminus in North Bridgeburg southerly to Riverwalk, to provide a complete connection through the Town of Fort Erie and an offroad component of the Greater Niagara Circle Route.
- g) An Environmental Impact Study may be required to address the specific location of trails such that the natural environment is not negatively impacted.

4.15.18. **PARKING POLICIES**

- a) The Town shall undertake a parking study in order to arrive at long term solutions for the provision of municipal parking facilities in the Bridgeburg Neighbourhood, paying particular attention to the Central Business District.

- b) The existing municipal parking lots in the Central Business District shall be retained in the interim, and their ultimate disposition shall be determined based upon the results of the parking study referred to above.
- c) All new municipal or private parking areas shall be designed and constructed in a way that provides adequate screening and landscape buffering where abutting residential properties.
- d) When roads of sufficient allowance width are slated for reconstruction, consideration will be given to the provision of a parking lane on at least one side of the street.
- e) The existing “angle” parking on the north side of Jarvis Street may be reconfigured to “parallel” parking if required to accommodate a new streetscape plan developed for the Central Business District.
- f) The Bridgeburg Station Downtown Business Improvement Area shall be consulted regarding any changes to the provision of parking within the Central Business District.

4.15.19. **CULTURAL HERITAGE POLICIES**

- a) The Policies of Section 2.3.10 shall apply to Cultural Heritage matters within the Bridgeburg Secondary Plan Area.
- b) The Town will seek to protect and conserve the character of Bridgeburg, particularly with respect to those buildings and areas representative of formative settlement from the late-eighteenth, nineteenth and twentieth centuries. Buildings, structures, open spaces and streetscapes from this period contribute to the special historical character of the Town and Council may designate properties either individually or collectively as heritage conservation districts under the Ontario Heritage Act.

4.15.20. **MUNICIPAL SERVICE POLICIES**

- a) Municipal services such as sewers, water stormwater and public/private utilities will be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in the Bridgeburg Neighbourhood.

- b) Stormwater management approaches will be utilized in the Bridgeburg Neighbourhood to address existing problems, future land use changes and road reconstruction works and opportunities for major storm sewer / storm water management facility works. These will include a combination of methods suitable for each type of situation. Examples of such approaches may include new storm water management facilities and the diversion of existing flows to improve the system, on-site controls for new development, enhancement of storm sewer outfalls, review of current policies (e.g. roof-leader disconnection), and / or collection of cash-in-lieu funds.

- c) The Town shall initiate a Master Development and Servicing Study for the Bridgeburg Neighbourhood, in order to determine the parameters, costs, impacts and alternatives associated with development of servicing improvements. Such a strategy shall also include an Environmental Planning Study for any development within and/or adjacent to Environmental Conservation and Environmental Protection Areas. Such Strategy shall also consider recommendations stemming from the Fort Erie Creeks Watershed Plan.

- d) Lands abutting and in proximity to the Anger Avenue sewage treatment facility may only be developed in accordance with Policy 8.A.7 of the Regional Niagara Policy Plan, in order to minimize the impact of odour problems that may be generated at said facility.

4.15.21. **GATEWAY AREAS**

- a) Bridgeburg Neighbourhood takes its name from the historic settlement name for this area of Fort Erie, which was a separate, incorporated municipality until amalgamation with the Town of Fort Erie in 1931. The name of this neighbourhood reflects its location and importance as the international railway gateway to not only the Town but also the country. As well, travelers along the Niagara River Parkway tourist route from Niagara Falls encounter the Bridgeburg Neighbourhood as the first urban area of Fort Erie. It is therefore of utmost importance that travelers and visitors gain a positive “first impression” when entering the neighbourhood from the Parkway and from other parts of the municipality. In this regard, the Bridgeburg Secondary Plan identifies neighbourhood gateway feature areas, intended to enhance the visual quality of the neighbourhood at key entry points into the area.

- b) Lands designated on Schedule “Bridgeburg-2” as “Neighbourhood Gateway Feature” areas shall be developed for unique gateway features welcoming visitors to the neighbourhood. An opportunity exists to provide distinctive signage for these gateway areas. Landscaping would be enhanced providing hedges with year-round foliage and colour, strategically located to define edges and provide focus, as well as planting beds on the existing grade.
- c) The Town shall promote the development of gateway feature areas in conjunction with implementation of the Wayfinding Signage Program.

4.15.22. **POLICY AREA 9 – NORTH BRIDGEBURG/FRENCHMAN’S CREEK AREA**

- a) The North Bridgeburg/Frenchman’s Creek Site Specific Policy Area 9 applies to those lands identified as such on Schedule “Bridgeburg-2”. These lands north of Arcadia Street Road Allowance are designated in part as Urban Residential, Open Space, Commercial, Institutional, Environmental Conservation overlay and Environmental Protection. Development shall be in accordance with the policies associated with these designations. Development may proceed upon inclusion of these lands in the Urban Area Boundary of the Regional Niagara Policy Plan.
- b) Given the significant natural heritage features on site, an Environmental Planning Study (EPS), completed by a qualified consultant on behalf of the developer(s) or property owner(s), will be required in accordance with the Natural Heritage Section of the Official Plan. The EPS should be completed in association with a Neighbourhood Plan outlining how the lands will be developed and serviced in accordance with the policies of this plan. A Comprehensive Servicing Study and overall Storm Water Management Plan will form important components of the Neighbourhood Plan.
- c) The North Bridgeburg area offers outstanding opportunities for recreation and green space activity, stunning views of the Niagara River, close proximity to downtown Fort Erie and access to amenities including the Niagara Parkway, Frenchman’s Creek, golf courses, parks and a host of other local and regional attractions. These features and locational attributes provide an ideal setting for the development of an active, adult lifestyle community, to attract new residents to the Bridgeburg area. The creation of an attractive, healthy, compact and environmentally progressive community, designed for active adults, will be guided by the following policies:

- i. All new development will be sensitive to surrounding land uses.
- ii. The design of new subdivisions will be integrated with existing built up areas with appropriate linkages to the Niagara River Parkway, natural heritage areas, golf courses, parks and other local amenities.
- iii. New subdivision development will provide a wide variety of housing choices for incoming residents. A mix of single detached, semi-detached, town homes and condominium apartments will be provided in a compact urban form.
- iv. New housing construction will cater to the needs of the 55 + age group. A variety of housing styles and designs will be provided which are energy efficient, easy to maintain, secure and grade level accessible.
- v. All development in the North Bridgeburg area will contribute to a healthy community living environment with compact and integrated built forms and access to public open spaces, recreation and outdoor activities to encourage walking and bicycling.
- vi. Existing servicing infrastructure including sewage treatment facilities at the Anger Avenue plant, storm water outlets and municipal water supply are readily available to accommodate development in the North Bridgeburg area and should be so utilized.
- vii. Land use intensification and increased densities will be promoted to maximize the use of existing infrastructure and provide cost efficient development.

4.15.23. **INTERPRETATION OF THE PLAN**

- a) The Bridgeburg Secondary Plan consists of Sections 4.15.1 through 4.15.23, and Schedules "Bridgeburg- 1", "Bridgeburg-2", "Bridgeburg-3" and "Bridgeburg- 4". The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

4.15.24. **FORT ERIE HILLS (Policy Area 35)**

CORE MIXED –USE POLICIES

- a) The lands designated as “Core Mixed-Use” on Schedule “A” shall be reserved for a variety of local neighbourhood commercial uses, as well as residential uses.
- b) Commercial uses shall be limited to 50% of the ground floor area.
- c) Residential uses will be permitted on the ground floor up to 50% and residential uses will only be permitted on all floors above the ground floor in order to provide additional housing opportunities in the Bridgeburg neighbourhood.
- d) Building height will be detailed in the Town’s Zoning By-law 129-90.

ENVIRONMENTAL PROTECTION POLICIES

- a) All of the policies of Section 8 shall apply to natural heritage resources within the Policy Area Fort Erie Hills.
- b) Notwithstanding the policies in Section 8 these lands may also be used for pedestrian paths.

URBAN RESIDENTIAL POLICIES

- a) The lands designated on Schedule “A” as “Urban Residential” shall be reserved for single-detached, semi-detached, duplexes, townhouses and apartment dwellings, and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7. 4.1.
- b) A minimum density of 50 units per hectare and a maximum density of 85 units per hectare shall be expected in Fort Erie Hills.
- c) This designation shall also permit stormwater management facilities and any necessary pumping stations.

OPEN SPACE POLICIES

- a) The lands designated as “Open Space” on Schedule “A shall be reserved for a variety of active and passive recreational and open space uses.

(Amended by By-law 2017-123, OPA #38)

4.15.25. **MILLER LANDS (Policy Area 38)**

URBAN RESIDENTIAL POLICIES

- a) The lands designated on Schedule “A” as “Urban Residential” shall be reserved for single detached, semi-detached, duplexes, townhouses and apartment dwellings, and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7. Notwithstanding the policies of Section 4.7 the site shall:
 - a. Have a minimum density of 50 people and jobs per hectare, subject to any adjustments resulting from the Municipal Comprehensive Review being undertaken by the Niagara Region, and a maximum density of 85 people and jobs per hectare.
 - b. Permit required storm, sanitary, water and road infrastructure to allow for development once comprehensive servicing studies (including consideration of phasing) have been reviewed for the site and approved by all approval agencies.
 - c. Permit municipal parkland.
 - d. Include a Neighbourhood Plan concept to be approved by the Town of Fort Erie showing how the site will integrate with the entire Bridgeburg North Neighbourhood.
 - e. The full extent of the developable area will be determined following the approval of the final Environmental Impact Assessment (EIS).

ENVIRONMENTAL CONSERVATION POLICIES

- b) The lands designated on Schedule “A” as “Environmental Conservation” shall and shall generally be governed by the Environmental Conservation policies of Section 8.3. Notwithstanding Section 8.3 the site shall be subject to the approval of the final Environmental Impact Study (EIS), that will include the following:
 - a. Terms of Reference to be developed in consultation with and approved by the Niagara Peninsula Conservation Authority (NPCA).

- b. Environmental surveys to address the Endangered Species Act, including but not limited to Bat Habitat surveys, etc.
- c. Further refinement to the Environmental Conservation Areas to demonstrate “No negative impact”.
- d. Upon final approval of the EIS or alternatively approval of an Overall Benefit Permit by the required agencies, those areas identified for Protection will be appropriately zoned through a Zoning By-law Amendment to Environmental Protection and those areas for development will be appropriately zoned for Urban Residential use that demonstrates densities outlined in Section A.

ENVIRONMENTAL PROTECTION POLICIES

- c) The lands designated on Schedule “A” as “Environmental Protection” shall be governed by the Environmental Protection policies of Section 8.2.
Notwithstanding Section 8.2 the site may also be used:
 - a. For pedestrian paths subject to the approved Environmental Impact Study (EIS).

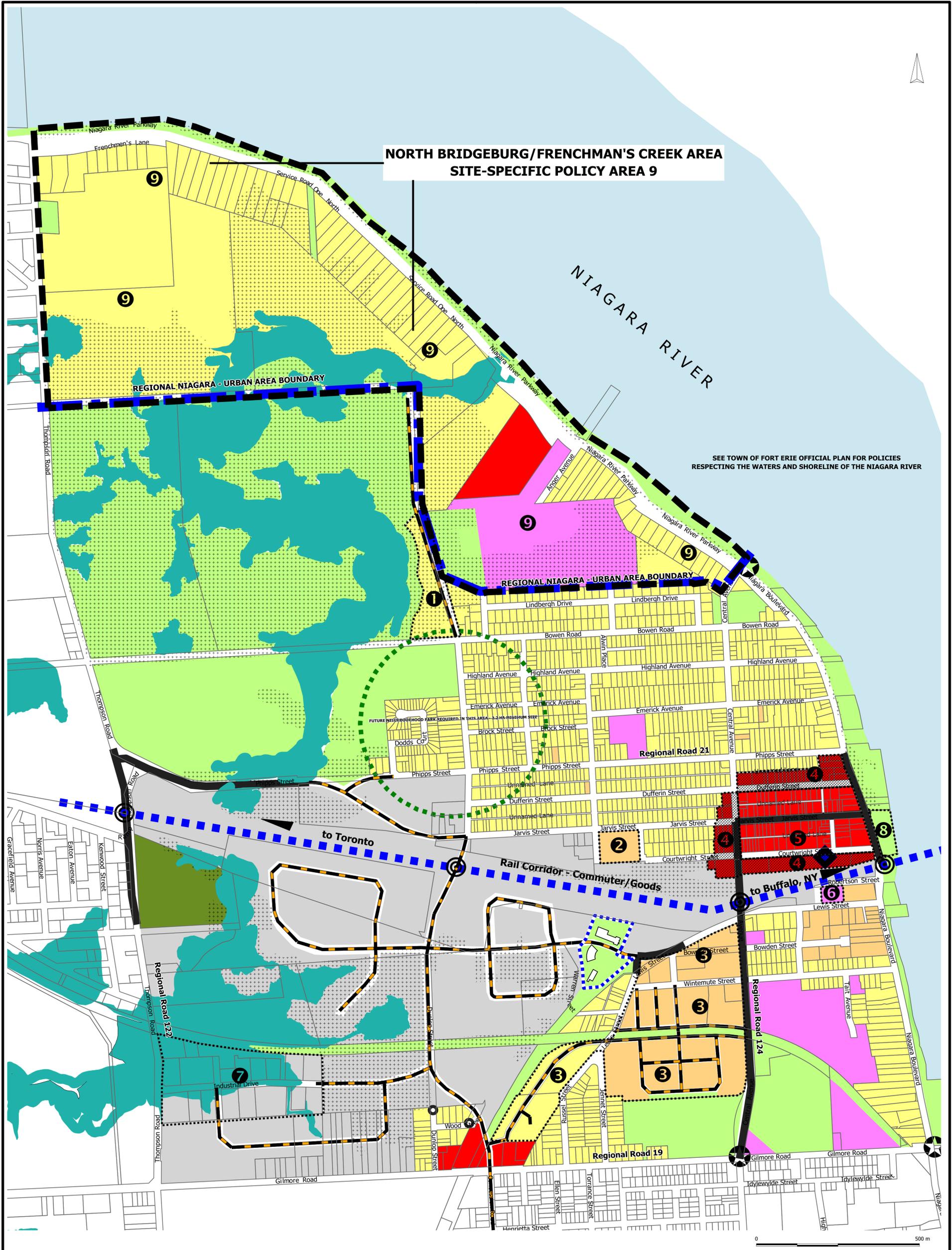
(Amended by By-law 2017-123, OPA #38)

SCHEDULE "BRIDGEBURG-1"



BY-LAW 101-10
THIS SKETCH AMENDS SCHEDULE "A" TO THE OFFICIAL PLAN
BY DELINEATING THE BRIDGEBURG SECONDARY PLAN AREA
SUBJECT TO AMENDMENT NO. 65

 BRIDGEBURG SECONDARY PLAN AREA



**NORTH BRIDGEBURG/FRENCHMAN'S CREEK AREA
SITE-SPECIFIC POLICY AREA 9**

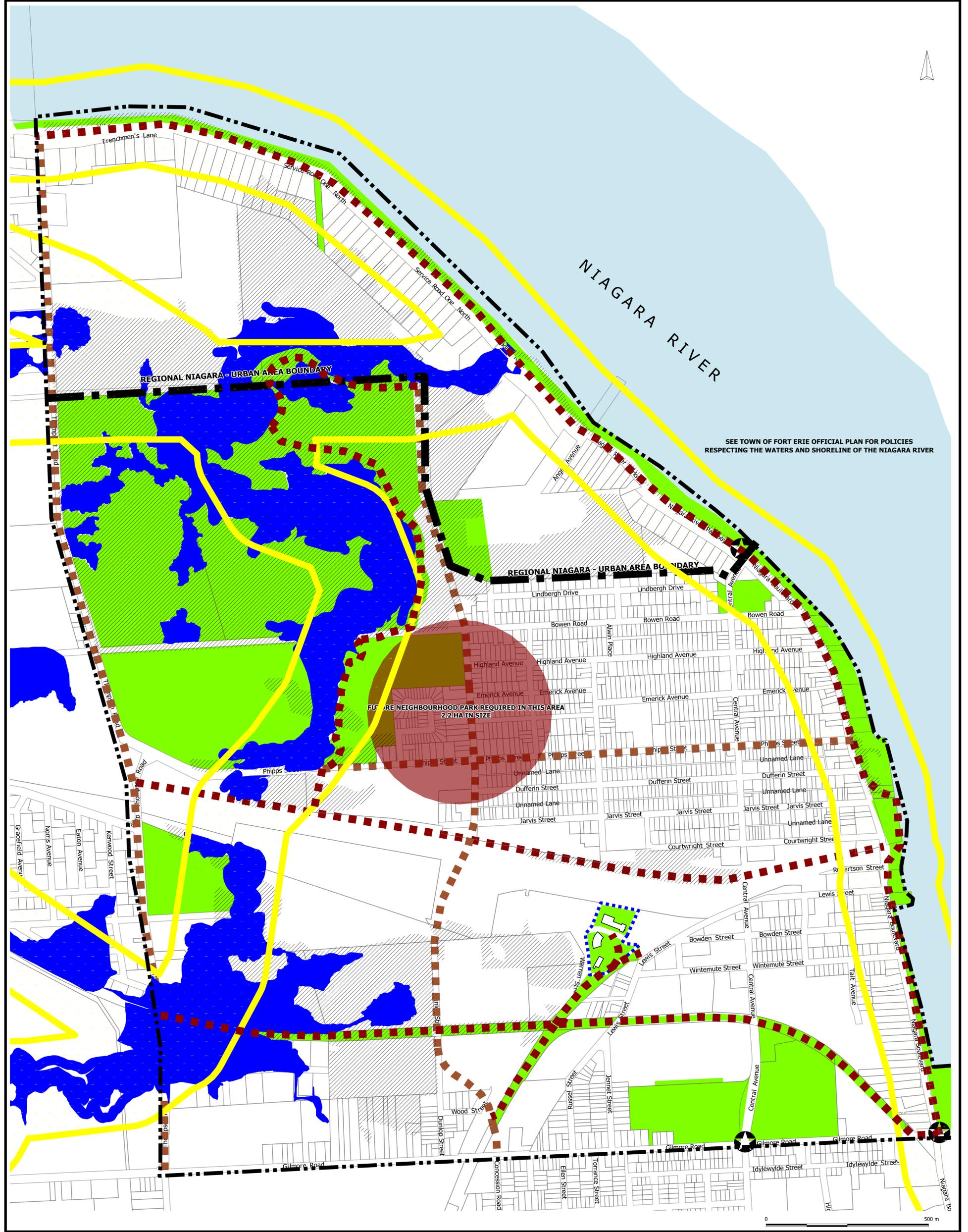
SEE TOWN OF FORT ERIE OFFICIAL PLAN FOR POLICIES
RESPECTING THE WATERS AND SHORELINE OF THE NIAGARA RIVER

**BRIDGEBURG SECONDARY PLAN
Schedule "Bridgeburg-2" - Land Use Plan**

- ① Policy Area 1 - Crooks/Bowen Potential Development Site
- ② Policy Area 2 - West Jarvis Brownfield Site
- ③ Policy Area 3 - Horton Residential Revitalization Area
- ④ Policy Area 4 - Bridgeburg Core Mixed-Use Area
- ⑤ Policy Area 5 - Bridgeburg Central Business District
- ⑥ Policy Area 6 - Mentholatum Adaptive Reuse Site
- ⑦ Policy Area 7 - Industrial Drive Floodplain Area
- ⑧ Policy Area 8 - Potential Riverfront Public Plaza Site
- ⑨ Policy Area 9 - North Bridgeburg/Frenchman's Creek Area
- ▭ Secondary Plan Boundary

- Low Density Residential
- Medium to High Density Residential
- Commercial
- Core Mixed-Use Area
- Industrial/Business Employment Area
- Institutional & Government
- Open Space - Public Parks Etc
- Cemeteries
- Environmental Conservation Areas
- Environmental Protection & Wetland Areas

- Niagara River
- ▭ Parcel Fabric
- Rail Corridor - Commuter/Goods
- Priority Road Upgrades
- Potential Future Road Network
- ⊙ Potential Rail Crossing Improvements
- ⊙ Neighbourhood Gateways
- ◆ Commuter Rail/Transfer Station
- ⋯ Future Neighbourhood Park Required
- Railway Heritage Site
- Reg. Niagara Urban Area Boundary



SEE TOWN OF FORT ERIE OFFICIAL PLAN FOR POLICIES RESPECTING THE WATERS AND SHORELINE OF THE NIAGARA RIVER

FUTURE NEIGHBOURHOOD PARK REQUIRED IN THIS AREA 2.2 HA IN SIZE

BRIDGEBURG SECONDARY PLAN

Schedule "Bridgeburg-3" - Open Space/ Natural Heritage Plan

- Open Space - Public Parks Etc
- Environmental Conservation (Overlay)
- Environmental Protection
- Railway Heritage Site
- Niagara River
- Future Neighbourhood Park Required
- Bridgeburg Greenways - Possible Off-Road Trails (NPCA Approval Required)
- Bridgeburg Greenways - Possible On-Road Trails
- Parcel Fabric
- Neighbourhood Gateways
- Secondary Plan Boundary
- Natural Heritage Corridors (Regional)
- Regional Niagara Urban Area Boundary



BRIDGEBURG NEIGHBOURHOOD PLAN

Schedule "Bridgeburg-4" - Transportation Plan

- ⋯ Potential Road Network
- Conceptual Arterial Road Network
- Niagara River Parkway
- Priority Road Upgrades
- Commuter & Freight Rail Corridor
- Potential Extension of Niagara Falls People Mover
- Bridgeburg Greenways - Possible Off-Road Trails (NPCA Approval Required)
- Bridgeburg Greenways - Possible On-Road Trails
- Open Space - Public Parks Etc
- Environmental Protection & Wetland Areas
- Neighbourhood Gateways
- ◆ Commuter Rail/Transfer Station
- ⋯ Railway Heritage Site
- ⊙ Potential Rail Crossing Improvements
- Regional Niagara Urban Area Boundary
- ⋯ Secondary Plan Boundary



Town of Fort Erie

Schedule C: Gateway Secondary Plan

4.16. GATEWAY SECONDARY PLAN

4.16.1. PURPOSE

The purpose of the Gateway Secondary Plan is to provide a framework for revitalization and renewal within the community. The Secondary Plan consists of a land use plan and related policies to guide development and redevelopment. The plan will provide a guide for planning this neighbourhood for the next approximately 20 years, and will be subject to amendments and review as may be required during this time frame.

Other matters are addressed in the Fort Erie International Gateway Urban Design Strategy, which was approved by the Municipal Council in principle on June 14, 2004 through Recommendation No. 22. The Fort Erie International Gateway Urban Design Strategy is a guideline for recommended actions by the Town and other stakeholders, on a wide range of matters including land use, housing, Garrison Road corridor revitalization, natural and cultural heritage, by-law enforcement, parking and social condition improvement. The Fort Erie International Gateway Urban Design Strategy should be referenced for more detailed information on the goals, objectives and policies surrounding this Amendment.

- i. Land designated for Open Space on the property municipally known as 240 Garrison Road is under private ownership. It is not the intention of this Plan that this land will necessarily remain as Open Space indefinitely, nor is it the intention that this Open Space area is free and open to the general public or that it will be purchased by the Municipality. If a proposal is made to develop this land and the Municipality declines to purchase this land in order to maintain it as Open Space area, then an application for the redesignation of this land for other purposes will be given due consideration by the Council.

4.16.2. VISION

The desired future state of the Gateway Secondary Plan Area, within the approximate 20-year time frame of this Plan, is a balanced, stable community in which the diverse needs of all stakeholders are met. The Plan is guided by the following vision statement, which formed part of the Fort Erie International Gateway Urban Design Strategy:

The Vision for the International Gateway Area is primarily built upon the five key objectives outlined in the Community Improvement Plan, which are seen as fundamental components of the planning and design approach. Three of these objectives in particular provide a context from which to rationalize decisions relating to

an urban design strategy and policy framework for implementation of this Urban Design Strategy. The designs, guidelines and policies will support and reinforce these three fundamental objectives:

- *Creating a Destination Community*
- *Supporting a Strategy for Connectivity*
- *Creating A Spectacular International Gateway and World Heritage Site*

4.16.3. **GOALS**

The Gateway Secondary Plan will provide for a variety of residential densities, commercial, mixed use, open space and other areas to meet the diverse needs of its many citizens that include homeowners, businesspersons, shoppers, visitors, and tourists. The area is intended to become the Town's primary gateway from the USA, a prime location for intensification and infilling, with higher densities directed towards appropriate locations.

4.16.4. **OBJECTIVES**

The main objectives of the Gateway Secondary Plan are to:

- a) Provide a unique, spectacular gateway from the USA for the Town of Fort Erie, the Region of Niagara, the Province of Ontario and Canada.
- b) Diversity of suitable housing choices.
- c) Ensure new infill housing and renovations are compatible with existing development.
- d) Encourage development forms which are compact, to help provide opportunities to relieve pressures for urban expansion, such as higher densities and mixed use along major transportation corridors.
- e) Provide employment choices within the area that are compatible with residential uses, allowing residents the option to live and work in close proximity.
- f) Conserve existing open space areas and natural areas, including significant features such as Niagara River and Lake Erie waterfront.
- g) Provide a strong single mixed-use district in the Garrison Road Corridor.

- h) Eliminate larger scale commercial uses outside of the Core Mixed-Use Area over the long term and redevelop these lands for residential purposes to create urban renewal, make better use of existing infrastructure and create opportunities for compact walkable communities that are more compatible with the surrounding residential community.
- i) Conserve built heritage features, including buildings and areas of historical and architectural significance.
- j) Enhance the design and identity of the Gateway Neighbourhood by the addition of design features to accentuate streetscapes and gateways.
- k) Ensure that the transportation system provides for the needs of all citizens, encourages a compact urban form and enables the use of alternative travel modes.
- l) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public / private utilities are provided to adequately service the residents, businesses and institutions of this area.

4.16.5. **COMMUNITY IMPROVEMENT PLAN**

The Town shall initiate a Gateway Community Improvement Plan for the Gateway Secondary Plan Area or a portion thereof, which shall support the recommendations of the Urban Design Strategy. This support may include financial incentives and other redevelopment assistance tools. The objective is to create a clean, healthy, livable and sustainable environment that offers visual and cultural richness.

4.16.6. **RESIDENTIAL AREAS—GENERAL POLICIES**

- a) Schedule “Gateway-2” designates areas for residential redevelopment, intensification and infilling in the Gateway Secondary Plan Area, in an effort to promote a compact urban form, reduce urban sprawl and encourage population growth, which in turn can assist in revitalizing the Garrison Road Corridor.
- b) The Gateway Secondary Plan provide for an additional approximately 765 dwelling units and 1650 persons in the Gateway Neighbourhood over the next approximately 20 years.

- c) The ultimate approximate residential density mix provided by this Plan, expected to be achieved by 2031, is as follows:
- 26% Low Density (up to 25 units/gross hectare)
 - 48% Medium Density (25-50 units/gross hectare)
 - 26% High Density (over 50 units/gross hectare)
- d) An appropriate level of affordable housing and senior citizen's housing shall be considered by the Town when reviewing development applications in the Gateway Neighbourhood, in keeping with Provincial Policy. Such developments shall be integrated with other forms of housing rather than segregated and isolated, in order to provide a more cohesive and inclusive neighbourhood and environment.

4.16.7. **LOW DENSITY RESIDENTIAL AREA POLICIES**

- a) The lands designated on Schedule "Gateway-2" as "Low Density Residential" shall be reserved for single detached, semi-detached and duplex dwellings, and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 of this Plan.
- b) Schedule "Gateway-2" provides for an additional approximately 50 Low Density units, provided mainly through infilling of existing low-density residential areas, bringing the total to 340 units by 2031.
- c) The residential density associated with lands designated as "Low Density Residential" shall be up to 25 units per gross hectare.

4.16.8. **MEDIUM DENSITY RESIDENTIAL AREA POLICIES**

- a) The lands designated on the Schedule "Gateway-2" as "Medium Density Residential" shall be reserved for multiple-unit structures (triplexes, fourplexes, townhomes and small apartment buildings), and their accessory uses, and the Residential policies of Section 4.7 of this Plan shall apply.
- b) Schedule "Gateway-2" provides for an additional approximately 620 Medium Density units by 2031.

- c) The residential density associated with lands designated as “Medium Density Residential” shall be 25 to 50 units per gross hectare.
- d) Lands designated “Medium Density Residential”, including specific Policy Areas, shall not be downzoned for lesser density than permitted by the applicable zoning by-law.
- e) Building heights shall be no greater than three (3) stories, except as otherwise noted in the applicable zoning by-law. Additional building height may be considered without an amendment to this Plan, if it is demonstrated through a Planning Act approval process that additional height is compatible with surrounding land uses. Approval for additional height above three (3) stories may be subject to an agreement pursuant to Section 37 of the Planning Act.

4.16.9. HIGH DENSITY RESIDENTIAL AREA POLICIES

- a) The lands designated on the Schedule “Gateway-2” as “High Density Residential” shall be reserved for apartment buildings and their accessory uses, and the Residential policies of Section 4.7 of this Plan shall apply.
- b) Schedule “Gateway-2” provides for an additional approximately 95 High Density units, bringing the total to 340 units by 2031.
- c) The residential density associated with lands designated as High Density Residential shall be over 50 units per gross hectare.
- d) Lands designated as “High Density Residential” shall not be downzoned for lesser density than permitted by the applicable zoning by-law.
- e) Building heights shall be no greater than nine (9) stories, except as otherwise noted in the applicable zoning by-law. Additional building height may be considered without an amendment to this Plan, if it is demonstrated through a Planning Act approval process that additional height is compatible with surrounding land uses. Approval for additional height above nine (9) stories may be subject to an agreement pursuant to Section 37 of the Planning Act.

4.16.10. CORE MIXED-USE AREA POLICIES

- a) The lands designated as “Core Mixed-Use” on Schedule “Gateway-2” shall be reserved for a mix of commercial uses and residential uses, and the policies of Section 4.8 of the Official Plan shall apply. The Garrison Road Corridor is designated as the Core Mixed-Use Area in this Plan.
- b) Development of the Core Mixed-Use Area shall occur comprehensively and should incorporate the consolidation of smaller properties where required to implement an integrated, holistic development plan. Internal and external linkages, both pedestrian and vehicular, shall be an important consideration in the development of this area.
- c) For buildings fronting upon Garrison Road, the use of the ground floor shall be restricted to commercial uses permitted in the applicable zoning by-law. Floors above the ground floor may be used for either commercial use or residential use as permitted in the applicable zoning by-law.
- d) Buildings shall be generally situated at or close to the front street line, but setbacks may undulate in order to provide interesting façade variations on a block-wide basis.
- e) Building heights shall be no greater than four (4) stories, except as otherwise permitted in the applicable zoning by-law. Additional building height may be considered without an amendment to this Plan, if it is demonstrated through a Planning Act approval process that additional height is compatible with surrounding land uses. Approval for additional height above four (4) stories may be subject to an agreement pursuant to Section 37 of the Planning Act.
- f) The residential density associated with lands designated as “Core Mixed-Use Area” shall be 25 to 75 residential units per gross hectare.
- g) The Town shall encourage rehabilitation and redevelopment of this area through policies contained in the Gateway Community Improvement Plan, including financial assistance/tax abatement programs for sites within the designated area.
- h) Additional investment in the public realm infrastructure in the Garrison Road Corridor, such as improvements to lighting and other amenities, are required.

Priority shall be given to the continued implementation of the Garrison Road Streetscape Plan, which was initiated in 2009. These streetscape improvements are useful in promoting additional private investment and upkeep in these areas. Council will require contributions from abutting property owners for the purpose of continued implementation of the public realm improvements including such items as road widening, sidewalks, planting beds, lighting and signage; as a condition of development and/or redevelopment including Site Plan Approval.

- i) It is recognized that some sites within this area may require environmental assessment prior to redevelopment for a more sensitive use. The Town shall encourage rehabilitation and redevelopment of this area through policies contained in its Brownfields Community Improvement Plan, including possible financial assistance for an environmental assessment of specific sites within the area and site clean-up prior to redevelopment for more sensitive uses.

- j) The implementing Zoning By-law shall permit lands at 240 Garrison Road to be developed for a gasoline bar and convenience store as an accessory use to the existing use on the property at the date of passing of this By-law, provided that the development is designed in accordance with the Town's vision for the Gateway Neighbourhood, as espoused in the Gateway Urban Design Strategy. In addition, any building or structure associated with the development of a gasoline bar/convenience store on this site shall incorporate architectural design elements and safety features reflective of and conducive to a pedestrian-friendly, urban environment.

4.16.11. **COMMERCIAL AREA POLICIES**

The lands designated as "Commercial" on Schedule "Gateway-2" shall be reserved for a variety of retail and office uses, and the policies of Section 4.9 of this Plan shall apply.

4.16.12. **INSTITUTIONAL/GOVERNMENT AREA POLICIES**

The lands designated as "Institutional/Government" on Schedule "Gateway-2" shall be reserved for a variety of public and institutional uses, and the policies of Section 4.12 of this Plan shall apply.

4.16.13. **OPEN SPACE AREA POLICIES**

- a) The lands designated as "Open Space" on Schedule "Gateway-2" shall be reserved for a variety of active and passive recreational, open space and natural

buffer area uses, and the Open Space policies of Section 4.13 of this Plan shall apply.

- b) Additional land for Neighbourhood Parks shall be reserved in the Gateway Secondary Plan Area in a location as generally shown on Schedule “Gateway-2”.
- c) The municipality’s Parkland Dedication By-law 69-08 as amended or superceded shall apply as a condition of development and/or redevelopment pursuant to Site Plan Approval.

4.16.14. **NATURAL HERITAGE AREA POLICIES**

All of the policies of Section 8 of this Plan shall apply to natural heritage resources within the Gateway Secondary Plan Area. The following additional policies also apply:

4.16.14.1. ENVIRONMENTAL PROTECTION AREAS

- a) Lands designated as “Environmental Protection” on Schedule “Gateway-2” shall be protected from incompatible development in accordance with the policies of Section 8 of this Plan.
- b) The Town shall adopt a zoning by-law amendment to reflect the Environmental Protection Areas.
- c) An Environmental Impact Study (EIS) may be required for lands adjacent to an Environmental Protection Area, pursuant to Section 7.B.1.11 of the Regional Niagara Policy Plan as amended from time to time, as part of the submission of an application for development approval.

4.16.14.2. ENVIRONMENTAL CONSERVATION AREAS (OVERLAY)

- a) The policies of Section 8 of the Official Plan, and the regulations of the Niagara Peninsula Conservation Authority and the Regional Municipality of Niagara shall apply to lands identified on Schedule “Gateway-2” as “Environmental Conservation (Overlay)”.
- b) An Environmental Impact Study (EIS) may be required for lands within, adjacent to, or within 50m of an Environmental Conservation Area, pursuant to Section 7.B.1.11 of the Regional Niagara Policy Plan as amended from time to time, as part of the submission of an application for development approval.

- c) The Niagara Peninsula Conservation Authority and the Regional Municipality of Niagara shall be consulted with respect to any development proposals adjacent to or within 50m of an Environmental Conservation Area.

4.16.15. **PEACE BRIDGE (BORDER SERVICES AREA) POLICIES**

Lands designated on Schedule “Gateway-2” as “Peace Bridge (Border Services Area)” shall be reserved for the operations of the Buffalo and Fort Erie Public Bridge Authority, and all of the policies of Section 4.14.2 of this Plan shall apply.

4.16.16. **TRANSPORTATION POLICIES**

- a) The Town and/or Region shall strongly consider the character of the neighbourhood and the objectives of the Gateway Urban Design Strategy when making road improvement decisions.
- b) The comments of the Niagara Parks Commission shall be considered pertaining to large- scale development applications up to 800 metres from Niagara Parks Commission lands, particularly relating to potential land-use planning and/or traffic impacts.
- c) The comments of the Buffalo and Fort Erie Public Bridge Authority (“The Peace Bridge”) shall be considered pertaining to large-scale development applications up to 800 metres from their lands, particularly relating to potential land-use planning and/or traffic impacts.
- d) The Gateway Secondary Plan depicts conceptual future vehicular and pedestrian linkages. The location of such linkages as shown on the Plan is not intended to be prescriptive. The exact location of any future linkages shall be determined through a Master Plan to be prepared in advance of any redevelopment proposal. The development of any new roads in the Gateway Secondary Plan Area shall be in accordance with Section 12.7 of this Plan.
- e) Lands identified by the Town and/or Region as being required for road widening purposes shall be transferred to the respective Municipality for nominal consideration, as a condition of any development or redevelopment requiring approvals under The Planning Act or the Building Code Act as amended from time to time.

4.16.17. PUBLIC TRANSIT POLICIES

- a) The Town shall continue to promote convenient local transit service to the Gateway Secondary Plan Area within its financial capability to do so.
- b) Any study undertaken by the Town or Region respecting the provision of municipal and inter/intra-municipal transit services shall examine the Gateway Secondary Plan Area, in order to determine possible system improvements to increase convenience to riders, increase access to key neighbourhood focal points and important points outside the Neighbourhood and Town, and to ensure that transit vehicles can accommodate the physically challenged.

4.16.18. GATEWAY TRAILS NETWORK POLICIES

- a) The Town shall promote an on-road and off-road trail system throughout the Gateway Secondary Plan Area as shown on Schedule “Gateway-2” in order to link key focal points of the neighbourhood including the Niagara River and Lake Erie waterfronts, the Garrison Road Mixed-Use Corridor, Energy Park and other new neighbourhood parks as they are developed, and also to link the neighbourhood with the Niagara River Recreational Trail and the Friendship Trail and thereby the Greater Niagara Circle Route and the Trans-Canada Trail System.
- b) Any future transportation and/or leisure studies and ensuing public works in the Gateway Secondary Plan Area shall incorporate the policies of this section into its design where appropriate.
- c) The Gateway Secondary Plan depicts conceptual future on-road and off-road trails. The location of such trails as shown on the Plan is not intended to be prescriptive. The exact location of any future on-road and off-road trails shall be determined through a Master Plan to be prepared in advance of any redevelopment proposal.
- d) An open space connection between Energy Field Neighbourhood Park and Garrison Road shall be considered as part of any redevelopment plan for the area, in order to allow ease of access from the Garrison Road Mixed-Use Corridor to the amenities and open space provided by the Neighbourhood Park.

- e) The various components of the Gateway Trails Network will be prioritized and developed in phases, based on the financial ability of the Town to fund such development, and the involvement of funding partners such as the Region, the Province and the Niagara Parks Commission.

4.16.19. **PARKING POLICIES**

- a) The Town shall undertake a parking study in order to arrive at long-term solutions for the provision of municipal parking facilities in the Gateway Secondary Plan Area, paying particular attention to the Garrison Road Mixed-Use Corridor.
- b) When roads of sufficient allowance width are planned for reconstruction, consideration will be given to the provision of a parking lane on at least one side of the street.
- c) The Town shall ensure, where feasible, that adjacent commercial parking areas are shared and inter-accessible, as a condition of site plan approval.
- d) Local businesses and residents shall be consulted regarding any changes to the provision of municipal parking within the Gateway Secondary Plan Area.

4.16.20. **CULTURAL HERITAGE POLICIES**

- a) The Policies of Section 2.3.10 and Section 11 of this Plan shall apply to Cultural Heritage matters within the Gateway Secondary Plan Area.
- b) The Town will seek to protect and conserve the character of the Gateway Secondary Plan Area, particularly with respect to those buildings and areas representative of formative settlement from the late-eighteenth, nineteenth and twentieth centuries. Buildings, structures, open spaces and streetscapes from this period contribute to the special historical character of the Town, and Council may designate properties either individually or collectively as heritage conservation districts under the Ontario Heritage Act.

4.16.20.1. ARCHAEOLOGICALLY SENSITIVE AREAS

The Policies of Section 11.4 of this Plan shall apply to Archeologically Sensitive Areas within the Gateway Secondary Plan Area. These areas are depicted on Schedule “Gateway-2”.

4.16.21. GATEWAY AREAS

4.16.21.1.GENERAL

The name of this neighbourhood reflects its location and importance as the gateway to not only the Town but the Region of Niagara, the Province of Ontario and Canada. It is of utmost importance that travelers and visitors gain a positive “first impression” when crossing into the country from the USA. In this regard, the Gateway Secondary Plan identifies both an international gateway feature area and additional neighbourhood gateway feature areas, intended to enhance the visual quality of the neighbourhood and entry point into Canada.

4.16.21.2.INTERNATIONAL GATEWAY FEATURE AREA

- a) Lands designated on Schedule “Gateway-2” as “International Gateway Feature” shall be considered for the development of a signature gateway feature welcoming visitors to Canada, the Province, The Region and the Town of Fort Erie.

The Peace Bridge offers a strong visual focal point for this area, providing a direct link between Fort Erie and Buffalo. From the bridge and adjacent to Central Avenue, this site offers an ideal view terminus and focal point. The key concepts for this area include:

- Providing a landmark tower and a look-out area with architectural elements and details;
- Providing a focal point for passing motorists; and
- An opportunity to provide excellent panoramic views of significant features within Fort Erie and across to Buffalo, USA.

An opportunity also exists to provide an identifiably distinctive “welcome” sign for Fort Erie. Landscaping may be enhanced with hedges with year-round foliage and colour, strategically located to define edges and provide focus, as well as terraced planting beds on the existing grade with attractive stone terrace walls.

- b) In recognition of its locational importance, the public realm along Central Avenue shall be strongly considered for improvement in the vicinity of the International Gateway Feature Area. An on-road trail and distinctive street lighting shall be considered as part of any public realm improvement in this area consistent with the streetscaping design for Garrison Road. Distinctive lighting and bollards will

ensure safety and security, while at the same time providing an important urbane elegance to this focus area.

4.16.21.3. NEIGHBOURHOOD GATEWAY FEATURE AREAS

- a) Lands designated on Schedule “Gateway-2” as “Neighbourhood Gateway Feature” areas shall be considered for the development of unique gateway features welcoming visitors to the Neighbourhood. An opportunity also exists to provide distinctive signage for the Gateway Area. Landscaping should be enhanced providing hedges with year-round foliage and colour, strategically located to define edges and provide focus, as well as planting beds on existing grade. Gateway enhancements described above may occur on public and/or private property abutting the Neighbourhood Gateway Feature Area.
- b) The eastern Gateway Feature Area in the vicinity of Central Avenue and Garrison Road, shall be augmented by the easterly extension of Veteran’s Way through to Mather Circle, in order to provide the restoration of the historical direct connection from Garrison Road to the Niagara Parkway.

4.16.22. MUNICIPAL SERVICES AND UTILITIES POLICIES

- a) Municipal services such as sewers, water stormwater and public/private utilities will be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in the Gateway Secondary Plan Area.
- b) Stormwater management approaches will be utilized in the Gateway Secondary Plan Area to address existing problems, future land use changes and road reconstruction works and opportunities for major storm sewer / storm water management facility works. These will include a combination of methods suitable for each type of situation. Examples of such approaches may include new storm water management facilities and the diversion of existing flows to improve the system, on-site controls for new development, enhancement of storm sewer outfalls, review of current policies (e.g. roof-leader disconnection), and / or collection of cash-in-lieu funds.
- c) The Town may initiate a Master Development and Servicing Study for the Gateway Secondary Plan Area, in order to determine the parameters, costs, impacts and alternatives associated with development of servicing improvements. Such a strategy shall also include an Environmental Planning

Study for any development within and/or adjacent to Environmental Conservation and Environmental Protection Areas. Such Strategy shall also consider recommendations stemming from the Fort Erie Creeks Watershed Plan.

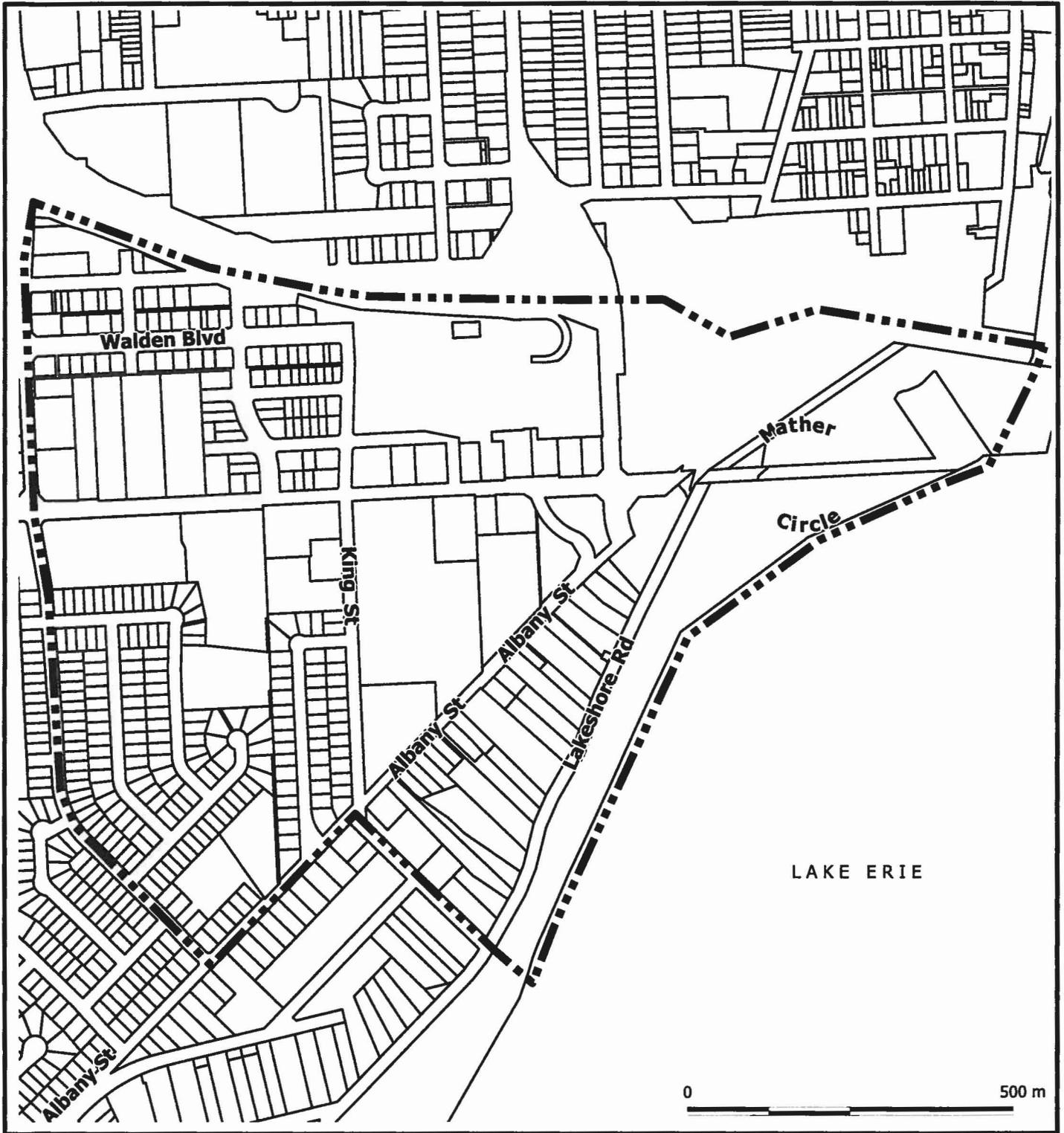
- d) The burial of all non-primary utilities and the relocation of transformers by the respective utility shall be required as a condition of either public realm improvement or private development/redevelopment, where feasible. All service connections to individual buildings shall be made below-grade where feasible.

4.16.23. **INTERPRETATION OF THE PLAN**

The Gateway Secondary Plan consists of Sections 4.16.1 through 4.16.23, and Schedules “Gateway-1” and “Gateway-2”.

The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

SCHEDULE "GATEWAY-1" TO BY-LAW 57-11



BY-LAW NO. 57-11

THIS SKETCH FORMS PART OF SCHEDULE "GATEWAY-1" TO OFFICIAL PLAN AMENDMENT NO. 6 PASSED THIS 9TH DAY OF MAY 2011

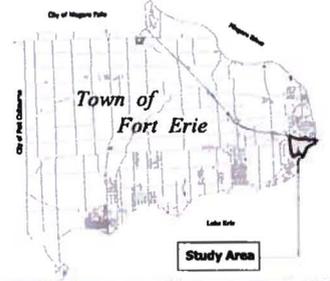
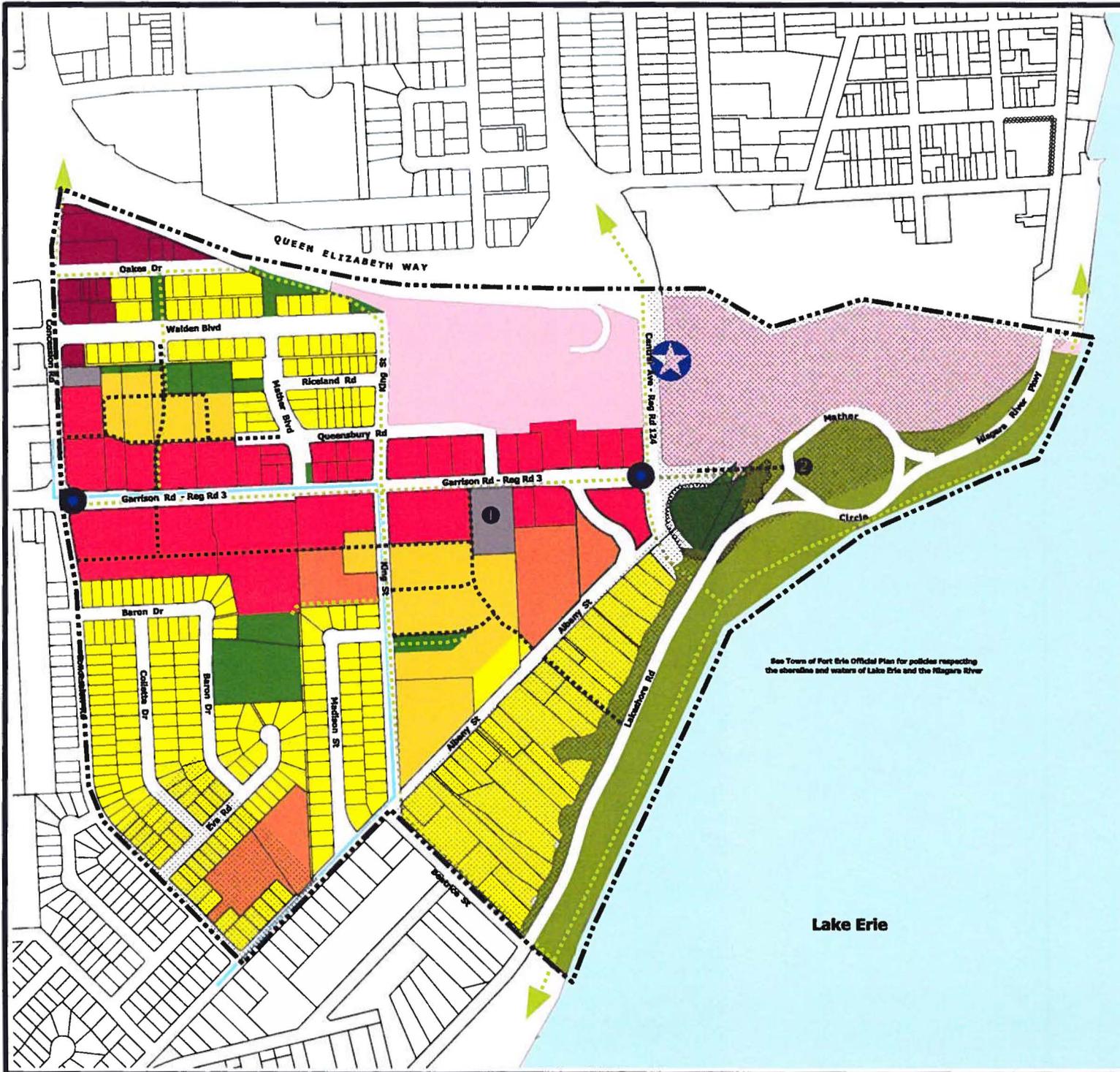
 Gateway Secondary Plan Area

SKETCH OF PART OF LOT 1 IN CONCESSION 1 NR AND PART OF THE MILITARY RESERVE, ALL FORMERLY IN THE TOWNSHIP OF BERTIE AND THE TOWN OF FORT ERIE, NOW IN THE TOWN OF FORT ERIE IN THE REGIONAL MUNICIPALITY OF NIAGARA



Community and Development Services
May 9, 2011

GATEWAY SECONDARY PLAN Schedule "Gateway-2" - Land Use Plan



GATEWAY SECONDARY PLAN Schedule "Gateway-2" Land Use Plan

- Low Density Residential (up to 25 units/hectare)
- Medium Density Residential (25-50 units/hectare)
- High Density Residential (over 50 units/hectare)
- Core Mixed-Use
- Commercial
- Public and Institutional
- Peace Bridge (Border Services Area)
- Open Space
- Environmental Protection
- Environmental Conservation
- Archeological Zones of Sensitivity
- International Gateway Feature
- Neighbourhood Gateway Feature Area
- Heritage Site - St. Joseph Cemetery
- Heritage Site - Mather's Arch
- Study Area Boundary
- Existing Public Transit Route
- Conceptual Neighbourhood Vehicular Linkages
- Conceptual Neighbourhood On-Road and Off-Road Trails
- Connections to Existing and Proposed Trail Networks

See Town of Fort Erie Official Plan for policies respecting the shoreline and waters of Lake Erie and the Niagara River

Residential Development Data 2011-2031

Unit Type	Existing Units 2011	New Units to 2031	Resulting Units 2031	%
Low Density	770	10	780	24%
Medium Density	0	620	620	46%
High Density	310	60	370	24%
Total	1080	790	1870	100%

Population Projection
2011 population estimate: 1550
2031 population estimate: 3200
(Additional 1650 persons by 2031)





Town of Fort Erie

Schedule D: Spears-High Point Secondary Plan

4.17. SPEARS-HIGH POINTE SECONDARY PLAN

4.17.1. PURPOSE OF THE SPEARS-HIGH POINTE SECONDARY PLAN

The purpose of the Spears-High Pointe Secondary Plan is to provide a framework for a cohesive, complete community to develop. The framework is intended to provide clear direction to achieve subsequent goals and objectives. The Secondary Plan consists of a land use plan and related policies to guide development and redevelopment to ensure it is in keeping with the Town's vision for this neighbourhood. The Plan will provide and serve as the guide for planning activity for a period projected over the next 20 years and will be subject to amendments from time to time, as well as being included the Town's 5 year review of its Official Plan.

4.17.2. VISION

At the sunset of the 20 year planning period, the vision seeks to establish a complete community. The predominant land use will be residential with a balanced mix and form appealing to the full spectrum of demographics. Garrison Road will have intensified development consisting of mixed use, medium and high density residential and commercial uses along this primary transportation and transit corridor. Opportunities for 'age in place' have been encouraged and are well aligned with the complete community concept.

New commercial enterprise catering to the residential population needs have established and are sustained by the increased pedestrian, resident, and en route traffic increase.

The Garrison Road streetscapes has evolved into a more defining street edge perpetrated and predicated on urban design to bring buildings and structures closer to the frontage to create visual interest, at the same time making the corridor a more friendly, walkable environment for all stages of life and not just a place for the automobile.

The parks and open spaces are linked and provide for recreational destinations while the natural environment is afforded the protection it deserves and is woven in amongst the community fabric.

In 20 years, residents are enjoying the highest quality of life with the businesses and industry afforded prosperity through sustainable urban development practices.

The desired future state of the Spears-High Pointe Neighbourhood is a balanced, stable community in which the diverse needs of the Town's current and future populations can be met. The Plan is guided by the following vision statement, having taken into account the earlier 2002 Neighbourhood Plan working group contributions, the active development community and the public open house contributions garnered in 2012:

The Spears-High Pointe neighbourhood is rich in opportunity of supplying the Town of Fort Erie with a complete community. Its location provides for strong connection to the existing transportation and transit networks and will transition well with the focused intensification of Garrison Road. Its existing residents have acted as its caretakers and continue to hold vested interest in protecting what is important to their quality of life. Development can be promoted provided we remain responsive to the following core values:

- a) provide practical, well thought-out planning that will integrate with the existing fabric of the neighbourhood so as to better connect with its boundaries and remain permeable from within;*
- b) emphasize community safety for all ages by providing sidewalks, bike lanes, speed and stop control on our shared roadways;*
- c) make the neighbourhood a place that is a friendly, walkable community that promotes pedestrian and active transportation; fear should never be a factor in a decision to walk or recreate;*
- d) recognize and seek balance in land use decisions that interface with the neighbourhood's existing residents and businesses;*
- e) respect the neighbourhood's natural features by providing opportunity for their continued contribution to the environment;*
- f) recognize the neighbourhood's limited historical and cultural features by protecting and promoting their place within the community and to serve as a reminder by providing connection to the Town's significant national heritage standing;*
- g) engage the residents and businesses throughout the development period to provide feedback and measure the success of the Plan in an ongoing manner.*

4.17.3. GOALS

The Spears-High Pointe Secondary Plan strives to achieve its goal of becoming an integral and integrated part of a complete community by providing for a variety of residential densities, commercial, mixed use, open space and other areas to meet the diverse needs of its many citizens and visitors including homeowners, businesspersons, shoppers, and tourists. The area is intended to focus intensification along Garrison Road, its major transportation and transit corridor, while still providing for areas of increased density and infilling, balanced to meet with provincial and regional strategic growth and policy objectives within the Plan Area boundary.

4.17.4. OBJECTIVES

The main objectives of the Spears-High Pointe Secondary Plan are to:

- a) Provide a diversity of suitable housing choices that are coordinated with land use designations and densities that provide for suitable transition and gradation;
- b) Ensure new in-fill housing units and renovations are compatible with existing development.
- c) Encourage land assembly that would result in more efficient and effective design;
- d) Encourage development forms which are compact, to utilize urban land and services efficiently;
- e) Provide employment choices within the area that are compatible with residential uses, providing residents the option or opportunity to live and work in close proximity;
- f) Conserve existing natural areas, including those which are identified as locally significant wetlands in effort to retain an environmental function within the Plan Area;
- g) Provide a strong focus of higher density and mixed use residential/commercial activity along Garrison Road in order to be transit supportive;
- h) Promote compatible prestige industrial uses in the Employment area adjacent to the Queen Elizabeth Way highway where visibility is high and access to and from the highway system does not interfere or introduce disruption to the residential neighbourhood;

- i) Conserve the limited built heritage features and areas of historical context, more particularly the early Plato Loyalist Cemetery on Bertie Street and Provincially-designated Brigadier General Cruickshank's residence;
- j) Enhance the Spears-High Pointe Neighbourhood by promoting gateway features at key locations that assist in distinguishing neighbourhood and community entry;
- k) Ensure that the transportation system provides for the needs of all citizens, encourages a compact urban form, transit ridership and promotes/enables active transportation within the neighbourhood;
- l) Seek opportunities for improved transportation connections to perimeter roads to assist in providing options and reduce delay and safety concerns;
- m) Make the neighbourhood a friendly, walkable community that promotes pedestrian and active transportation, and places emphasis on community safety for all ages by providing sidewalks, bike lanes, speed and stop control on our shared roadways;
- n) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public / private utilities are provided to adequately service the residents, businesses, industry and institutions of this area;
- o) The Spears-High Pointe Neighbourhood shall be promoted for predominantly new housing development that will provide choice in housing opportunities that meet with demographic and socio-economic needs of the Town. A full spectrum of built form and tenure must be provided if age-in-place practice is to be realized; and
- p) New housing development will be integrated with existing built up areas, open spaces and natural heritage features. Previously approved subdivision plans will be acknowledged within the neighbourhood planning context and developers of these plans shall be encouraged to work with the municipality in achieving the objectives stated herein.

4.17.5. **RESIDENTIAL – GENERAL POLICIES**

- a) Section 4.7 of the Town's Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections;
- b) Schedule "SHP-2" designates the areas of residential land use within the Secondary Plan Area with accompanying policy provided herein. The Plan

provides for areas of varying residential density, which have been defined in keeping with stated Plan objectives;

- c) The Spears-High Pointe Secondary Plan provides for an estimated 1575 dwelling units and a projected residential population of 3983 persons in the neighbourhood over the long term;
- d) An appropriate level of affordable housing and senior citizen's housing shall be considered by the Town when reviewing development applications in the Spears-High Pointe Neighbourhood, in keeping with Provincial Policy. Such developments shall be integrated with other forms of housing rather than segregated and isolated in order to provide a more cohesive and inclusive neighbourhood. In doing so, the opportunities for age-in-place are also supported and extend to a broader socio-economic base; and
- e) The Town will consult developers regarding intensifying their existing draft approved plans of subdivision, provided the locations are suitable and consistent with siting criteria defined under section 4.17.7e) i. to v.

4.17.6. **LOW DENSITY RESIDENTIAL POLICIES**

- a) The lands designated on Schedule "SHP-2" as "Low Density Residential" shall be reserved for single detached, semi-detached and duplex dwellings, and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section;
- b) An overall target of approximately 60% Low Density residential yield shall be anticipated within the Neighbourhood. Notwithstanding Section 4.7.1.1 (b), the targeted mix and minimum yields of Built-up and Greenfield areas have been blended within the Secondary Plan boundary to provide for flexibility in structuring a cohesive and logical distribution of uses in areas best suited for the range of appropriate densities. The approach maintains and surpasses expectations of the Growth Plan while offering optimal community structure;
- c) Schedule "SHP-2" provides for approximately 741 additional low density units, bringing the total for Low Density units to approximately 910 over the long term. The yield reflects the existing lot fabric and anticipates retention of some large existing lots over the course of the planning period. As a result, lower densities can be anticipated within some areas of the plan until such time that

redevelopment choices are made or the lifecycle of the existing home construction warrants replacement;

- d) The planned density range for the Low Density designation shall be up to 16 units per net hectare; and
- e) Areas of Low Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.17.14 of this Plan. Development, redevelopment or expansion to existing use may require further study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.

4.17.7. **MEDIUM DENSITY RESIDENTIAL POLICIES**

- a) The lands designated on the Schedule “SHP-2” as “Medium Density Residential” shall be reserved for multiple-unit structures (townhomes and apartment dwellings), and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section;
- b) An overall target of approximately 20% Medium Density residential yield shall be anticipated within the Neighbourhood;
- c) Schedule “SHP-2” provides for approximately 364 new Medium Density units. The Plan Area is currently void of existing multiple unit density so clear direction for higher densities is providing for such development for the first time within the Plan Area consistent with growth management strategies of the Town, Region and Province;
- d) The planned density for the Medium Density residential designation shall provide for a range between 16 to 50 units per net hectare;
- e) Medium Density development is identified on Schedule SHP-2 and can also be considered by amendment to this Plan in areas:
 - a. immediately adjacent to Garrison Road;
 - b. along collector roads within the Plan Area;
 - c. in close proximity to Parks, Open Space or Environmental Areas;
 - d. adjacent to High Density residential; or

- e. Adjacent to major commercial uses.
- f) Developers with existing draft approved plans of subdivision within the Plan Area will be encouraged to consider modifying their plans to incorporate multiple residential units that are in keeping with the locational criteria described in the preceding paragraph;
- g) It is anticipated that the majority of the Medium Density unit yield will be in the form of ground-based dwellings such as street or block townhouse development; however low-rise apartment dwellings with a maximum height of 3 storeys should also be considered in areas adjacent or in close proximity to Garrison Road. The Town may request such consideration in effort to meet with a diversified form and stock of housing choice;
- h) Areas of Medium Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.17.14 of this Plan. Development, redevelopment or expansion to existing use may require further study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan; and
- i) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.

4.17.8. **HIGH DENSITY RESIDENTIAL POLICIES**

- a) The lands designated on the Schedule “SHP-2” as “High Density Residential” shall be reserved for multiple-unit structures (apartment dwellings), and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section;
- b) An overall target of approximately 10% High Density residential yield shall be anticipated within the Secondary Plan Area;
- c) The planned density for the High Density residential designation shall provide for a range between 50 to 75 units per net hectare;
- d) High Density development shall be supplied in areas shown on Schedule SHP-2, which address the following criteria:
 - a. immediately adjacent to Garrison Road;
 - b. in close proximity to Parks, Open Space or Environmental Lands; and

- c. Adjacent to major commercial uses;
- e) High Density unit yield will be in the form of apartment dwellings. A building height of 6 storeys will be permitted within the designation with permissions to 10 storeys where it can be demonstrated that increased height does not negatively impact adjacent lower density uses or the transportation network. More specifically, shadow impacts on neighbouring properties are minimized and ingress and egress onto Garrison Road or an alternate point of access can adequately accommodate traffic generated by the development;
- f) For buildings greater than 6 storeys, placement of the building on the site, its orientation and massing composition, parking, landscape and the setback requirements will be regulated by a site specific by-law amendment;
- g) The Town may require a Heritage Assessment Study be prepared to address impacts of development on the adjacent Cruickshank Heritage Site in accordance with Section 11 of the Official Plan. The study would be prepared by a qualified heritage professional and required at the time of any Site Plan submission; and
- h) Portions of the High Density designation shown on Schedule “SHP-2” are impacted by the Environmental Conservation overlay defined and described under policy 4.17.14 of this Plan and development shall address the policies of said Section. In addition to Section 4.17.14 where development may be permissible within an Environmental Conservation Area, site development shall be required to retain vegetative buffering of no less than 10 metres in width, so as to assist in screening lower density, ground based residential uses located west of the High Density designation. A Tree Preservation Plan will be required to accompany any applications for development.

4.17.9. **CORE MIXED-USE POLICIES**

- a) The lands designated as “Core Mixed-Use” on Schedule “SHP-2” shall be reserved for a variety of retail and office uses, as well as residential uses. Notwithstanding Policy 4.8.1 II, wherein the location for Core Mixed Use is described as being suited to downtown or proximity areas, the location for Core Mixed Use may also be located in a limited capacity to major roads or corridors connecting nodal areas within urban areas. Subsequently the policies of Section 4.8 generally apply, recognizing the Garrison Road corridor is not considered a “downtown” area in its geography, its history or its character. Garrison Road will, however, serve to become the focus for commercial activity and intensified residential development, making it the destination for services to those within the Spears-High Pointe Neighbourhood;

- b) The Town shall encourage site improvement and redevelopment of properties designated Mixed Use along Garrison Road, so as to intensify site capability and assist in creating a defined street edge;
- c) New development and redevelopment shall be encouraged to maximize available coverage and floor space permissions in order to optimize available services and support increased residential along Garrison Road;
- d) New development and redevelopment proposed on lands designated Mixed Use will be encouraged to locate close to the street frontage and to provide more direct pedestrian connection to Garrison Road for convenient pedestrian movement and access to buildings and transit;
- e) Building setbacks will be subject of municipal review and may be require a site specific zoning by-law amendment to assist in integrating built street edge with that of more recently developed commercial uses;
- f) Mixed Use designation shall include a residential component equal or greater than the commercial floor space provided. Consideration shall be afforded to conversions, existing buildings and additions, provided any new ground floor space includes a matching second story residential component;
- g) Any existing buildings subject of conversion or addition for the purpose of mixed use shall require Site Plan Control and be subject to inspection to ensure Ontario Building Code standards have been met;
- h) Stand-alone residential use within the Mixed Use designation will be discouraged. Proposals for stand-alone residential shall clearly demonstrate inability to effectively achieve combined residential and commercial uses on the same site without extensive modifications to zoning regulation and provisions. Conversely, smaller properties are encouraged to consolidate with adjoined properties sharing designation to provide increased opportunity for comprehensive development;
- i) The maximum height of any building in this designation shall be three (3) storeys, and the residential density shall be 16 to 50 units per net hectare in addition to the commercial floor space provided on-site;
- j) Residential units will be located on upper floors, reserving at-grade floor space for commercial use with limited exceptions such as retirement homes, permitted stand-alone residential or existing buildings subject to conversion;

- k) Covered parking and detached private garages would be acceptable on site provided they are set well back from the street and do not interfere with commercial traffic;
- l) New automotive related uses are not permitted in Core Mixed Use areas;
- m) At-grade commercial shall be fully accessible and barrier free in design; and
- n) Private development is encouraged to provide fully accessible access to upper level residential.

4.17.10. **COMMERCIAL POLICIES**

- a) The lands designated as “Commercial” on Schedule “SHP-2” shall be reserved for a variety of “General Commercial” retail and office uses, and are subject to the policies of Section 4.9.2 of this Plan;
- b) Notwithstanding the uses identified in Section 4.9.2, new automobile sales and storage, repair garages, motor vehicle service stations and gas bars will not be permitted within the Plan Area, except for those commercial lands identified as being north of Garrison Road, immediately west of Thompson Road;
- c) All new or expanding automotive uses shall be required to demonstrate compatibility with adjacent uses. d) Intensification of Garrison Road commercial uses should be those which are compatible with and predominantly serving the neighbourhood’s residential population and corridor commuter personal service needs. Commercial uses considering drive-thru operations shall, in addition to being subject to Site Plan Control, be required to address such matters as visual and aesthetic impact on adjacent properties and public road allowances through submission of an urban design plan. A Traffic Impact Study will also be required and may be scoped depending on location. Details of study requirements would be conveyed at mandatory pre-consultation meetings with Town staff prior to application submission; and
- d) All commercial uses shall provide for full accessibility, barrier free access and appropriate parking stall locations.

4.17.11. **EMPLOYMENT POLICIES**

- a) Lands designated as “Employment” on Schedule “SHP-2” shall be reserved for an integrated mix of industrial and manufacturing operations as well as business activities, and the Industrial/Business Employment policies of Section 4.10 shall apply;

- b) The Employment designation within the Secondary Plan Area is generally limited in area and situated in such a manner that it provides prominent exposure to the QEW while also being in close proximity to existing and future residential uses and designations. Employment uses shall be those which are considered prestige type industrial uses that support the policies of Section 4.10 while offering decreased risk for nuisance to residential lands;
- c) Development occurring on lands designated “Employment” within the Spears-High Pointe Secondary Plan shall require study to determine applicable standards concerning noise and emissions. Ministry of Environment Standards shall apply in determining setbacks and mitigation measures that may need implementation with respect to sensitive receptors, both planned and existing in accordance with Section 10 of the Official Plan; and
- d) Portions of the “Employment” lands designated on Schedule “SHP-2” are subject to Environmental Conservation Overlay policies of Section 8.3 of the Official Plan. Prior to any applications for development within or adjacent to Environmental Conservation Areas, the requirement for studies will be determined through the mandatory pre-consultation process with the municipality and Niagara Peninsula Conservation Authority.

4.17.12. **INSTITUTIONAL**

- a) The lands designated on Schedule “SHP-2” as “Institutional” shall recognize the existing institutional uses within the Secondary Plan Area and shall generally be governed by the Institutional policies of Section 4.12;
- b) Sites identified and designated as Institutional are uses serving in an established institutional role. These currently include:
 - a. 1088 Garrison Road – (Niagara Chapter – Native Women Inc.) which has been serving the needs of our aboriginal community members and protecting cultural and aboriginal heritage;
 - b. 1110 Garrison Road – (Garrison Road Public School) This site has been in operation as a school since 1879. The site has a unique history and the original school house (S.S. No. 4) is still in an operating role and can be reviewed by the Town’s Municipal Heritage Standing Committee relative to its architectural and/or historical significance.

4.17.13. OPEN SPACE

The lands designated as “Open Space” on Schedule “SHP-2” shall be reserved for a variety of active and passive recreational uses and other open space uses including storm water management. The policies of Section 4.13 shall generally apply to lands designated as Open Space. Lands identified under an Open Space designation within the Spears High Pointe Secondary Plan Area are further defined as provided below.

4.17.13.1. OPEN SPACE – NEIGHBOURHOOD AND SPECIALIZED PARKS

- a) The Town of Fort Erie’s Parks and Open Space Master Plan shall serve to guide the appropriate location and effective service area distribution for Neighbourhood Parks within the Secondary Plan Area given lands previously identified for Neighbourhood Parks in the Master Plan and earlier Neighbourhood Plan are now subject to environmental constraints. The alternate locations for parks as identified on Schedules SHP-2 and SHP-3 afford the opportunity to maintain the integrity and intent of the Parks and Open Space Master Plan;
- b) Existing Draft Plans of Subdivision contain some blocks of Parkland suitable for dedication where others must be reconsidered for an alternate location within the Secondary Plan as a result of Natural Features identification. The Town shall work cooperatively with developers and property owners to obtain suitable sites for Parkland that best serve the Neighbourhood as a whole;
- c) Neighbourhood Parks are shown on Schedule “SHP-2” and “SHP-3” and it shall remain the intention of the Town to pursue acquisition of adequate Parkland through dedication or other means afforded the municipality through cash-in-lieu opportunities;
- d) The Secondary Plan contains portions of untraveled road allowance that may be used in conjunction with lands acquired to maximize parkland area. The Town may wish to close portions of road allowance associated with park block assembly;
- e) Neighbourhood Parks are a component of the overall Open Space network within the Secondary Plan. Neighbourhood Parks are considered points of interest or destinations within the Plan Area and therefore, will be given priority in connection to the overall network. Wherever possible, the provision of active transportation infrastructure to support pedestrian access to these locations will be required to be addressed through new development applications and capital replacement budgeting;

- f) The lands located immediately south and adjacent to the QEW, east of Alliston Avenue, were draft approved as parkland prior to natural heritage feature identification and overly designation being applied. These lands are shown on Schedule SHP-2 as Neighbourhood Park, as draft approved, and subsequently are not being shown with an Environmental Conservation overlay. Schedule SHP-3 illustrates the Environmental Conservation features identified on these lands (Locally Significant Wetlands), which shall remain regulated by the Niagara Peninsula Conservation Authority. The intent and future use of these lands will have them remain in their natural state with any potential passive recreational or trail use being considered by the Town, in consultation with the Niagara Peninsula Conservation Authority;
- g) The Plan identifies a small park block east of Garrison Road Public School and adjacent to the natural features area. This park shall be recognized as a “specialized park” designation under the Parks and Open Space Master Plan; and
- h) Efforts will be made to preserve vegetation through park site development following examination of service level criteria for each identified park space and those containing limited ECA overlay.

4.17.13.2.OPEN SPACE – GENERAL

- a) The Town supports linkage opportunities to assist in providing pedestrian access to points of interest such as Neighbourhood Parks, the Garrison Road Public School, commercial and services along Garrison Road and major retailers in the east end of the Plan Area. The linkage areas are critical to a cohesive Open Space network that supports active transportation as an alternate means of reaching destinations within the Plan;
- b) The Town shall make every effort to ensure linkage opportunities are protected when new development or re-development is proposed within the Plan Area. Linkage opportunities are represented on Schedules SHP-2 and SHP 3 of this Plan and illustrate a preferred series of linkage opportunities;
- c) The Town may consider alternate locations for linkage provided it can be demonstrated to achieve or improve on the level of direct connectivity desired, so as to promote its use through convenience and pedestrian safety;
- d) Road allowances not presently traveled within the Secondary Plan Area that may remain in such state shall be considered for open space linkage purposes;
- e) Trail development through select Environmental Conservation Area designations identified on Schedule SHP-3 shall be considered desirable and may be pursued

by the Town, in consultation with the Niagara Peninsula Conservation Authority, to provide for an enhanced open space network which supports active transportation objectives;

- f) The Town will seek appropriate opportunities to provide supporting infrastructure for active transportation needs; and
- g) Landscaping treatment for Linkage blocks will be dependent on size and location within the Open Space network. Some areas may be best suited in a naturalized state and others may be preferred in a maintained park like setting.

4.17.13.3.OPEN SPACE – NATURAL AREAS

Schedules SHP-2 and SHP-3 illustrate two areas that have been identified within the Secondary Plan Area and are subject to the following policies:

- a) The area identified on the south side of Bertie Road represents a man-made pond and retention in private ownership will continue to offer a scenic point of interest along the Bertie Road exposure; and
- b) The area located central to the Plan in a long linear arrangement is comprised of privately owned lands and Town owned road allowances (not travelled). The majority of these lands are subject to the Environmental Conservation Overlay designation. The Town desires to have these combined ownerships preserve the existing vegetation and to provide opportunity for an active transportation trail linking the Neighbourhood Park shown on Schedule SHP-2 and SHP-3.

4.17.13.4.OPEN SPACE – STORM WATER MANAGEMENT (SWM)

- a) Lands identified as “Open Space - Storm Water Management” within the Plan Area reflect locations identified in the Spears and High Pointe Master Servicing Plan prepared by EarthTech (2002) and shall be considered approximate until detailed engineering at the development stage can more precisely define limits and location of the designation.
- b) Following detailed engineering analysis, should storm water management facilities identified as “Open Space (SWM)” on the Schedules to this Plan be relocated, shift or have their area requirement diminish, the subsequent implementing designation shall be interpreted as follows:
 - a. the adjacent land use designation with the higher residential designation applying when more than one residential designation exists.

- b. Notwithstanding, for the SWM facility located on Garrison Road, east of the Garrison Road Public School, the defaulting land use shall be Medium Density Residential.
- c) An amendment will not be required provided the changes are not substantive and are the result of detailed refinement. If changes result in complete relocation, the impact on the new location will be assessed with respect to land use loss. The Town may seek opportunities to recover any lost density through further intensification of any subsequent applications. In either instance, consultation with Town staff shall be required.

4.17.14. NATURAL HERITAGE POLICIES

4.17.14.1. GENERAL

- a) Determination of any natural feature boundaries or environmental study requirements will be identified during mandatory pre-consultation for Planning Act applications, or on permit application review for site or building expansions in cases where the lands are regulated under the Conservation Authorities Act as administered by the Niagara Peninsula Conservation Authority in accordance with Section 8 of the Official Plan.
- b) Determination of EIS requirements shall be based on Regional EIS Guidelines, with administration and approval authority responsibility having been set out in the Memorandum of Understanding between local and regional governments and the Niagara Peninsula Conservation Authority.
- c) Policies of Section 8 shall apply to natural heritage resources within the Spears-High Pointe Secondary Plan Area. However, there are unique circumstances that need to be recognized as a result of existing conditions. There are a number of existing residential dwellings, an existing school (Garrison Road P.S.) and existing Draft Approved Plans of Subdivision, all of which pre-date locally significant wetland identification and implementation into the Town's Official Plan. In light of these existing conditions, exceptions will be afforded respecting continued or approved use of select areas of buffer shown on Schedule "SHP-3".
- d) The Spears-High Pointe Secondary Plan contains Environmental Conservation Areas, all of which are shown as an overlay designation on Schedule SHP-2 and further defined on Schedule SHP-3. The Environmental Conservation Areas may comprise any of the following components:
 - a. Locally Significant Wetlands (LSW);
 - b. Associated Buffer Area (typically 30m) adjacent to the LSW; and

c. Woodlands

- e) Policy 8.8.1.XXIV shall be referred to for direction regarding the relationship between existing draft approved plans of subdivision and natural heritage features.

4.17.14.2.LOCALLY SIGNIFICANT WETLANDS

- a) Locally Significant Wetlands (LSW's) are identified as an Environmental Conservation Overlay on Schedules SHP-2 and SHP-3, and are subject to the policies of Section 8 of this Plan and policies of this Section;
- b) Locally Significant Wetlands (LSW's) are regulated under the Conservation Authorities Act as administered by the Niagara Peninsula Conservation Authority (NPCA). Applications for development within these features shall be highly discouraged and subject to Section 8 of this Plan;
- c) Any application received for development within an LSW shall require an Environmental Impact Study and Planning Justification demonstrating conformity with the Provincial Policy Statement, Niagara Peninsula Conservation Authority (NPCA) Land Use Planning Policy Document, Regional and Fort Erie Official Plans. The NPCA is the regulatory authority for LSW's under the Conservation Authorities Act.

4.17.14.3.ASSOCIATED BUFFER AREA

- a) Schedules SHP-2 and SHP-3 illustrate the LSW feature with two separate identities provided for the Associated Buffer as defined below:
 - a. "30m LSW Buffer Overlay" is illustrating a complete 30m buffer around the perimeter of the LSW feature as identified by the Ministry of Natural Resources. This designation is provided for demonstration and shall serve as an overlay for reference when applications are received for any development activity on affected lands. The overlay reveals areas of underlying designation that represent, and are designated for, their existing / approved and accepted use. Non-environmental land uses identified under the overlay designation shall continue to be permitted and recognized through this plan and shall be zoned accordingly. Any new development on underlying lands such as building additions, accessory structures or minor grading works, may require permits from the NPCA. The Town in consultation with the Region and NPCA will pursue the establishment of waiving and scoping requirements and procedures for an

EIS to simplify the approval process while allowing development that safeguards the natural environment.

- b. “Remnant Buffer” is a land use designation within the context of this plan and represents remaining “intact” Buffer Area of the 30m required Buffer Area directly associated with the LSW feature. The Remnant Buffer is shown on Schedule SHP-3 and is an Environmental Conservation Area designation and subject to full regulation by the NPCA. Development within this designation shall be highly discouraged and may only be considered in accordance with Section 8 of this Plan and regulatory requirements of the NPCA.

4.17.14.4.WOODLANDS

- a) Woodland features are found scattered throughout the Plan Area with some being associated with the LSW’s and others not. The woodlands are identified as part of the Environmental Conservation Overlay designation with an underlying primary land use identified therein;
- b) Development within the Woodlands, outside of LSW’s and associated Buffers, may require an EIS be prepared to the satisfaction of the Town, in accordance with Section 8 of this Plan and in consultation with the NPCA;
- c) The Town in consultation with the Region and NPCA will pursue the establishment of waiving and scoping requirements and procedures for an EIS to simplify the approval process while allowing development that safeguards the natural environment; and
- d) A Tree Preservation plan may be required to implement the recommendations of an EIS, or to protect trees identified as worthy for protection.

4.17.14.5.ENVIRONMENTAL CORRIDOR, LINKAGE

- a) Schedule “C” of the Official Plan illustrates conceptual Corridors throughout the municipality. The Spears High Pointe Neighbourhood Area contains the outer reach of one such corridor. The location is shown on Schedule “SHP-3” of this Plan and is illustrated towards the eastern end of the Plan Area between the major commercial area and residential interface.
- b) There is considerable existing development, including Garrison Road, where the corridor is illustrated. The appropriateness of a corridor in this area will be examined as part of an EIS for adjacent lands designated for development, as set out in Section 8.3.4 IV of the Official Plan.

4.17.15. SENSITIVE USES IN PROXIMITY TO QEW AND EMPLOYMENT LANDS

- a) The potential for elevated noise exists for some areas of residential within the Plan Area due to proximity of the Q.E.W. and proposed Employment lands. Appropriate measures may be required to mitigate excess noise to within acceptable MOE Guideline levels.
- b) Residential development bordering employment lands shall be designed in a manner so as to mitigate, or to assist in mitigating, any potential noise impact from employment uses. This interface area is generally along Bertie Street within the Plan Area and future residential use may be required to front Bertie Street with increased setbacks. Outdoor living areas should be situated to the rear of units along the south side of Bertie Street.

4.17.16. TRANSPORTATION SYSTEMS (ROAD NETWORKS, ACTIVE TRANSPORTATION AND PUBLIC TRANSIT)

- a) The Transportation System is in reference to the various modes of transportation that can be made available to service the Spears High-Pointe Secondary Plan Area. The three components envisioned to service the Plan Area include the road network, the pedestrian/active transportation network and public transit routing.
- b) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation Systems over the long term, review of current standards, or development of new standards may be required.

4.17.16.1. ROAD NETWORKS

- a) The development of the road network in the Spears-High Pointe Secondary Plan shall generally be in accordance with Section 12.7 of the Town Official Plan.
- b) Improvements to the road system and road reconstruction shall be carried out in accordance with the standards adopted by Council pertaining to municipal roads, and Council will strongly consider the existing character of the neighbourhood when making road improvement decisions.
- c) It is not intended that all road improvement proposals will be undertaken in the immediate future, but the Town shall, in conjunction with the Region where required, prepare a detailed staging plan for road improvements and establish an order of priorities for such improvements.

- d) New roads shown on Schedule “SHP-4” are “conceptual” and their introduction or final location shall be determined through subsequent development applications.
- e) In addition to the existing collector roads within the Plan Area (Bertie Street, Pettit Road and Spears Avenue) and the arterial regional road (Garrison Road) along the Plan’s southern boundary, the Town desires to establish a mid-block east-west neighbourhood collector road capable of providing a continuous internal traffic route through to either end of the Plan Area, without the need to access Garrison Road. Seymour Avenue represents the only possibility to achieve this goal and as such, the Town shall seek to provide for its extension in this role.
- f) A small portion of Alliston Avenue between Acton Avenue and Bertie Street is shown as a conceptual road. Conditions of an existing and related draft approval require a Transportation Impact Study be completed. Scoping of the study parameters should include a functional analysis on whether construction of this short connecting road provides any significant benefit, or relief on Spears Road traffic volumes. Should the analysis demonstrate negligible or marginal improvement to the overall impact on Spears Road, the Town may choose to have the use remain Open Space, as shown being the underlying designation on the Schedules to this Plan.
- g) The Town shall seek to provide cross connection to existing roads on the south side of Garrison Road wherever feasible and to reduce the instances of offset or misaligned intersections.
- h) Garrison Road is under the jurisdiction of the Region of Niagara. New road intersections and driveways access and egress require Regional approval.
 - a. The Region of Niagara has indicated that Kraft Road to the south of the Plan Area will be the preferred location for any future traffic signalization. Traffic signals will require a warrant prior to commitment for their installation.
- i) Development occurring in the vicinity of the Kraft Road intersection shall have regard for design geometry to accommodate through traffic entering and exiting the Plan Area.
- j) The Town, in consultation with the Region, shall make final determination on whether truncating access of Spears Road to Garrison Road would occur following any successful alternate alignment with Kraft Road being implemented. When requesting Traffic Impact Studies resulting from development applications, modeling will be requested that demonstrates impacts of closing Spears Road, to

assist in determining an ultimate preferred intersection arrangement in this vicinity of Garrison Road.

4.17.16.2.ACTIVE TRANSPORTATION

- a) Active Transportation shall be a consideration of Council as identified under Section 12.7.2 iv).
- b) Components of active transportation include on-road cycling lanes, off-road paths/trails and a comprehensive sidewalk network within the Plan Area, access to all common and frequent destinations or points of interest, such as parks, schools, commercial, YMCA, Town Hall skate park, arena's and transit stops.
- c) Schedule "SHP-4" illustrates components of the Active Transportation Network for the Spears-High Pointe Secondary Plan.
- d) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking road improvements / reconstruction.
- e) Applications for development will be required to demonstrate how plans integrate and provide for the necessary infrastructure to facilitate active transportation in relation to adjoining uses, and how it contributes to the overall network for active pedestrian movement illustrated on Schedule "SHP-4".
- f) At a minimum, all new or reconstructed roads within the Plan Area shall provide for a sidewalk on at least one side of the roadway where financially feasible.
- g) Any planning for public sidewalk construction will be subject of departmental review and confirmation.
- h) Collector roads within the Plan Area shall be planned to provide for sidewalks on both sides. Council may consider single side locations in part or in whole following departmental review and recommendation.
- i) Efforts to provide a primary and secondary network of sidewalks will be considered where increased frequency and use can be expected. This may include sidewalks in the vicinity of Garrison Road Public School, along collector roads, or linking to transit stops. Treatment to distinguish sidewalk hierarchy may be established to include increased surface width or promotion of increased or double row planting.

- j) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.
- k) On-road bicycle lanes should be provided on collector roads within the Plan Area. Standard asphalt platform and lane widths may require review in conjunction with on-street parking restriction to facilitate a safe and functional on-road cycling network.
- l) The Spears-High Pointe Secondary Plan contains natural environment features that may be suitable for accommodating pedestrian trail linkage. Opportunities to enhance the overall network through visual variety in a diversity of settings shall be encouraged. NPCA will be consulted when trails are proposed in regulated areas.
- m) Any trails associated with or located in Open Space or Natural Features Areas shall not be lit, thereby assisting in nocturnal wildlife corridor function.
- n) Determination of surface materials used on trail linkages will be determined on a site by site basis and in consultation with NPCA where applicable.
- o) Wherever possible, the Town and Region will work cooperatively in establishing linkages to broader regional active transportation infrastructure to further promote and extend the range and reach accessible by active transportation modes.
- p) Active Transportation and Public Transit use are complimentary modes of transportation. Provision of adequate pedestrian linkage should be available to and on transit routes.

4.17.16.3.PUBLIC TRANSIT

- a) The Spears High-Pointe Secondary Plan shall be considered for regular service scheduling. As the community development progresses, the transit routing shall be regularly reviewed and updated to accommodate and promote public transit ridership from within the neighbourhood.
- b) The existing inter-regional transit hub situated at the northwest corner of Thompson and Garrison Roads (Walmart) shall continue to be promoted in conjunction with local transit initiatives in providing access to major urban centres within Niagara.
- c) A transit route schematic is illustrated on Schedule “SHP-4”, along with potential transit stops. Applications for development shall have regard for long term transit service needs, which may include consideration of driveway locations in

proximity to potential stop locations. Actual location and infrastructure requirements for transit stops will be reviewed on an application by application basis. Developers may be required to provide or assist in providing infrastructure requirements to accommodate transit or future transit.

- d) Long term transit planning shall have regard for locating potential transit stops using a typical 400m service area catchment model.

4.17.17. **PARKING POLICIES**

- a) The hierarchy of roadways through their classification of either Arterial, collector or local, shall dictate whether on-street parking will be permitted.
- b) When roads of are slated for reconstruction, consideration will be given to their intended classification within the Plan Area with respect parking provision.
- c) All local roads should be providing allowance for parking on at least one side of the road. Consideration shall be given with respect to sightlines and other safety related matters and where appropriate on-street parking may be restricted.
- d) Collector Roads will consider the provision of on-street cycling lanes as the primary use of curbside asphalt space, thereby restricting or prohibiting onstreet parking. In the event that a collector road is not identified for on-street cycling lanes, consideration may be given to provision of on-street parking on at least one side and subject to available platform width, both sides. Restrictions may be imposed given the higher volumes of traffic anticipated for a collector road and through the presence of transit service and transit stops, if applicable.
- e) Provision of on-site parking for intensified residential, commercial and mixed use along Garrison Road will be required.
- f) The Town may consider reduced parking requirements for mixed use development through site specific By-law Amendment when a parking study can demonstrate offsetting need for spaces during periods of use.

4.17.18. **CULTURAL HERITAGE POLICIES**

- a) The Spears-High Pointe Secondary Plan Area contains two identifiable potential cultural heritage sites for consideration by the Municipal Heritage Standing Committee. The location of the sites are identified on Schedule “SHP-2” and are referred to as:
 - a. Garrison Road Public School

b. Plato Loyalist Cemetery

- b) The Brigadier General Cruickshank residence is designated under Part 5 of the Ontario Heritage Act. Given the heritage designation of this site, no additional residential development is envisioned for this property.

4.17.19. **MUNICIPAL SERVICES POLICIES**

- a) Municipal servicing shall be consistent with the policies of Section 12 of the Town's Official Plan.
- b) Municipal services such as sewers, water, stormwater and public/private utilities will be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in the Spears-High Pointe Neighbourhood.
- c) Major sanitary works have recently been completed along Garrison Road that will facilitate sanitary servicing of the entire Spears-High Pointe Secondary Plan Area. All of the currently approved and future developments will be required to provide servicing plans that are consistent with the 2002 Town of Fort Erie Master Servicing Study and its April 2009 compendium Technical Memorandum Update prepared by Phillips Engineering Ltd.
- d) All new development shall require approval of a storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to mitigate or alleviate flooding of adjacent and downstream properties during storm events.
- e) Locations for stormwater management facilities are illustrated on Schedules SHP-2 and SHP-3 and are considered approximate until such time that detailed engineering has confirmed location and size required for benefitting catchment areas within the Secondary Plan Area.
- f) Existing municipal water supply is available to service the Plan Area. All phasing or staging of development shall be encouraged to loop watermains wherever opportunity exists to do so
- g) Spears-High Pointe contains many smaller properties that could be considered for in-filling, consents or consolidations. Property owners and developers are encouraged to work cooperatively in establishing servicing plans that optimize potential for additional development through such means.

- h) The Town may consider front-ending agreements when all other financing means have been demonstrated and exhausted.
- i) All new development within the Secondary Plan Area shall be developed with full municipal services.
- j) The Town shall expect up gradient property ownership to make financial contributions to the persons or entities having made the initial investment in infrastructure for proportionate SWM Pond volume and any incremental oversizing requirements with respect to sanitary and storm sewers. Such contributions may require execution of a separate agreement at an appropriate time following any successful applications for new development and prior to execution of required agreements with the Town of Fort Erie.

4.17.20. **UTILITIES**

- a) Canadian Niagara Power has identified a possible need for a future distribution sub-station in proximity to, or within the Plan Area. Service area and network planning is largely dependent on demand. An optimal location for the substation will be determined at the earliest possible time to support the growth in the larger vicinity.
- b) Canadian Niagara Power shall work cooperatively with the Town and regulatory authorities in determining suitable locations that are compatible with existing and planned development, in effort to reduce or eliminate potential conflicts,
- c) Use of appropriate aesthetic treatments by all public and private utilities will be examined relative to site location and adjacent area land use. Efforts to minimize visual impacts on sensitive adjacent land uses will be required and may include landscape planting/screening, architectural treatments or combination thereof. Aesthetic mitigation requirements will be determined in consultation with the Town and on a site specific basis.
- d) Safety standards and separation requirements shall be strictly enforced when located close to residential development.

4.17.21. **NEIGHBOURHOOD GATEWAYS**

- a) The Spears-High Pointe neighbourhood represents (in Part) the western gateway into Fort Erie's Main Urban Area. The municipal offices and existing sign act as an effective major gateway feature into this urban area. Consideration on establishing minor gateway features at the various neighbourhood entry points

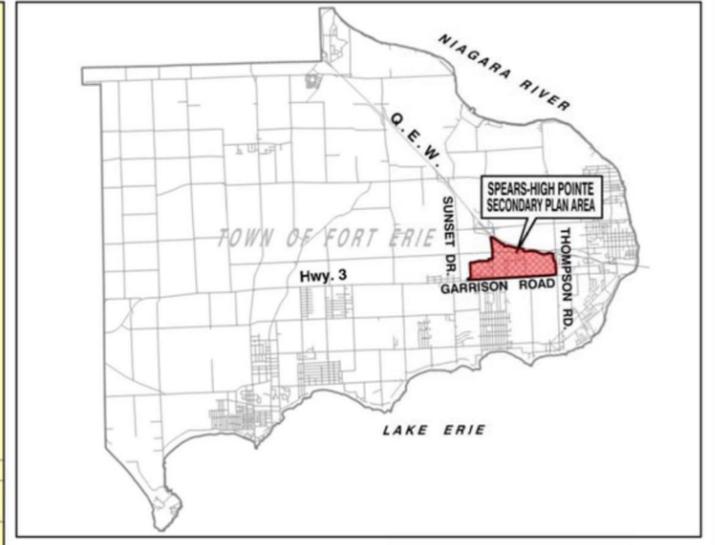
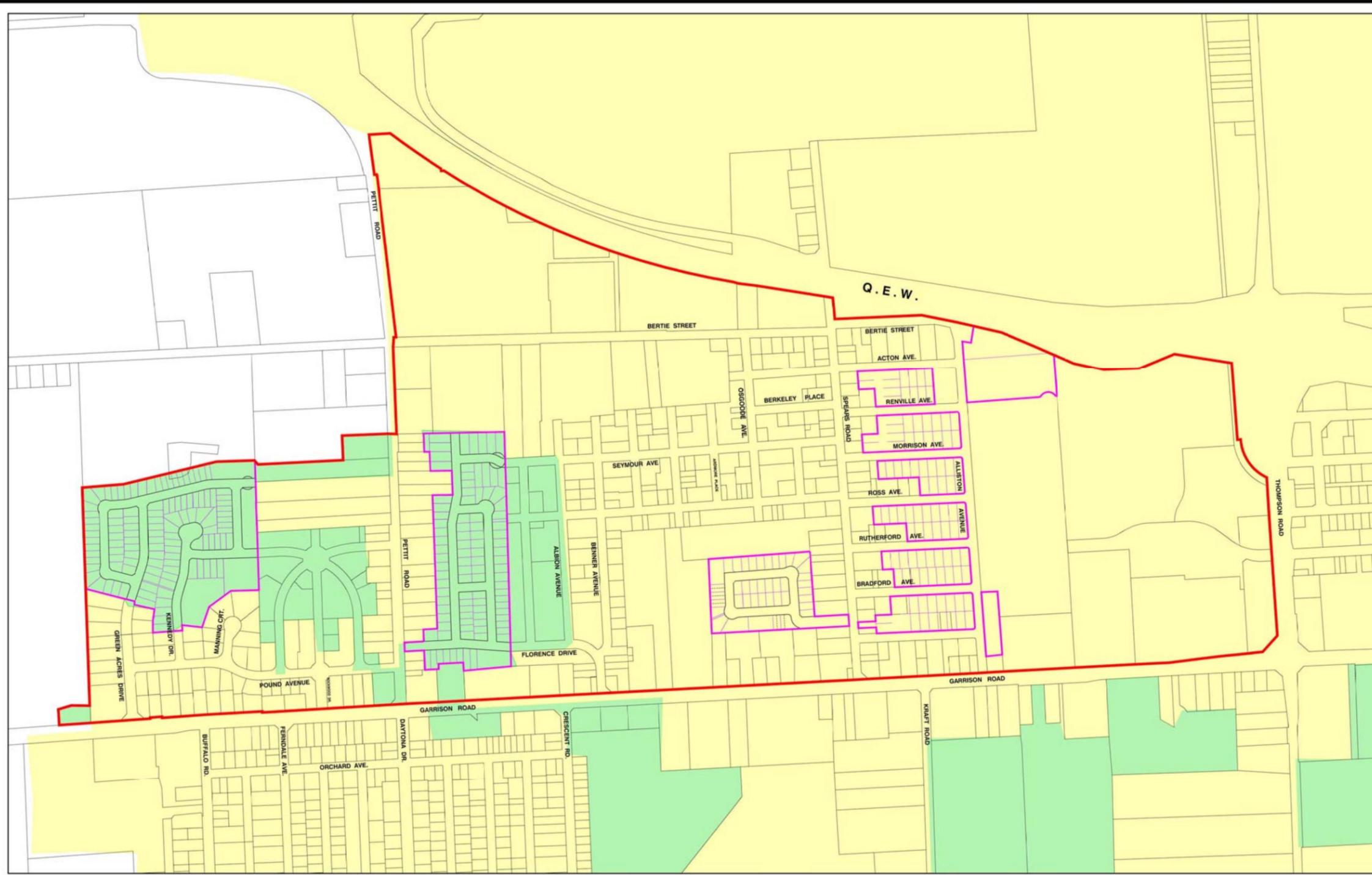
may be given in effort to identify and distinguish the neighbourhood from its southern neighbours (Crescent Park and Kraft neighbourhoods).

- b) Efforts to achieve minor gateways can be accomplished through such measures as minor architectural features at road intersections, landscaped treatments, decorative fencing, alone or in combination with one another.
- c) Identifiable minor gateway locations the Town has given consideration to are identified on Schedule SHP-4 and are described as being located at:
 - a. Garrison Road bordering the major commercial development and the high density designation;
 - b. Pettit Road at the northern most point of the Plan Area.
- d) Development occurring at these identified locations shall be encouraged to incorporate minor gateway features, in consultation with the Town, as part of the development proposals. Other areas may be considered during the development consultation and application stages.
- e) Should minor gateway features be considered for locations on or immediately adjacent to Garrison Road, the Town and/or developer shall consult with the Region in determining interest or requirements.

4.17.22. **INTERPETATION OF THE PLAN**

The Spears-High Pointe Secondary Plan (Official Plan Amendment No.8) consists of Sections 4.17.1 through 4.17.21, and Schedules “SHP-1”, “SHP-2”, “SHP-3” and “SHP-4”. The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

(Section 4.17 was introduced by By-law 2012-131, OPA #8)



**SPEARS-HIGH POINTE
SECONDARY PLAN**

**BUILT BOUNDARY
(Places to Grow)**

- LEGEND**
- SECONDARY PLAN BOUNDARY
 - "BUILT-UP AREA" (PLACES TO GROW - GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE)
 - "GREENFIELD" (PLACES TO GROW - GROWTH PLAN FOR THE GREATER GOLDEN HORSESHOE)
 - ACTIVE DRAFT APPROVED PLANS OF SUBDIVISION

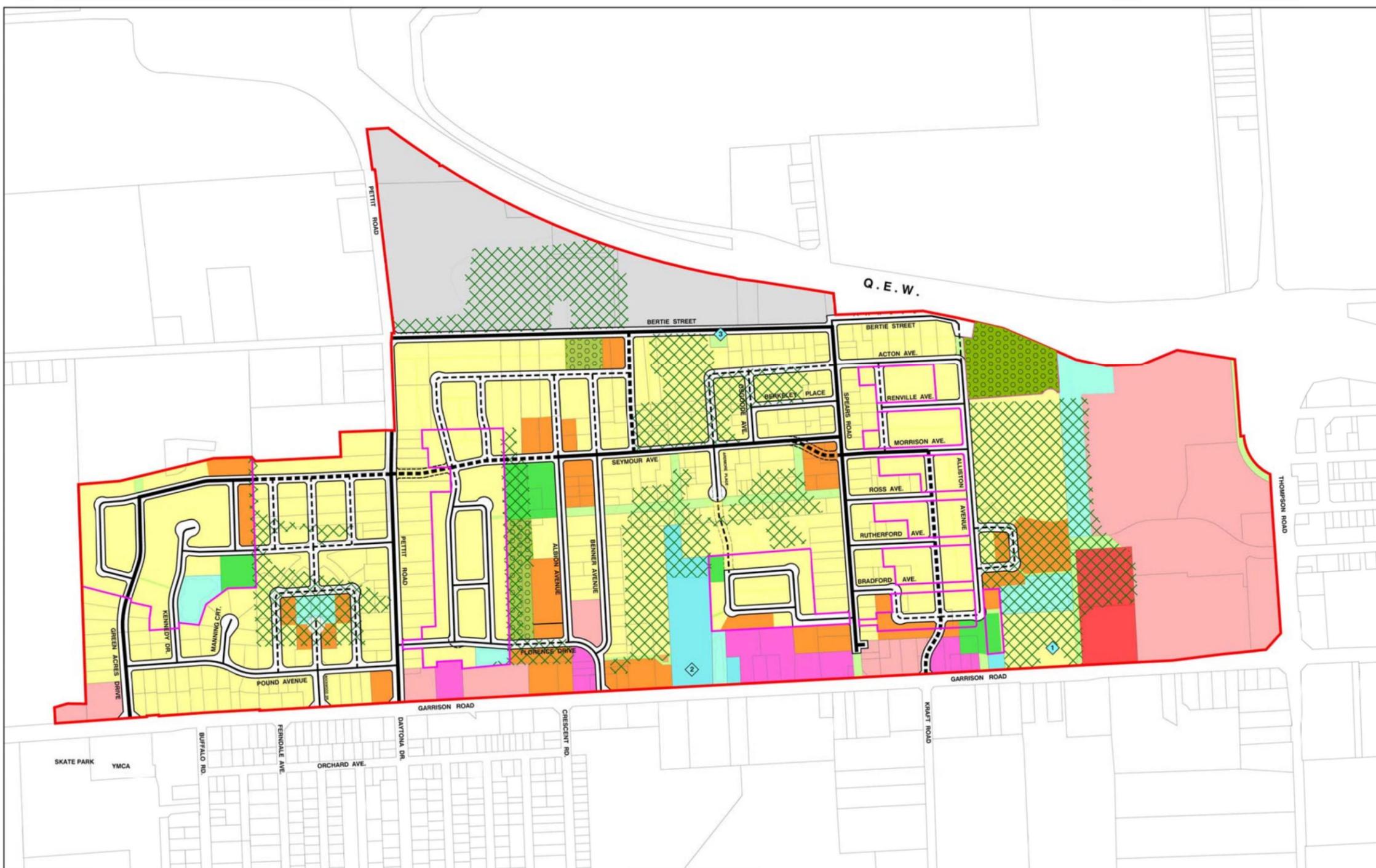


THIS IS SCHEDULE
SHP-1
TO OFFICIAL PLAN
AMENDMENT 8



SPEARS-HIGH POINTE SECONDARY PLAN

LAND USE PLAN



LAND USE LEGEND

- | | | | |
|--|----------------|--|---|
| | LOW DENSITY | | OPEN SPACE (NEIGHBOURHOOD PARK) |
| | MEDIUM DENSITY | | OPEN SPACE (GENERAL) |
| | HIGH DENSITY | | OPEN SPACE (SWM) |
| | CORE MIXED USE | | OPEN SPACE (NATURAL AREA) |
| | COMMERCIAL | | ENVIRONMENTAL CONSERVATION AREA (Overlay)
(See Schedule SHP-3) |
| | INSTITUTIONAL | | TRAVELLED ROADS - EXISTING OR APPROVED |
| | EMPLOYMENT | | CONCEPTUAL ROADS |

HERITAGE RESOURCES

- PROVINCIALY DESIGNATED - GENERAL CRUIKSHANK HOMESTEAD
- POTENTIAL HERITAGE SITE - GARRISON ROAD PUBLIC SCHOOL
- POTENTIAL HERITAGE SITE - PLATO LOYALIST CEMETERY

OTHER

-
- DRAFT APPROVED PLANS OF SUBDIVISION
-
- TOTAL SECONDARY PLAN AREA



THIS IS SCHEDULE
SHP-2
TO OFFICIAL PLAN
AMENDMENT 8



SPEARS-HIGH POINTE SECONDARY PLAN

OPEN SPACE & NATURAL HERITAGE PLAN



LEGEND

- | | | | |
|--|--|--|--|
| | OPEN SPACE (NATURAL AREA) | | OPEN SPACE (SWM) |
| | ENVIRONMENTAL CONSERVATION AREA (Overlay) | | OPEN SPACE (GENERAL) |
| | ENVIRONMENTAL CONSERVATION (LSW) | | OPEN SPACE (NEIGHBOURHOOD PARK) |
| | 30m LSW BUFFER LIMIT (from LSW Feature) | | TYPICAL NEIGHBOURHOOD PARK SERVICE AREA (600m) |
| | REMNANT LSW BUFFER (not owner occupied/maintained) | | POTENTIAL TRAILWAY - Pedestrian Linkage |
| | TOTAL SECONDARY PLAN AREA | | POTENTIAL TRAILWAY - Enhanced Boulevard |
| | DRAFT APPROVED PLANS OF SUBDIVISION | | CONCEPTUAL CORRIDOR LINKAGE |



THIS IS SCHEDULE
SHP-3
TO OFFICIAL PLAN
AMENDMENT 8

DECEMBER 10, 2012



SPEARS-HIGH POINTE SECONDARY PLAN

TRANSPORTATION SYSTEMS PLAN



LAND USE LEGEND

- OPEN SPACE (NEIGHBOURHOOD PARK)
- OPEN SPACE (GENERAL)
- OPEN SPACE (NATURAL AREA)
- OPEN SPACE (SWM)

ROAD CLASSIFICATIONS

- COLLECTOR ROADS - EXISTING
- LOCAL ROADS - EXISTING
- COLLECTOR ROADS - APPROVED
- LOCAL ROADS - APPROVED
- COLLECTOR ROADS - CONCEPTUAL
- LOCAL ROADS - CONCEPTUAL

ACTIVE RECREATIONAL FEATURES

- POI - Point of Interest (common pedestrian destination)
- POTENTIAL TRAILWAY - Pedestrian Linkage
- POTENTIAL TRAILWAY - Enhanced Boulevard
- POTENTIAL BIKE LANE

TRANSIT AND TRANSPORTATION

- POTENTIAL TRANSIT ROUTE
- POTENTIAL TRANSIT STOP
- EXISTING TRAFFIC SIGNAL LOCATION
- POTENTIAL TRAFFIC SIGNAL LOCATION

SERVICE AREA CATCHMENT

- TYPICAL TRANSIT STOP SERVICE AREA (400m)
- TOTAL SECONDARY PLAN AREA
- MINOR GATEWAY FEATURES



THIS IS SCHEDULE
SHP-4
TO OFFICIAL PLAN
AMENDMENT 8



Town of Fort Erie

Schedule E: Ridgeway-Thunder Bay Secondary Plan

4.18. RIDGEWAY-THUNDER BAY SECONDARY PLAN

4.18.1. PURPOSE

The purpose of the Ridgeway Thunder Bay Secondary Plan is to provide a framework for a cohesive, complete community, providing opportunities for new development in and around the existing neighbourhoods while remaining conscious and sensitive to the established community as a whole. The framework is intended to provide clear direction in achieving subsequent goals and objectives.

The Secondary Plan consists of a land use plan and related policies to guide development and other forms of renewal to ensure it is in keeping with the Town's vision for this neighbourhood. The Plan will provide and serve as the guide for planning activity for a planning period projected over the next 20 years and will be subject to amendments from time to time, as well as being included the Town's 5 year review of its Official Plan.

4.18.2. VISION

The Secondary Plan is the result of comprehensive consultation. On initiation of strategic planning exercises fostered by the Town's Neighbourhood Plan Program, agency and public engagement was conducted in the early phases of the Neighbourhood Plan's background research. The exercises included municipal and community Focus Group SWOC (Strengths, Weakness, Opportunities & Constraints) sessions, which generated the following Neighbourhood Plan Vision:

"Our vision for Ridgeway and Thunder Bay is a community steeped in the old and where its village character is maintained while meeting the needs of all neighbourhood residents. In 20 years, Ridgeway/Thunder Bay is the best little town in Niagara, a great place to live life, work, play and visit".

The vision was derived and identified by participants, receiving Council endorsement in June 2009 by way of the Neighbourhood Plan approval, and has remained relevant in the preparation of this Secondary Plan.

4.18.3. GOALS

The goal of this Plan is to build off the vision established, treating it as our benchmark, and to implement a policy framework that strives to achieve the complete community concept. These goals can be met by providing for a variety of residential densities, form and heights, commercial, mixed use and open spaces, while also protecting significant natural environments and introducing enhanced commercial permitted uses to expand the potential for employment type uses and opportunities.

A complete community meets the diverse needs of its many residents and visitors including homeowners, businesspersons, shoppers, and tourists. The Plan shall seek to establish areas and opportunities for intensification in key locations within the neighbourhood, remaining sensitive to the needs of all neighbourhood residents, businesses and citizens of this Town. Furthermore, it will provide guidance/criteria for further residential intensification.

4.18.4. **OBJECTIVES**

The main objectives of the Ridgeway-Thunder Bay Secondary Plan are to:

- a) Encourage new development and re-development that respects the unique history of the neighbourhood and is compatible with the existing built environment. Compatibility does not mean the same as.
- b) Encourage development that supports long term sustainability and provides livable, renewable environments for its residents and businesses.
- c) Support the commercial areas of the neighbourhood that provide the surrounding residential population with a variety of goods and services, as well as providing for the needs of tourists traveling through and to our community.
- d) Provide for a variety of housing alternatives at key locations throughout the neighbourhood with particular focus on intensification and provision for a full range of housing types in and around the downtown core area, along our primary transportation corridors and in locations that are well suited and served by our natural and open spaces areas, connected with pedestrian/trail networks and in proximity of recreational opportunities.
- e) New housing development and re-development will be integrated with existing built up areas, open spaces and natural heritage features. Previously approved subdivision plans will be acknowledged within the neighbourhood planning context and developers of these plans shall be encouraged to work with the municipality in achieving the objectives of this Plan.
- f) Support retention of all waterfront property currently in public ownership, and application of existing policy to provide for the expansion of public ownership and use of waterfront lands in our community.
- g) Provide opportunities to embrace and enhance “active transportation” infrastructure through maintaining, creating and extending recreational trail and pedestrian networks that connect the community and give residents a healthy alternative in their transportation choices.

- h) Make the neighbourhood a friendly, walkable community that promotes pedestrian movement and active transportation. Place emphasis on community safety for all ages by providing sidewalks, bike lanes, speed and stop control on our shared roadways.
- i) Provide policy that recognizes and protects the interest and unique historical setting of the downtown core without limiting the ability of more contemporary commercial operations from establishing in other commercial areas of the neighbourhood.
- j) Establish Community Improvement funding programs that supports the BIA commercial and mixed use district efforts to enhance building stock within its boundaries.
- k) Encourage remedial efforts for brownfields within the community in order to bring renewal and a positive, healthy change for these locations.
- l) Provide a full range of housing choices that are coordinated with land use designations and densities that provide for suitable transition and gradation.
- m) Encourage development forms which are compact, to utilize urban land and services efficiently.
- n) Encourage land assembly that would result in more efficient and effective design.
- o) Promote conservation of natural areas together with sensitive development.
- p) Protect significant natural features such as Provincially Significant Wetlands (Mann Farm) with appropriate environmental protection designation, ensuring their ecological functions, benefits and contributions will be shared for future generations.
- q) Provide transit supportive design and density that will encourage and maximize ridership by making it convenient to access transit services.
- r) Promote an appropriate employment designation for lands within the Neighbourhood, in effort to foster light industrial/commercial activity in a small business park setting.
- s) Promote meaningful conservation of the neighbourhood built heritage features while ensuring standards for health and safety are not compromised and that in doing so, potential for renewal and redevelopment are not precluded.

- t) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public / private utilities are provided to adequately service the residents, businesses and institutions of this area. Promote housing development that will provide opportunities to meet with demographic and socio-economic needs of the Town. A full spectrum of built form and tenure is encouraged if “age-in-place” practice is to be realized.

4.18.5. **RESIDENTIAL – GENERAL**

- a) Section 4.7 of the Town’s Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections herein.
- b) Schedule “RTB-2” designates areas of residential land use within the Secondary Plan Area and the policies of the respective residential sections shall apply accordingly.
- c) The Plan provides for initial areas of Low and Medium density residential that promotes age-in-place opportunities, meets provincial intensification targets, supports the Downtown village environment and walkable communities. Other locations for increased densities will only be considered by demonstration of land use compatibility and compliance with the criteria provided for under Sections 13.10.2 and 4.18.7d).
- d) The Secondary Plan anticipates an additional 975 dwelling units with the projected increase in new residential population of approximately 2400 persons in the neighbourhood over the long term. Current population at the end of 2012 is estimated to be 4500 persons.
- e) An appropriate level of affordable housing and senior citizen’s housing shall be considered by the Town when reviewing development applications proposed within the Plan Area, in keeping with Provincial Policy. Such developments shall be integrated with other forms of housing rather than segregated and isolated in order to provide a more cohesive and inclusive neighbourhood. In doing so, the opportunities for age-in-place are also supported and extended to a broader socio-economic base.
- f) The Town will consult developers regarding intensifying their existing draft approved plans of subdivision, provided the locations are suitable for increase and consistent with locational criteria defined under Section 4.18.7d).
- g) Only through development activity where an EIS has been required will actual development potential be confirmed. Recognition that impacts may affect

ultimate unit yield shall be afforded to this Plan and the stated projections may change accordingly.

- h) Neighbourhood commercial uses may be considered in residential neighbourhoods provided they are in keeping with Section 4.7.4.2 of the Town's Official Plan.

4.18.6. **LOW DENSITY RESIDENTIAL**

- a) The lands designated on Schedule "RTB-2" as "Low Density Residential" shall be reserved for single detached, semi-detached and duplex dwellings and uses accessory thereto, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) An overall target of not more than 80% Low Density residential yield shall be anticipated within the Plan Area. In effort to achieve this target, lower density dwellings should comprise not more than 60% of all new development. A Low Density range of up to 25 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure and providing opportunities to diversify lower density housing stock.
- c) Schedule "RTB-2" provides for approximately 565 additional low density units, bringing the projected total for Low Density units to approximately 2430 over the long term. The yield reflects the existing lot fabric and anticipates retention of some larger existing residential lots. New or redeveloping lower density development can be expected to comprise smaller lot area and dimension. This will also make efficient use of infrastructure while broadening choice and affordability in the low density form over the course of the planning period.
- d) Areas of Low Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.18.12.3 of this Plan. Development, redevelopment or expansion to existing use may require further environmental study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.

4.18.7. **MEDIUM DENSITY RESIDENTIAL**

- a) The lands designated on the Schedule "RTB-2" as "Medium Density Residential" shall be reserved for multiple-unit structures (townhomes and apartment dwellings), their accessory uses and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) An overall minimum target of 20% Medium Density residential unit yield shall be anticipated within the Neighbourhood. In effort to achieve this target, medium density dwellings should comprise a minimum of 40% of all new development. A

Medium Density range of 25 to 75 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.

- c) Schedule “RTB-2” provides for approximately 410 new Medium Density units, bringing the total for projected Medium Density units to approximately 610 over the long term.
- d) Medium Density development is identified on Schedule RTB-2. Additional areas will also be considered by zoning by-law amendment for areas meeting one or more criteria as outlined below:
 - 1. within walking distance to the Downtown Core Mixed Use;
 - 2. within walking distance to the Gorham Commercial Gateway;
 - 3. preferably along arterial and collector roads within the Plan Area;
 - 4. in close proximity to amenity spaces such as Parks, Open Space/Trails or Natural Feature Areas.
- e) The Town shall encourage and may request medium density be included in proposals where, in the opinion of the Town, medium density is appropriate and meets with the identified locations defined in paragraph d) herein.
- f) Developers with existing draft approved plans of subdivision within the Plan Area will be encouraged to consider modifying their plans to incorporate medium density that is in keeping with the locational criteria described in paragraph d) herein.
- g) It is anticipated that the majority of the Medium Density unit yield will be in the form of ground-based dwellings such as street or block townhouse development. Low-rise apartment dwellings will generally be restricted to 4 storeys in height. Medium Density apartment building height beyond 4 storeys will only be allowed by Zoning By-law Amendment with required supporting studies such as a visual impact assessment or shadow study, where in the opinion of the Town such impacts may be realized, demonstration of compatibility and consideration of built heritage for areas adjacent to the downtown Core Mixed Use area.
- h) Areas of Medium Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.18.12.3 of this Plan. Development, redevelopment or expansion to existing use may require further environmental study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.
- i) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.

4.18.8. CORE MIXED-USE

- a) The lands designated as “Core Mixed-Use” on Schedule “RTB-2” shall be reserved for a variety of retail and office uses, as well as residential uses. The Core Mixed Use areas are shown on Schedule “RTB-2” and shall generally be governed by the policies of Section 4.8 unless otherwise defined under this section.
- b) Section 4.8.1.III provides that Core Mixed Use areas will be identified through the Neighbourhood Planning Process.
- c) The Town recognizes the unique cultural and historical significance of the Downtown Ridgeway Commercial Core Area as being fundamentally and characteristically different than other commercial designations within the Plan Area. As a result a Core Mixed Use designation better reflects the current composition of uses and long term vision identified for this area.
- d) Existing stand-alone dwellings shall be permitted to remain while new residential stand-alone dwellings will not be permitted, with limited exceptions, such as replacement due to fire.
- e) The Downtown Core Mixed Use designation represents the traditional commercial core area and its associated residential components. Buildings existing in the core area are generally characterized as having been one of two distinct built forms. Firstly, “purpose built” commercial or institutional uses of earlier years in the core area’s growth and secondly, residential buildings that have been modified or adapted with commercial frontage as the commercial need grew into the residential areas of Ridge Road North, both north and south of the rail station (now the Village Square). The Town recognizes this village setting as being of fundamental value to the residents and business owners in the community. Efforts to retain and enhance this village setting are of primary interest to all stakeholders.

Until such time that Urban Design Guidelines are approved, and in recognition that extensive streetscaping has been completed in the core area, the following site design and urban principles / guidelines should be acknowledged in submission and review for new development applications within the Downtown Core Area Mixed Use designation:

Ridgeway Downtown Core Mixed Use

- i. The Downtown Core Mixed Use designation represents the traditional commercial core area and its associated residential

components. Buildings existing in the core area are generally characterized as having been one of two distinct built forms. Firstly, “purpose built” commercial or institutional uses of earlier years in the core area’s growth and secondly, residential buildings that have been modified or adapted with commercial frontage as the commercial need grew into the residential areas of Ridge Road North, both north and south of the rail station (now the Village Square). In either instance the building massing has been brought forward to the streetline and any new development along the Ridge Road North frontage shall be designed and situated to respect the existing streetline setbacks.

- ii. New development or re-development in the mixed use designation shall be encouraged to retain or improve (bring forward to the street) building setbacks in effort to maintain or frame the existing streetscape. In some instances minor setbacks are acceptable where adjacent buildings are presently withdrawn from streetline. However, new buildings should attempt to transition through an average setback of adjacent buildings.
- iii. New buildings purpose built for restaurant or tavern use may be allowed to setback for the purposes of creating patio space as part of their planned operations. Regardless, setbacks of more than 6m are discouraged to limit a punctured appearance of the street wall.
- iv. New or re-developed buildings within the Core Mixed Use designation should maintain an appropriate pedestrian scale within a village context and therefore buildings will provide a minimum of 2 storeys and a maximum of 3 storeys with “at-grade” retail/commercial floor space only for the main level. At least one upper level shall provide for residential dwellings. Office uses can comprise a second floor of a 3 storey building.
- v. Building materials selected for new or redeveloping sites should be of high quality and provide some elements that can be related to other existing built form or heritage architecture from within the village area. Such efforts are not requiring complete replication of period architectural designs, but do respect and honour the traditional elements found in some of the older building stock. Examples would include:
 1. Use of cornice elements and sign banding that is consistent with adjacent buildings.

2. Use of cornice elements and/or bracketing defining the roof line
 3. Consistent upper level window rhythm that is balanced with adjacent buildings and respecting the commercial street window treatments.
 4. At-grade retailers are encouraged to provide ample glazing size and surface, offering good transparency at street level.
 5. Doorways should be clearly defined and easily accessible
 6. Appropriate signage should be provided on sign bands only and where permitted by by-law, use of limited sized projecting signage and awnings may be a consideration.
- vi. The guidelines are not meant to constrain new development to “replicate” or “look” old, but rather the guidelines encourage elements be included that “respect” old, so as to not offend the character of the current village. The village feel and character should be the first measure of design when new proposals are received and reviewed for permit or variance.
- vii. Buildings located on street corners are encouraged to present exposed facades that are of high quality in materials and detail. Architectural detailing of same quality should be applied to both street frontages. Depending on internal layout and structural ability, windows are encouraged for all levels exposed to the public realm. Rhythm of window openings on upper levels should be a consideration in conjunction with efforts to maximize glazing at street level.
- viii. Architectural detailing of the same quality should be applied to both street frontages of a corner unit.
- ix. The Village Square in the role of civic centrepiece shall be supported through careful consideration of adjacent buildings. New development or re-development on properties adjacent or opposing the Village Square and seasonal Farmer’s Market will be required to address these civic spaces as though corner lot conditions exist.
- x. New or re-development of properties adjacent to the Village Square and Farmer’s Market will be encouraged to provide additional pedestrian access out and onto these civic amenity spaces, leveraging the public realm to benefit and stimulate social interactions and commercial activity. Access to upper level office

space can also be focused onto the Village Square, while residential access should remain on the Ridge Road North street frontage, with secondary side or rear locations.

- xi. Ownership of the existing buildings within the Core Mixed Use designation are encouraged to maintain and enhance architectural attributes of buildings particularly those which reflect heritage components or elements that add to the authenticity of the village experience.
 - xii. When considering site design for new or re-developing properties in the Core Mixed Use designation, residential parking in the rear or side yard is preferred and shall conform to municipal By-law requirements.
 - xiii. Properties and buildings not located directly on Ridge Road North within the Core Mixed Use designation are encouraged to maintain high quality appearance and curb appeal to assist in shouldering the mixed use core and to extend the ambiance of the village setting.
- f) Bed and Breakfast establishments, as a Home Occupation, shall be permitted in existing detached residential dwellings within the Core Mixed Use designation, provided applicable zoning provisions can be met, including provision of adequate on-site parking and licensing.
 - g) New development and redevelopment proposed on lands designated Core Mixed Use will be encouraged to locate close to the street frontage.
 - h) New development in the Core Mixed Use designation shall provide at grade commercial uses only, and include a residential component on upper levels. Owners of existing buildings with suitable upper levels that can be converted for residential use shall be encouraged to do so, subject to applicable zoning provisions for such residential use (e.g. – parking).
 - i) The Town shall implement the appropriate zoning to reflect the Core Mixed Use designation, providing detail on permitted uses, regulation and applicable provisions.
 - j) The Town shall seek to implement and administer funding programs to assist eligible properties within the RBIA, with programs such as Facade Improvement, Signage Improvement and potentially Interior Renovation for Conversion to provide for upper level residential.

- k) Any existing buildings subject of conversion or addition for the purpose of mixed use shall require Site Plan Control and be subject to inspections to ensure Ontario Building Code standards have been met.
- l) The maximum height for buildings within the Core Mixed Use designations shall be 3 storeys (12m)
- m) Drive-thru facilities associated with restaurants, banks or any other type of commercial dispensary shall be prohibited within the Core Mixed Use designation.
- n) Residential associated with Core Mixed Use shall not be subject to minimum or maximum density range. Residential components will, however, be subject to minimum standards for dwelling unit sizes and any other applicable zoning requirements identified in the implementing zoning by-law, including being within a mixed use building that has a maximum 3 storey (12m) height maximum.
- o) Commercial floor space within the Core Mixed Use designation remains exempt from parking requirements; however residential components shall be subject to the general provisions of the Town's Comprehensive Zoning By-law as amended from time to time.
- p) Residential units will be located on upper floors, reserving at-grade floor space for commercial use with limited exceptions such as retirement homes and existing stand-alone residential.
- q) The Town supports cultural festival activities within the Core Area as a means of stimulating commercial activity and continued vitality of this unique downtown environment. Artistic contributions may be suitable for consideration in the downtown area such as public art display or sculpture. Wall murals may be considered where appropriate that reflect cultural heritage of the village. The Town shall consult the RBIA with respect to having the RBIA develop a plan that supports public art exhibition and the associated administration of any such a program. Any introduction of wall murals shall not be used for commercial advertising.
- r) New automotive related uses are not permitted in Core Mixed Use areas.
- s) New at-grade commercial shall provide for full accessibility and barrier free design.

4.18.9. COMMERCIAL

- a) The lands designated as “Commercial” on Schedule “RTB-2” shall be reserved for a variety of “General Commercial” retail and office uses. The Town recognizes the existing commercial concentration at the intersection of Gorham Road and Dominion Road (*referred to as the “Gorham Commercial Gateway” herein*). This commercial district presents a more traditional highway commercial environment, which is separate and distinct from that of the Core Mixed Use designation of Downtown Ridgeway.
- b) There are additional, smaller areas of commercially designated lands within the Plan Area and together, all “Commercial” designations will be generally subject to the policies of Section 4.9.2 of this Plan.

4.18.9.1. GORHAM COMMERCIAL GATEWAY

- a) The development of more contemporary auto-friendly commercial site design and operation are directed to locate within the Gorham Commercial Gateway. The Gorham Commercial Gateway is situated at the intersection of the only two Regional Roads within the Plan Area. This location provides opportunities to serve both residents of the neighbourhood as well as commuter and seasonal residents of Ridgeway-Thunder Bay and the Crystal Beach neighbourhoods.
- b) Stand-alone commercial buildings, multi-unit and clustered commercial buildings are permitted within the Gorham Commercial Gateway and will be subject to urban design guidelines and on-site parking requirements, consistent with the general provisions of the Town’s comprehensive zoning by-law. Site specific zoning may be utilized where conflicts between existing zoning regulations differ from that of approved urban design guidelines, such as, but not limited to, setbacks and landscape buffering requirements. No less than 15% of the lot area shall be comprised of landscaped open space including planting strips with a focus on providing landscaped areas and enhanced treatment along the street frontage.
- c) Commercial operations that utilize drive-thru facilities as part of their operations would be permitted within the Gorham Commercial Gateway provided the design of such facilities does not impact on functional driveway and roadway operation. Site Plan Control shall ensure adequate maneuverability, stacking provision and placement does not create conflicts or interfere with site ingress and egress.
- d) Drive-thru operations shall be required to address such matters as visual and aesthetic impact on adjacent properties through site plan submission of building

elevation drawing in conjunction with landscaping plan detail and matching elevations.

- e) The potential for permitting uses that go beyond those typical of General Commercial may be appropriate for select areas within the Gorham Commercial Gateway. Any such uses must be included within a site specific zoning amendment. The intention of broadening the permitted uses is to offset the lack of designated employment lands within the Plan Area, to provide reasonable opportunities for very light, innocuous and compatible industrial/commercial type uses to locate and operate within the neighbourhood.
- f) The location identified for expanded uses is identified on Schedule RTB-2 and is described as being lands on the west side of Gorham Road, setback from the road allowance. The implementing zoning by-law shall be used to define a minimum setback from public roads and residential zones for buildings and associated parking that serve the expanded uses. Generally, buildings should be designed using a 30m minimum setback from a residential zone and 50m minimum from Gorham Road.
- g) The additional uses permitted would need to be classified as small scale in nature, with operations occurring in fully enclosed buildings or building units. Outside storage would not be permitted. Without limiting the generality of the types of additional uses, examples might include custom woodworking and cabinetry, commercial bakery, small courier or delivery depot and printing establishments.
- h) In areas of Commercial designation subject to the expanded use permissions, the Town may consider limited individual unit floor space maximums in effort to ensure small scale operations and provide for a range of users to locate within this designation.
- i) As the roads servicing the Gorham Commercial Gateway are under regional jurisdiction, the Region of Niagara shall be consulted in the preparation of Urban Design Guidelines with respect to their road allowances.
- j) Until such time that Urban Design Guidelines are approved, the following site design principles / guidelines should be acknowledged in submission and review for new development applications within the Gorham Commercial Gateway:

For Commercial located close to the roadways:

- i. Recognizing that considerable commuter and tourist vehicular traffic will continue to exist as a component of the overall consumer base, efforts to balance the need for access and parking with those of purely active transportation in origin must be given careful consideration;
- ii. Provide opportunities for buildings to extend towards the street frontage with provision of clearly identifiable pedestrian linkage and access to the site and buildings;
- iii. High quality building materials should be used for all facades with material, colour change and surface relief employed to visually break up large wall space.
- iv. Ample glazing should address the road and parking areas with articulating features such as awnings and bump-outs used to identify building or unit access points
- v. A variety of compatible colour and finishes should be considered for multi-unit commercial buildings;
- vi. Parking areas are encouraged to be located at the side and towards the rear of new commercial development, so as to not diminish pedestrian accessibility from the roadway;
- vii. Loading areas should be located at the rear of buildings;
- viii. Inter-site connectivity through mutual easements and agreements for vehicular and pedestrian traffic is encouraged to limit the amount of vehicular access points required from the roadway;
- ix. Incorporating site furniture such as benches and bicycle racks should be provided;
- x. An enhanced landscaping treatment along street frontages and pedestrian routes is required. Other treatments such as low, decorative fencing in combination with landscape plantings may be used to demarcate outdoor patios, but are discouraged for property demarcation;
- xi. A minimum of 15% landscaped open space for the properties in the Gorham Commercial Centre is required and should focus and direct landscaping towards the street frontage;
- xii. Pylon and pole signage should be contextually sensitive. Multi-unit commercial tenants are encouraged to utilize clustering on a single shared pylon or pole sign.
- xiii. Drive-thru operations should be designed to address such matters as visual and aesthetic impact on adjacent properties and public road allowances.

For Commercial uses located away from the public roadways (those with expanded permitted uses):

- xiv. Building materials and facades visually accessible from the public roadway should remain of high quality;
- xv. Foundation landscaping treatments shall be encouraged where visually accessible from the public roadway
- xvi. Units with roll-up bay doors should be designed so as to not be visible from the roadway and loading should remain in rear areas;
- xvii. Businesses with delivery or fleet vehicles should use rear area parking, reserving customer parking in front buildings or units;

4.18.10. **INSTITUTIONAL**

The lands designated on Schedule “RTB-2” as “Institutional” shall recognize the existing institutional uses within the Secondary Plan Area and shall be reserved for a variety of public and institutional uses generally being governed by the Institutional policies of Section 4.12.

4.18.11. **OPEN SPACE**

- a) The lands designated as “Open Space” on Schedule “RTB-2” shall be reserved for a variety of active and passive recreational use and other open space uses including storm water management. The policies of Section 4.13 shall generally apply to lands designated as Open Space.

Lands identified under an “Open Space” designation within the Ridgeway-Thunder Bay Secondary Plan Area are further defined as provided below.

4.18.11.1. OPEN SPACE – PARKS (COMMUNITY, NEIGHBOURHOOD AND SPECIALIZED)

- b) The Town of Fort Erie’s Parks and Open Space Master Plan shall serve to generally guide the appropriate location and effective service area distribution for parks within the Secondary Plan Area. Applications for development shall have regard to the Master Plan and preferred park locations in their design plans.
- c) Parks are shown on most Schedules of this Plan. It shall remain the intention of the Town to pursue acquisition of adequate Parkland through dedication or other means afforded to the municipality through cash-in-lieu opportunities.

- d) Town owned parks fall within three classifications as stated in the Parks and Open Space Master Plan. The following policies are intended to identify objectives of the Town as it relates to:

Community Parks

- i. Crystal Ridge Park located in the northeast corner of the Crystal Beach Neighbourhood has traditionally performed the role of Community Park and Neighbourhood Park for both adjacent neighbourhoods and shall continue in this capacity with no new Community Park planned within the Ridgeway-Thunder Bay Secondary Plan Area.

Neighbourhood Parks

- ii. The Town shall pursue new neighbourhood parkland through dedication from current development activity occurring in the vicinity of Thunder Bay Road / Maple Leaf Avenue (Ridgeway-by-the-Lake and Ridgeway Shores Development areas) to service the south central area of the Secondary Plan
- iii. Additionally, neighbourhood parkland has also been identified on the schedules of this Plan, located north of the Bertie Public School in the northern portion of Ridgeway. Dedication will be pursued as the preferred method of acquisition resulting from any development applications by area owners with additional lands acquired where necessary from cash-in-lieu contributions.
- iv. Neighbourhood Parks are an important component of the overall Open Space network within the Secondary Plan. Neighbourhood Parks are considered points of interest or walkable, bikeable destinations for residents within the Plan Area and therefore, should be given priority in terms of connection to the overall network. Wherever possible, the provision of active transportation infrastructure to support pedestrian access to Ridgeway Lions Park, Bill Connolly Field and future neighbourhood parks shall be considered and addressed through new development applications, capital projects and capital replacement budgeting.

Specialized Parks

- v. Ridgeway-Thunder Bay provides several Specialized Parks within and straddling its boundaries. More specifically, Shagbark Nature Area, Maple Leaf Park (waterfront), Bernard Avenue Beach (waterfront) and the Friendship Trail. Each of these specialized

parks provides public with opportunities for unique passive recreational pursuits and will be protected for the enjoyment of future generations.

- vi. In addition, the Village Square in the heart of downtown Ridgeway acts as a focal point and transitional node or hub between civic culture and the active/passive recreational culture associated with the Friendship Trail. This unique specialized park space shall be promoted and supported by the Town and RBIA as a means of stimulating social interaction and commercial activity of residents and visitors year-round.
- vii. Opportunities for additional waterfront road allowances to be used for Specialized Park purposing will be considered by the Town to permit continued public access to the waterfront. Such initiatives are consistent with the Town's corporate strategic planning concerning public waterfront access.

4.18.11.2.OPEN SPACE – LINKAGE

- a) The Town supports linkage opportunities that assist in providing improved pedestrian access to points of interest such as the downtown core area & village square, neighbourhood and community parks, schools and public waterfront spaces.
- b) The Town shall make every effort to ensure publicly accessible linkage opportunities are protected and accessible when new development or re-development is proposed within the Plan Area.
- c) Road allowances not presently improved within the Plan Area may be considered by the Town for pedestrian linkage. The Town supports creation of a pedestrian trail linkage on un-travelled portions of Wells Avenue (from Evadere to Hyman) as a means of providing more direct pedestrian connection from the Friendship Trail to the waterfront. By extension, such linkage also creates a core pedestrian linkage to Ridgeway's Downtown Core area for many residents in the Thunder Bay neighbourhood area. In general terms, this north-south connection is an excellent asset for active transportation.
- d) Trail development through select Environmental Area designations identified on Schedules RTB-3 and RTB-3a is considered desirable by the Town. The Town may pursue trail network connectivity where feasible to do so, in consultation with the Niagara Peninsula Conservation Authority and/or MNR, in effort to provide for an enhanced open space network within a variety of different natural settings for natural heritage education and passive recreational enjoyment.

- e) Landscaping treatment and maintenance requirements for linear public linkage will be determined by Town Parks & Open Space staff in consultation with Operations staff. Some areas may be best suited in a naturalized state and others may be preferred in a maintained park like setting.
- f) The Town may consider, acquire or become the benefactor of land for linkage purposes; however, the Town is under no obligation to purchase or accept lands for linkage that, in the opinion of the Town, does not serve to provide opportunity for long term continuous or contiguous connection. Linkage opportunities will be reviewed on an ongoing basis by the Town during secondary planning and individual application submissions.
- g) Linkage opportunities are represented on Schedules RTB-3, 3a and 4 of this Plan and illustrate a preferred series or network of connection. Pedestrian linkage for the purposes of this Secondary Plan can be comprised of sidewalks, multi-class paved, un-paved and naturalized trails systems.

4.18.11.3.OPEN SPACE – PUBLIC WATERFRONT

- a) Policy 4.13.4 shall continue to apply with respect to the Lake Erie shoreline within Ridgeway-Thunder Bay.
- b) The public waterfront represents an important component to the overall open space network with respect to broader community interests. The publicly accessible waterfront areas are destinations for many residents and visitors from beyond Fort Erie's boundary. The Town shall remain diligent in protecting its public waterfront property and related points of access. Additional waterfront lands shall be received through the implementation of existing Town policy.
- c) The Town shall ensure that available parking areas associated with waterfront access locations are optimized. The Town will continue to monitor area on-street parking to ensure pedestrian safety and passable conditions are maintained. The Town may consider restrictions to on-street parking in areas of high pedestrian traffic and crossing movement for safety and improved sightlines.

4.18.11.4.OPEN SPACE – STORM WATER MANAGEMENT (SWM)

- a) Lands identified as "Open Space - Storm Water Management" (SWM) within the Plan Area serve to provide quality control and volume storage as a result of development. These SWM facilities are functional components of the overall catchment areas they receive surface drainage from and are not considered suitable as active park space for structured recreational purposes. There is an

inherent hazard or flood risk associated with their function and as a result, design of these facilities may require they be fenced for public safety and protection. If options are made available to design in a manner acceptable to approval authorities, efforts to reduce or eliminate fencing requirements should be explored.

- b) Opportunities for SWM facilities to be designed in a manner that provides for a naturalized setting should be considered, provided access and maintenance requirements are not impacted.
- c) New subdivision development will require appropriate studies to assess and demonstrate management of stormwater flows so as to not impact on downstream capacity as a result of increased hard surface run-off.
- d) New development not required to provide SWM ponds shall demonstrate acceptable levels of on-site containment and regulated run-off achieves pre and post run-off conditions for the respective drainage area.
- e) SWM Management reports and detailed engineering shall require approval of relevant authorities including the Town and Niagara Peninsula Conservation Authority. New Stormwater Management Facilities (ponds) will require an Environmental Compliance Approval form the Ministry of Environment.
- f) Existing and proposed SWM facilities are shown on Schedules “RTB-3, 3a and 4”. Proposed SWM ponds shall be considered approximate until detailed engineering at the development stage can more precisely define limits and location of the designation.
- g) Following detailed engineering analysis, should proposed storm water management facilities identified as “Open Space (SWM)” on the Schedules to this Plan be relocated, shift or have their area requirement diminish, the subsequent implementing designation shall be interpreted to be the adjacent developable land use designation. An amendment will not be required provided the changes are not substantive and are the result of detailed refinement.

4.18.12. **NATURAL HERITAGE**

4.18.12.1.GENERAL

- a) Policies of Section 8 shall apply to all Natural Heritage resources within the Secondary Plan Area. Section 8 provides comprehensive policy coverage for all relevant environmental features within the Plan Area and shall be relied upon for guidance when development is being considered in, or within defined proximity to environmental features or sensitive areas.

- b) Determination of any natural feature boundaries or environmental study requirements will be identified/confirmed during mandatory pre-consultation for Planning Act applications, or on permit application review for site or building expansions in cases where the lands are regulated under the Conservation Authorities Act, as administered by the Niagara Peninsula Conservation Authority, and in accordance with Section 8 of the Official Plan.
- c) Determination of EIS requirements shall be based on Regional EIS Guidelines with administration and approval authority having been set out as per the Memorandum of Understanding (MOU) between local and regional governments and the Niagara Peninsula Conservation Authority.
- d) There may be unique circumstances that need to be recognized as a result of existing conditions, such as existing dwellings within wetland buffers and lots of record within hazard lands. Any such unique circumstances will be identified and discussed if and when a planning application or building permit application is filed with the Town and/or having been identified during pre-consultation. Determination of the applicable approval authority will be dependent on the nature of the existing condition and the environmental designation or constraint impacted. The MOU will be referenced in determining approval authority.

Lands impacted by natural hazards regulated by the NPCA will be subject to regulatory controls under the NPCA's "Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" (O.Reg 155/06), as amended from time to time.

- e) Schedule RTB-2 of the Ridgeway-Thunder Bay Secondary Plan illustrates areas of Environmental Protection designation. These areas are identified on Schedules RTB-3 and RTB-3a, and are further broken down to illustrate the specific natural components.
- f) The Ridgeway-Thunder Bay Secondary Plan also contains Environmental Conservation Areas, all of which are shown as an overlay designation on Schedule RTB-2. Development may be permitted in an Environmental Conservation Area subject to an EIS having been conducted and the Terms of Reference approved prior to initiating the EIS by the applicable approval authority.
- g) Policy 8.8.1.XXIV shall be referenced for direction regarding the relationship between existing draft approved plans of subdivision and natural heritage features.

4.18.12.2. ENVIRONMENTAL PROTECTION AREA

- a) Environmental Protection Areas are comprised of Provincially Significant Wetlands (PSW's) and lands subject to natural hazard conditions as described in Section 8.2.4.
- b) PSW's are identified on Schedules RTB-2 and RTB-3. All PSW's are designated as Environmental Protection.
- c) The Plan Area contains several locations where PSW's are identified. The most notable being located generally south of Dominion Road, east of Prospect Point Road North, west of Maple Leaf Avenue North and north of the former golf course along Thunder Bay Road. The friendship Trail bisects the feature just north of its centre. This large feature is referred to locally as the Mann Farm.

The northern portion of this Environmental Protection Area, being those lands north of the Friendship Trail is currently in public ownership. South of the Friendship Trail, a portion at the very southern region is being dedicated to the Town through the Draft Plan Approval process (Ridgeway Shores). The remaining central region of the Environmental Protection Area remains in private ownership. Acquisition of this central portion by a public entity should be explored to continue to provide long term protection for this large ecological feature in the heart of the Secondary Plan combined with educational opportunities through appropriate trails approved by the relevant approval authorities.

- d) Three additional locations containing PSW designation are identified on Schedule RTB-3. The first being in the northwest corner of the Plan Area, southeast of the Nigh Road and Gorham Road intersection. The second is located at the westerly most limit of the Plan Area, adjacent to the Gorham Commercial Gateway and lastly, in the southeast, adjacent to the Shirley Road Pumping Station. In all instances the Environmental Protection designation has been applied and long term protection shall be afforded.
- e) The Ministry of Natural Resources (MNR) establishes the boundaries of wetland features and considers the evaluations to be open files. Property owners who wish to have wetland boundaries re-evaluated have the opportunity to do so in consultation with the MNR. The NPCA will provide guidance to the owner in establishing discussions with local MNR representatives if desired. Property owners should recognize that wetland features may change over time and may increase or decrease in size and will be evaluated as such by the MNR.

- f) Schedules RTB-2 and RTB-3 illustrate the PSW feature and the 30m buffer area associated with the feature. Development within the buffer area is regulated by the NPCA and generally not permitted unless approved by the NPCA.
- g) The 30m buffer adjacent to the PSW's is represented by a line on the Schedules and also illustrates an underlying land use designation. This underlying land use designation does not constitute or secure development rights or potential without pre-consultation with the NPCA and Town on a supporting EIS and the EIS having been completed and accepted by the NPCA.
- h) Notwithstanding paragraph a) and c) herein, Section 4.18.12.1c) recognizes there may be unique circumstances for existing development in PSW buffer areas, in which case, the need for an EIS will be determined through consultation with the Town and NPCA and will be subject to NPCA regulations in effect, as amended from time to time.
- i) Natural Hazards are reflected on Schedules RTB-2 (contained within the Environmental Protection designation) and further broken down on Schedule RTB-3 and RTB-3a. The policies of Section 8 shall apply to Natural Hazards identified within the Ridgeway-Thunder Bay Secondary Plan Area.

4.18.12.3.ENVIRONMENTAL CONSERVATION

- a) Environmental Conservation Area designation comprises wooded areas over 2.0 ha. and the most sensitive of natural areas identified by the Town's Natural Areas Inventory. The Environmental Conservation Area designation is an overlay and is shown on Schedules RTB-2.
- b) When an EIS is required, the Region's guidelines will be followed. The guidelines contain requirements and procedures for scoping and waiving studies. The applicable approval authority shall have regard for the requirements in to simplify the approval process while allowing development that safeguards the natural environment.
- c) A Tree Preservation Plan may be required to implement the recommendations of an EIS, or to protect trees identified as worthy for protection. Requirements for a Tree Preservation Plan will be identified in conditions of draft plan or site plan approval.

4.18.12.4.ENVIRONMENTAL CORRIDORS

- a) The policies of Section 8.3.4.IV of the Official Plan shall generally apply to Environmental Corridors shown on the Secondary Plan Schedules.

- b) Schedule “C” of the Official Plan illustrates conceptual Corridors throughout the municipality. These corridors represent a higher level linkage and are intended to demonstrate where provision of wildlife and avian routes may be considered for enhancement. The feasibility of enhancement should be examined as part of a development application process. The Ridgeway-Thunder Bay Secondary Plan Area contains several such corridor routes, which are shown on Schedule “RTB-3” of this Plan.
- c) There is a considerable amount of existing development along portions of these Environmental Corridor routes within the Plan Area. Where feasible, any proposals for new development may be requested to address how these routes could receive enhancement to assist in wildlife movement.

4.18.13. TRANSPORTATION SYSTEMS (ROAD NETWORKS, ACTIVE TRANSPORTATION AND PUBLIC TRANSIT)

- a) The Transportation System is in reference to the various modes of transportation infrastructure that exists or can be planned to be made available to service the Ridgeway-Thunder Bay Secondary Plan Area. The three components envisioned to service the Plan include the road network, the pedestrian/active transportation network and public transit routing.
- b) Transportation systems are shown on Schedule RTB-4 of this Plan
- c) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation System over the long term, review of current standards, or development of new standards may be required and prioritizing maintenance, construction and improvement will be considered annually through capital budgeting and through development application activity.
- d) It is recognized that major infrastructure projects can take time to coordinate and finance. The Town will seek opportunities for funding program assistance from other levels of government when made available; to assist in expediting transportation related capital projects.

4.18.13.1. ROAD NETWORKS

- a) The development of the road network for the Ridgeway-Thunder Bay Secondary Plan shall generally be in accordance with Section 12.7 of the Town Official Plan.
- b) Council will strongly consider the existing character and needs of the neighbourhood when making road improvement decisions.

- c) The existing road networks within the Plan Area are generally developed in terms of travelled passage. The historical grid of road allowances strongly represents in the built environment. There are a few road allowances that have remained unimproved and may be considered for alternate purposes relating to active transportation, trail network development and pedestrian connectivity, prior to any determination on whole or part of the unimproved road allowances being considered surplus.
- d) There are generally three categories of roadway hierarchy in the Plan Area. Two Regional arterials (*Gorham Road and Dominion Road*), four Town collectors (*Ridge Road, Burleigh Road, Bernard Avenue and Thunder Bay Road*). All remaining roads would classify as local roads. More recently, private roads are being constructed in association with condominium development; however, these roads remain private and are the responsibility of their respective ownership.
- e) Schedule RTB-4 illustrates the hierarchy of roads and any new development application shall have regard for ultimate road allowance widths in design and zoning setback regulation.
- f) The Plan illustrates “conceptual” roads on portions of the Plan. These conceptual roads are provided as a guide for the purposes of demonstrating efficient use of potentially developable land. Any proposals for areas with conceptual roads shown may supply alternate designs, however development proposals must also demonstrate the effective use of land and connectivity to the existing surrounding road network. Amendment of this Plan would not be required.
- g) The Region of Niagara determines ultimate road allowance width for roads under its jurisdiction. The Region will be circulated with respect to any application for development respecting Dominion and Gorham Roads, at which time final determination on provision of any widening requirements will be identified.
- h) Town collector roads seek to establish an ultimate width of 23m and local roads are to seek a 20m road allowance. It is recognized these desired widths may not always be practical or obtainable. Determination of municipal road widening will be reviewed by the Town at the time of application submission or during road reconstruction/improvement projects.
- i) Road widening and daylighting requirements shall be in keeping with the policies of Section 12.7.4.
- j) New road connections should be aligned with opposing roads or major driveways whenever possible.

- k) New road intersections and driveways connecting to Gorham Road and Dominion Road shall require Regional approval.
- l) The Town considers a future road connection linking Yacht Harbour Road with North Shore Drive desirable. This conceptual connection is shown on the Schedules of this Plan. Until such time that an appropriate solution can be determined for connection between the private and public roads, the construction of the connection will not be pursued.

4.18.13.2.ACTIVE TRANSPORTATION

- a) Active Transportation shall be a consideration of Council as identified under Section 12.7.2 iv).
- b) Schedule “RTB-4” illustrates components of the Active Transportation Network for the Ridgeway-Thunder Bay Secondary Plan.
- c) Components of active transportation include on-road cycling lanes, off-road paths/trails and a contextually sensitive neighbourhood sidewalk system within the Plan Area to facilitate a safe and healthy alternative to vehicular travel and reliance.
- d) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking road improvements / reconstruction.
- e) The Friendship Trail is a tremendous active transportation asset, not just locally or municipally, but as part of a regional system (*Greater Niagara Cycle Route*). Whenever practical or feasible, additional pedestrian network connection should be considered to further enhance the Friendship Trail’s catchment and access.
- f) Frequent destinations or points of interest, such as Ridgeway’s Village Core, the Gorham Commercial Gateway, schools, parks and waterfront should be given priority for connection when considering annual budget allocation. Connections with established transit routes may also be considered where feasible.
- g) Where applicable, applications for development will be required to address and demonstrate how plans may integrate and provide for the necessary infrastructure to facilitate active transportation in relation to the overall network illustrated on Schedule “RTB-4”.

- h) At a minimum, all new or completely reconstructed roads within the Plan Area shall provide for a sidewalk on at least one side of the roadway where financially feasible.
- i) Consideration shall be given to provision of active transportation infrastructure contained within regional and local roadways during major reconstruction projects. Subject to available funding, bicycle lanes as identified on RTB-4 should be a consideration when resurfacing projects are being undertaken.
- j) Collector roads within the Plan Area shall be planned to provide for sidewalks on both sides. Council may consider single side locations in part or in whole following departmental review and recommendation.
- k) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.
- l) On-road bicycle lanes should be considered for Thunder Bay Road in effort to provide safe cycling access to the waterfront parks and a more southerly east-west route that parallels the service area of the Friendship Trail. Additional linkage from the Friendship Trail to Thunder Bay Road should also be considered. Prospect Point Road North may be suitable to serve in such a capacity, preserving on-street parking in the downtown core area of Ridge Road North. Ultimately, bicycle lanes on Bernard Avenue would create a loop serving the vast majority of the Thunder Bay area.
- m) Portions of the un-opened Wells Avenue road allowance should be considered for active transportation linkage from the Friendship Trail southward towards the waterfront. This central location is well situated to serve both residents and recreationalists.
- n) The Plan Area contains natural environment features that may be suitable for accommodating pedestrian trail linkage. Opportunities to enhance the overall pedestrian network with visual variety in a diversity of settings shall be encouraged. The NPCA will be consulted when trails are proposed in regulated areas. Efforts to connect the Shagbark Nature Area with the core area PSW (Mann Farm) south of Dominion Road and Friendship Trail shall be encouraged.

- o) Any trails associated with, or located in, Natural Features and Open Space areas (excluding some park designations) shall not be lit, thereby assisting in nocturnal wildlife corridor function.
- p) Type of surface materials used on trail linkages in the area natural features will be determined on a site by site basis and in consultation with NPCA and/or MNR where applicable.
- q) Wherever possible, the Town and Region will work cooperatively in establishing linkages to broader regional active transportation infrastructure to further promote and extend the range and reach accessible by active transportation modes.
- r) Active Transportation and Public Transit use are complimentary modes of transportation. Wherever feasible, provision of pedestrian linkage to established transit routes shall be encouraged.

4.18.13.3.PUBLIC TRANSIT

- a) The Ridgeway-Thunder Bay Secondary Plan presently receives regular transit service on a fixed schedule. As development activity increases and population within the Plan Area increases, regular review of the service area routing is encouraged with a goal of expanding coverage and increasing ridership.
- b) Connection to regional transit service is not presently available in Ridgeway-Thunder Bay. The current hub for regional transit connection is located at the major commercial (Walmart) shopping district at Thompson and Garrison Roads (Spears-High Pointe Neighbourhood). Opportunities for regional transit connection shall be encouraged and promoted in conjunction with local transit initiatives in providing access to and from major urban centres within Niagara.
- c) Although not shown on Schedule “RTB-4”, and considered to be a longer term objective, the Gorham Commercial Centre should be promoted for a regional transit hub with local transit connection when regional service levels are capable of expansion. This would also provide the Crystal Beach Neighbourhood with improved access to regional transit, and depending on routing in relation to the QEW, potentially connecting Stevensville as well. The Town shall work cooperatively with the Region on matters relating to improved regional transit connectivity for its residents.

- d) Current local transit routing is illustrated on Schedule “RTB-4”. Although not illustrated on the Schedule, future consideration of expanding the local transit network shall consider Thunder Bay Road and Bernard Avenue for service delivery, providing Thunder Bay residents with a transportation alternative and serving the general public with more direct access to public waterfront areas.
- e) Applications for development shall have regard for transit route service needs. Actual location and infrastructure enhancements for transit stops will be reviewed on an application by application basis. Developers may be required to provide or assist in providing infrastructure to accommodate transit or future transit.
- f) Long term local transit planning shall have regard for locating potential transit stops using a typical 400m radius service area catchment model.

4.18.14. **PARKING**

- a) The majority of the Secondary Plan Area is largely low density in character with most residences providing adequate on-site parking. On street parking in the majority of the residential areas has not been considered problematic.
- b) The Town shall monitor on-street parking in popular areas such as Bernard Beach and Maple Leaf Beach, where seasonal influx may result in increased concerns. The Town may recommend restrictions to alleviate any safety issues if deemed appropriate.
- c) When streets with sufficient road allowance width are identified for reconstruction in popular areas, consideration will be given to the provision of a full parking lane on at least one side of the street wherever feasible.
- d) The Town shall continue to monitor and consider additional opportunities for public parking provision in the Downtown Ridgeway commercial district. The Town shall consult with the Ridgeway BIA on a regular basis respecting parking concerns and work cooperatively in seeking resolution to persistent impacts. Area residents shall be encouraged to use active transportation when accessing the core area, reserving available parking for visitor and tourist traffic.
- e) Should the Town seek to provide additional public parking within downtown Ridgeway, on-street opportunities in the vicinity of the core shall be maximized first and prior to consideration of a new public parking lot. The Town may initiate a parking study prior to any commitment for new lot construction. The Town shall

however, continue to investigate and identify suitable locations for public lot provisions in the event that increased demand warrants action.

- f) Any new municipal or private parking areas shall be designed and constructed in a way that provides adequate screening and landscape buffering where abutting residential properties.
- g) Parking in the Gorham Commercial Gateway will be required to be provided on-site for commercial development, taking into account any approved urban design guidelines when commercial site design is first being considered.
- h) Landscaped areas will be requested for large parking lots, particularly where they are adjacent to Gorham Road, Dominion Road or adjacent residential use. Landscaping requirements shall be focused along the road frontages and shall provide for generous landscaped buffering and planting strips between the roadway and parking areas, using high quality materials and plant stock. No less than 15% of the lot area shall be comprised of landscaped open space including planting strips.
- i) Parking area lighting shall be of adequate levels to ensure pedestrian safety while having regard for any adjacent residential uses. Spillover lighting from parking lot lighting onto adjacent properties shall be avoided.
- j) As predominant road frontage in the Gorham Commercial Gateway gain access to regional roads, the Region will be required to approve ingress/egress locations. Inter-lot connections by way of mutual access easements and agreement are encouraged to limit the amount of driveways and enhance the landscaping abilities afforded with broader, contiguous boulevard lengths.

4.18.15. **CULTURAL HERITAGE**

- a) All matters of Cultural Heritage shall be consistent with Section 11 of this Plan.
- b) The Town recognizes the unique cultural and historical significance of the Downtown Ridgeway Commercial Core Area as being fundamentally and characteristically different than other commercial designations within the Plan Area. Together with the residential in the immediate vicinity, the Ridgeway downtown displays cultural heritage characteristics that need to be considered in the event that new or re-development is proposed in the downtown area.
- c) In developing Urban Design Guidelines for Ridgeway's downtown, the Town will ensure guidelines address cultural and historical elements that should be maintained and enhanced in effort to strengthen the village character.

- d) The Secondary Plan Area contains a number of properties that are either presently designated under the Ontario Heritage Act, or have been identified by the Town to be of interest and subsequently added to the Municipal Registry for consideration on designation. The majority of these properties are located in or within close proximity of the downtown Ridgeway core, generally being the area that best reflects the heritage character of the community. The Town has relied on voluntary designation of heritage properties and shall continue to act in this manner. The Town encourages designation of such properties and will work cooperatively with ownership in effort to facilitate designation.
- e) Schedule “RTB-2” identifies the location of properties that are either designated or listed on the Municipal Registry. The Fort Erie Museum and Cultural Heritage Committee shall continue to advise Council on matters of Ridgeway-Thunder Bay’s built heritage and from time to time, may recommend for Council’s consideration, additional properties for designation or addition to the Registry.
- f) The Ridgeway-Thunder Bay Secondary Plan Area contains areas of archaeological potential. New development proposals may require an archaeological assessment study prepared by a qualified individual or firm to accompany any such development application. The parent Official Plan Schedule 'D' - Cultural Heritage Archeological Zones of Potential identifies areas subject to this requirement. Need for any such study shall be confirmed through mandatory pre-consultation prior to any application submission.

4.18.16. **MUNICIPAL SERVICES**

- a) Municipal servicing shall be consistent with the policies of Section 12 of this Plan.
- b) Municipal services such as sanitary and storm sewers, stormwater management facilities and municipal drainage will be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in the Ridgeway-Thunder Bay Secondary Plan Area.
- c) Based on findings of the 2010 Waste Water / Stormwater Master Plan study (*XCG Consultants Ltd.*), no immediate servicing concerns respecting sanitary capacity of the sewer network for the Plan Area were identified. The Region is in the process of upgrading the Shirley Road Pumping Station, however, the planned work does not preclude, nor impact available capacity for future development within the Plan Area.
- d) The Town shall continue to make improvements to storm drainage systems in the Bernard Avenue/Thunder Bay area to assist in alleviating poor natural surface

drainage in this relatively flat area of the municipality. Any planned improvement projects shall be identified in the 10 year capital projects budget.

- e) All new development shall require approval of storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to mitigate or alleviate flooding of adjacent and downstream properties during storm events. Additionally, engineering solutions for storm water management that improve infiltration and assist in improving groundwater quality and recharge will be considered relative to the feasibility and practicality of their implementation.
- f) Existing municipal water supply is currently available to service the Plan Area. All new development may be required to loop watermains wherever opportunity exists to do so.
- g) All new development within the Secondary Plan Area shall be developed with full municipal services with exception of minor in-filling through consent on roads serviced by open ditch and rural cross section.

4.18.17. **UTILITIES**

- a) Utility providers are encouraged to consult with the Town when new major plant locations or infrastructure is required or existing infrastructure is identified for upgrade. The Town will work cooperatively with utility providers in effort to facilitate their needs while balancing the interests of the area residents. Utility companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are compatible with existing and planned development, in effort to reduce or eliminate potential conflicts,
- b) Utility providers shall ensure their respective utility has been planned and located in accordance with any relevant safety regulations, separation requirements and/or municipal standards, either through individual utility plant location or as part of a combined installation.

4.18.18. **NEIGHBOURHOOD GATEWAYS & LANDMARKS**

- a) Schedule RTB-2 illustrates Gateway and community Landmarks at key locations in the Plan Area with one such Landmark currently existing:
 - i. Ridgeway Core Area (existing Landmark feature at Civic Square)
 - ii. Gorham Commercial Gateway
 - iii. Dominion East Gateway
- b) Gateway features act to provide both physical and physiological queues to sensory perception on arrival or departure and Community Landmarks act as

visual benchmarks or visual points of reference to indicate location. These queues can range depending on what is intended in defining the character of the gateway or landmark.

In other words, the intensity of the feature makes an intended statement and projects an image the neighbourhood can become associated with. This can be done in many ways such as signature buildings or architectural features, or through landscaping treatment and lighting. Combining any or all of these types of treatments provides opportunities to make a bold statement or a much more modest approach to signal a threshold or specific location.

- c) The Downtown village core area employs a Landmark feature that is clearly identifiable in its location and character. The Village Square represents the heart of the core area and the Landmark acts to re-enforce this location for all to reference in a prominent manner.
- d) The Gorham Commercial Gateway is envisioned to be an active commercial area, focusing less on village character and more on commerce and enterprise. When considering a Landmark for this area of the neighbourhood, consideration should focus on the intersection of these two regional roads. Architectural elements or signature buildings can be considered for the corner properties at this location. The Town will work cooperatively with the Region and property owners in making provision for an architectural feature for inclusion in any future develop or re-development of corner properties.
- e) Gateways and Landmark features can be further defined through the preparation of Urban Design Guidelines.
- f) The Dominion East Gateway feature should consider landscape treatment as the primary feature in combination with other elements such as rock and lighting techniques, creating a modest, low impact gateway reflective of the lower density residential development in the immediate area.
- g) When municipal wayfinding signage is being considered in close proximity the signage should be situated in such a manner that it does not compete with the Gateway or Landmark features,
- h) Any Gateway or Landmark Feature planned along a regional road will require consultation with regional staff and potentially an approval depending on actual position or placement.

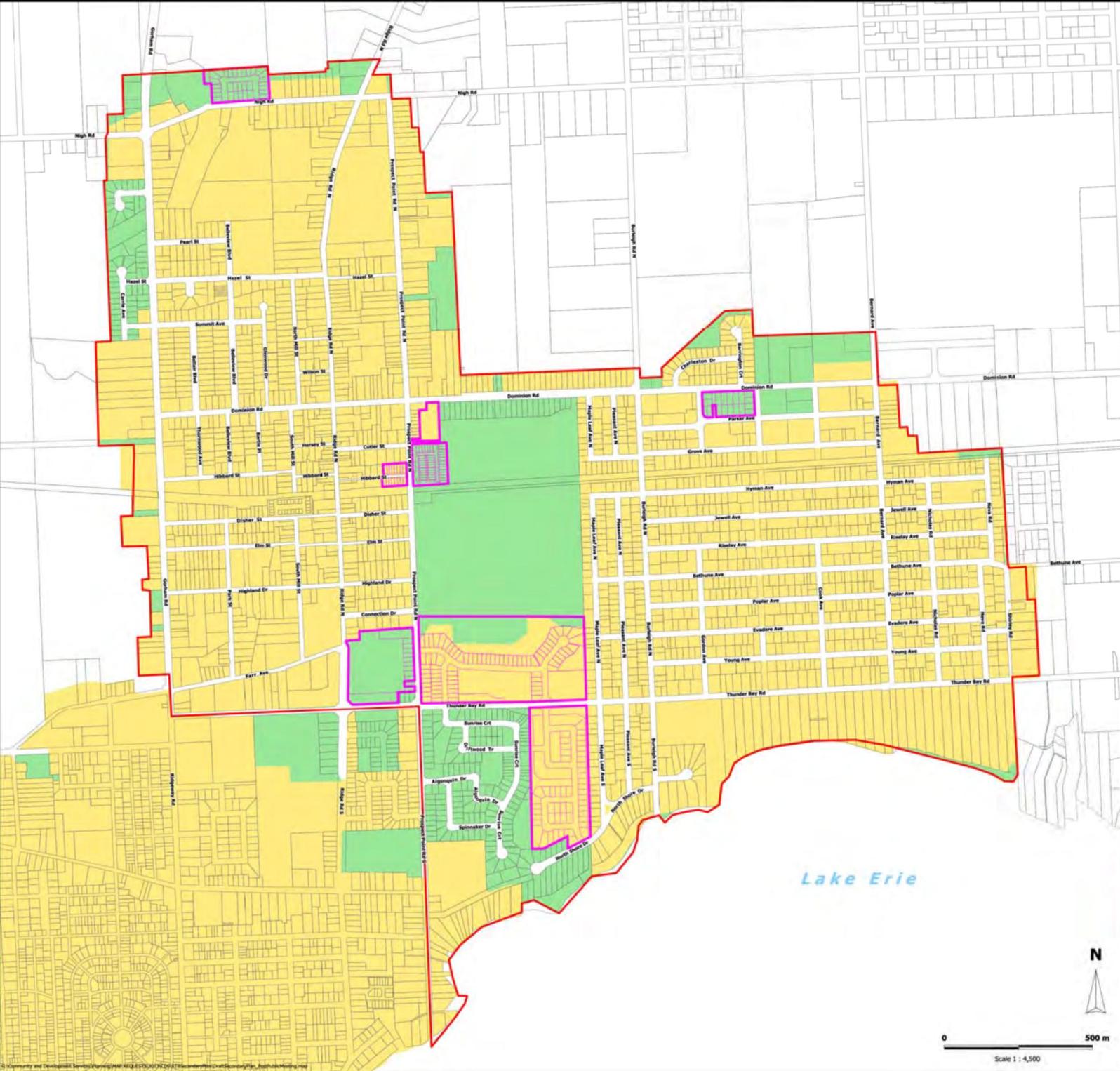
4.18.19. **INTERPRETATION OF THE PLAN**

The Ridgeway-Thunder Bay Secondary Plan (Official Plan Amendment No.15) consists of Sections 4.18.1 through 4.18.18, and Schedules “RTB-1”, “RTB-2”, “RTB-3”, “RTB-3a” and “RTB-4”.

The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

(Section 4.18 was introduced by By-law 2013-084, OPA #15)

RIDGEWAY / THUNDER BAY SECONDARY PLAN : Schedule RTB-1 - Built Boundary (Places to Grow)



**Schedule RTB-1
Built Boundary
(Places to Grow)**

- Built-Up Area (Places to Grow - Growth Plan for the Greater Golden Horseshoe)
- Greenfield (Places to Grow - Growth Plan for the Greater Golden Horseshoe)
- Active Draft Approved Plans of Subdivision
- Study Area Boundary Line

Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15



**THIS IS SCHEDULE
RTB-1
TO OFFICIAL PLAN
AMENDMENT 15**



0 500 m

Scale 1 : 4,500

RIDGEWAY / THUNDER BAY SECONDARY PLAN : Schedule RTB-2 - Land Use Plan



**Schedule RTB-2
Future Land Use Plan**

- Commercial
- Core Mixed Use
- Institutional
- Open Space
- Residential - Low Density (Up to 25 u/ha)
- Residential - Medium Density (25-75 u/ha)
- Environmental Conservation
- Environmental Protection
- MNR Provincially Significant Wetland
- Wetland 30 m Buffer
- Policy 4.18.9.1 e) - h)
- Potential Heritage Sites
- ★ Designated Heritage Site
- ☆ Gateway Feature
- ⊠ Regional Sanitary Pumping Station
- Conceptual Road
- Existing Travelled Road
- Study Area Boundary Line
- P Proposed Public Parking Areas

- Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15
2. For areas shown with an Environmental Conservation Overlay please refer to Schedule RTB-3 and Section 4.18.12.3



**THIS IS SCHEDULE
RTB-2
TO OFFICIAL PLAN
AMENDMENT 15**



0 500 m

Scale 1 : 4,500

SEE POLICY 4.18.9.1 e) THROUGH h)

Lake Erie

RIDGEWAY / THUNDER BAY SECONDARY PLAN : Schedule RTB-3 - Open Space and Natural Heritage Plan



Schedule RTB-3 Open Space and Natural Heritage Plan

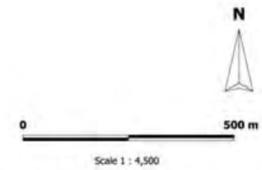
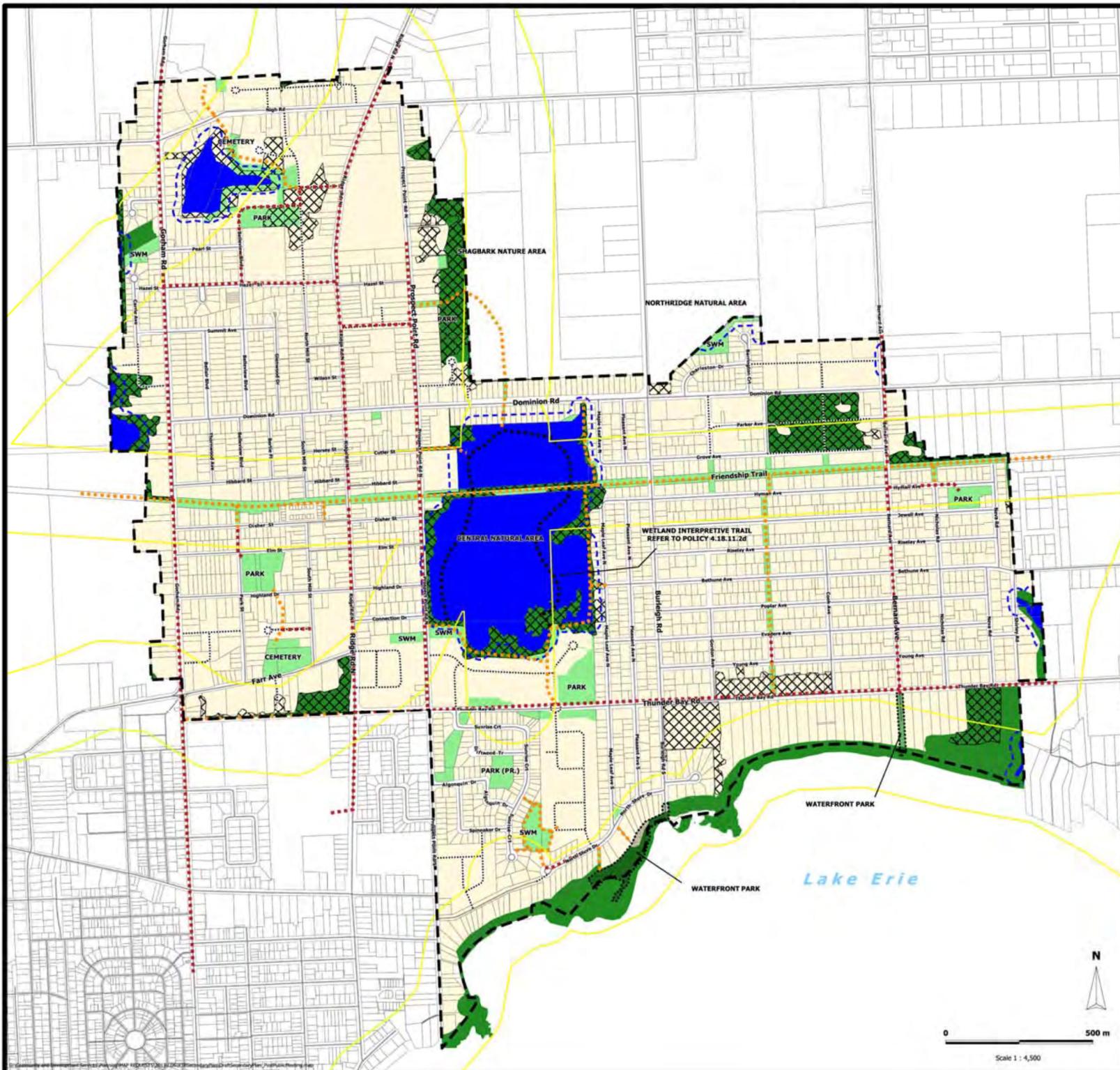
- Pedestrian Route and/or Bicycle Route
- Dedicated Off Road Trail System
- Wetland Interpretive Trail
- MNR Provincially Significant Wetland
- Wetland 30 m Buffer
- Locally Significant Natural Area
- Parks/Open Space/Linkage
- Woodlot Over 2 ha
- Environmental Corridors
- Waterfront Park
- Study Area Boundary Line
- Conceptual Road
- Existing Travelled Road

Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15

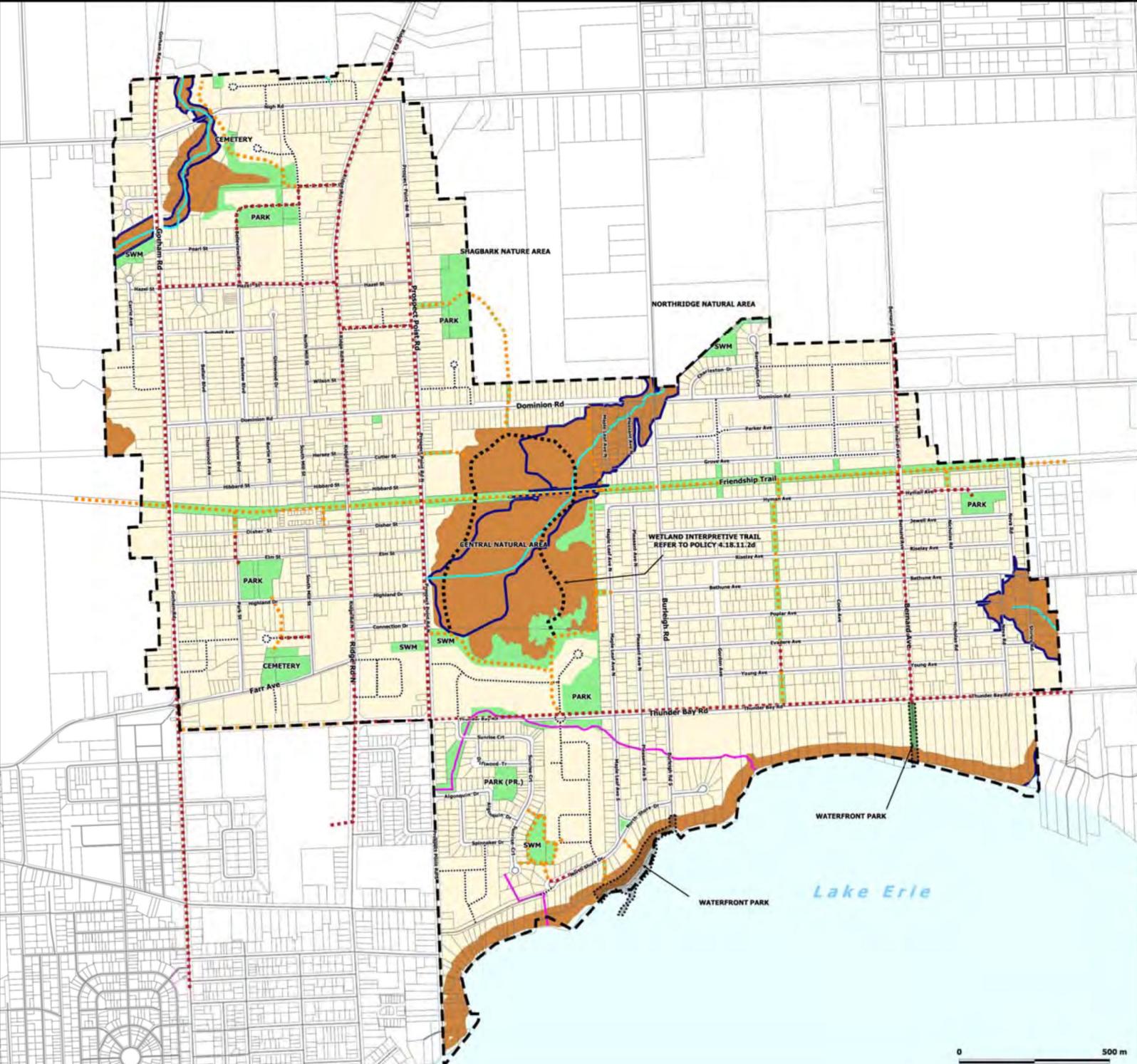


**THIS IS SCHEDULE
RTB-3
TO OFFICIAL PLAN
AMENDMENT 15**

SEPTEMBER 3, 2013



RIDGEWAY / THUNDER BAY SECONDARY PLAN : Schedule RTB-3a - Open Space, Natural Hazards & Fish Habitat Plan



**Schedule RTB-3a
Open Space, Natural Hazards
and Fish Habitat Plan**

- Pedestrian Route and/or Bicycle Route
- Dedicated Off Road Trail System
- Wetland Interpretive Trail
- Parks/Open Space/Linkage
- Natural Hazards Including Floodplain
- NPCA Regulated Floodplain
- Waterfront Park
- Lake Habitat
- Study Area Boundary Line
- Existing Travelled Roads
- Conceptual Road
- Stream Fish Habitat - Critical
- Stream Fish Habitat - Other

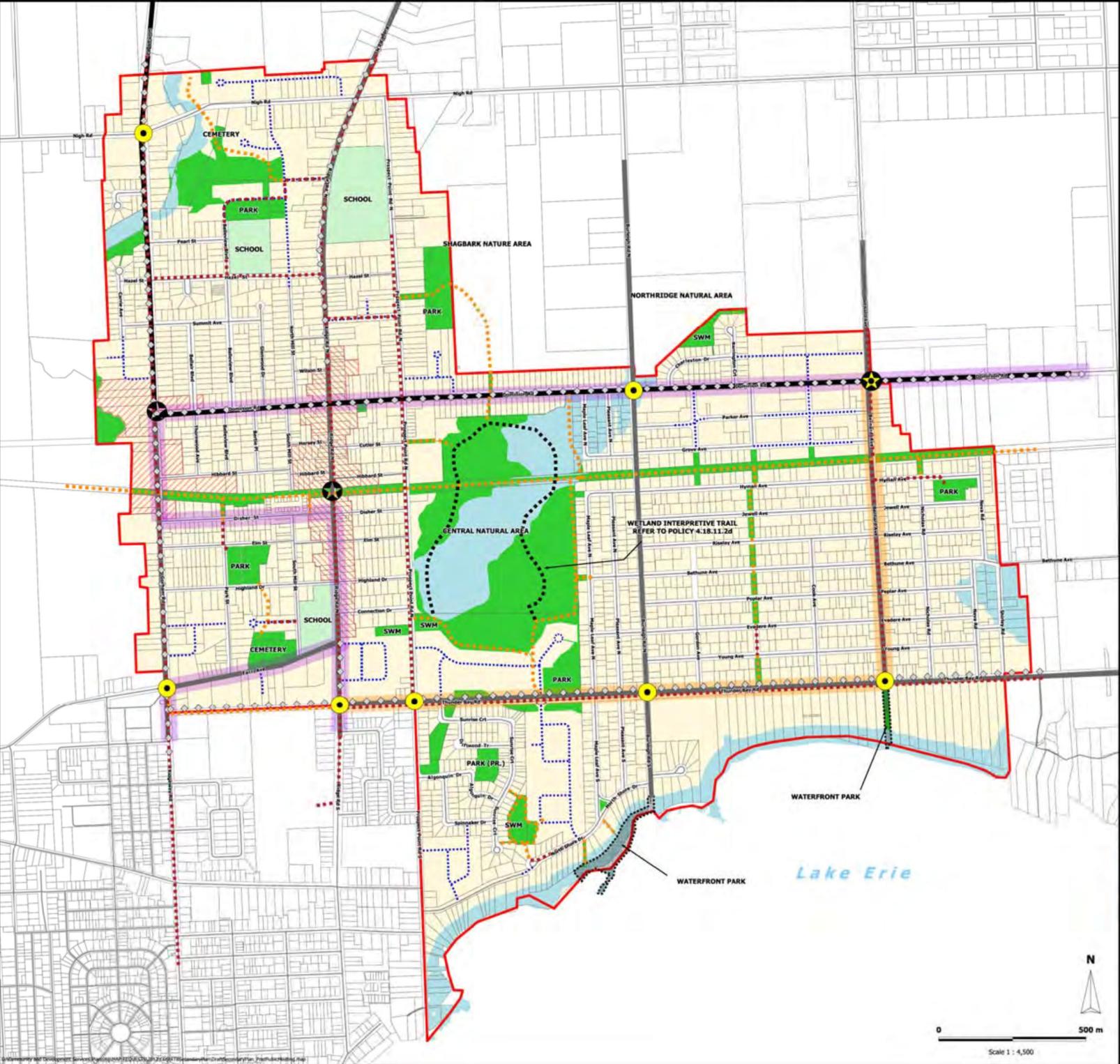
Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15



**THIS IS SCHEDULE
RTB-3a
TO OFFICIAL PLAN
AMENDMENT 15**



Scale 1 : 4,500



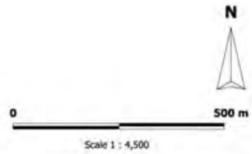
**Schedule RTB-4
Transportation
Systems Plan**

- Arterial Road
- Collector Road
- Existing Local Road
- ... Conceptual Road
- - - Pedestrian Route and/or Bicycle Route
- - - Dedicated Off Road Trail System
- Wetland Interpretive Trail
- ▒ NPCA Flood Regulatory Area
- ▒ Parks/Open Space/Linkages/
Natural Areas
- ▒ Schools
- ▒ Core Mixed Use
- ▒ Gorham Commercial Gateway
- Future Corridor Improvements
- Future intersection Improvements
- ▒ Existing Fort Erie Transit Route
- ▒ Proposed Fort Erie Transit Route
- ★ Gateway Feature
- ▒ Waterfront Park
- Study Area Boundary Line

Notes: 1. This schedule must be read in conjunction with the texts of the Secondary Plan, together with all schedules of OPA 15



**THIS IS SCHEDULE
RTB-4
TO OFFICIAL PLAN
AMENDMENT 15**





Town of Fort Erie

Schedule F: Stevensville Secondary Plan

4.19. STEVENSVILLE SECONDARY PLAN

4.19.1. PURPOSE

The purpose of the Stevensville Secondary Plan is to provide a framework for a cohesive, complete community, providing opportunities for new development in and around the existing neighbourhoods while remaining conscious and sensitive to the established community as a whole. The framework is intended to provide clear direction in achieving subsequent goals and objectives.

The Secondary Plan consists of a land use plan and related policies to guide development and other forms of renewal to ensure it is in keeping with the Town's vision for this neighbourhood. The Plan will provide and serve as the guide for planning activity at a minimum to the year 2031, and will be subject to amendments from time to time, as well as being included the Town's 5 year review of its Official Plan.

4.19.2. VISION

The Secondary Plan is the result of comprehensive consultation. This strategic planning exercise utilized a neighbourhood planning approach including input from municipal and community Focus Group SWOC (Strengths, Weakness, Opportunities & Constraints) sessions, which generated the following Secondary Plan Vision:

“The ideal Stevensville is a well-planned village that is inclusive, connected to nature, neighbours and jobs; that celebrates its rural heritage and looks forward to a prosperous future with vital commercial and employment areas.”

4.19.3. GOALS

The goal of this Plan is to build off the “vision” established, treating it as a benchmark, and to implement a policy framework that strives to achieve the vision. These goals can be met by providing for a variety of residential densities, form and heights, commercial, mixed use and open spaces, while also protecting significant natural environments. The Plan also seeks to provide flexibility in the commercial uses and new light industrial lands

to expand the potential for employment type uses and opportunities capable of establishing in Stevensville.

A complete community meets the diverse needs of its many residents and visitors including homeowners, businesspersons, shoppers, and tourists. The Plan shall seek to establish areas and opportunities for residential and mixed use intensification in key locations within the neighbourhood, remaining sensitive to the village character and meeting the needs of all neighbourhood residents, businesses and citizens of this Town. Furthermore, it will provide guidance/criteria for any further residential intensification.

4.19.4. **OBJECTIVES**

The main objectives of the Stevensville Secondary Plan are to:

- a) Articulate a Village Core area by location and description.
- b) Provide for serviced ready employment lands to attract new businesses to the industrial park.
- c) Support the commercial areas of the neighbourhood that provide the residents and surrounding rural and agricultural community with a variety of goods and services, as well as providing for the needs of visitors and tourists traveling through and to the community.
- d) Ensure there are sufficient urban lands to accommodate appropriate community growth throughout the planning period, while maintaining the village character.
- e) Provide for a variety of housing alternatives at key locations throughout the neighbourhood with particular focus on strategic intensification and a full range of housing types that contribute to age in place opportunities.
- f) Provide a full range of housing choices that are coordinated with land use designations and densities that provide for suitable transition and gradation.
- g) Encourage development forms which are compact, to utilize urban land and services efficiently.

- h) Encourage land assembly that would result in more efficient and effective in-filling.
- i) New housing development and re-development will be integrated with existing built up areas, open spaces and natural heritage features. Previously approved subdivision plans will be acknowledged within the neighbourhood planning context and developers of these plans shall be encouraged to work with the municipality in achieving the objectives of this Plan.
- j) Provide opportunities to embrace and enhance “active transportation” infrastructure through creation of a recreational river trail and augmenting and enhancing pedestrian networks that connect the community and give residents a healthy alternative in their transportation choices.
- k) Make the neighbourhood a friendly, walkable community that promotes pedestrian movement and active transportation. Place emphasis on community safety for all ages by providing sidewalks, bike lanes, speed and stop control on our shared roadways.
- l) Provide policy that recognizes and facilitates defining a village core, both physically and aesthetically, without limiting the ability of more contemporary commercial operations from establishing in other commercial areas of the neighbourhood.
- m) Promote establishment of a Stevensville BIA and work with local businesses and regional partners in creation of a Core Area CIP to assist and stimulate private investment through various financial incentive opportunities.
- n) Protect significant natural features such as Provincially Significant Wetlands with appropriate environmental protection designation, ensuring their ecological functions, benefits and contributions to the natural environment will be shared for future generations.
- o) Anticipate transit service and provide or reserve adequate space within the road allowances for transit supportive design, for implementation once population and the employment lands have bridged the feasibility and viability gaps that have kept regular transit service to Stevensville from being established.

- p) Promote an appropriate employment designation for lands within the Neighbourhood, in effort to foster light industrial activity in a small business park setting.
- q) Promote meaningful conservation of the neighbourhood built heritage features while ensuring standards for health and safety are not compromised and that in doing so, potential for renewal and redevelopment are not precluded.
- r) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public / private utilities are provided to adequately service the residents, businesses and institutions of this area. Promote housing development that will provide opportunities to meet with demographic and socio-economic needs of the Town. A full spectrum of built form and tenure is encouraged if “age-in-place” practice is to be realized.

4.19.5. **RESIDENTIAL – GENERAL**

- a) Section 4.7 of the Town’s Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections herein.
- b) Schedule “STV-2” designates areas of residential land use within the Secondary Plan Area and the policies of the respective residential sections shall apply accordingly.
- c) The Plan sets out to provide for initial areas of Low and Medium density residential and areas of mixed use (residential / commercial) to be situated in the “village core” area. Moreover, the Plan promotes a wide range of residential choice, including age-in-place opportunities, meeting with provincial intensification targets, support for village “core area” and in general, an environment that is conducive to being a highly walkable community.
- d) The Secondary Plan provides for an overall targeted total of 879 units at plan “build out” including the existing 479 units. The new 400 additional units identified in this Plan will increase the existing population from 1240 persons to 2250 by adding approximately 1020 new residents to Stevensville over the long term. The 400 new residential units shall comprise approximately 70 new low density residential units, and 206 new medium and mixed use density

residential units. The new residential projection also accounts for the 124 units in existing registered or draft approved plans of subdivision yet to be developed. Intensification of residential densities within draft approved plans over and above the unit counts in this policy shall be permitted by zoning by-law amendment in accordance with other policies in this Section.

- e) An appropriate level of affordable housing and senior citizen's housing shall be considered by the Town when reviewing development applications proposed within the Plan Area, in keeping with Provincial Policy. Such developments shall be integrated with other forms of housing rather than segregated or isolated in order to provide a more cohesive and inclusive neighbourhood. In doing so, the opportunities for age-in-place are also supported and extended to a broader socio-economic base.
- f) The Town will consult developers regarding intensifying their existing draft approved plans of subdivision, provided the locations are suitable for increase and consistent with locational criteria defined under Section 4.19.6 g) and 4.19.7 d). An amendment to this plan will not be required.
- g) For lands impacted by the Environmental Conservation Overlay, only through developer or landowner activity where there is an interest in advancing the underlying designation, and where an EIS has been required and approved, will actual development potential be confirmed. Recognition that impacts may affect ultimate unit yield shall be afforded to this Plan and the stated projections may change pending the outcome of the required study work.
- h) Neighbourhood commercial uses may be considered in residential neighbourhoods provided they are in keeping with Section 4.7.4.2 of the Town's Official Plan.
- i) Storm water management (SWM) facilities are essential for sustainable development, including residential areas. As such and given the exact size and location of facilities is determined after detailed engineering studies have been provided with development plans; SWM facilities shall be considered a permitted use within both the Low Density Residential and Medium Density Residential designations of this Plan. Appropriate zoning shall be applied as a part of the development process and once location and size have been finalized.

4.19.6. **LOW DENSITY RESIDENTIAL**

- a) The lands designated on Schedule “STV-2” as “Low Density Residential” shall be reserved for single detached, semi-detached and duplex dwellings and uses accessory thereto, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) An overall target of not more than 70% Low Density residential yield shall be anticipated within the Plan Area. In effort to achieve this target, lower density dwellings (detached, semi-detached and duplex) should comprise roughly half of all new development form/type. A Low Density range of up to 16 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure and providing opportunities to diversify lower density housing stock.
- c) Schedule “STVN-2” provides for approximately 70 additional low density units, not including those in existing registered and draft approved plans of subdivision (approx. 115 units) for an estimated total of 185 units over the long term. The yield reflects the existing lot fabric and anticipates retention of some larger existing residential lots. New or redeveloping lower density development can be expected to comprise smaller lot area and dimension. This will also make efficient use of infrastructure while broadening choice and affordability in the low density form over the course of the planning period.
- d) Areas of Low Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.19.13.3 of this Plan. Development, redevelopment or expansion of existing use may require further environmental study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.
- e) Existing Residential area lot fabric between Coral Avenue and Settler’s Cove, west of Stevensville Road, represents largely underutilized residential lands. The Town supports consolidation of property or a bound landowners group exploring the residential in-filling of this area with compatible residential development. Schedule STV-2 illustrates a conceptual road to be able to access and service these lands, however

alternative scenarios may be proposed that result in the ability to maximize the available lands within this area of the Plan

- f) The Plan also designates Low Density immediately east and adjacent to the main body of United Empire Loyalists parkland. These lands are part of a larger parcel of land that is bisected by a tributary recently designated as part of the "Stevensville Road Drain" under the Municipal Drainage Act. The drainage course represents a physical feature used in this instance to create a boundary between the Medium Density to the east. Low Density has been chosen for this location as a transitional or gradation of density between the Medium Density adjacent to the Mixed Use Core, and Open Space uses west of these lands, also representing the urban area boundary.

Servicing feasibility and strategies will be required as part of any development application for these lands. Accessing the Low Density lands will require a cooperative and constructive approach with approval authorities. Relevant environmental impact studies will be required and Drainage Act provisions must be respected. The Town recognizes these lands (east and west of the tributary) as key residential development lands given the limited supply of available land within the Plan and Urban Area. Every effort to retain the longer term development potential of these lands is of interest to the Town.

- g) Medium Density residential development on lands designated as Low Density Residential in this Plan shall only occur by zoning by-law amendment having considered matters such as suitability and size of the site, proximity to arterial roads and core mixed use areas, parks and open space areas or in locations where such form can assist in mitigation and attenuation, such as residential lands adjacent to rail. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.19.5 d).
- h) Lands designated Low Density lying on either side of Stevensville Road, south of the CN Rail line, that are part of a much larger agricultural land holdings, may seek consents using the urban area boundary as the devising limit. The Town would consider a consent for

that portion falling within the urban area to be in keeping with the Plan's intent and objectives. Services are presently available.

4.19.7. **MEDIUM DENSITY RESIDENTIAL**

- a) The lands designated on the Schedule "STVN-2" as "Medium Density Residential" shall be reserved for multiple-unit structures (townhomes and apartment dwellings), their accessory uses and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) An overall minimum target of 30% Medium Density residential unit yield shall be anticipated within the Neighbourhood. In effort to achieve this target, medium density dwellings should comprise just over half of all new development. A Medium Density range of 17 to 50 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure, and providing opportunities to diversify medium density housing stock and form.
- c) Schedule "STV-2" provides for approximately 200 new Medium Density units, exclusive of any existing registered and draft approved plans containing multi-unit dwellings
- e) Developers with existing draft approved plans of subdivision within the Plan Area will be encouraged to consider modifying their plans to incorporate additional medium density, having taken into account such matters as suitability and size of the site, proximity to arterial roads and core mixed use areas, parks and open space areas, or in locations where the subsequent built form can assist in mitigation and attenuation, such as residential lands adjacent to rail. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.19.5 d).
- f) The Plan anticipates approximately 150 units to be developed in two or three low-rise (two or three storey) apartments in the medium density areas immediately adjacent to the village core area. These locations may also be suitable for seniors development that may provide for a level of semi-assisted or fully assisted senior accommodation. A variety of tenure (condominium, life lease and rental) is encouraged to provide broader choice.

Fully assisted or nursing home as an institutional use, shall be permitted in the Medium Density designation requiring only a By-law

amendment, without the need to amend this Plan. Development containing fully assisted senior care, in whole or in part, may increase density on the site to 75 units/ha. for that portion devoted to such use.

The remaining estimate of 50 units within these core shoulder areas are anticipated to be in the form of ground-based single and two storey street or block townhome development in a variety of tenures.

- g) Areas of Medium Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.19.13.3 of this Plan. Development, redevelopment or expansion of existing use may require further environmental study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.
- h) Maximum density of the lands located on the southeast corner of Coral Avenue and West Main Street, known municipally as 3801 West Main Street, shall be 32 un./ha. Site specific zoning shall provide regulation for this property as a whole. This property may be eligible for consent provided a zoning By-law amendment can be approved that is in keeping with the intent of the Town Comprehensive Zoning By-law as amended from time to time, and the combined overall density would not exceed 32 un/ha. Notwithstanding 4.19.7 i) herein, a severed parcel would be permitted to have a single or semi-detached dwelling, provided the severed parcel does not exceed 2 dwelling units in total. Site Plan Approval would be required for both severed and retained lands.
- i) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.
- j) An amendment to this Plan will be required to justify Low Density residential development on lands designated as Medium Density Residential in this Plan.
- k) Notwithstanding 4.19,7 a) and 4.19.7 i) to the contrary, a vacant lot of record may be used for a single detached residential dwelling if zoned for such use prior to approval of this Plan. Regulations for the single detached dwelling would need to meet with the minimum requirements of the previous zone.

4.19.8. **CORE MIXED-USE**

- a) The lands designated as “Core Mixed-Use” on Schedule “STV-2” shall

be reserved for a variety of retail and office uses, as well as residential uses. The Core Mixed Use areas are shown on Schedule “STV-2” and shall generally be governed by the policies of Section 4.8 unless otherwise defined under this section.

- b) Section 4.8.1.III provides that Core Mixed Use areas will be identified through the neighbourhood planning process leading to a Secondary Plan for adoption into the Town’s Official Plan document.
- c) The Town recognizes the cultural and community centre as being in the immediate vicinity of Stevensville Road and East & West Main Streets, including lands on the north side of Black Creek on Stevensville Road. The Community’s development origins trace outwards from this “village” core in the earliest days of the agricultural community’s beginnings. The retention of small town or village “feel” is a key objective of this Plan.

In light of the desired goal, the Plan identifies a “Core Mixed Use” designation that encompasses the “village” core area. It is within this “Core Mixed Use” designation that efforts be made to reinforce a pedestrian environment, conducive to smaller footprint commerce and tourism interests. Public realm enhancement and urban design are to be used in new development, both public and private, in order to further reinforce “character” in a manner that is complimentary. This does not mean replication of period architecture as a requirement, but rather as a consideration, together with such design aspects as pedestrian scale and massing of buildings, placement on the lot and landscaping treatments. The implementing zoning By-law will provide appropriate regulation to guide these objectives.

- d) New development and re-development in the Core Mixed Use area should include provision of residential development together with at-grade commercial and/or second floor office space. Residential is preferred to occupy second or third storey space within the Core Mixed Use designation, however the implementing By-law may provide for adjoining residential to be situated at grade, provided it does not detract from the primary at-grade commercial purpose and use.
- e) There are opportunities for new development and building additions on a number of properties within the Core Mixed Use designation that will assist in better defining a street-wall, in what can be described as an

incomplete or permeated streetscape; this is more the case for properties on the north side of Black Creek.

Over time, building and property owners are encouraged to make such modifications to increase the commercial density without need for expanding the designation. Increased street-front building presence will aide in creating the downtown or village environment where an increased pedestrian presence is both anticipated and expected.

- f) Existing stand-alone dwellings shall be permitted to remain while new residential stand-alone dwellings will not be permitted, with limited exceptions, such as replacement due to fire.
- g) The Core Mixed Use designation primarily represents the traditional commercial core area, its associated residential components and shouldering period residential building stock. The Town recognizes this village setting as being of fundamental value to the residents of the community. Efforts to retain and enhance this village setting with a pedestrian orientated public realm are of primary interest to all stakeholders.
- h) The Town may wish to consider undertaking an urban design guideline study, depending on available funding opportunities or partnerships.

Until such time that Urban Design Guidelines may be approved, the following site design and urban design principles / guidelines should be acknowledged in submission and review of new development applications within the village Core Mixed Use designation:

Stevensville Core Mixed Use Area

- i. Buildings existing in the core area are generally characterized as having been one of two distinct built forms. Firstly, “purpose built” commercial or institutional uses of earlier years and secondly, residential buildings, some of which have been modified or adapted with commercial false front façade additions as the commercial expanded into the neighbouring residential properties. Building setbacks vary under present circumstances and it is desirable in the mixed–use designation to bring the building stock forward to the street line when the opportunity is available to do so.

- ii. Not all buildings hold potential for expansion or modification, in which case, any adjacent properties undertaking such changes shall have regard for neighbouring building existing (constructed) setbacks. Core Mixed Use zoning implemented elsewhere in the Town have typically recognized existing historical downtown environments with zero front and side yard setbacks.
- iii. Stevensville's core area was not constructed in the same manner and most (not all) of the current building stock within the Core Mixed Use designation do have front and side yard setbacks similar to that of contemporary residential standards. Consideration shall be given to the implementing By-law for this new Mixed Use environment to further reduce setbacks and allow expansion for commercial purposes. While the implementing By-law may or may not create a zero setback environment, it should improve available building envelopes to enable forward placement of buildings or expansion on a lot. However, new buildings should attempt to transition through an average setback of adjacent buildings to the front lot line, unless the existing setback is greater than 6m, in which case 6m should represent a maximum setback for new commercial construction.
- iv. New buildings purpose built for restaurant or tavern use may be allowed to setback for the purposes of creating patio space as part of their planned operations. Regardless, setbacks of more than 6m are discouraged to limit a punctured appearance of the street wall.
- v. New or re-developed buildings within the Core Mixed Use designation should maintain an appropriate pedestrian scale within a village context and therefore buildings are strongly encouraged to provide a minimum of 2 storeys and a maximum of 3 storeys with "at-grade" retail/commercial floor space adjacent to the front lot line for the main level and being accessible from the street. At least one upper level should provide for residential dwellings. Office uses can comprise a second floor of a 3 storey building.
- xiv. Building materials selected for new or redeveloping sites should be of high quality and provide some elements that can be related to other existing built form or heritage architecture from within the

village core area. The village feel and character should be the first measure of design when new proposals are received and reviewed for permit or variance.

- xv. Buildings located on street corners are encouraged to present exposed facades that are of high quality in materials and detail. Architectural detailing of same quality should be applied to both street frontages. Depending on internal layout and structural ability, windows are encouraged for all levels exposed to the public realm. Rhythm of window openings on upper levels should be a consideration in conjunction with efforts to maximize glazing at street level.
 - xvi. Ownership of the existing buildings within the Core Mixed Use designation are encouraged to maintain and enhance architectural attributes of buildings particularly those which reflect heritage components or elements that add to the authenticity of the village experience.
 - xvii. When considering site design for new or re-developing properties in the Core Mixed Use designation, residential parking in the rear or side yard is preferred and shall conform to municipal By-law requirements.
 - xviii. Properties and buildings not located directly on Stevensville Road within the Core Mixed Use designation are encouraged to maintain high quality appearance and curb appeal to assist in shouldering the core and to extend the ambiance of the village setting.
- i) Bed and Breakfast establishments, as a Home Occupation, shall be permitted in existing detached residential dwellings within the Core Mixed Use designation, provided applicable zoning provisions can be met, including provision of adequate on-site parking and licensing.
 - j) New development in the Core Mixed Use designation shall provide at grade commercial uses and include a residential component. Owners of existing buildings with suitable upper levels that can be converted for residential use shall be encouraged to do so, subject to applicable zoning provisions such as parking and outdoor amenity area requirements.
 - k) The Town shall implement the appropriate zoning to reflect the Core

Mixed Use designation, providing detail on permitted uses, regulation and applicable provisions.

- l) The Town encourages the creation of a Business Improvement Area for the “Village” Core Mixed Use area that may, or may not; extend to include all Core Mixed Use and Gateway Highway Commercial lands along the Stevensville Road.
- m) The Town shall seek to implement and administer incentive programs to assist eligible properties within the Core Mixed Use area with programs such as Facade Improvement, Signage Improvement and potentially Interior Renovation for Conversion to provide for additional residential.
- n) Any existing buildings subject of conversion or addition for the purpose of mixed use shall require Site Plan Control and be subject to inspections to ensure Ontario Building and Fire Code Standards are being met.
- o) The maximum height for new construction/buildings within the Core Mixed Use designations shall be 3 storeys (12m)
- p) Drive-thru facilities associated with restaurants, banks or any other type of commercial dispensary shall be prohibited within the Core Mixed Use designation. Commercial operations using drive-thru services will be encouraged to locate in the “Gateway Highway Commercial” area north of Eagle Street.
- q) Residential associated with Core Mixed Use shall not be subject to minimum or maximum density range. Residential components will, however, be subject to minimum standards for dwelling unit sizes and any other applicable zoning requirements identified in the implementing zoning by-law, including being within a mixed use building that has a maximum 3 storey (12m) height maximum.
- r) Commercial and residential floor space within the Core Mixed Use designation shall be subject to the general provisions of the Town’s Comprehensive Zoning By-law as amended from time to time.
- s) The Town supports cultural festival activities within the Core Area as a means of stimulating commercial activity and community building.

- t) New automotive related uses are not permitted in Core Mixed Use areas and shall be encouraged to locate in the Stevensville Gateway Highway Commercial area.
- u) Accessibility shall be considered for any development or redevelopment proposals as administered through the Ontario Building Code.
- v) The lands located at 2596 Stevensville Road shall be permitted to have non-automotive repair and similar uses, subject to site specific zoning to regulate accordingly.

4.19.9. **COMMERCIAL**

- a) The “Commercial” areas are shown on Schedule “STV-2” and shall generally be governed by the policies of Section 4.9 unless otherwise defined under this section.
- b) There are two smaller areas of Commercial designation lying in the southern Plan Area along Stevensville Road that have traditionally supplied automotive type highway commercial uses. These commercial uses are being retained in the Plan. Consideration of the long term use as commercial in this location, towards a more compatible residential designation may be of interest to the property owners or Council.

Such consideration would require amendment to this Plan and an Environmental Site Assessment on the suitability of the lands to be used for a more sensitive land use. A Record of Site Condition would also be required prior to such an amendment being considered.

Should consideration be given to re-designating and redeveloping these commercial sites, further consideration may be given to Brownfield CIP incentives should remedial works be required.

- c) Accessibility shall be considered for any development or redevelopment proposals as administered through the Ontario Building Code.

4.19.9.1. STEVENSVILLE “GATEWAY HIGHWAY COMMERCIAL”

- a) The “Gateway Highway Commercial” area are shown on Schedule

“STV-2” shall generally be governed by the policies of Section 4.9.4 unless otherwise defined under this section

- b) In light of the potential highway lying immediately north of the community, the development of more contemporary auto-friendly commercial site design and operation are directed to locate within the Gateway Highway Commercial area where sites are capable of providing for the intended design need and will cater to local population, employment lands workforce, tourism and commuting or transient public.
- c) The designated area provides larger parcels of land capable of developing in a more contemporary highway commercial context, with auto-oriented commercial businesses and on-site parking. The Town recognizes this distinction, which separates itself from the pedestrian oriented Core Mixed Use area established for the traditional village core of Stevensville. The policies of this section intend to support that distinction.
- d) The “Gateway” Highway Commercial area is a term coined by the Community Focus Group to describe a desirable impression when entering Stevensville. Whether remaining as presently configured, or as part of a perception generated as a result of potential highway off-ramping leading into this commercial environment, the term “Gateway” is being used in a land use context and does not represent municipal naming preference. It is simply used to provide description and describe location for this urban area entry point.

Should the future highway come into being, the commercial significance and range of consumers attraction can be expected to increase accordingly.

Commercial development occurring in the Gateway Highway Commercial designation shall have regard for transportation policies; particularly policy 4.19.14.1.

- e) Commercial development within the Gateway Highway Commercial area is encouraged to cluster and share access points from Stevensville Road for improved safety and traffic control management.
- f) All development within the Gateway Highway Commercial area will require on-site parking, consistent with the general provisions of the Town’s comprehensive zoning by-law.

- g) No less than 15% of the zoned commercial lot area shall be comprised of landscaped open space including planting strips with a focus on providing landscaped areas and enhanced treatment along the street frontage.
- h) Commercial operations that utilize drive-thru facilities as part of their operations would be permitted within the Gateway Highway Commercial area provided the design of such facilities does not impact on functional driveway and roadway operation. Site Plan Control shall ensure adequate maneuverability, stacking provision and placement does not create conflicts or interfere with site ingress and egress.
- i) Drive-thru operations shall be required to address such matters as visual and aesthetic impact on adjacent properties through site plan submission of building elevation drawings in conjunction with landscaping plan detail and matching elevations.
- j) As the road servicing the Gateway Highway Commercial area is under regional jurisdiction, the Region of Niagara shall be consulted in the preparation of Urban Design Guidelines with respect to their road allowances.
- k) Pending the outcome of future Phase 2 EA Highway Corridor study, the Town may wish to consider developing Urban Design Guidelines to unify an overall Commercial Gateway image. Such guideline development will be subject to budgetary allocation.
- l) Until such time that Urban Design Guidelines may be approved, the following site design principles / guidelines should be acknowledged in submission and review for new development applications within the Stevensville Commercial Highway Gateway area:
 - i. Recognizing that considerable commuter and tourist vehicular traffic will continue to exist as a component of the overall consumer base, efforts to balance the need for access and parking with those of purely active transportation in origin must be given careful consideration;
 - ii. Provide opportunities for buildings to extend towards the street frontage with provision of clearly identifiable pedestrian linkage and access to the site and buildings from the roadway;

- iii. High quality building materials should be used for all facades with material, colour change and surface relief employed to visually break up large wall space.
- iv. Ample glazing should address the road and parking areas with articulating features such as awnings and bump-outs used to identify building or unit access points
- v. A variety of compatible colour and finishes should be considered for multi-unit commercial buildings;
- vi. Parking areas are encouraged to be located at the side and towards the rear of new commercial development, so as to not diminish pedestrian accessibility from the roadway. Despite this commercial area's auto-friendly acceptance, pedestrian movement should not be compromised. Providing appropriate pedestrian linkage from the surrounding commercial, employment and village areas is an important component, as not everyone accessing this commercial area will do so by motor vehicle. All areas within the Secondary Plan, including the Gateway Highway Commercial area, should be considered part of the walkable neighbourhood.
- vii. Loading areas should be located at the rear of buildings;
- viii. Inter-site connectivity through mutual easements and agreements for vehicular and pedestrian traffic is encouraged to limit the amount of vehicular access points required from the regional roadway;
- ix. Incorporating site furniture such as benches and bicycle racks should be provided for;
- x. An enhanced landscaping treatment along street frontages and pedestrian routes is required. Other treatments such as low, decorative fencing in combination with landscape plantings may be used to demarcate outdoor patios, but are discouraged for property demarcation;
- xi. A minimum of 15% landscaped open space for the properties in the Gateway Highway Commercial area is required and should focus and direct landscaping towards the street frontage;

- xii. Pylon and pole signage should be contextually sensitive. Multi-unit commercial tenants are encouraged to utilize clustering on a single shared pylon or pole sign.
 - xiii. Drive-thru operations should be designed to address such matters as visual and aesthetic impact on adjacent properties and public road allowances.
- m) Accessibility shall be considered for any development or redevelopment proposals as administered through the Ontario Building Code.

4.19.10. **EMPLOYMENT LANDS (INDUSTRIAL)**

- a) The development of employment lands in Stevensville will significantly contribute to the long-term sustainability as a complete community. In this respect ample designated employment lands have been provided for in Stevensville within the urban area boundary. These employment lands can take advantage of quick direct access to the QEW, existing rail corridor and future MTO corridor.
- b) To further promote the development of Stevensville employment lands, eligible employment development can utilize incentives offered through the Town's Gateway Economic Zone Community Improvement Plan.
- c) Industrial development occurring in the northeast area of this Plan shall have regard for transportation policies, particularly policy 4.19.14.1.
- d) Policies of Section 4.10 shall apply to all Industrial lands within the Stevensville Secondary Plan Area. Section 4.10 provides general comprehensive policy coverage for Industrial lands within the Plan Area and shall be relied upon for guidance when development is being considered.
- e) Notwithstanding the policies of Section 4.10:
 - i. Industrial lands with an Environmental Conservation overlay south of the C.P Rail, as shown on Schedule STV-2, shall develop for prestige and/or light industrial uses. Development shall be subject to the Natural Heritage policies of Section 8 and the types of

Industrial uses shall comply with the D6 Guidelines of the Ministry of the Environment; and

- ii. New Development of the Industrial lands just east of Stevensville Road, south of Eagle Street and north of CP Rail, as shown on Schedule STV-2, shall comply with the D6 guidelines relative to Institutional and Medium Density designated residential lands south of the CP Rail right-of-way.
- iii. Outside storage of materials or goods shall only be permitted in areas screened from residences or public realm and the nature of the storage does not cause compatibility issues to more sensitive lands uses.
- f) New development shall be subject to Accessibility for Ontarians with Disabilities Act, 2005 and any relevant Regulations made thereunder concerning full accessibility and barrier free design where required.
- g) Lands designated Industrial lying south of the CP Rail lands, east of Winger Road are part of a much larger agricultural land holding. The Town would consider a consent for that portion falling within the urban area to be in keeping with the Plan's intent and objectives. Sanitary sewer is available in the road allowance; however a municipal water supply or potable water supply solution would still be required prior to any Site Plan or construction approvals.

4.19.11. **INSTITUTIONAL**

- a) The lands designated on Schedule "STV-2" as "Institutional" recognize the existing institutional uses established within the Secondary Plan Area. The designation within the Plan Area shall be reserved for a variety of public and institutional uses and be generally governed by the parent Official Plan policies of Section 4.12.
- b) Accessibility shall be considered for any development or redevelopment proposals as administered through the Ontario Building Code.

4.19.12. **OPEN SPACE**

- a) The lands designated as “Open Space” on Schedule “STV-2” shall be reserved for a variety of active and passive recreational use and other open space uses. The policies of Section 4.13 shall generally apply to lands designated as Open Space.

Lands identified under an “Open Space” designation within the Stevensville Secondary Plan Area are further defined as provided for below.

4.19.12.1. OPEN SPACE – PARKS (COMMUNITY, NEIGHBOURHOOD AND SPECIALIZED)

- a) The Town of Fort Erie’s Parks and Open Space Master Plan shall serve to generally guide the appropriate location and effective service area distribution for parks within the Secondary Plan Area.
- b) Parks are shown on most Schedules of this Plan. The location and general size of parks, based on the current Master Plan, have been relatively satisfied in terms of proximity to residents and service areas. Minor additions may be considered for the park space at Memorial Hall and Memory Park.
- c) Developers can expect cash-in-lieu as the alternate to parkland dedication will be the primary method of satisfying dedication requirements for new development under the Planning Act. This may not always be the case, however, since the majority of the community is in a built-up or approved status, parkland service locations and coverage area are already in place and defined.
- d) Amenities provided or planned for the various parks within this Secondary Plan shall be in keeping with those identified under the Park and Open Space Master Plan.
- e) Town owned parks fall within three classifications as stated in the Parks and Open Space Master Plan. The following policies are intended to identify objectives of the Town as it relates to:

Community Parks

- i. United Empire Loyalist Park is classified as a Community Park and also fulfills the role of Neighbourhood Park in that most residents make use of “Stevensville Mini Park” being unaware that it is in fact part of the United Empire Loyalist Community Park complex. Since this portion of the park is south of Black Creek and situated along West Main Street, this southern portion has provided for a Neighbourhood Park component.

The vast majority of United Empire Loyalist Park is not within the Secondary Plan Area (Urban Area Boundary), however, being immediately adjacent, its role in serving Stevensville and the broader community is, by extension and regardless of the urban boundary, considered a Stevensville community asset, capable of hosting larger organized field and sporting events.

Similar to the “Stevensville Mini Park” identifier, the larger park portion accessed from Ott Road, is commonly referred to as “Ott Road Park”. This again, is all part of the United Empire Loyalist Park complex, which is classified as a “Community Park”.

Neighbourhood Parks

- i. In addition to the portion of United Empire Loyalist Park, locally known and referred to as “Stevensville Mini Park”, which services the western end of the community, Stevensville Memorial Park (at the Library and Hall) provides for a Neighbourhood Park space in the eastern half of the community.
- ii. The Secondary Plan has identified a small addition to Stevensville Memorial Park, immediately east of Climenhage Street. The Town deems this parkland addition as desirable and will seek opportunities for further addition should the opportunity be presented in future.

Specialized Parks

- i. Memory Park is a Specialized Park located on Stevensville Road, immediately adjacent to Black Creek on the north side. This park space is centrally located and has been the benefactor of service group donations for improvement in past. The Town supports

continued effort to improve this park space, by making use of the full site area, which extends farther back from the Stevensville Road than presently utilized.

- ii. A longer term goal of creating and constructing a recreational trail system along the north side of Black Creek is envisioned. The trail would extend the distance of the community and run through Memory Park. Such a connection will make the park space more accessible to the broader public and serve in a capacity as a hub or transitional point between the village or civic culture and that of the active/passive recreational culture associated with the trail's use.
- iii. Establishing a specialized park that serves as a civic square or civic space may be considered within the village core area. Options on the feasibility of a civic square, which may include Memory Park or the available space in front of the Memorial Hall, will be part of the 2016 Parks and Open Space Master Plan review process.
- iv. Open Space lands located east of Stevensville Road along the north side of CN lands are generally removed from open view and access from road or walkways. During the Parks and Open Space Master Plan review, consideration on developing these lands or part of these lands for use as a "dog park" may be considered.

4.19.12.2.OPEN SPACE – TRAIL AND LINKAGE

- a) The Town supports linkage opportunities that assist in providing improved pedestrian connection and access to points of interest such as, but not limited to, the village core area, Memory Park, United Empire Loyalist Park, Stevensville Public School, Memorial Hall and the Library. When considering Stevensville's present built environment, the most suitable location for establishing additional pedestrian linkage is on lands along the north side of Black Creek.
- b) The Town shall make every effort to ensure publicly accessible linkage opportunities are protected and accessible when new development or re-development is proposed within the Plan Area.

- c) Trail development through select Environmental Area designations identified on Schedules STV-3 and STV-3a is considered desirable by the Town. The Town may pursue trail network connectivity where feasible to do so, in consultation with the Niagara Peninsula Conservation Authority and/or MNR, in effort to provide for an enhanced open space network within a variety of different natural settings for natural heritage education and passive recreational enjoyment.
- d) The Town may consider, acquire or become the benefactor of land for linkage purposes; however, the Town is under no obligation to purchase or accept lands for linkage that, in the opinion of the Town, does not serve to provide opportunity for long term continuous or contiguous connection. Linkage opportunities will be reviewed on an ongoing basis by the Town during secondary planning and individual application submissions.
- e) The multi-use trail shown on the Schedules of this Secondary Plan is conceptual. The Town shall work with all relevant departments and agencies in determining a more definitive location.
- f) Implementing the planned trail along the north side of Black Creek is anticipated to be done incrementally through development applications, donation or planned purchase, when within financial means of the Town to do so. Until such time, alternative locations for linkage may be used. For example, where the trail is shown on the immediate west side of Stevensville Road, an alternate location may be located along Pirson Street until such time that the Town is in a position to secure the long term connecting link. Conceptual trails shown across privately owned/occupied lands does not imply expropriation.
- g) Linkage opportunities are represented on Schedules STV-3, 3a and 4 of this Plan and illustrate a preferred series or network of connection. Pedestrian linkage for the purposes of this Secondary Plan can be comprised of sidewalks, multi-class paved, un-paved and naturalized trails systems.

4.19.13. NATURAL HERITAGE

4.19.13.1.GENERAL

- a) Policies of Section 8 shall apply to all Natural Heritage resources within the Stevensville Secondary Plan Area. Section 8 provides comprehensive policy coverage for all relevant environmental features within the Plan Area and shall be relied upon for guidance when development is being considered in, or within defined proximity to environmental features or sensitive areas.
- b) Determination of any natural feature boundaries or environmental study requirements will be identified/confirmed during mandatory pre-consultation for Planning Act applications, or on permit application review for site or building expansions in cases where the lands are regulated under the Conservation Authorities Act, as administered by the Niagara Peninsula Conservation Authority, and in accordance with Section 8 of the Official Plan.
- c) Determination of EIS requirements shall be based on Regional EIS Guidelines with administration and approval authority having been set out as per the Memorandum of Understanding (MOU) between local and regional governments and the Niagara Peninsula Conservation Authority.
- d) There may be unique circumstances that need to be recognized as a result of existing conditions, such as existing dwellings within wetland buffers and lots of record within hazard lands. Any such unique circumstances will be identified and discussed if and when a planning application or building permit application is filed with the Town and/or having been identified during pre-consultation. Determination of the applicable approval authority will be dependent on the nature of the existing condition and the environmental designation or constraint impacted. The MOU will be referenced in determining approval authority.

Lands impacted by natural hazards regulated by the NPCA will be subject to regulatory controls under the NPCA's "Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" (O.Reg 155/06), as amended from time to time.

- e) Schedule STV-2 of the Stevensville Secondary Plan illustrates areas of Environmental Protection designation. These areas are identified on Schedules STV-3 and STV-3a, and are further broken down to

illustrate the specific natural feature or hazard land components.

- f) The Stevensville Secondary Plan also contains Environmental Conservation Areas, all of which are shown as an overlay designation on Schedule STV-2. Development may be permitted in an Environmental Conservation Area subject to an EIS having been conducted and the Terms of Reference approved prior to initiating the EIS by the applicable approval authority.
- g) Schedule STV-3a of this Plan identifies a creek tributary crossing Stevensville Road lying just south of the CNR Right-of-Way. This tributary is identified by NPCA as Type 1- Critical Fish Habitat and traverses lands designated as Low Density Residential by this Plan. Any development activity in this area shall comply with the 30m setback provisions from top of bank in order to protect fish habitat. Should the NPCA identify any wetland features along the tributary, the wetland regulations of the NPCA shall apply.

The NPCA shall be consulted with respect to any development on these lands.

- h) Policy 8.8.1.XXIV shall be referenced for direction regarding the relationship between existing draft approved plans of subdivision and natural heritage features.

4.19.13.2. ENVIRONMENTAL PROTECTION AREA

- a) Environmental Protection Areas are comprised of Provincially Significant Wetlands (PSW's) and lands subject to natural hazard conditions as described in Section 8.2.4.
- b) PSW's are identified on Schedules STV-2 and STV-3. All PSW's are designated as Environmental Protection.
- c) The Plan Area contains several locations where PSW's are identified. Most are associated and defined along the shoulders of the Black Creek drainage course with several truncated sections resulting from the longstanding road networks. The only other wholly contained PSW is found in the northeastern portion of the Plan, which is surrounded by designated Industrial land. Any remaining PSW's are typically found outside of the Plan Area, however, may influence lands within the Plan with respect to setbacks for development. 30m of adjacent lands from

PSW's lying just outside of the Secondary Plan limits are shown on Schedule "STV-3" to this Plan.

While it is recognized by NPCA that the common threshold for an EIS requirement adjacent to a PSW is 30m, the NPCA may request an EIS to demonstrate no negative effects on a PSW within 120m of adjacent lands, depending on the nature of the development.

- d) The Ministry of Natural Resources (MNR) establishes the boundaries of wetland features and considers the evaluations to be open files. Property owners who wish to have wetland boundaries re-evaluated have the opportunity to do so in consultation with the MNR. The NPCA will provide guidance to the owner in establishing discussions with local MNR representatives if desired. Property owners should recognize that wetland features may change over time and may increase or decrease in size and will be evaluated as such by the MNR. The NPCA regulates identified wetlands under the Conservation Authorities Act.
- e) Schedules STV-2 and STV-3 illustrate the PSW features and the 30m adjacent land limits associated with the feature. Development within the adjacent land is regulated by the NPCA and generally not permitted unless approved by the NPCA.
- f) The 30m adjacent to the PSW's is represented by a line on the Schedules and also illustrates an underlying land use designation. This underlying land use designation does not constitute or secure development rights or potential without pre-consultation with the NPCA and Town on a supporting EIS and the EIS having been completed and accepted by the NPCA.
- g) Notwithstanding paragraph a) and c) herein, Section 4.19.13.1d) recognizes there may be unique circumstances for existing development in PSW adjacent lands, in which case, the need for an EIS will be determined through consultation with the Town and NPCA and will be subject to NPCA regulations in effect, as amended from time to time.

- h) Natural Hazards are reflected on Schedules STV-2 (contained within the Environmental Protection designation) and further broken down on Schedule STV-3 and STV-3a. The policies of Section 8 shall apply to Natural Hazards identified within the Stevensville Secondary Plan Area.
- i) There may be instances where the Environmental Protection Area designation limit is the result of NPCA defined areas requiring further study to confirm actual limits. More specifically, areas where slopes have been identified as being in excess of 3:1 and greater than 3m in height from top to toe. Where such areas exist in defining the EPA limits shown on this Plan's Schedules, studies to determine "stable top of slope" may be requested to confirm limits of development in relation to the slope as identified. Any required modification to the limits of the Environmental Protection Area as a result of study findings will not require amendment to this Plan or the Zoning By-law.

4.19.13.3. ENVIRONMENTAL CONSERVATION

- a) Environmental Conservation Area designation comprises wooded areas over 2.0 ha. and the most sensitive of natural areas identified by the Town's Natural Areas Inventory. The Environmental Conservation Area designation is an overlay and is shown on Schedules STV-2, STV-3 and STV-4.
- b) When an EIS is required, the Region's guidelines will be followed. The guidelines contain requirements and procedures for scoping and waiving studies. The applicable approval authority shall have regard for the requirements, to simplify the approval process while allowing development that safeguards the natural environment.
- c) A Tree Preservation Plan may be required to implement the recommendations of an EIS, or to protect trees identified as worthy for protection. Requirements for a Tree Preservation Plan will be identified in conditions of draft plan or site plan approval.

4.19.13.4. ENVIRONMENTAL CORRIDORS

- a) The policies of Section 8.3.4.IV of the Official Plan shall generally apply to Environmental Corridors shown on the Secondary Plan Schedule STV-3.
- b) Schedule “C” of the Official Plan illustrates conceptual Corridors throughout the municipality. These corridors represent a higher level linkage and are intended to demonstrate where provision of wildlife and avian routes may be considered for enhancement. The feasibility of enhancement should be examined as part of a development application process. The Stevensville Secondary Plan Area contains one such corridor, which is directly associated with the Black Creek tributary.
- c) There is a considerable amount of existing development along portions of these Environmental Corridor routes within the Plan Area. Where feasible, any proposals for new development may be requested to address how these routes could receive enhancement to assist in wildlife movement.

4.19.14. TRANSPORTATION SYSTEMS (ROAD NETWORKS, ACTIVE TRANSPORTATION AND PUBLIC TRANSIT)

- a) “Transportation Systems” is in reference to the various modes of transportation infrastructure that exist, or may be planned to be made available to service the Stevensville Secondary Plan Area. These include, but are not limited to, Rail, Road, Future Highway, potential Transit service and Active Transportation infrastructure (either planned or existing sidewalks, bicycle lanes & trails)
- b) Transportation systems are shown on Schedule STV-4 of this Plan
- c) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation System over the long term, review of current standards, or development of new standards may be required and prioritizing maintenance, construction and improvement will be considered

annually through capital budgeting, and through development application activity.

- d) It is recognized that major infrastructure projects can take time to coordinate and finance. The Town will seek opportunities for funding program assistance from other levels of government when made available; to assist in expediting transportation related capital projects and work cooperatively when jurisdiction over transportation infrastructure is not solely with control of the Town.

4.19.14.1. “PREFERRED CORRIDOR” FUTURE 400 SERIES HIGHWAY

- a) The Provincial Government is undertaking an Environmental Assessment (EA) to establish a Preferred Corridor and Right-of-Way for a 400 Series Highway connecting link between Highway 406 in Welland and the QEW between Netherby and Bowen Roads. Schedule STV-4 of this Plan illustrates the conceptual corridor as requested by the Town of Fort Erie Council, to be reflected in Regional Policy Plan Amendment No.6 and Phase 2 of the Provincial Niagara to Greater Toronto Area (N-GTA) Transportation Strategy when initiated.
- b) Further EA study work (a Phase 2 undertaking) has been identified as a “next step” in this Provincially led process to identify a 170m Right-of-Way within the “corridor”, which location could be adjusted, however, no associated timeline has been made available.
- c) At a higher level conceptual stage the Town supports this planned highway. Until such time that the Province acts to advance the required Phase 2 EA study and any subsequent corridor protection designation, and policy directives being implemented at the Regional level respectively, the Town will give consideration, to the best of its ability, on matters relating to any potential development activity in proximity to the identified corridor. In doing so, the Town may circulate development applications to the Region as a courtesy for comment, with the understanding that without corridor protection policies in-place, development activity and property owner rights have to be taken into account in processing applications for development.
- d) For the purposes of this Secondary Plan, The Town envisions a full interchange being planned for Stevensville Road. Such an interchange

would be extremely beneficial to the Employment lands within the Community and provide for general economic growth as a result of improved accessibility for all forms of commuter related traffic entering or passing through the community.

4.19.14.2.ROAD NETWORKS

- a) Further development of the road network within the Stevensville Secondary Plan Area shall generally be in accordance with Section 12.7 of the Town Official Plan.
- b) Council will strongly consider the existing character and needs of the neighbourhood when making road improvement decisions.
- c) The existing road networks within the Plan Area are generally developed in terms of travelled passage. The historical nature of the community was one of a rural crossroads community with subsequent development occurring in layers from Stevensville Road and East & West Main Street.
- d) There are generally four categories of roadway hierarchy in the Plan Area (not including the potential future Provincial Highway). These would be defined as:
 - Regional Arterial Road (Stevensville Road)
 - Town Collector Roads (East & West Main Streets and Winger Road);
 - Industrial Roads (Eagle Street); and
 - Local Roads (all remaining)
- e) While there are no “private” roads within Stevensville currently, it can be anticipated that private road development may be introduced at some point in future. Such roads typically are associated with compact condominium type development and are permitted within the Town. In light of public road allowances located north of Black Creek that access Stevensville Road that are generally reduced in width (reflecting more of a laneway status), such roads may be permitted to extend as private roads to access and service available development lands beyond the existing development lining Stevensville Road. Any such private road development permitted shall remain the responsibility of the ownership for continued maintenance and upkeep, both at surface and sub-surface (primary services).

- f) In support of creating a pedestrian friendly environment within the newly designated Core Mixed Use area of the village core, the Town shall request regional cooperation in design of Stevensville Road that is in keeping with “Complete Streets” policy in a contextually sensitive manner. Such consideration shall include on-road bicycle lanes, on-street parking to service commercial within the core, traffic calming measures and strategies for traffic control beyond the core area that will contribute to speed reduction prior to entering the core. This may include signalized intersection(s), traffic circle or simply 4-way stop control. Safety is a concern on all roadways within the Plan Area with the highest priority placed at this location (Stevensville Road in the village core) given the volume of vehicles using Stevensville Road.
- g) Schedule STV-4 illustrates the road network within the Plan Area and any new development application shall have regard for ultimate road allowance widths (as identified in Section 12.7.4 and any regional requirements as conveyed in the Region’s Official Plan) in design and zoning setback regulation.
- h) The Region of Niagara determines ultimate road allowance width for roads under its jurisdiction. The Region will be circulated with respect to any application for development along Stevensville Road, at which time final determination on provision of any widening requirements will be identified.
- i) Town collector roads seek to establish an ultimate width of 23m and local roads are to seek a 20m road allowance. It is recognized these desired widths may not always be practical or obtainable. Determination of municipal road widening will be reviewed by the Town at the time of application submission or during road reconstruction/improvement projects.
- j) The Plan illustrates “conceptual” roads on portions of the Plan. These conceptual roads are provided as a guide for the purposes of demonstrating efficient use of potentially developable land. Any proposals for areas where conceptual roads are shown may supply alternate designs, however, development proposals must also demonstrate the effective use of land and connectivity to the existing surrounding road network. An amendment to this Plan would not be required.
- k) Road widening and daylighting requirements shall be in keeping with the policies of Section 12.7.4.

- l) New road connections should be aligned with opposing roads or major driveways whenever possible.
- m) New road intersections and driveways connecting to Stevensville Road shall require Regional approval.

4.19.14.3.ACTIVE TRANSPORTATION

- a) Active Transportation shall be a consideration of Council as identified under Section 12.7.2 iv).
- b) Schedule “STV-4” illustrates components of the Active Transportation Network for the Stevensville Secondary Plan.
- c) Components of active transportation include on-road cycling lanes, off-road paths/trails and a contextually sensitive neighbourhood sidewalk system within the Plan Area to facilitate a safe and healthy alternative to vehicular travel and reliance.
- d) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking road improvements / reconstruction.
- e) Frequent destinations or points of interest, such as the library, school, parks and village core area should be given priority for connection when considering annual budget allocation. Connections that would support access to transit routes may also be considered where feasible.
- f) Where applicable, applications for development will be required to address and demonstrate how plans may integrate and provide for the necessary infrastructure to facilitate active transportation in relation to the overall network illustrated on Schedule “STV-4”.
- g) Consideration shall be given to provision of active transportation infrastructure contained within regional and local roadways during major reconstruction projects, including bicycle lanes as identified by regional cycling master plan and shown on STV-4. This would include

consideration to their addition at the time of any re-surfacing projects (relating to bicycle lanes additions)

- h) Collector roads within the Plan Area shall be planned to provide for sidewalks on both sides. Council may consider single side locations in part or in whole following departmental review and recommendation.
- i) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.
- j) The Plan Area contains natural environment features that may be suitable for accommodating pedestrian trail linkage. Opportunities to enhance the overall pedestrian network with visual variety in a diversity of settings shall be encouraged. The NPCA will be consulted when trails are proposed in regulated areas. Efforts to connect east and west ends of the Plan Area with a recreational/educational trail is of interest to the Town. A conceptual recreational trail to serve in this capacity is illustrated on Schedule STV-4.
- k) Any trails associated with, or located in, Natural Features and Open Space areas (excluding some park designations) shall not be lit, thereby assisting in a nocturnal wildlife corridor function.
- l) Type of surface materials used on trail linkage in the area natural features will be determined on a site by site basis and in consultation with NPCA and/or MNR where applicable.
- m) Wherever possible, the Town and Region will work cooperatively in establishing linkage to broader regional active transportation infrastructure to further promote and extend the range and reach accessible by active transportation users. In Stevensville's case, effort shall focus on incremental implementation and support for municipal transit (to bridge geographic gaps) and on-road bicycle lanes on Stevensville Road, as identified in the Region's Cycling Master Plan.

- n) Active Transportation and Public Transit use are complimentary modes of transportation. Wherever feasible, provision of pedestrian linkage to established transit routes shall be encouraged.

4.19.14.4.PUBLIC TRANSIT

- a) Conventional transit service is not presently provided to the Stevensville community. Community Focus Group participation in the development of this Secondary Plan have voiced transit service provision as high priority and until such time that population and employment densities increase, making it more sustainable and financially feasible to extend conventional service to Stevensville, this Secondary Plan shall have regard for implementation in the context of “future” transit provision.
- b) Stevensville is presently provided with municipal “Accessible Specialized Transit” service and the Town supports its continued operation separate to that of a desired “conventional” transit service being established.
- c) The Town supports Region of Niagara inter-municipal transit service and shall work cooperatively in review and support provision of regional routes that may, or may not supplement a level of transit connection from Stevensville to the Fort Erie urban area, in addition to that of its primary and intended inter-municipal service.
- d) Although not shown on Schedule “STV-4”, and considered to be a longer term objective, the Gateway Highway Commercial area should be promoted for a regional transit hub with local transit connection when regional service levels are capable of expansion. This would also provide the Ridgeway and Crystal Beach Neighbourhoods with a more direct alternative to accessing regional transit service without having to travel to the current regional hub at Thompson and Garrison Road (Walmart). Such consideration may also elevate or expedite local transit service implementation and connection to the Stevensville community.
- e) Conceptual local transit routing and potential transit stops are illustrated on Schedule “STV-4”, the location of which, supports the

land uses shown on Schedule STV-2. An amendment to this plan shall not be required to modify or change routing or stops.

- f) Long term local transit planning shall have regard for locating potential transit stops using a typical 400m radius service area catchment model.

4.19.15. **PARKING**

- a) The majority of the Secondary Plan Area is largely low density in character with most residences providing adequate on-site parking. On street parking in the majority of the residential areas has not been considered problematic.
- b) The Town shall monitor on-street parking throughout the community and may recommend restrictions to alleviate any safety issues if deemed appropriate.
- c) When streets with sufficient road allowance width are identified for reconstruction, consideration will be given to the provision of a full parking lane on at least one side of the street wherever feasible.
- d) The Town shall work cooperatively with the Region when capital projects are being designed and undertaken within the Mixed Use Area. The Town seeks to create a pedestrian environment that would include “on-street” parking within the core area and as a result, encourage the region assist in this goal.
- e) Any new municipal or private parking areas shall be designed and constructed in a way that provides adequate screening and landscape buffering where abutting residential properties.
- f) Parking in the Gateway Highway Commercial area will be required on-site for commercial development, taking into account any approved urban design guidelines when commercial site design is first being considered.
- g) Landscaped areas will be requested for large parking lots. Landscaping requirements shall be focused along the road frontages and shall provide for generous landscaped buffering and planting strips between the

roadway and parking areas, using high quality materials and plant stock. No less than 15% of the lot area shall be comprised of landscaped open space including planting strips.

- h) Parking area lighting shall be of adequate levels to ensure pedestrian safety while having regard for any adjacent residential uses. Spillover lighting from parking lot lighting onto adjacent properties shall be avoided.
- i) As the Region maintains control over access (ingress/egress) to Stevensville Road, developers of lands within the Gateway Highway Commercial area are encouraged to consider inter-lot connections by way of mutual access easements and agreements.

4.19.16. **CULTURAL HERITAGE**

- a) All matters of Cultural Heritage shall be consistent with Section 11 of this Plan.
- b) The Town recognizes the setting and cultural heritage of Stevensville as being that of an agricultural origin. Residents of the community have expressed their desire to maintain the small town or village “feel”.
- c) In developing Urban Design Guidelines for Stevensville’s village core, the Town will seek to ensure guidelines address cultural and historical elements that should be maintained and enhanced in effort to strengthen the image and village character sought by residents.
- d) Council may consider periodic recommendations from the Fort Erie Museum and Cultural Heritage Advisory Committee concerning property/structure designations.
- e) The Secondary Plan presently does not have any designated heritage properties. Two properties (3 structures) have been identified as being of interest and subsequently added to the Municipal Registry for potential or future designation. The Town has relied on voluntary designation of heritage properties and shall continue to act in this manner. The Town encourages designation of such properties and will work cooperatively with ownership in effort to facilitate designation.

- f) The Fort Erie Museum and Cultural Heritage Committee shall continue to advise Council on matters of Stevensville's built heritage and from time to time, may recommend for Council's consideration, properties for addition to the Municipal Registry following the Committee's more detailed review of community building stock.
- g) The Stevensville Secondary Plan Area contains areas of archaeological potential. New development proposals may require an archaeological assessment study prepared by a qualified individual or firm to accompany any such development application. The parent Official Plan Schedule 'D' - Cultural Heritage Archeological Zones of Potential identifies areas subject to this requirement. Need for any such study shall be confirmed through mandatory pre-consultation prior to any application submission.

4.19.17. **MUNICIPAL SERVICES**

- a) Municipal servicing shall be consistent with the policies of Section 12 of this Plan.
- b) Municipal services such as sanitary and storm sewers, stormwater management facilities and municipal drainage will be provided, maintained and upgraded as necessary to accommodate the needs of existing and future development in the Stevensville Secondary Plan Area.
- c) Based on findings of the 2010 Waste Water / Stormwater Master Plan study (*XCG Consultants Ltd.*), no immediate servicing concerns respecting sanitary capacity of the sewer network for the Plan Area were identified.
- d) The Town shall continue to make improvements to its storm, sanitary and water networks and any planned improvement projects shall be identified in the 10 year capital projects budget.
- e) All new development shall require approval of storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to mitigate or alleviate flooding of adjacent and downstream properties during storm events. Additionally, engineering solutions for storm water management that improve infiltration and assist in improving groundwater quality and recharge will be considered relative to the feasibility and practicality of their implementation.

- f) Existing municipal water supply is currently available to service the Plan Area. All new development may be required to loop watermains wherever opportunity exists to do so.
- g) The Region of Niagara has completed a B Class Environmental Assessment on a portion of lands designated for Medium Density Residential on Schedule STV-2. On completion of the Environmental Assessment, the Town may redesignate and rezone the final limits to reflect the use through housekeeping amendments. The Town may simply choose to rezone without an amendment to this Plan.
- h) There are presently no restrictions to development within Stevensville under current water supply conditions. The expansion is to secure water supply for Stevensville and Douglastown over the long term.
- i) All new development within the Secondary Plan Area shall be developed with full municipal services with exception of minor in-filling through consent on roads serviced by open ditch and rural cross section.
- j) Servicing the lands north of Black Creek, west of Stevensville Road will require tributary (Stevensville Municipal Drain) crossings for public or private roads, water and sanitary sewer. The Town shall work cooperatively with approval authorities and development interests in securing future viability for development in this area. Minor changes to designation limits may be adjusted to those which are shown on the Schedules of this Plan without amendment, provided site specific zoning that reflects final limits are to the satisfaction of the respective approval authorities. Land Use designation changes may follow during regular housekeeping exercises. Where a division of land use is that of a constraining feature (eg. Flood Plain), supporting studies will be required for relevant approval authorities review and approval.

4.19.18. UTILITIES

- a) Utility providers are encouraged to consult with the Town when new major plant locations or infrastructure is required or existing infrastructure is identified for upgrade. The Town will work cooperatively with utility providers in effort to facilitate their needs while balancing the interests of the area residents or businesses. Utility companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are compatible with existing and planned development in effort to reduce or eliminate potential conflicts,
- b) Utility providers shall ensure their respective utility has been planned and located in accordance with any relevant safety regulations, separation

requirements and/or municipal standards, either through individual utility plant location or as part of a combined installation.

4.19.19. **NEIGHBOURHOOD GATEWAYS & LANDMARKS**

- a) Schedule STV-2 illustrates Gateway symbols at key locations in the Plan Area. These “gateways” are generally the north and south entry points into the community.
- b) Gateway features act to provide both physical and psychological queues on demarcation of community boundary. Features or landmarks act as visual benchmarks or visual points of reference to indicate location and reinforce arrival or departure.

Intensity of the gateway feature makes an intended statement and projects an image the neighbourhood can become associated with. This can be done in many ways such as signature buildings or architectural features, or through landscaping treatment and lighting. Combining any or all of these types of treatments provides opportunities to make a very bold statement or a much more modest approach to signal a threshold or specific location.

- c) Gateways and Landmark features can be further defined through the preparation of Urban Design Guidelines.
- d) When municipal wayfinding signage is being considered in close proximity gateway features, the signage should be situated in such a manner that it does not compete with the Gateway or Landmark features.
- e) Any Gateway or Landmark Feature planned along a regional road will require consultation with regional staff and potentially an approval depending on actual position or placement.

4.19.20. **INTERPRETATION OF THE PLAN**

The Stevensville Secondary Plan (Official Plan Amendment #24) consists of Sections 4.19.1 through 4.19.20, and Schedules “STV-1”, “STV-2”, “STV-3”, “STV-3a” and “STV-4”.

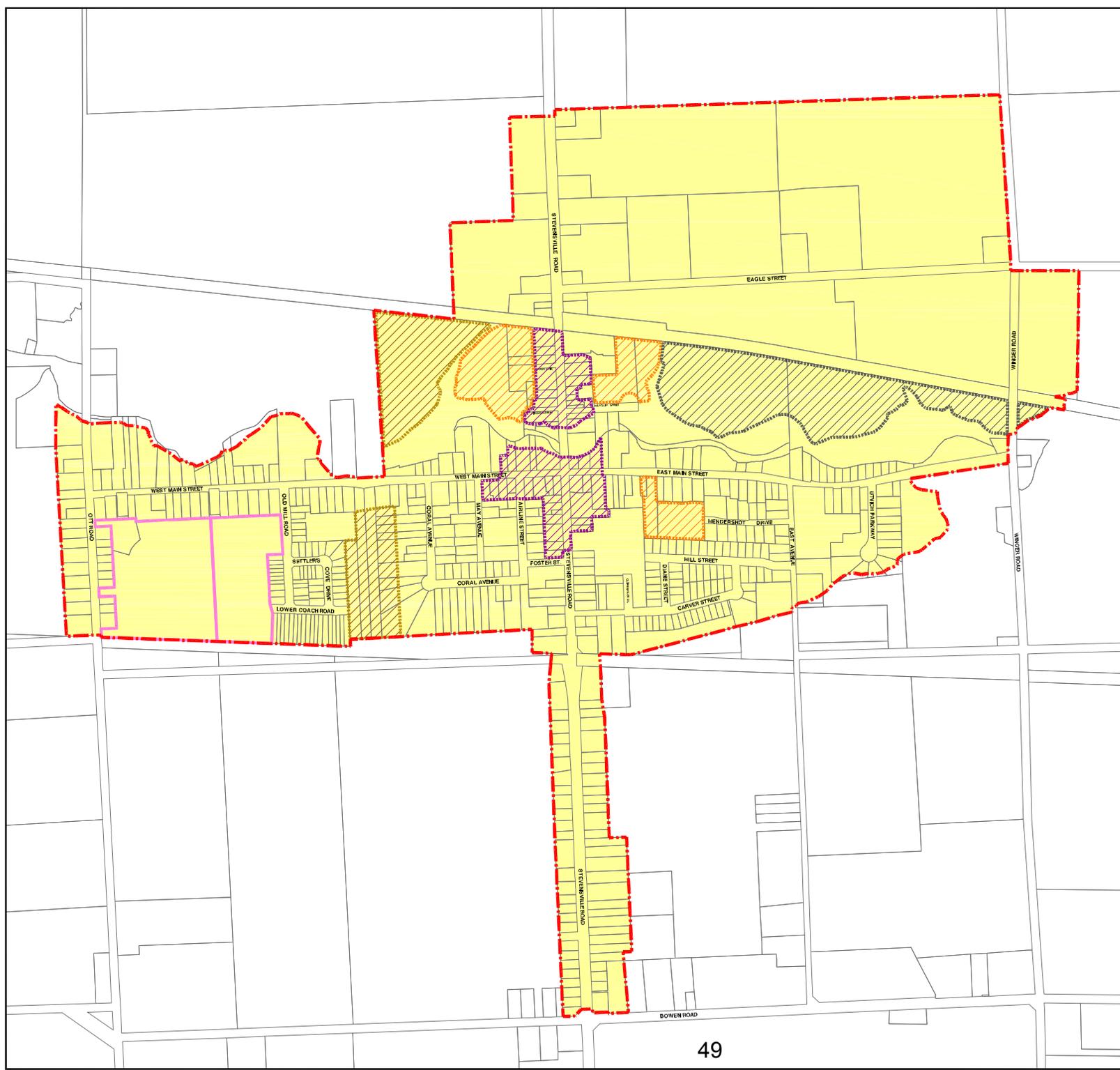
The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

(Section 4.19 was introduced by By-laws 2014-069 & 2014-070, OPA #24)

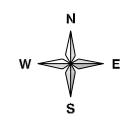
**PROVINCIAL COMPLIANCE
WITHIN THE URBAN AREA**

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Built-Up Area (Growth Plan Designation)
-  Under Utilized / Infilling
-  Residential Intensification
-  Core Mixed Use Intensification
-  New Light Industrial Designation
-  Draft Approved / Registered Plans



COMMUNITY & DEVELOPMENT SERVICES



DATE: MAY 11, 2015
 SCALE: N.T.S
 DRAWN: CSM

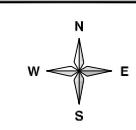
**SCHEDULE
STV-1**

MODIFICATION 3

LAND USE PLAN

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Low Density
-  Medium Density
-  Core Mixed Use
-  Gateway Highway Commercial
-  Commercial
-  Open Space
-  Environmental Protection
-  Environmental Conservation (Overlay)
-  Institutional
-  Industrial
-  Provincially Significant Wetland (PSW)
-  30m PSW Adjacent Lands
-  Existing Roads
-  Draft Approved Roads
-  Conceptual Roads
-  Conceptual Multi-Use Trail
-  Conceptual Traffic Control Point
-  Proposed Gateway



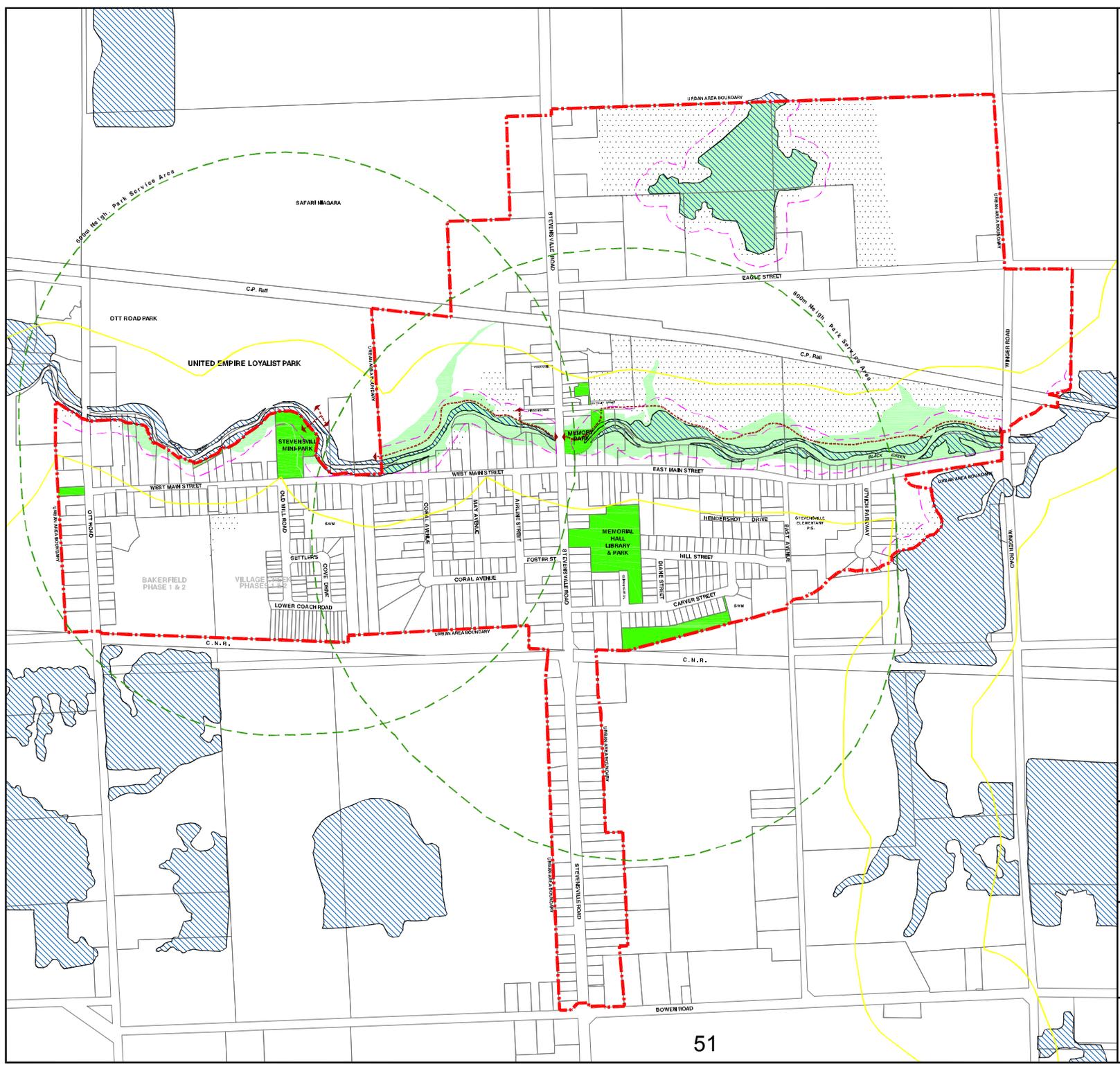
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 DRAWN: CSM

SCHEDULE
STV-2

**NATURAL FEATURES
& OPEN SPACE PLAN**

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Provincially Significant Wetland (PSW)
-  Environmental Protection
-  Enviro. Conservation Overlay
-  Open Space
-  30m PSW Adjacent Lands
-  Environmental Corridors / Linkage
-  Conceptual Multi-Use Trail
-  600m Neighbourhood Park Service Radius



COMMUNITY & DEVELOPMENT SERVICES



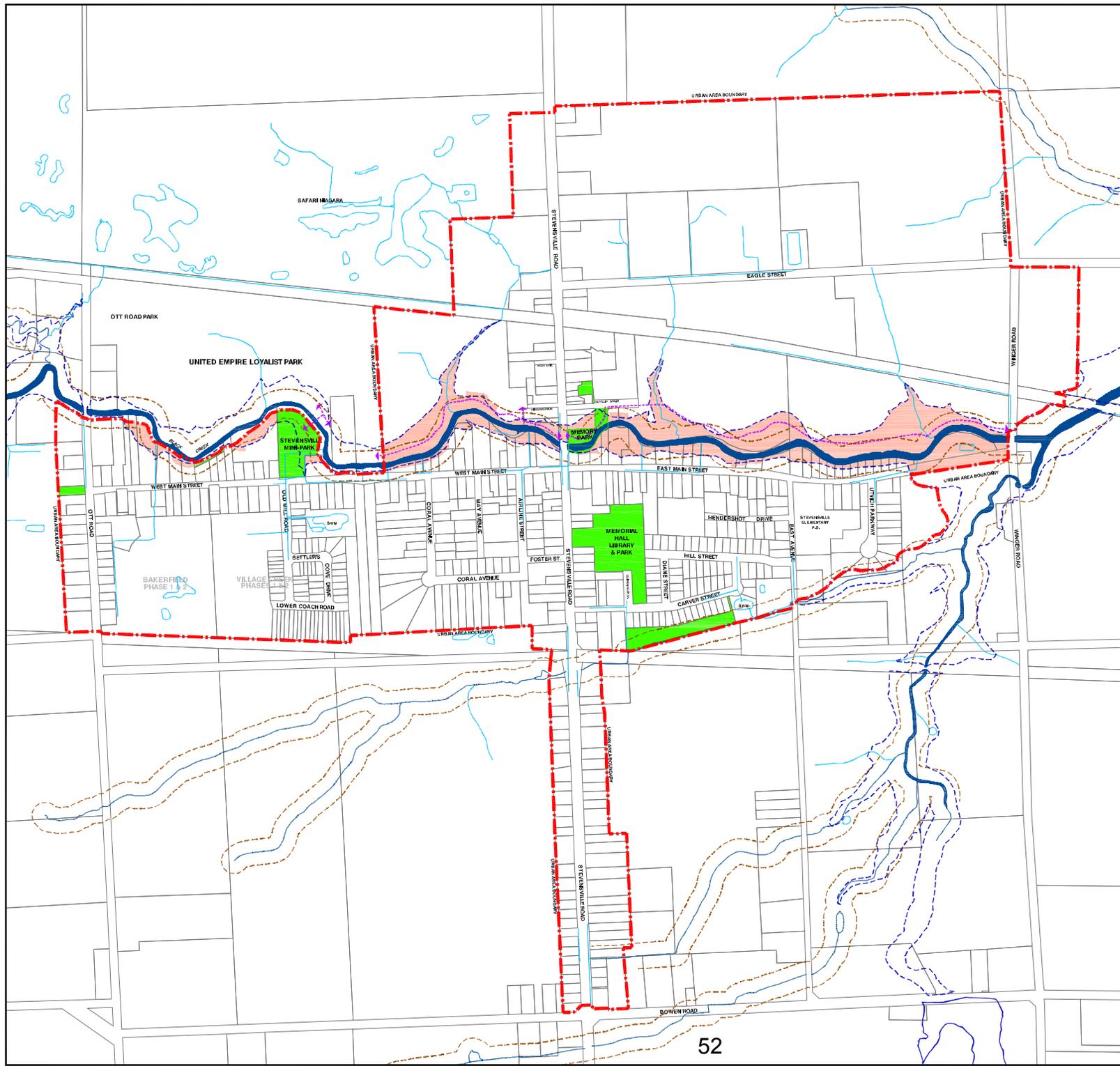
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SCHEDULE
STV-3

NATURAL HAZARDS AND FISH HABITAT

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Natural Hazards including Floodplain
-  Regulatory Floodplain
-  Fish Habitat - Type 1 Critical
-  Drainage Feature
-  30m Setback - Type 1 Fish Habitat
-  Open Space
-  Conceptual Multi-Use Trail



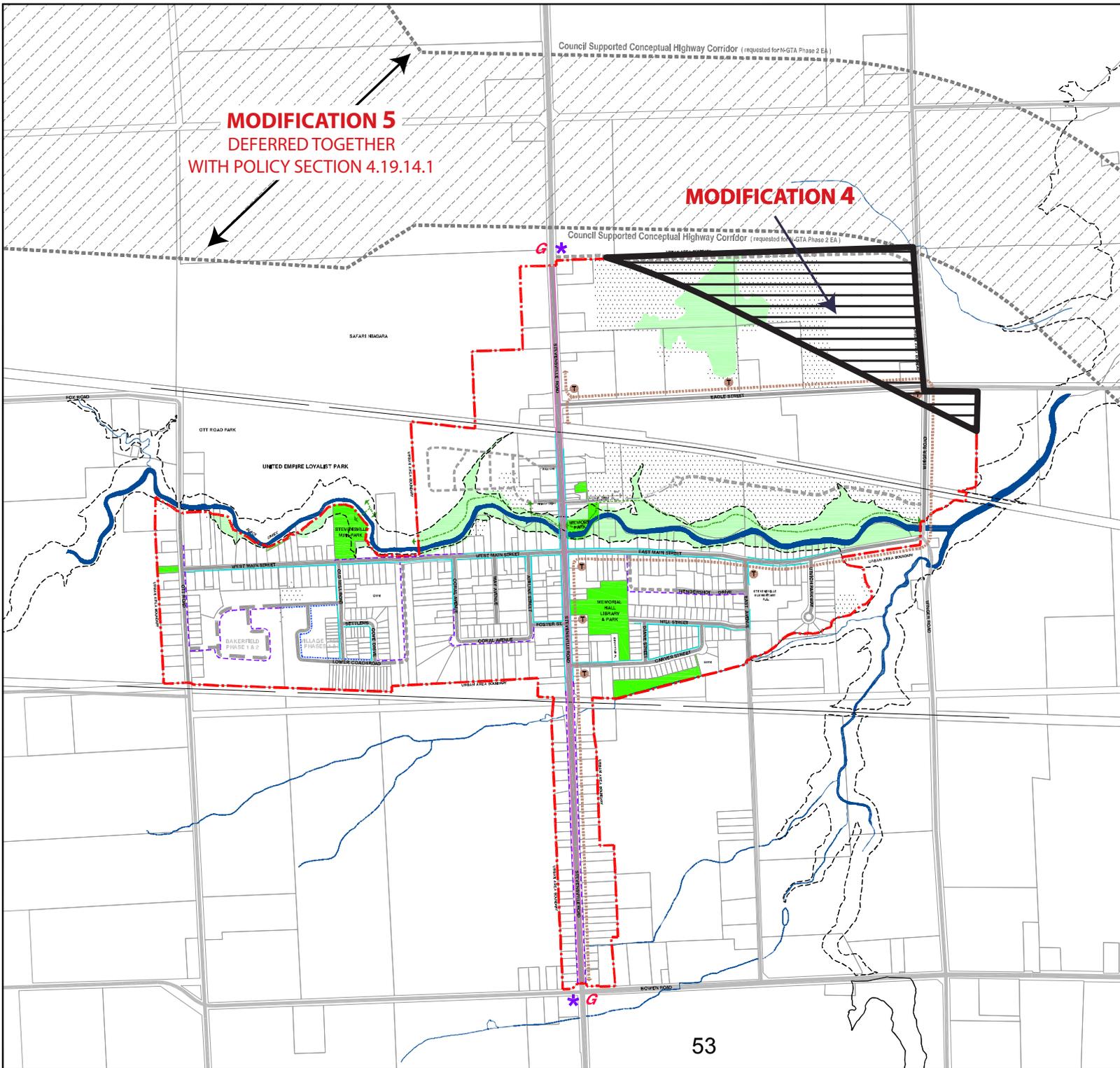
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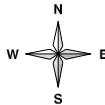
SCHEDULE
STV-3a

TRANSPORTATION SYSTEMS

LEGEND

-  Council Supported Conceptual Highway Corridor (requested for N-GTA Phase 2 EA)
-  Secondary Plan Limit (Urban Area Boundary)
-  Open Space
-  Environmental Protection
-  Enviro. Conservation Overlay
-  Proposed Gateway
- Roads**
-  Existing Roads
-  Planned Roads
-  Conceptual Roads
-  Conceptual Traffic Control Point Improvements
- Conceptual / Future Transit**
-  Conceptual Route
-  Conceptual Transit Stop
- Active Transportation**
-  Proposed On-Road Bike Lane (Regional Niagara Bicycling Network)
-  Conceptual Multi-Use Trail
-  Existing Sidewalk
-  Approved Sidewalk
-  Conceptual Sidewalk



	DATE: MAY 11, 2015
	SCALE: N.T.S
	DRAWN: CSM

SCHEDULE
STV-4



Town of Fort Erie

Schedule G: Douglstown-Black Creek Secondary Plan

4.20. DOUGLASTOWN-BLACK CREEK SECONDARY PLAN

4.20.1. PURPOSE

The purpose of the Douglastown-Black Creek Secondary Plan is to provide a policy framework guide and provide opportunities for new development in the Plan Area while remaining conscious and sensitive to the established community as a whole. The framework is intended to provide clear direction in achieving subsequent goals and objectives.

The Secondary Plan consists of a land use plan and related policies to guide development and any form of renewal to ensure it is in keeping with the Town's vision for this neighbourhood. The Plan will provide and serve as the guide for planning activity at a minimum to the year 2031, and will be subject to amendments from time to time, as well as being included the Town's 5 year review of its Official Plan. Full "build out" or development permitted by this Plan would exceed the 2031 planning horizon timeline associated with Growth Plan objectives and municipal growth management targets.

4.20.2. VISION

The Secondary Plan is the result of protracted and comprehensive consultation. This strategic planning exercise utilized a neighbourhood planning approach including input from municipal and community Focus Group SWOC (Strengths, Weakness, Opportunities & Constraints) sessions, which generated the following Secondary Plan Vision:

"The ideal Douglastown-Black Creek is a peaceful bedroom community, uniquely located for those who enjoy active outdoor and leisure lifestyles, including support for active transportation and walkable local commercial amenities; where homes are affordable, available for all ages and where future development is compatible with its surroundings."

4.20.3. GOALS

The goal of this Plan is to build off the "vision" established through stakeholder consultation. Treating the vision statement as a benchmark has guided this Plan's land use and policy development at the local level, while also respecting the provincial and regional policy directives. Community expressed goals such as convenience commercial and transit connection need increased population if they are to become feasible. Increasing the overall population and residential density can only add to the

feasibility of such services, but in doing so, a balance must be found that is sympathetic to the existing community character, but also introduces a variety of housing forms.

The Plan will maintain a residential prominence. However, efforts to reinforce local commercial viability in the vicinity of Baker Road and Netherby Road intersection, together with efforts to broaden the range of permitted uses in the Highway Commercial designation on the south side of the QEW will also be explored.

Despite Complete Community objectives being the practice of secondary planning efforts of the Town, it may not always be practical to anticipate the full spectrum of amenities typically found in much larger geographic areas and more populous urban neighbourhoods. What can be achieved is taking advantage of opportunities to diversify the uses that are being planned, which for the most part, will continue to be residential in focus. From the outset, this community has been identified as being a bedroom community and given its scale, is not likely going to be enough at build-out to support amenities typical of a complete community such as a grocery store, a school or post office.

The geography is simply not of a scale to attract or support some forms common to the complete community and with adjacent urban areas offering most if not all, it further diminishes feasibility or viability in this regard. Nevertheless, it does provide opportunities for new commercial and the market will dictate viability.

What can be promoted is diversification in the current building stock. Intensification in the form of smaller frontage singles, introduction of semi-detached and townhomes, together with small apartment or other multi-level living would offer choice in housing form, which is essentially large lot detached or lifestyle living in the leisure home park.

So while not considered a “complete community”, it is with certainty, a move towards diversifying and giving rise to supporting the existing community facilities, providing increased viability to sustain local commercial enterprise and furthering any potential for future transit feasibility/connection.

4.20.4. **OBJECTIVES**

The main objectives of the Douglastown-Black Creek Secondary Plan are to:

- a) Provide a variety of housing choice that supports “age-in-place” opportunities for all ages, not just senior residents, but rather housing and tenure that spans the full lifecycle;

- b) Encourage development forms which are more compact, to utilize urban land and services efficiently;
- c) Identify locations within the Plan Area which may best represent the form of residential being introduced and support the locations through zoning implementation;
- d) Increase population to generally double that of present day at full build-out. An increased population will better support existing community facilities and offer increased viability to commercial enterprise and transit feasibility;
- e) Reinforce the (northern) community entry of Baker Road at Netherby Road as the “Gateway” into the community by applying urban design criteria and consider using architectural control in the implementing zoning for buildings at this location;
- f) Provide supporting policy that recognizes active transportation with focus on connecting links to the Niagara River multi-use trail (part of the Greater Niagara Circle Route) and the local Shagbark Trail;
- g) Provide support and increase awareness of the public points of access to Black Creek for casual recreational pursuits;
- h) Protect significant natural features such as Provincially Significant Wetlands with appropriate environmental protection designation, ensuring their ecological functions, benefits and contributions to the natural environment will be shared for future generations;
- i) Anticipate transit service will reach the community once population increases and have bridged the feasibility and viability gaps that have kept regular transit service to Douglastown-Black Creek from being established;
- j) Promote enhancement of employment opportunities in the permitted commercial uses on the south side of the QEW to broaden their appeal as development lands next to the highway.
- k) Ensure that municipal infrastructure, such as water, sewers, storm water management facilities and public / private utilities are provided to adequately service the population and where servicing feasibility is not apparent, seek alternatives to providing very limited development

opportunities through private servicing where approval authorities have been satisfied criteria can be met.

4.20.5. **RESIDENTIAL – GENERAL**

- a) Section 4.7 of the Town’s Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections herein.
- b) Schedule “DBC-2” designates areas of residential land use within the Secondary Plan Area and the policies of the respective residential sections shall apply accordingly.
- c) The Plan sets out to provide for initial areas of Low and Medium density residential recognizing and maintaining existing and approved residential development. New areas of residential development, being predominantly the lands west of Black Creek Drive, shall also be duly designated for residential uses and will contain the areas of intensification envisioned. Designation and zoning will be used to secure and control future development of these lands that are in keeping with the goals and objectives on this Plan.
- d) The Secondary Plan provides for targeted range of approximately 1100 units at plan “build out” including the existing 630 units. The approximately 500 new/additional units identified in this Plan will increase the existing population from roughly 1350 persons to between 2500 - 2600 by adding approximately 1150 to 1250 new residents to Douglastown-Black Creek over the long term. The new residential units shall comprise approximately 280 new low density residential units (including the approved 90 unit River Trail Phase 2 Plan) with the remaining units comprising the medium density form. It is estimated that approximately 100 to 150 apartment units can be composed in the medium density provided for in this Plan. Furthermore, it is expected the market will lead on the amount and timing relating to the apartment form, but the Plan is providing for it to address the age-in-place opportunity and to some extent, the affordability of housing within the community.
- e) An appropriate level of affordable housing and senior citizen’s housing shall be considered by the Town when reviewing development applications proposed within the Plan Area, in keeping with Provincial Policy. When considering seniors residences, location in proximity of the community centre, place of worship and the potential future

commercial is preferred, in effort to provide greater ease in access to such amenities.

- j) For lands being considered for residential development that may be impacted by the Environmental Conservation Overlay, only through developer or landowner activity where there is an interest in advancing the underlying designation, and where an EIS has been required and approved, will actual development potential be confirmed.
- k) Storm water management (SWM) facilities are essential for sustainable development, including residential areas. As such and given the exact size and location of facilities is determined after detailed engineering studies have been provided with development plans; SWM facilities shall be considered a permitted use within both the Low Density Residential and Medium Density Residential designations of this Plan. Appropriate zoning shall be applied as a part of the development process or potentially through municipal housekeeping amendments once location, construction and size have been finalized.
- l) All residential development shall be subject to the regulations and provisions of the Town Comprehensive Zoning By-law 129-90, as amended, or succession thereof. Site specific zoning may be used in certain situations or under special circumstance during implementation of this Plan. Zoning may also be used to recognize existing conditions, if such conditions can be proven to have existed prior to the passing of By-law 129-90.
- m) The active draft plan of subdivision application and zoning application for lands north of Baker Road, east of Netherby Road (former draft approved Black Creek Meadows subdivision) will be permitted to complete processing. Land use designations shown on Schedules to this Plan may be slightly modified to reflect any subsequent approval without amendment to this Plan. Once draft approved, the lands subject of the application would then become subject to all policies of this Plan.
- n) Lands shown as residential in designation that comprise the former Erie and Ontario Rail line will be subject to Environmental Site Assessment studies to accompany any zoning by-law amendment application, if residential development is proposed.

4.20.6. **LOW DENSITY RESIDENTIAL**

- a) The lands designated on Schedule “DBC-2” as “Low Density

Residential” shall be reserved for single detached, semi-detached and duplex dwellings and uses accessory thereto, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.

- b) An overall target of not more than 80% Low Density residential yield shall be anticipated within the Plan Area. In effort to achieve this target, lower density dwellings (detached, semi-detached and duplex) should comprise roughly half of all new development form/type. A Low Density range of up to 16 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure and providing opportunities to diversify lower density housing stock.
- c) Schedule “DBC-2” provides for approximately 190 additional low density units, not including those in existing registered and draft approved plans of subdivision (approx. 90 units) for an estimated total of 280 units over the long term. Essentially all new low density residential dwellings will be planned to locate on large parcels of land through draft plan of subdivision on the west side of Black Creek Road. The majority of these dwellings will be located north of Baker Road with opportunities for additional low density subdivision planning mid-block south of Baker Road. New lower density development should be expected to comprise modestly smaller lot area and dimension than the majority of the existing low density lots. This will also make efficient use of infrastructure while broadening choice and affordability in the low density form over the course of the planning period
- d) Areas of Low Density designation may be impacted by the Environmental Conservation overlay defined and described under policy 4.20.11.3 of this Plan. Development, redevelopment or expansion of existing use may require further environmental study prior to any approval being considered or granted in accordance with Section 8 of the Official Plan.
- e) Low density residential that may be planned adjacent or in close proximity to Netherby Road and the QEW Niagara-bound off ramping shall comply with MTO building setback requirements and be required to demonstrate compliance with Ministry or Environment and Climate Change noise and vibration regulations in providing adequate

mitigation to sensitive residential uses.

- f) Medium Density residential development on lands designated as Low Density Residential in this Plan shall only occur by zoning by-law amendment having considered matters such as suitability and size of the site, proximity to arterial roads, parks or open space areas. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.20.5 d).

4.20.6.1. SOUTHEAST BLACK CREEK TRAIL

- a) Notwithstanding policy 12.1 III to the contrary, for the existing lot of record located south of Townline Road, on the east side and at the extreme southerly limit within the urban area boundary, a single residential dwelling shall be permitted on private services, subject to satisfying regional private septic system criteria and conservation authority regulatory requirements.
- b) Lot will be subject to Site Plan Control.

4.20.6.2. TOWNLINE ROAD – SOUTH SIDE – EAST OF BLACK CREEK TRAIL

- a) Notwithstanding policy 12.1 III to the contrary, vacant lots of record south of Townline Road between Black Creek Trail and the QEW may develop with single detached residential dwellings on private septic systems provided regional private septic system criteria can be met and Niagara Peninsula Conservation Authority approval can be obtained.
- b) Consolidation of adjacent properties or boundary adjustments may be permitted to facilitate required lot area for private servicing.
- c) Lots will be subject to site plan control
- d) All applicable permits must be acquired and may include permit from The Ministry of Transportation given proximity to the QEW.

4.20.6.3. WEST SIDE – SWITCH ROAD – SOUTH SIDE – EAST OF BLACK CREEK TRAIL

- a) Notwithstanding policy 12.1 III to the contrary, lands located on the north side of the QEW between Black Creek and Switch Road within the identified urban area boundary have partial servicing (sanitary only). Feasibility of water connection is unlikely during the planning period and there has not been any capital planning set out to provide municipal water to these lands. These lands are regarded as having a relatively high degree of environmental constraint.

Despite such conditions, if any further residential development potential can be identified with frontage on Switch Road that is capable of meeting zoning criteria, while also having satisfied the Town and any other regulatory approval authority in respect of a potable water supply, the consent process may be considered for creating a new lot. Should there be any new lot creation, connection to existing sanitary services will be mandatory and connection to municipal water supply shall also be required should a municipal water supply become available in future as the result of a local improvement initiative by property owners.

4.20.7. MEDIUM DENSITY RESIDENTIAL

- a) The lands designated on the Schedule “DBC-2” as “Medium Density Residential” shall be reserved for multiple-unit structures (such as townhomes, triplex, quads and/or low-rise apartment dwellings), their accessory uses and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) An overall minimum target of 20% Medium Density residential unit yield shall be anticipated within the Neighbourhood. In effort to achieve this target, medium density dwellings should comprise just under half of all new development. A Medium Density range of 17 to 50 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure, and providing opportunities to diversify medium density housing stock and form.
- c) Schedule “DBC-2” provides for approximately 200 new Medium Density units, all of which shall be located on the west side of Black Creek Road.

- d) Ground-based medium density residential (townhomes) should consider modest roof pitch in areas adjacent or opposing existing detached residential dwellings.
- e) Other forms of medium density multi-unit dwellings should not exceed three storeys in height and should be located internally in new development in effort to provide transition in height from existing developed areas.
- f) Maximum heights shall be defined in Zoning By-law 129-90, as amended.
- g) The Plan anticipates approximately 100 units to be developed in two or three low-rise (two or three storey) apartments in the area immediately adjacent and south of the Place of Worship and Commercially designated lands, south of Baker Road. This location is most desirable for seniors development that may provide for fully independent living, semi-assisted living or fully assisted nursing home level of care and accommodation. A variety of tenure (condominium, life lease and rental) is also encouraged to provide broader choice.

Fully assisted nursing home or home for the aged as an institutional use, shall be permitted in the Medium Density designation and may be subject to additional provisions in the implementing by-law. Development containing fully assisted senior care, in whole or in part, may increase density on the site to 75 units/ha. for that portion devoted to such use.

- h) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.
- i) An amendment to this Plan will be required to justify Low Density residential development on lands designated as Medium Density Residential in this Plan.
- j) Notwithstanding 4.20.7 a) to the contrary, a vacant lot of record may be used for a single detached residential dwelling if zoned for such use prior to approval of this Plan. Regulations for the single detached dwelling would need to meet with the minimum requirements of the previous zone.
- k) Notwithstanding 4.20.7 a) to the contrary, and as recognized by policy

4.14.7 of the Official Plan, Black Creek Leisure Homes seniors lifestyle development shall be permitted to contain detached dwellings (year round mobile home park). Density of the park exceeds low density range and subsequently represents medium density in numbers and therefore, medium density designation is applied. The medium density designation would also allow for other forms of medium density to be considered on these lands. The lands are used for residential purposes despite being zoned for commercial use. The site specific zoning in force and effect for these lands may continue to remain and regulate the existing limits of the site.

Should expansion of the existing mobile home park be pursued, consideration shall be afforded in zoning lands north of Old Townline Road, within the existing urban area boundary, for similar use or permanent forms of medium density development permitted under this Plan. Changes to provide for permanent (foundations) housing form associated with the mobile home park is encouraged at this location. A zoning amendment would be required but would not require amendment to this Plan.

The Town may also consider stopping up and closing the Old Townline Road road allowance to be made available to the developer in effort to bridge and consolidate the land holdings.

Any such development potential may be subject, but not limited, to engineering studies for servicing and noise/vibration mitigation. Furthermore, regional servicing within the Old Townline Road allowance would require an easement to preserve access, or alternative arrangements to move or remove any underground services presently within the road allowance.

4.20.8. **COMMERCIAL**

- a) The “Commercial” areas are shown on Schedule “DBC-2” and shall generally be governed by the policies of Section 4.9 unless otherwise defined under this section.
- b) Lands designated Commercial shall be zoned for their intended commercial uses and may include site specific zoning provisions and regulation to assist in implementation.

4.20.8.1. SOUTH SIDE OF BAKER ROAD AT NETHERBY ROAD

- a) The commercial lands located on the southeast corner of Netherby Road and Baker Road shall serve in the capacity of a local convenience commercial centre. These lands are encouraged to include residential rental apartments above commercial units to assist in supplying the community with a form of housing that meets with age-in-place objectives. More specifically, providing opportunities for young families and mature youth to find accommodation within the community with a longer term goal of retaining their residence in Douglastown-Black Creek as they transition through adulthood.
- b) Commercial uses shall be defined in the zoning and are intended to services the community on a whole in addition to “pass-by” traffic.
- c) Should any future market demand demonstrated through land owner study result in only a portion of this site being viable for convenience commercial uses, a remnant southern portion may be used for medium density residential, provided access to the lands via public road allowance can be secured. Not more than 50% of the designated lands would be eligible and a zoning by-law amendment would be required without further amendment to this Plan.
- d) This location is of significance with respect to this intersection being the primary point of entry into the northern community. Design of the site and building shall have regard to such matters as:
 - i. High quality architectural design and materials to serve in a capacity of a landmark or gateway level building;
 - ii. Enhancement of landscaping on the Baker Road frontage to soften appearance and provide a level of visual screening from headlights from on-site traffic to the residential on the north side of the street.
 - iii. Use lighting treatments to enhance the building and parking areas while limiting impacts on area residential, including residential that may be provided for on upper levels.
 - iv. Provide clearly defined pedestrian passage from the site frontage and potentially from adjacent properties (community centre, church

and medium density block) in the form of sidewalks or hard surface trail linkage, where such pedestrian movement is likely to occur.

- v. Design for fully enclosed waste management either internal to the building or in an accessory structure in a less prominent location on site.
- vi. Site should consider being designed to accommodate (potential/future) transit vehicle turning in the event that local and/or regional transit services become feasible in providing a level of service to Douglastown-Black Creek.

4.20.8.2. 4301 NIAGARA RIVER PARKWAY

This site has operated commercially for a number years, including instances of at-grade retail and upper floor residential. Commercial viability has negatively impacted this site in the past decade, rendering it vacant for extended periods.

- a) Consideration shall be given to allowing rezoning of this property, without need to amend this Plan, for multi-residential uses while maintaining sensitive built form and massing to adjacent dwellings. Design considerations should include and may be found in a site specific by-law containing additional regulation on:
 - i. Building height should not exceed 3 storeys (or 11m);
 - ii. Design and building placement/addition should be sensitive to proximity to the Niagara River Parkway with setbacks being considered maximized where possible.;
 - iii. Parking in rear lot area shall be a consideration where it can be balanced with Parkway setback and maintain quality site design;
 - iv. Minimum of 5 units and maximum of 9 units;
 - v. Site access shall be from Black Creek Road unless otherwise permitted by Niagara Parks Commission; and
- b) Site Plan Control shall be used to ensure compliance with all other zoning or municipal requirements.
- c) If through consolidation with adjacent property on Black Creek Road, the site increases in total lot area, general policies of medium density shall apply. Should modification to the provisions of multi-unit residential zoning be required to address such matters as height,

density, setbacks or building placement, a site specific zoning by-law amendment will need to be undertaken, but shall not require an amendment to this Plan

4.20.8.3. COMMERCIAL BOUNDED BY QEW-TOWNLINERoad- NETHERBY ROAD

This defined area of approximately 17.39 ha. (43 ac.) with a PSW of approximately 4.0 ha. (10 ac.) has been long held highway commercial lands intended to provide service and cater to major highway traffic. Its location at the full interchange with Netherby Road provides good visibility and exposure to the QEW, yet has remained undeveloped. Its location midway between urban Fort Erie and urban Niagara Falls is the only intervening location with municipal services available to service to lands. However, with major commercial uses established at the Fort Erie and Niagara Falls urban areas, the market has not advanced proposals that have been feasible to construct given proximity of the other major serviced highway commercial sites.

While the designation remains in place as commercial for this Secondary Plan, broadening the permitted uses on portions of the site is an opportunity to further advance potential development interest.

East Half

- a) The site may develop through Draft Plan of Subdivision or through Part Lot Control. Consent applications shall be discouraged unless adequate safety and sightlines can be effectively demonstrated with supporting traffic study identifying points of ingress and egress adequate for proposed development.
- b) Required Site Plan Control with Agreement shall ensure additional requirements and conditions are met.
- c) Zoning for the east half of the commercial designation may contain additional (enhanced) permitted uses over and above those presently permitted in the current zoning, but shall be subject to additional provisions required to be met and may exclude residential components next to the QEW.
- d) Additional uses that may be considered in the site specific implementing by-law would include select uses that are typically

permitted in Prestige Industrial zoning provided that such uses are considered Class I or better in terms of Ministry of the Environment and Climate Change D-6 Separation Guidelines and NPC-300 Guidelines for noise and vibration. The municipality may require completion of such studies to support site planning and recommendations may form part of the required Site Plan Agreement.

- e) Additional permitted uses that may be considered include, but are not limited to, such use as business or commercial trades school, establishments providing information and telecommunication services, printing establishments and public storage facilities.
- f) Zoning and Site Plan Control shall be used to ensure such aesthetic measures as building placement and screening are used to maintain visual appeal throughout the enhanced commercial area.
- g) Outside storage of materials and goods shall not be permitted with exception of public storage facilities that may be permitted limited outside storage of boats, trailers and motorhomes. Any such outside storage areas permitted with public storage shall be controlled through site plan and may be subject to visual screening and height restrictions in the implementing by-law.

West Half

- h) Additional uses that may be permitted by zoning by-law amendment on lands lying on the western portion of this site (due south of the PSW) may include institutional uses in the form of fully assisted long term care, retirement home / home for the aged at an equivalent density of 75 u.p.h. without amendment to this Plan.
- i) Additional studies may be required to support institutional uses to ensure compatibility of adjacent uses, servicing capacity and compliance with MOECC noise and vibration criteria.
- j) Site Plan Control with Agreement will ensure additional requirements and conditions are met.

4.20.8.4. COMMERCIAL SOUTH SIDE TOWNLINE ROAD (2991 TOWNLINE RD.)

The commercial lands located on the south side of Townline Road, east of Black Creek Trail have seen use as a metal fabrication facility since approximately 1975 and is permitted, together with a detached residential dwelling on a private septic system under existing site specific zoning.

- a) Any future application to amend the zoning may provide for expanded commercial uses similar to those being provided for on the north side of Townline Road. Opportunities to improve site aesthetics from Townline Road, including landscaping and vegetative screening/buffers of open yards and outside storage shall be considered if the Town is provided with any future planning applications.
- b) Opportunities for a private maintenance yard / facility in conjunction with Black Creek Leisure Homes shall be permitted on these lands through zoning by-law amendment. Site Plan Control will provide opportunities to improve site aesthetic and screening to reduce visual impacts on Townline Road and adjacent residential properties.

4.20.8.5. COMMERCIAL SOUTHWEST CORNER OF TOWNLINE ROAD AT NETHERBY ROAD

This commercial site of approximately 1.9 ha. (4.7 ac.) is presently zoned for automotive service station uses and may continue to retain the commercial designation and zoning that provides for such use under this Secondary Plan. Alternative land use may be considered appropriate in future if feasibility/viability of automotive use is diminished.

- a) Notwithstanding the commercial designation of these lands, consideration for expansion of the existing Black Creek Leisure Homes may be permitted by zoning by-law amendment without amendment to this Plan. Such use shall be guided by existing zoning for the established park and may require additional study to provide requirements in meeting noise mitigation / attenuation in relation to adjacent roads. Additional studies relating to servicing may also be required at the time of zoning amendment.

- b) If in the event that such expansion is planned to occur, the Town shall consider making the Old Townline Road road allowance available to the ownership in order to provide contiguous ownership, save and except required easements for an existing regional watermain and any local easement or utility easement requirements.

4.20.9. **INSTITUTIONAL**

- a) The lands designated on Schedule “DBC-2” as “Institutional” recognize the existing Place of Worship use. The designation within the Plan Area shall be reserved for a variety of public and institutional uses and be generally governed by the parent Official Plan policies of Section 4.12.
- b) Accessibility shall be considered for any development or redevelopment proposals as administered through the Ontario Building Code.

4.20.10. **OPEN SPACE**

- a) The lands designated as “Open Space” on Schedule “DBC-2” shall be reserved for a variety of active and passive recreational uses. The policies of Section 4.13 shall generally apply to lands designated as Open Space.
- b) Lands identified under an “Open Space” designation within the Douglstown-Black Creek Secondary Plan Area are further defined as provided for below.

4.20.10.1. OPEN SPACE – PARKS (NEIGHBOURHOOD AND SPECIALIZED)

- a) The Town of Fort Erie’s Parks and Open Space Master Plan shall serve to generally guide the appropriate location and effective service area distribution for parks within the Secondary Plan Area. The Parks and Open Space Master Plan is scheduled for review and update in 2016 and shall provide future direction on the community’s long term Open Space needs. The Secondary Plan anticipates open space and recreational attributes for the benefit of residents and shall form part of the future Master Plan.

- b) Town owned parks fall within three classifications as stated in the Parks and Open Space Master Plan. While “Community Park” does not form part of the Town’s Open Space provisions in the Plan Area, Neighbourhood Parks and Specialized Parks are represented and being planned. The following policies are intended to identify objectives of the Town as it relates to:

Neighbourhood Parks

- i. Neighbourhood parks within the Plan Area are located in the north portion of the Plan Area, within the residential subdivisions. Lands south of the QEW are predominantly commercially designated or comprise specialized lifestyle residential (Black Creek Leisure Homes) that have private amenity space for its residents. There are no plans for a new neighbourhood park south of the QEW.
- ii. The northern community provides two existing “neighbourhood parks” referred to as “A.C Douglas 1” and “A.C. Douglas 2”.

A.C. Douglas 1 serves in a capacity of a passive recreational space due to the municipal infrastructure required to be situated within the park space including a regional sanitary pumping station and a stormwater management facility planned for construction as part of the River Trail (Phase 2) plan of subdivision. As part of the subdivision approval, the park will be provided with amenities such as paved trail and small pavilion overlooking the pond and generally cater to the local residents seeking an outdoor area for passive, leisure pursuits.

A.C. Douglas 2 is the more southerly neighbourhood park and provides the community with amenities geared to active recreational needs. The park space contains tennis and basketball courts, a soccer pitch and back-stop for baseball. The large fields are shared spaces, so organized sport would need to be scheduled.
- iii. Identified need for a more northern neighbourhood park is found in the Town’s Parks and Open Space Master Plan. Future development applications will be reviewed with the intent of lands being provided in a desirable location that will serve area and future residents with a park space. Programming of the future park space will be considered during the upcoming Parks and Open

Space Master Plan review in terms of active amenity requirements versus passive park use. The Town shall have regard for the future park location that will include consideration on optimal catchment area. The Town typically aspires to a 600m catchment area, but must also consider other factors such as population and density and other existing recreational spaces that may be under other jurisdiction or even privately operated.

Specialized Parks

- iv. Specialized parks in context of the secondary plan include such features as the Niagara River Recreational Trail, The Shagbark Trail and unimproved creek-front road allowances.
- v. The Plan Area extends to the Niagara River were it gains access to the Niagara River Recreational Trail. While the trail is not under the jurisdiction of the Town (owned and maintained by Niagara Parks Commission) it is a publicly accessible recreational asset that residents of Douglastown-Black Creek benefit from and enjoy. This trail system is part of a major network of trails that extend beyond municipal and regional boundaries. As part of the Greater Niagara Circle Route, this trail system is also recognized as part of a much larger planned network referred to as the Trans Canada Trail that seeks to link the three national coastlines via land and water routes.

The Niagara River Recreational Trail's multi-use paved trail system is of benefit to the community who have identified an "active lifestyle" within their vision statement.

- vi. Shagbark Trail is a relatively smaller segment of paved trail linking Black Creek Road with Shagbark Lane and Switch Road. The Shagbark trail serves an important role for pedestrians as it provides the only footbridge crossing of Black Creek, which lays immediately north of the QEW. The only other crossing point for the northern portion of the community is Niagara River Parkway at the extreme north.

The Shagbark Trail and bridge have effectively enabled a circular 4.5 km recreational/walking route comprised of Black Creek Road, Shagbark Trail and Shagbark Lane, Switch Road and the Niagara River Recreational Trail. Only the Shagbark trail portion of the circuit is considered a Town specialty park (linear park). The

portions of Switch Road and Black Creek Road (where there are no municipal sidewalks) would classify as on-road pedestrian linkage.

Feasibility of improvements will be reviewed during the Parks and Open Space Master Plan. New development along Black Creek Road may be required to provide sidewalks in effort to further formalize the pedestrian route.

The Plan identifies locations where unimproved road allowances running off River Trail extend to Black Creek. The road allowance “stubs” are in public ownership and can serve in a roll that provides public access to the creek for additional recreation pursuits such as kayaking or canoeing in summer months, and in the winter time, skating or cross country skiing. The Town shall undertake the appropriate process to enhance these public spaces and work with community residents during the Parks and Open Space Master Plan update (2016) in order to determine the appropriate or intensity of use for these points of creek access.

The lands are shown as Open Space in order to facilitate their future review, which may or may not lead to dedication as parkland under specialized park criteria.

4.20.10.2.OPEN SPACE – TRAIL AND LINKAGE

- a) The Town supports linkage opportunities that assist in providing improved pedestrian connection and access to points of interest such as neighbourhood parks, Shagbark Trail, The Niagara River Recreational Trail, the Black Creek Community Centre and Black Creek itself.
- b) The Town shall make every effort to ensure publicly accessible linkage opportunities are identified, protected and accessible when new development or re-development is proposed within the Plan Area.
- c) The Town may consider, acquire or become the benefactor of land for linkage purposes; however, the Town is under no obligation to

purchase or accept lands for linkage that, in the opinion of the Town, does not serve to provide opportunity for long term continuous or contiguous connection. Linkage opportunities will be reviewed on an ongoing basis by the Town during secondary planning and individual application submissions.

- d) Linkage opportunities are represented on Schedules DBC-3 and 4 of this Plan and illustrate existing, proposed and conceptual forms of pedestrian linkage intended to connect the community by way of walking or cycling. Pedestrian linkage for the purposes of this Secondary Plan can be comprised of sidewalks, multi-class paved and on-road pedestrian routes.

4.20.11. **NATURAL HERITAGE**

4.20.11.1. GENERAL

- a) Policies of Section 8 shall apply to all Natural Heritage resources within the Douglstown-Black Creek Secondary Plan Area. Section 8 provides comprehensive policy coverage for all relevant environmental features within the Plan Area and shall be relied upon for guidance when development is being considered in, or within defined proximity to environmental features or sensitive areas.
- b) Determination of any natural feature boundaries or environmental study requirements will be identified/confirmed during mandatory pre-consultation for Planning Act applications, or on permit application review for site or building expansions in cases where the lands are regulated under the Conservation Authorities Act, as administered by the Niagara Peninsula Conservation Authority, and in accordance with Section 8 of the Official Plan.
- c) Determination of EIS requirements shall be based on Regional EIS Guidelines with administration and approval authority having been set out as per the Memorandum of Understanding (MOU) between local and regional governments and the Niagara Peninsula Conservation Authority.
- d) There may be unique circumstances that need to be recognized as a result of existing conditions, such as existing dwellings within wetland buffers and lots of record within hazard lands. Any such

unique circumstances will be identified and discussed if and when a planning application or building permit application is filed with the Town and/or having been identified during pre-consultation. Determination of the applicable approval authority will be dependent on the nature of the existing condition and the environmental designation or constraint impacted. The MOU will be referenced in determining approval authority.

Lands impacted by natural hazards regulated by the NPCA will be subject to regulatory controls under the NPCA's "Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" (O. Reg. 155/06), as amended from time to time.

- e) Schedule DBC-2 of the Douglstown-Black Creek Secondary Plan illustrates areas of Environmental Protection designation. These areas are identified on Schedules DBC-3 and DBC-3a, and are further broken down to illustrate the specific natural feature or hazard land components.
- f) The Douglstown-Black Creek Secondary Plan also contains Environmental Conservation Areas, all of which are shown as an overlay designation on Schedule DBC-2 and 3. Development may be permitted in an Environmental Conservation Area subject to an EIS having been conducted and the Terms of Reference approved prior to initiating the EIS by the applicable approval authority.

4.20.11.2. ENVIRONMENTAL PROTECTION AREA

- a) Environmental Protection Areas in the Plan Area are comprised of Provincially Significant Wetlands (PSW's) and lands subject to natural hazard conditions as described in Section 8.2.4.
- b) PSW's are identified on Schedules DBC-2 and DBC-3. All PSW's are designated as Environmental Protection.
- c) The Plan Area contains several locations where PSW's are identified. Most are associated and defined along the shoulders of the Black Creek drainage course. PSW's lying just outside of the Secondary Plan area are shown to provide context on the environmental feature and any influence it may present on lands within the Plan Area. In most, if

not all cases, the PSW's are truncated at roads or (abandoned) railways

While it is recognized by NPCA that the common threshold for an EIS requirement adjacent to a PSW is 30m, the NPCA may request an EIS to demonstrate no negative effects on a PSW within 120m of adjacent lands, depending on the nature of the development.

- d) The Ministry of Natural Resources (MNR) establishes the boundaries of wetland features and considers the evaluations to be open files. Property owners who wish to have wetland boundaries re-evaluated have the opportunity to do so in consultation with the MNR. The NPCA will provide guidance to the owner in establishing discussions with local MNR representatives if desired. Property owners should recognize that wetland features may change over time and may increase or decrease in size and will be evaluated as such by the MNR. The NPCA regulates identified wetlands under the Conservation Authorities Act.
- e) Schedules DBC-2 and DBC-3 illustrate the PSW features and the 30m adjacent land limits associated with the feature. Development within the adjacent land is regulated by the NPCA and generally not permitted unless approved by the NPCA.
- f) The 30m adjacent to the PSW's is represented by a line on the Schedules and also illustrates an underlying land use designation. This underlying land use designation does not constitute or secure development rights or potential without pre-consultation with the NPCA and Town on a supporting EIS and the EIS having been completed and accepted by the NPCA.
- g) Notwithstanding paragraph a) and c) herein, Section 4.20.11.1d) recognizes there may be unique circumstances for existing development in PSW adjacent lands, in which case, the need for an EIS will be determined through consultation with the Town and NPCA and will be subject to NPCA regulations in effect, as amended from time to time.

- h) Natural Hazards are reflected on Schedules DBC-2 (contained within the Environmental Protection designation) and further broken down on Schedule DBC-3 and DBC-3a. The policies of Section 8 shall apply to Natural Hazards identified within the Douglstown-Black Creek Secondary Plan Area.

4.20.11.3. ENVIRONMENTAL CONSERVATION OVERLAY

- a) Environmental Conservation Area designation overlay, as shown on Schedules DBC-2, DBC-3 and DBC-4, comprises wooded areas over 2.0 ha. and the most sensitive of natural areas identified by the Town's Natural Areas Inventory.
- b) When an EIS is required, the Region's guidelines will be followed. The guidelines contain requirements and procedures for scoping and waiving studies. The applicable approval authority shall have regard for the requirements, to simplify the approval process while allowing development that safeguards the natural environment.
- c) A Tree Preservation Plan may be required to implement the recommendations of an EIS, or to protect trees identified as worthy for protection. Requirements for a Tree Preservation Plan will be identified in conditions of draft plan or site plan approval.

4.20.11.4. ENVIRONMENTAL CORRIDORS

- a) The policies of Section 8.3.4.IV of the Official Plan shall generally apply to Environmental Corridors shown on the Secondary Plan Schedule DBC-3.
- b) Schedule "C" of the Official Plan illustrates conceptual Corridors throughout the municipality. These corridors represent a higher level linkage and are intended to demonstrate where provision of wildlife and avian routes may be considered for enhancement. The feasibility of enhancement should be examined as part of a development application process. The Douglstown-Black Creek Secondary Plan Area contains one such corridor, which is directly associated with the Black Creek tributary and the Niagara River Shoreline.

- c) Black Creek's shoreline has essentially been built out with residential, particularly on the west side. While the east side is far less intense in terms of development, the natural feature constraints of flood line and PSW will likely prevent future incursion in the east shoreline area.

Much of the development has occurred and been in place along the Creek's shoreline between 1950 to 1970 and has subsequently seen regenerative vegetative growth offering wildlife and avian corridor activity. It is not anticipated to be subject to and any further degradation through development. However, any opportunities to further enhance the corridor will be considered during development applications that may arise within the general vicinity of Black Creek with proponents asked to demonstrate enhancement of the corridor in relation to their proposed development activities.

4.20.12. **TRANSPORTATION SYSTEMS (ROAD NETWORKS, ACTIVE TRANSPORTATION AND PUBLIC TRANSIT POTENTIAL)**

- a) "Transportation Systems" is in reference to the various modes of transportation infrastructure that exist, or may be planned to be made available to service the Douglastown-Black Creek Secondary Plan Area. These include, but are not limited to, existing and future road networks, active transportation infrastructure (either planned or existing sidewalks & trails) and potential for future transit service.
- b) Transportation systems are shown on Schedule DBC-4 of this Plan.
- c) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation System over the long term, review of current standards, or development of new standards may be required. Prioritizing maintenance, construction/improvements will be considered annually through capital budgeting and through development application activity.
- d) It is recognized that major infrastructure projects can take time to coordinate and finance. The Town will seek opportunities for funding program assistance from other levels of government when made available; to assist in expediting transportation related capital projects and

work cooperatively when jurisdiction over transportation infrastructure is not solely with control of the Town.

4.20.12.1.ROAD NETWORKS

- a) Further development of the road network within the Douglastown-Black Creek Secondary Plan Area shall generally be in accordance with Section 12.7 of the Town Official Plan.
- b) Council will strongly consider the existing character and needs of the neighbourhood when making road improvement decisions.
- c) New subdivision development with planned public right-of-ways shall have roads constructed to full municipal standard using an urban cross section unless otherwise approved by the Town. Private development, including plans of condominium, may use alternate right-of-way designs for private roads internal to their site, however; such roads will still require approval from the municipality, typically as part of the condominium or site plan approval process.
- d) There are generally six (6) categories of roadway hierarchy in the Plan Area. These would be defined as:
 - Queen Elizabeth Way (QEW)
 - Regional Arterial Road (Netherby Road being the westerly limit of the Plan Area)
 - Niagara River Parkway – (NPC Jurisdiction)
 - Town Collector Roads (Baker Road and Black Creek Road);
 - Local Roads (all remaining public roads); and
 - Private Roads (within Black Creek Leisure Homes Lifestyle Community)
- e) Schedule DBC-4 illustrates the road network within the Plan Area and any new development application shall have regard for ultimate road allowance widths (as identified in Section 12.7.4 and any regional requirements as conveyed in the Region's Official Plan) in design and zoning setback regulation.
- f) The Region of Niagara determines ultimate road allowance width for roads under its jurisdiction. The Region will be circulated with respect to any application for development adjacent to Netherby Road, at which time final

determination on provision of any widening requirements will be identified.

- g) Town collector roads seek to establish an ultimate width of 23m and local roads are to seek a 20m road allowance. It is recognized these desired widths may not always be practical or obtainable.. Determination of municipal road widening will be reviewed by the Town at the time of application submission or during road reconstruction/improvement projects.
- h) The Plan illustrates “conceptual” roads on portions of the Plan. These conceptual roads are provided as a guide for the purposes of demonstrating efficient use of potentially developable land. Any proposals for areas where conceptual roads are shown may supply alternate designs; however, development proposals must also demonstrate the effective use of land and connectivity to the existing surrounding road network. Change to the conceptual road network would not require amendment to this Plan.
- i) New road connections should be aligned with opposing roads or major driveways whenever possible.
- j) Any planned road intersections and driveways connecting to Netherby Road or the Niagara River Parkway shall require approval of the respective authority.

4.20.12.2.ACTIVE TRANSPORTATION

- a) Active Transportation shall be a consideration of Council as identified under Section 12.7.2 iv).
- b) Schedule “DBC-4” illustrates components of the Active Transportation Network for the Douglastown-Black Creek Secondary Plan.
- c) Components of active transportation in the context of the Douglastown-Black Creek Secondary Plan Area are almost entirely for recreational purpose. While planned development is intending to increase feasibility of some commercial enterprise, the vast majority of active transportation related alternatives will remain recreational in nature. Despite this community reality, residents are encouraged to make use of the Niagara River Recreational Trail to gain access to urban Fort Erie or urban Niagara Falls for seasonal commuting on bicycle. Should transit become feasible for regular route and service implementation,

active transportation should also be considered to transit stop locations.

- d) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking road improvements / reconstruction.
- e) Where applicable, applications for development will be required to address and demonstrate how plans may integrate and provide for the necessary infrastructure to facilitate active transportation in relation to the overall network illustrated on Schedule “DBC-4”.
- f) The Town shall consider options and opportunities to improve pedestrian safety along the northern reach of Black Creek Road where it narrows in close proximity to Black Creek. With little shoulder area, pedestrians are channeled onto the roadway on route to and from the Niagara River Parkway and the Niagara River Recreational Trail.
- g) Collector roads within the Plan Area shall be planned to provide for sidewalks on both sides. Council may consider single side locations in part or in whole following departmental review and recommendation having considered such matters as open ditches or other infrastructure constraints.
- h) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.
- i) The Plan Area contains natural environment features that may be suitable for accommodating pedestrian linkage (access to Black Creek for passive recreational pursuits such as canoe and kayaking launch points). The NPCA will be consulted when trails/sidewalks are proposed in regulated areas.
- j) Type of surface materials used on trail linkage in the area natural features will be determined on a site by site basis and in consultation with NPCA and/or MNR where applicable.

- k) Wherever possible, the Town, Region and Niagara Parks Commission, as the case may be, will work cooperatively in establishing linkage to broader regional active transportation infrastructure to further promote and extend the range and reach accessible by active transportation users.
- l) Active Transportation and Public Transit use are complimentary modes of transportation and can be co-dependent for some residents. While transit feasibility remains elusive at this time due to such factors as population, density and automotive lifestyle, regard for accessing planned transit locations should be considered in new development and major roadway reconstruction projects.

4.20.12.3.PUBLIC TRANSIT

- a) Conventional transit service is not presently provided to the Douglastown-Black Creek community. Community Focus Group participation in the development of this Secondary Plan have voiced transit service provision as high priority and until such time that population densities increase, making it more sustainable and financially feasible to extend conventional service to the community, this Secondary Plan shall have regard for implementation in the context of “future” transit provision. Illustration of transit routes and stops does not imply the Town will be providing service, but rather if service where to become a reality, where the service may be suited to connect to the community.
- b) Douglastown-Black Creek is presently provided with municipal “Accessible Specialized Transit” service and the Town supports its continued operation separate to that of a desired “conventional” transit service being established.
- c) The Town supports Region of Niagara inter-municipal transit service and shall work cooperatively in review and support provision of regional routes that may, or may not supplement a level of transit connection from Douglastown-Black Creek to the Fort Erie urban area, in addition to that of its primary and intended inter-municipal service.

- d) Conceptual local transit stops are illustrated on Schedule “DBC-4” as a first step in reaching the Douglastown Black Creek community. A conceptual stop on Netherby Road to service Black Creek Leisure Homes and one in proximity of the Black Creek Community Centre would provide walkable access to the service while minimizing incursion into the communities for timing or schedule alignment purposes. Should service demand dictate, interior routing could be defined at such time of service commitment.
- e) Long term local transit planning shall have regard for locating potential transit stops using a typical 400m radius service area catchment model.

4.20.12.4. PARKING

- a) The majority of the Secondary Plan Area is largely low density in character with most residences providing adequate on-site parking. On street parking in the majority of the residential areas has not been considered problematic.
- b) The Town shall monitor on-street parking throughout the community and may recommend restrictions to alleviate any safety issues if deemed appropriate.
- c) Lighting of commercial area parking lots shall be of adequate levels to ensure pedestrian safety while having regard for any adjacent or upper level residential uses. Spillover lighting from parking lot lighting onto adjacent properties shall be avoided.

4.20.13. CULTURAL HERITAGE

- a) All matters of Cultural Heritage shall be consistent with Section 11 of this Plan.
- b) The Town recognizes the setting and cultural heritage of Douglastown-Black Creek as being that of a lumber and grain milling origin as far back as the late 1700’s and well into the 1800’s. While virtually all of the early settlement has been replaced, there are a few residential dwellings of

considerable vintage. The Secondary Plan presently does not have any designated heritage properties.

- c) The Fort Erie Museum and Cultural Heritage Committee shall continue to advise Council on matters of Douglstown-Black Creek's built heritage and from time to time, may recommend for Council's consideration, properties for addition to the Municipal Registry following the Committee's more detailed review of community building stock.
- d) The Town has relied on voluntary designation of heritage properties and shall continue to act in this manner. The Town encourages designation of such properties and will work cooperatively with ownership in effort to facilitate designation.
- e) The Douglstown-Black Creek Secondary Plan Area contains areas of archaeological potential. New development proposals may require an archaeological assessment study prepared by a qualified individual or firm to accompany any such development application. The parent Official Plan Schedule 'D' - Cultural Heritage Archeological Zones of Potential identifies areas subject to this requirement. Need for any such study shall be confirmed through mandatory pre-consultation prior to any application submission.

4.20.14. **MUNICIPAL SERVICES**

- a) Municipal servicing shall be consistent with the policies of Section 12 of this Plan.
- b) Notwithstanding Section 12.1, some private or partial private servicing will be permitted within the Plan area in specific locations, with such locations having been identified in Sections 4.20.5 i), 4.20.6.1, 4.20.6.2 and 4.20.6.3 on Schedule DBC-2 of this Plan. Other than the lands identified, no further considerations for private or partial private servicing within the urban area boundary will be permitted without amendment to this Plan and if required, the Region's Official Plan. A Site Specific Zoning Amendment for lands considered will also be required. If for any reason that services are ultimately made available to these locations, service connection will be mandatory.

- c) Municipal services such as sanitary and storm sewers, stormwater management facilities and municipal drainage will be provided, where feasible, and maintained/upgraded as necessary to accommodate the needs of existing and future development in the Douglastown-Black Creek Secondary Plan Area.
- d) Based on findings of the 2010 Waste Water / Stormwater Master Plan study (*XCG Consultants Ltd.*), no immediate servicing concerns respecting sanitary capacity of the Douglastown Lagoons, or the Regional Pumping Station located in A.C. Douglas Park 1 have been identified.
- e) New development may be requested to provide a servicing study that includes analysis of the downstream sanitary sizing and the network's capacity capabilities in relation to proposed development flows.
- f) The Town shall continue to make improvements to its storm, sanitary and water networks and any planned improvement projects shall be identified in the 10 year capital projects budget.
- g) All new development shall require approval of storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to mitigate or alleviate flooding of adjacent and downstream properties during storm events. Additionally, engineering solutions for storm water management that improve infiltration and assist in improving groundwater quality and recharge will be considered relative to the feasibility and practicality of their implementation.
- h) Existing municipal water supply is currently available to service the majority of the Plan Area. New development may be required to loop watermains wherever opportunity exists to do so.
 - i) There are currently no restrictions to development within Douglastown-Black Creek under current water supply conditions for lands on the west side of Black Creek. Presently, there are no watermains servicing the lands on the east side of Black Creek and the Town has no directive to undertake this work under capital planning. Local residents would need to successfully petition under local improvement provisions in order to construct a watermain on Switch Road and along the Niagara River Parkway within the Plan Area.

4.20.15. UTILITIES

- a) Utility providers are required to consult with the Town when new plant locations or infrastructure is required or existing infrastructure is identified for upgrade. The Town will work cooperatively with utility providers in effort to facilitate their needs while balancing the interests of the area residents or businesses.
- b) Utility companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are both compatible with existing and planned development and technically feasible in an effort to reduce or eliminate potential conflicts.
- c) Utility providers shall ensure their respective utility has been planned and located in accordance with any relevant safety regulations, separation requirements and/or municipal standards, either through individual utility plant location or as part of a combined installation.

4.20.16. NEIGHBOURHOOD GATEWAYS & LANDMARKS

- a) Schedule DBC-2 illustrates a Gateway symbols at the primary entry point of Baker Road at Netherby Road. Future development within the community will also use this access point, further reinforcing its true function as a gateway. The Town shall seek voluntary participation and effort on the part of development interests at this location to promote the gateway.
- b) Gateway features act to provide both physical and psychological queues on demarcation of community boundary. Features or landmarks act as visual benchmarks or visual points of reference to indicate location and reinforce arrival or departure.

Intensity of the gateway feature makes an intended statement and projects an image the community can become associated with. This can be done in many ways such as signature buildings or architectural features, or through landscaping treatment and lighting. Combining any or all of these types of treatments provides opportunities to make a very bold statement or a much more modest approach to signal a threshold or specific location.

- c) Any Gateway or Landmark Feature planned along a regional road will require consultation with regional staff and potentially an approval depending on actual position or placement.

4.20.17. INTERPRETATION OF THE PLAN

The Douglastown-Black Creek Secondary Plan (Official Plan Amendment No.28) consists of Sections 4.20.1 through 4.20.17, and Schedules “DBC-1”, “DBC-2”, “DBC-3”, “DBC-3a” and “DBC-4”.

The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

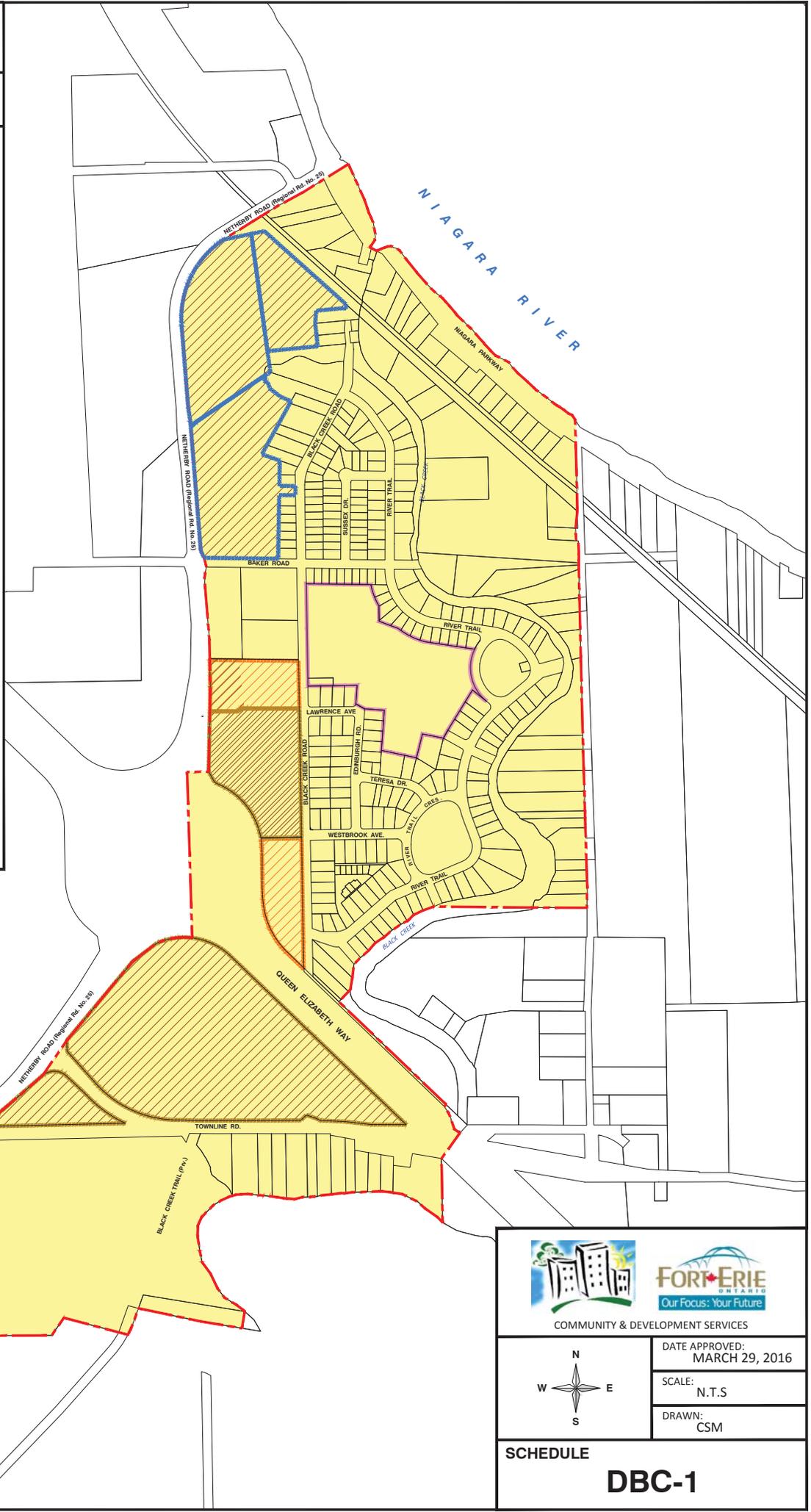
(Section 4.20 was introduced by By-law 2016-034, OPA #28)

TOWN OF FORT ERIE OFFICIAL PLAN

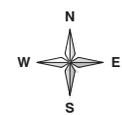
PROVINCIAL COMPLIANCE

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Built-Up Area (Growth Plan Designation)
-  Under Utilized / Infilling
-  Residential Intensification
-  Active Draft Plan Application
-  Draft Approved / Registered Plans



COMMUNITY & DEVELOPMENT SERVICES



DATE APPROVED:
MARCH 29, 2016

SCALE:
N.T.S

DRAWN:
CSM

SCHEDULE

DBC-1

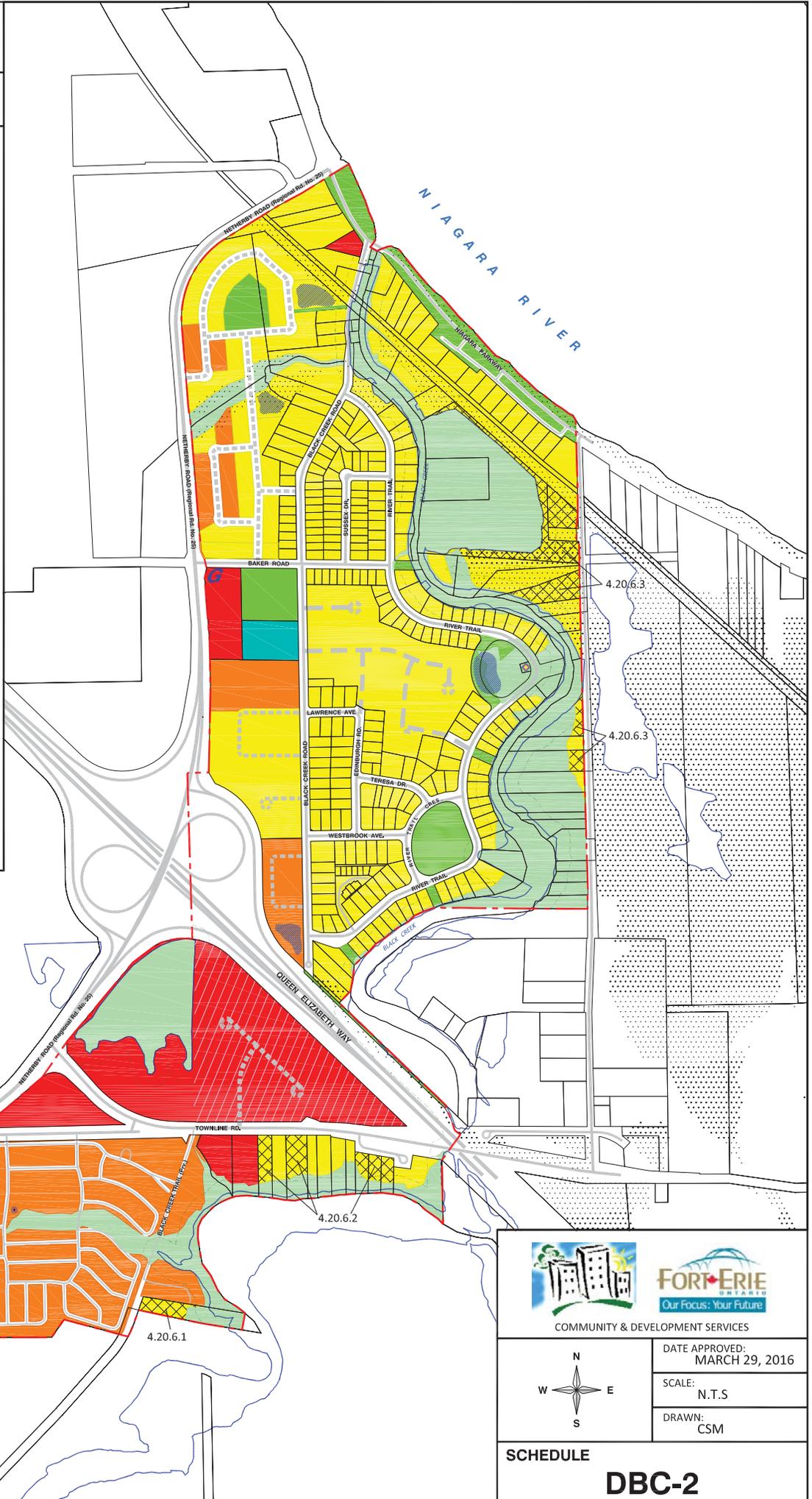
TOWN OF FORT ERIE OFFICIAL PLAN

LAND USE PLAN

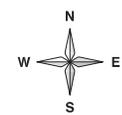
LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Low Density
-  Low Density (Special Policy as noted)
-  Medium Density
-  Commercial
-  Enhanced Commercial
-  Open Space
-  Environmental Protection
-  Environmental Conservation (Overlay)
-  Institutional
-  Stormwater Management (Existing or Potential Locations)
-  Provincially Significant Wetland (PSW)
-  30m PSW Adjacent Lands
-  Existing Roads
-  Draft Approved Roads
-  Conceptual Roads
-  Proposed Gateway
-  Douglastown Sanitary Pumping Station (Region of Niagara)
-  Black Creek Leisure Homes Sanitary Pumping Station (Privately Operated)

DOUGLASTOWN LAGOONS (Regional Waste Water Treatment Plant)



COMMUNITY & DEVELOPMENT SERVICES



DATE APPROVED:
MARCH 29, 2016

SCALE:
N.T.S

DRAWN:
CSM

SCHEDULE
DBC-2

TOWN OF FORT ERIE OFFICIAL PLAN

NATURAL FEATURES & OPEN SPACE PLAN

LEGEND

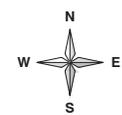
-  Secondary Plan Limit
(Urban Area Boundary)
-  Provincially Significant Wetland (PSW)
-  Environmental Protection
-  Enviro. Conservation Overlay
-  Open Space
-  30m PSW Adjacent Lands
-  Environmental Corridors / Linkage
-  Conceptual On-Road link
-  Existing Multi-Use Trail
-  600m Neighbourhood Park Service Radius
-  Douglastown Sanitary Pumping Station
(Region of Niagara)
-  Black Creek Leisure Homes Sanitary
Pumping Station (Privately Operated)



DOUGLASTOWN
LAGOONS
(Regional Waste Water
Treatment Plant)



COMMUNITY & DEVELOPMENT SERVICES



DATE APPROVED:
MARCH 29, 2016

SCALE:
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CSM

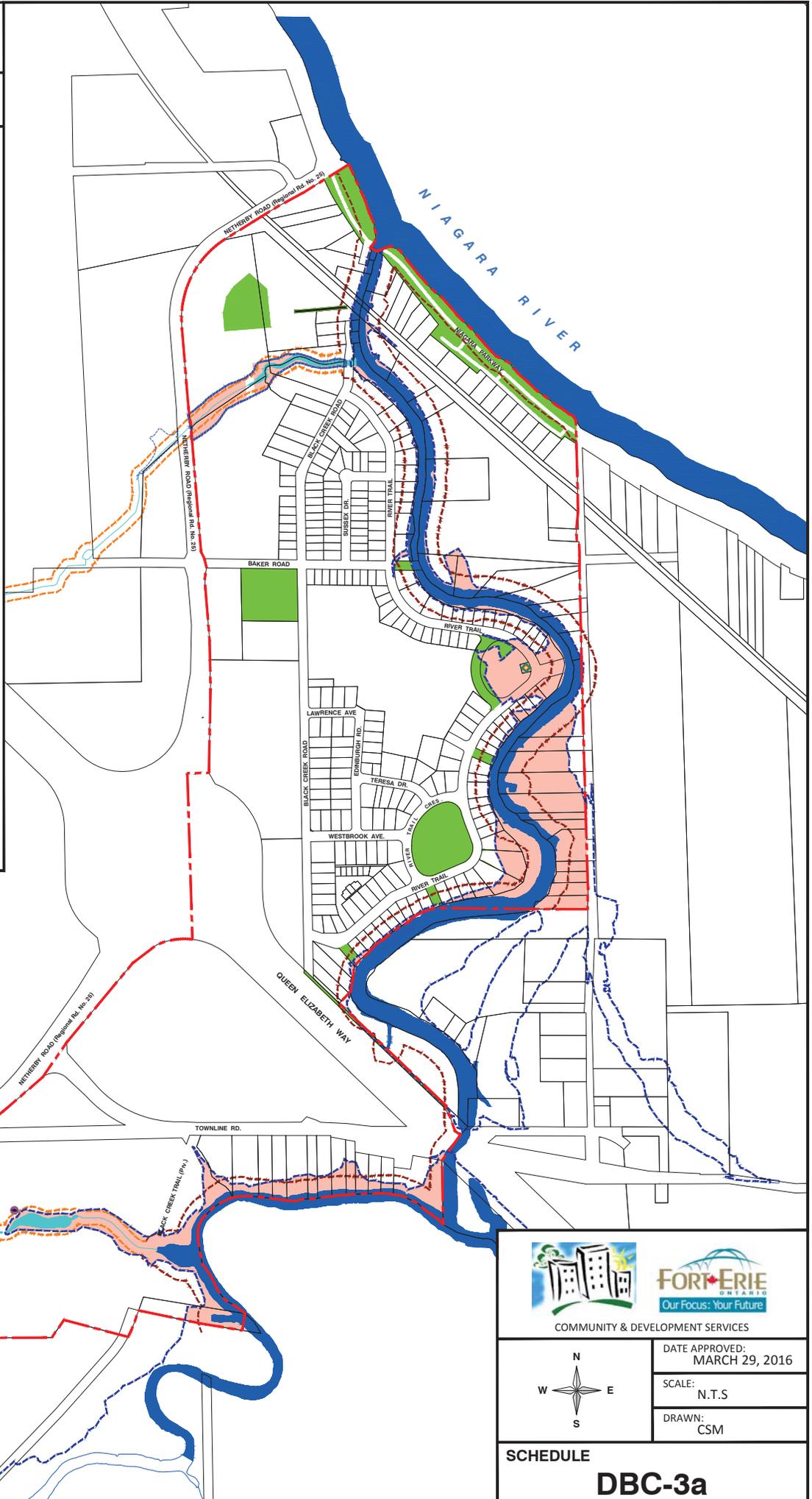
SCHEDULE
DBC-3

TOWN OF FORT ERIE OFFICIAL PLAN

NATURAL HAZARDS AND FISH HABITAT

LEGEND

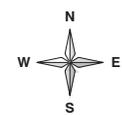
-  Secondary Plan Limit
(Urban Area Boundary)
-  Natural Hazards including Floodplain
-  Regulatory Floodplain
-  Fish Habitat - Type 1 Critical
-  30m Type 1 Fish Habitat Buffer
-  Fish Habitat - Type 2 Important
-  15m Type 2 Fish Habitat Buffer
-  Open Space
-  Douglastown Sanitary Pumping Station
(Region of Niagara)
-  Black Creek Leisure Homes Sanitary
Pumping Station (Privately Operated)



DOUGLASTOWN
LAGOONS
(Regional Waste Water
Treatment Plant)



COMMUNITY & DEVELOPMENT SERVICES



DATE APPROVED:
MARCH 29, 2016

SCALE:
N.T.S

DRAWN:
CSM

SCHEDULE
DBC-3a

TOWN OF FORT ERIE OFFICIAL PLAN

TRANSPORTATION SYSTEMS

LEGEND

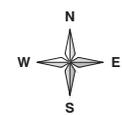
-  Secondary Plan Limit (Urban Area Boundary)
-  Open Space
-  Environmental Protection
-  Enviro. Conservation Overlay
-  Proposed Gateway
- Roads**
-  Existing Public Roads
-  Existing Private Roads
-  Planned Public Roads
-  Conceptual Roads (Public or Private)
- Conceptual / Future Transit**
-  Conceptual Route
-  Conceptual Transit Stop
- Active Transportation**
-  Proposed On-Road Pedestrian Route
-  Existing Multi-Use Trail (Niagara River Rec. Trail / Greater Niagara Circle Route)
-  Existing Sidewalk
-  Approved Sidewalk
-  Conceptual Sidewalk
-  Douglastown Sanitary Pumping Station (Region of Niagara)
-  Black Creek Leisure Homes Sanitary Pumping Station (Privately Operated)



DOUGLASTOWN LAGOONS
(Regional Waste Water Treatment Plant)



COMMUNITY & DEVELOPMENT SERVICES



DATE:	MARCH 29, 2016
SCALE:	N.T.S.
DRAWN:	CSM

SCHEDULE
DBC-4



Town of Fort Erie

Schedule H: Southend Secondary Plan

4.21. SOUTHEND SECONDARY PLAN

4.21.1. PURPOSE

The purpose of the Southend Secondary Plan is to set in place a policy framework to provide opportunities for new or renewed development in the Plan Area while remaining conscious and sensitive to the established community as a whole. The framework is intended to provide forward direction in achieving subsequent goals and objectives.

The Secondary Plan consists of a land use plan and related policies that serve to guide growth and renewal with the intent to ensure the Town's vision for this neighbourhood can be met. The Planning period being considered extends to, at a minimum, 2041 and may be subject to amendments from time to time, as well as being included the Town's five (5) year review of its Official Plan. Full "build out" or development permitted by this Plan may exceed the 2041 planning horizon timeline associated with Growth Plan objectives and municipal growth management targets as they are continually monitored and reviewed by local and regional municipalities.

4.21.2. VISION

The Secondary Plan is the result of corporate strategic direction and comprehensive consultation. This strategic planning exercise utilized a neighbourhood planning approach including input from senior municipal staff and ward council, together with a Council endorsed Community Focus Group, who all participated in SWOC (Strengths, Weakness, Opportunities & Constraints) sessions. The sessions resulted in the following Community Focus Group **Secondary Plan Vision**:

"Southend Neighbourhood is a place where people want to live, work, play, shop, eat, visit and worship in a safe environment, with a people-friendly waterfront, a vibrant, mixed residential commercial environment on Niagara Boulevard and where sensitive, selective, residential intensification and infilling in the balance of the neighbourhood are accommodated, all of which are supported by professional services."

4.21.3. GOALS

The goal of this Plan is to build off the "vision" established through the strategic planning exercises and information gathered through community consultation. Treating the vision statement as a benchmark has guided this Plan's land use and policy development at the local level, while also respecting the provincial and regional policy directives. Community expressed goals such as a rejuvenated waterfront commercial district and

sensible, selective infilling are primary in policy efforts to advance the neighbourhood aspirations. Increasing the overall population and residential density, even if modest in numbers, can only add to the viability of struggling commercial enterprise along the waterfront and in the transitional custom brokerage areas.

However, in doing so, a balance must be found that is sympathetic to the existing community character and cultural heritage assets that are present within the neighbourhood, particularly in the waterfront areas. Whenever feasible and practical, the Town should investigate funding partnership opportunities, together with the Niagara Parks Commission, for projects to enhance the public realm of Niagara Boulevard and its environs. Additionally, the Town may wish to seek unique status or consideration from the Ministry of Tourism, Culture and Sport (MTCS) with respect to regulation placed on an existing, built community and its ability to intensify. Through public consultation, there had been expressed desire from property owners to have the Province provide relief or financial assistance where uncertainty has led to investment decline, stagnating economic growth or urban renewal within their community due in part to Part 6 of the *Ontario Heritage Act, R.S.O. 1990, c. O.18*.

The Plan supports and maintains residential prominence within the Southend Neighbourhood. An estimated additional 400 residential units is a realistic outlook for a Plan that focuses primarily on in-fill intensification in select areas within the Plan Area. Opportunities will also focus on ensuring infilling is occurring at appropriately higher density than surrounding lands. Other forms of intensification such as additional height along Niagara Boulevard for residential apartment or condominium and mixed use commercial/residential development is afforded, subject to conformity and compliance with regulation and approval by respective authority. In this respect, archaeological matters must be addressed in accordance with provincial policy.

It is a goal of this Secondary Plan to provide opportunities for enhanced residential development potential in proximity of the waterfront, whether through additional height or redesignation, in combination with infilling and vacant land development in other areas of the Plan suitable for growth. Furthermore, rejuvenation of the waterfront core area commercial is also a prime candidate for Community Improvement Plan incentive programs.

The Town may explore opportunities for additional CIP or Development Charge incentive program(s) relating to cultural heritage as a means of assisting in both discovery and also clearance of sites where deemed appropriate. The Peace Bridge Zone of Sensitivity can be a community asset worthy of preservation, just as much as it

can be a burden to community growth in a highly desirable setting close to the River and international border. Property owners consistently seek answers and opportunities about development potential in and around the Peace Bridge Zone of Sensitivity. Constructive dialogue with partners as opposed to continued idle uncertainty is seen as a positive step to enabling growth in an area of the municipality that had long been repressed.

4.21.4. **OBJECTIVES**

The main objectives of the Southend Secondary Plan are to:

- a) Provide a variety of housing choice that supports “age-in-place” opportunities for all ages, not just senior residents, but rather housing and tenure that spans the full lifecycle and economic status;
- b) Encourage development forms which are more compact to utilize urban land and services more efficiently;
- c) Identify locations within the Plan Area which may best support intensifying residential form and reinforce support for these locations through zoning implementation;
- d) Increase population in a moderate manner through intensification efforts, recognizing the Southend neighbourhood is predominately built out. An increased population will better support existing community facilities and offer increased viability to commercial enterprise and transit feasibility;
- e) Reinforce vehicular access to the Southend waterfront and commercial district through wayfinding signage opportunities, particularly for the first/last exits off the QEW at Central Avenue.
- f) Provide supporting policy that recognizes active transportation with focus on connecting links to the Niagara River Recreational Trail, both existing and planned for construction. Promote tourism and cycle tourism in addition to making the waterfront a people focused destination;
- g) Clarify existing regulatory constraints in terms of flood elevation along the Niagara River and development impact resulting from any such regulation;
- h) Embrace and promote transit use and service to the community;
- i) Protect existing industrial designations for the long term, for their added diversity and employment opportunities within the existing neighbourhood.

- j) Leverage the existing “Riverwalk” amenity area and specialty parks along Niagara Boulevard, seeking new opportunities to add waterfront access and amenity to further enhance the River and commercial district as a destination for residents and visitors.

4.21.5. GENERAL POLICIES FOR ALL DESIGNATIONS

- a) The Southend Secondary Plan is largely characterized as being a “built-up” area with limited opportunity for infilling of vacant and/or underutilized lands. Those lands that are available for development or redevelopment will be the focus of growth and intensification and will assist the Town in meeting with its intensification target municipal-wide. However, areas of infilling and intensification are not to be viewed in isolation from the surrounding existing development and shall be sensitively planned, having considered such factors as setbacks, interface, height and access. In the interests of promoting new growth opportunity within the Secondary Plan Area, view shed protection and overlook concerns may be considered, but shall not be deterrents to intensification efforts.
- b) Sections of the Plan Area are identified as holding significant cultural heritage resource interest and potential. Regard for section 4.21.17 of this Plan and section 11.4 of the parent Official Plan must be addressed. The Town supports continued dialogue with provincial ministries or their representatives that may lead to solutions concerning economic viability of redevelopment or mitigation on sites that are proven to hold resources. The Town supports opportunities for incentive programs that enable property owners to maximize available development potential while also respecting the cultural resource value that potential sites have or may provide,
- c) Site specific zoning that is in force and effect on select sites within the Plan Area, including any sites with existing holding provisions, shall continue to apply to those sites and will be recognized through zoning implementation of this Plan, unless otherwise identified or modified by this Plan.
- d) Transition to more sensitive use of the properties may require Provincial Ministry clearances such as, but not limited to, Certificates of Approval or Record of Site Condition to be determined on a site by site basis, through pre-consultation with the Town and relevant authorities.
- e) New development shall be subject to Accessibility for Ontarians with Disabilities Act, 2005 and any relevant Regulations made thereunder concerning full accessibility and barrier free design where required.

4.21.6. RESIDENTIAL – GENERAL

- a) Section 4.7 of the Town’s Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections herein. More specifically, Section 4.7.4.1, sentence II & III provide the over-arching policy applicable to this Secondary Plan and its intensification efforts.
- b) Schedule “S-2” designates areas of residential land use within the Secondary Plan Area and the policies of the respective residential sections herein shall apply accordingly.
- c) The Plan sets out to provide for initial areas of low, medium and higher density residential designation, as well as adjustment to commercial designation or re-designation to mixed use in support of residential uses, recognizing existing community structure and limiting changes in designation to those which are both practical and those which have displayed neglect or diminishing prevalence of past land use.
- d) The Secondary Plan provides an opportunity for **approximately 400 additional units**, primarily through select infilling and general intensification of vacant or underutilized properties. While opportunity to intensify can be a consideration throughout the Plan Area on a site-by-site basis, the Plan focuses attention on providing the majority of the new residential units towards the westerly end of the Plan Area, where a number of larger, vacant parcels or assembled lands currently exist.

These larger parcels will be the primary focus for achieving higher density residential projects where access to collector / arterial road networks is often immediate or in close proximity and where adjacent land uses may represent suitable transitional use and form.

The Plan recognizes the anticipated increase of residential provision is not restricted to lands only designated for residential use, but can be expected in commercial and core mixed use designations, accounting for 50% or more of the total new unit targets.

Infilling on smaller parcels and vacant lots will provide opportunities to augment or supplement unit creation within established neighbourhood areas. This does not preclude slight intensification.

Vacant or redeveloping lots in low density, detached neighbourhood areas may, through by-law amendment, be considered to intensify with semi or duplex dwellings. Site specific zoning may be applied to address any potential compatibility issues.

This lower impact, incremental form of intensification is of more interest on suitable lots east of Battery Street and Archange Street, down to the core mixed use and medium density designations associated with Niagara Boulevard, but is also suitable for lots found along transit routes, collector roads and arterial roads. As part of a required zoning by-law amendment seeking such “soft” intensification, these locations shall be considered and may be required to supply supporting information for use in assessing compatibility with existing buildings and surroundings.

Therefore, notwithstanding policy 13.4.II a) to the contrary, a change in zoning to permit a semi-detached or duplex dwelling on vacant lands, or lands previously zoned and/or occupied by a single detached dwelling in the areas outlined above, may be placed under Site Plan Control to ensure appropriate details are provided that can demonstrate compatibility is being achieved.

Other areas of focus include Niagara Boulevard and environs, where addition of residential dwellings to commercial / mixed use sites shall be encouraged. Redesignation of select peripheral commercial sites to provide for a range of residential density will also be accommodated in order to boost residential growth potential in the desirable waterfront district over the long term. Zoning implementation shall also be used in support of intensification and may detail regulations such as density and height, and may also recognize existing commercial uses being permitted in continuity, until such time as a transition to residential occurs.

- e) Collectively, with potential for intensification, small lot infilling and any potential consents for creation of new lots, **a population increase of approximately 1000 residents can be expected over the long term.** This combined with the estimated 3800 existing residents would bring the total population of the Southend Neighbourhood to approximately 4800 persons, representing just under a 25% increase in neighbourhood population.
- f) An appropriate level of affordable housing and senior citizen’s housing shall be considered by the Town when reviewing development applications proposed

within the Plan Area, in keeping with Provincial Policy. When considering seniors residences, location in proximity to community services such as transit, medical and commercial, will be a key factors in the effort to provide greater ease of access to such amenities.

- g) Residential that may be planned adjacent or in close proximity to the QEW Corridor and Central Avenue Interchange ramping shall comply with Ministry of Transportation (MTO) building setback and permit requirements, and may be required to demonstrate compliance with Ministry of Environment and Climate Change (MOECC) noise and vibration regulations in providing adequate mitigation to sensitive residential uses.
- h) Where the Niagara Parks Commission have jurisdiction over Niagara Boulevard, permit applications will be required.
- i) Storm water management shall be a function of engineering review for new or redeveloping sites within the Plan area. The community is predominantly built-out, which occurred prior to contemporary development and water quality standards and as a result, large open storm detention and sediment ponds are not generally feasible within this Plan context. Despite this being the situation, stormwater run-off and quality will be subject to review and approval of the pertinent authorities.
- j) All residential development shall be subject to the regulations and provisions of the Town Comprehensive Zoning By-law 129-90, as amended from time-to-time, or succession thereof. Site specific zoning may be used in certain situations or under special circumstance during implementation of this Plan.

4.21.7. **LOW DENSITY RESIDENTIAL**

- a) The lands designated on Schedule “S-2” as “Low Density Residential” shall be reserved for single detached, semi-detached and duplex dwellings and uses accessory thereto, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) Schedule “S-2” illustrates the Low Density designation, which is predominant throughout the Secondary Plan Area, accounting for approximately 1450 existing units (approximately 77%). As the low density area is almost entirely built-out, any addition of low density built form will likely come from consent or limited vacant parcel infill. A Low Density range of up to 16 units per hectare will assist in providing opportunities for additional Low Density building stock while also making efficient use of existing and proposed infrastructure. Low Density built form through infilling can be expected to represent a more compact design with a

target of providing approximately 50 Low Density units over the long term, assisting in achieving a targeted mix of 70% Low and 30% Medium/High Density throughout the neighbourhood.

- c) Medium Density residential development on lands designated as Low Density Residential in this Plan shall only occur by zoning by-law amendment having considered matters such as size of the site and compatibility, proximity to arterial roads, parks or open space areas. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.21.6 d) and 4.21.8 c).

4.21.7.1. BERTIE STREET

- a) These lands display unique characteristics such as size of lot, topography, vegetation and through lot access. Despite underutilization, the site would not be conducive for intensification of residential without considerable site alteration likely compromising vegetation and slopes. These lands shall be designated low density, also permitting alternative land use in the form of small scale institutional use, such as a hospice or specialized elder care.

Any such use shall preserve the characteristics of the property. Proposed change to institutional use may occur without amendment to this Plan. Also, any such proposed change shall need to demonstrate site compatibility with adjacent residential uses as part of the zoning amendment process. Site Plan Control will be a requirement.

4.21.8. MEDIUM DENSITY RESIDENTIAL

- a) The lands designated on the Schedule “S-2” as “Medium Density Residential” shall be reserved for multiple-unit structures (such as townhomes, triplex, quads and apartment dwellings), their accessory uses and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) Medium Density shall generally be developed between a range of 17 to 50 un/ha. Increased density may be considered for key sites along Niagara Boulevard and other key locations with site specific policy and zoning aimed at compatibility or capability under site plan control.
- c) A minimum target of 25% Medium Density residential unit yield shall be anticipated within the overall Neighbourhood. In effort to achieve or exceed this target, the medium density designation and dwellings should comprise approximately 40% (150 units) of all new residential units constructed within the

Plan Area. A Medium Density range of 17 to 50 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure, and providing opportunities to diversify medium density housing stock and form.

- d) The majority of new medium density residential development is anticipated in the form of townhome and low-rise apartment dwellings. Height shall not exceed three (3) storeys unless otherwise identified in site specific policy and defined in zoning by-law.
- e) The Plan anticipates underutilized land be the focus for medium density infilling using built form described in policy 4.21.8 a), b) and c). Select sites may be subject to site specific policy and zoning to limit or mitigate potential for compatibility concerns in certain contextual settings.
- f) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.
- g) Additional studies (Section 13.15.IV) may be a requirement prior to development plans being processed or considered for approval. Preconsultation with the municipality and partner agencies will result in a determination on any relevant study work being required to support proposed development with approval authority resting with the relevant or requesting agency.
- h) An amendment to this Plan will be required to justify Low Density residential development on lands designated as Medium Density Residential in this Plan.
- i) Notwithstanding 4.21.8 a) to the contrary, a vacant lot of record may be used for a single detached residential dwelling if zoned for such use prior to approval of this Plan. Regulations for the single detached dwelling would need to meet with the minimum requirements of the previous zone.

4.21.8.1. SOUTHWEST CORNER OF CONCESSION ROAD AT GILMORE ROAD

- a) The lands identified as Medium Density on the southwest corner of Concession Road and Gilmore Road shall be used for multiple residential. Development should take the form of a low-rise three (3) storey apartment structure with a maximum site density of 34 un/ha (24 units). Alternative form such as townhomes may also be considered provided the site develops at a minimum of 17 un/ha.

- b) Efforts to retain existing vegetation along the southern limits to extent possible shall require a tree preservation plan be prepared as part of any site planning requirements.
- c) Site design must conform to the RAC-FCM Guidelines for new development in proximity to railway operations.
- d) Lands located on the northern side of Gilmore Road are designated industrial and residential development will need to consider MOECC D-6 Guidelines as part of any development proposal.

4.21.8.2. UNDERUTILIZED LANDS EAST OF DOUGLAS MEMORIAL/EAST END OF HAGEY AVENUE

- a) Existing properties located at the eastern end of Hagey Avenue hold significant potential for development of complimentary residential to that of existing institutional residential accommodation offered by Crescent Park Lodge and Maple Park Lodge. Independent and assisted living in this proximity would contribute to a continuum of care residential hub for retirement and senior aged demographics that may assist in alleviating housing needs for seniors with partners requiring differing levels of assistance and/or accommodation.
- b) Additional land assembly for this location shall be encouraged in effort to provide comprehensive site designs that maximize efficiency, capability and secondary access.
- c) The Town supports extension of Hagey Street to a point capable of providing suitable public road frontage to the identified lands. Extension of the public road allowance will require private ownership (Niagara Health System) be engaged in discussions with benefiting landowner(s). Costs associated with a Hagey Street extension shall be the responsibility of the benefiting private property owners. An alternative to public road allowance extension (private road or driveway) will need to satisfy municipal authorities that access will be held in perpetuity to any subsequent development.
- d) Site density shall be within the density range provided for under 4.21.8 b)
- e) Site designs may consider varied residential form as part of comprehensive development plan on the available vacant lands. Multiple residential zoning may identify permissive residential form that can be used in combination and may include small detached bungalow or small bungalow town homes when part of a seniors living development proposal. Regardless, overall site density must meet with density requirements of 4.21.8 b). The municipality may request/require

phasing of new development to include higher density form be constructed first, or together with other forms of residential dwellings.

- f) Residential development of these lands will need to consider MOECC D-6 Guidelines as part of any development proposal respecting the existing industrial use in the vicinity (Rich's).

4.21.8.3. VACANT LANDS SOUTH OF LAVINIA STREET BETWEEN ABERDEEN STREET AND DOUGLAS STREET

- a) Vacant lands are encouraged to consolidate for optimal development efficiency. Should any remaining lands with frontage on the un-improved portion of Lavinia Street be consolidated, the Town's Land Committee may be requested to consider the remaining un-improved road allowance surplus.
- b) Medium density development should be in the form of townhomes or lowrise apartment dwellings meeting with the density range identified under 4.21.8 b)
- c) Height of any development on these lands shall not exceed three (3) storeys.

4.21.8.4. LANDS MUNICIPALLY KNOWN AS 215-219, 221-229, 237, 253 AND 263 NIAGARA BOULEVARD

- a) The identified properties are designated as medium density residential to permit new construction and/or renovation of existing structures in support of residential intensification.
- b) It can be anticipated that new residential development shall take the form of residential apartments seeking to optimize views and amenity of the Niagara River. Site specific zoning provisions shall be applied to the lands subject of this policy.
- c) Building height shall be permitted up to 5 storeys with increased density, where it can be demonstrated through site plan control, that site design and zoning requirements are being achieved. The increase in height will have regard for building placement and orientation, so as to minimize impacts on any adjacent lower density residential.
- d) Vehicular access should be planned and provided from adjacent municipal roadways, keeping the frontage of Niagara Boulevard free of driveways where ever possible, in effort to create a pedestrian friendly streetscape

- e) Property consolidation and/or shared access between adjacent properties are encouraged.
- f) Off-site parking to meet minimum requirements may be permitted, subject to location being situated immediately adjacent to the subject lands or directly across the road allowance from the subject site. Agreements must be registered on title to provide the required parking in perpetuity. Zoning shall provide permissions and the Site Plan process shall be used to ensure enhanced landscape and aesthetic treatment to adjacent properties and roadways, particularly when exposed to Niagara Boulevard.

4.21.8.5. LANDS MUNICIPALLY KNOWN AS 22 LAVINIA STREET

- a) Notwithstanding the policies of 4.21.8 a) to the contrary, should the nonconforming use of the site continue, shared access between adjacent properties shall be prohibited. The site shall otherwise be subject to policy 4.21.8.4.

4.21.8.6. LANDS MUNICIPALLY KNOWN AS 213 NIAGARA BOULEVARD

- a) Notwithstanding policy 4.21.8 b), this site is permitted to have a maximum density of 75 un/ha., representing the existing site conditions. Site specific zoning shall be used to restricted and describe existing conditions.

4.21.8.7. VACANT LANDS ON THE NORTHWEST CORNER OF QUEEN STREET AND GODERICH STREET (0 QUEEN STREET)

- a) The identified property is designated Medium Density residential and shall be developed as a multi-unit apartment building with a maximum height of three (3) storeys.
- b) Notwithstanding policy 4.21.8 b), this site may be developed to a maximum of 70 un/ha without amendment to this plan, subject to the site plan demonstrating required parking can be accommodated on site. Site specific zoning may also reduce front and exterior setbacks on this site to assist in achieving higher density at this location.
- c) Site design shall direct parking to the rear or side yards only.

4.21.8.8. LANDS MUNICIPALLY KNOWN AS 223 STANTON STREET

- a) Maximum height for multi-unit residential shall be two (2) storeys. Site specific zoning may be used to define the range of permitted built form that may include ground-based multi-unit dwellings to two (2) storey apartment buildings.

4.21.8.9. LANDS ON THE SOUTH SIDE OF PRINCESS STREET, BETWEEN WATERLOO AND ARCHANGEL STREETS AND 15 QUEEN STREET

- a) These lands are transitional from diminished commercial and are designated medium density residential.
- b) Property owners are encouraged to fully transition these lands to residential use over the short to mid-term of this Plan's 25 year planning horizon.

4.21.8.10. LANDS MUNICIPALLY KNOWN AS 70 PRINCESS STREET

- a) Notwithstanding the residential designation, office commercial use may be permitted to continue with up to 25% of the main floor area. Site specific zoning will be used to identify and recognize such permissions.
- b) Property owner is encouraged to fully transition these lands to residential use over the short to mid-term of this Plan's 25 year planning horizon.

4.21.8.11. LANDS MUNICIPALLY KNOWN AS 61 QUEEN STREET

- a) Notwithstanding the residential designation, take-out restaurant use of the front portion of main building ground floor may be used for a take-out restaurant use to a maximum of 17% (300 sq.ft.) of the floor space. Use shall be limited to providing concession offerings such as coffee, ice cream and other small scale consumable products produced off-site such as muffins, cookies, sandwiches, or similar, for consumption off-site. Floorspace devoted to the permitted use shall meet with all code requirements (building, fire, health, etc;) and acquire / maintain appropriate business licensing.
- b) Property owner is encouraged to fully transition these lands to residential use over the short to mid-term of this Plan's 25 year planning horizon.

4.21.9. CORE MIXED USE

The Core Mixed Use designation is intended to recognize and delineate properties that shall be the focus of combined commercial / residential buildings and uses with a

purpose of generating an identifiable and intensified area of resident, pedestrian and commercial activity. The designation serves as a focal point or destination for visitors and residents in a highly unique and picturesque setting next to the Niagara River.

The Core Mixed Use designation represents the traditional commercial core area and its associated residential components. Buildings existing in the core area are generally characterized as having been one of two distinct built forms. Firstly, “purpose built” commercial or institutional uses in the core area’s early years of urbanization and secondly, residential buildings that have been modified / adapted for office or commercial use as the need for community commercial and a burgeoning customs brokerage industry grew, expanding into the residential areas.

As a result, there is an eclectic mix of remaining built-form being used residentially and commercially. The building stock ranges from turn of the century to post-war and post-modern eras with limited continuity of contemporary cultural significance.

The Town will consider developing Urban Design Guidelines in conjunction with the Niagara Parks Commission in the future. However, until such time, focus on development and redevelopment, particularly along the Niagara Boulevard, shall be encouraged to reinstate a consistent street wall through site design and building placement. Zoning for the core mixed use area shall provide flexibility through minimal setback requirements, recognizing site constraints may dictate building placement. Every feasible effort to reinstate the street wall shall be encouraged. Latitude on architectural designs shall be afforded, however architectural details and features should be employed, adding visual interest and identity to the vernacular of the streetscape.

Policies of this section promote intensification of the commercial activity in a concentrated area and seeks opportunities for additional residential through modest, increased height of the existing building stock and properties suitable for development or redevelopment as the case may be, having addressed known constraints to the satisfaction of the relevant approval authorities.

- a) The lands designated as “Core Mixed-Use” on Schedule “S-2” shall be reserved for a variety of retail, restaurant and office uses, as well as residential uses. The Core Mixed Use areas are shown on Schedule “S-2” and shall generally be governed by the policies of Section 4.8 unless otherwise defined under this section.

- b) Section 4.8.1.III provides that Core Mixed Use areas will be identified through the Secondary Planning Process.
- c) The Town recognizes the unique cultural and historical significance of Niagara Boulevard and its environs. The Southend commercial area is also recognized as being fundamentally and characteristically different than other commercial designations within the Plan Area. As a result, a Core Mixed Use designation better reflects the direction the Town seeks to establish over the long term with increased resident population, viable and more compact commercial enterprise in a favoured riverside destination for residents and visitors alike.
- d) Existing stand-alone dwellings shall be permitted to remain while new residential stand-alone dwellings will not be permitted, with limited exceptions, such as replacement due to fire.
- e) The maximum height for buildings within the Core Mixed Use designations shall be established in the implementing zoning by-law and may be varied depending on proximity to Niagara Boulevard, site area and frontage.
- f) The Town shall implement the appropriate zoning to reflect the Core Mixed Use designation, providing detail on permitted uses, regulation and applicable provisions. Site specific zoning may also be implemented where certain or existing circumstances dictate.
- g) New development in the Core Mixed Use designation shall provide at-grade commercial with a residential requirement typically on upper floors. The zoning may also provide for limited at-grade residential permissions through its regulations.
- h) Owners of existing buildings with suitable upper levels that can be converted for residential use shall be encouraged to do so, subject to applicable zoning provisions for such residential use (eg. – parking) and any other regulatory authority clearance requirements.
- i) Bed and Breakfast establishments, as a Home Occupation, shall be permitted in existing detached residential dwellings within the Core Mixed Use designation, provided applicable zoning provisions can be met, including provision of adequate on-site parking and licensing.
- j) The Town shall seek to implement and administer funding programs to assist eligible commercial properties within the Core Mixed Use designation. Boundaries of a Community Improvement Project Area will be established under

separate amendment and may or may not include all Core Mixed Use designations, with criteria defined at the time of the Project Area being established.

- k) Any existing buildings subject of conversion, expansion or addition for the purpose of mixed use shall require Site Plan Control. Details of which, shall provide clear indication on key site design requirements related to parking (on-site or off, where permitted), outdoor amenity space for residents and waste management solutions.
- l) Drive-thru facilities associated with restaurants, banks or any other type of commercial dispensary shall be prohibited within the Core Mixed Use designation.
- m) Residential associated with Core Mixed Use shall not be subject to minimum or maximum density range. Residential components will, however, be subject to minimum standards for dwelling unit sizes and any other applicable zoning regulations or requirements identified in the implementing zoning by-law, including being within a mixed use building that has a maximum height defined within said by-law.
- n) Commercial floor space within the Core Mixed Use designation shall be exempt from parking requirements; however residential components shall be subject to the general provisions of the Town's Comprehensive Zoning Bylaw as amended from time to time.
- o) Residential units will be subject to the regulations of the implementing bylaw with limited exceptions such as retirement homes and existing standalone residential.
- p) The Town supports cultural festival activities within the Core Area as a means of stimulating commercial activity and community vitality of this picturesque riverside downtown environment. Artistic contributions may be suitable for consideration in the downtown area such as public art display or sculpture.
- q) New automotive related uses are not permitted in Core Mixed Use areas.
- r) New at-grade commercial shall provide for full accessibility and barrier free design.

4.21.10. **COMMERCIAL**

- a) The “Commercial” areas are shown on Schedule “S-2” and shall generally be governed by the policies of Section 4.9 unless otherwise defined under this section.
- b) Lands designated Commercial shall be zoned for their intended commercial uses and may include site specific zoning provisions and regulation to assist in implementation.

4.21.10.1.LANDS MUNICIPALLY KNOWN AS 256 BERTIE STREET

The property represents one of the neighbourhood’s highest potential residential yielding sites despite its commercial designation. Suitability for development at a higher residential mixed use density of these lands is of interest to the Town for the following reasons:

- a. The location at the intersection of major roads (Bertie Street and Concession Road) represents a transitional land use between the future uses permitted under the Urban Entertainment Centre designation and zoning to the west and those remaining medium density residential uses to the east with lower density situated north;
- b. Proximity and access to the QEW;
- c. Proximity to major commercial and institutional uses;
- d. Transit exposure;
- e. Minimal impact to adjacent properties with respect to height and design flexibility;
- f. Pending Hagey Avenue access addition improves site access opportunity and options;
- g. Potential for underground parking with available overburden depth.
- h. High neighbourhood and highway exposure for commercial uses.
 - i. Nothing shall prevent these lands from developing commercially under the regulations and provisions as set out in the Town’s Comprehensive Zoning By-law.

- ii. Ownership are encouraged to include a residential component into site design and building mass with at-grade retail, restaurant and office commercial uses occupying the ground floor in its entirety. Residential dwellings above may develop with an additional 8 storeys to a maximum of 115 dwelling units.
- iii. If at the time of development, the commercial uses are not viable components of the overall site design, the site may develop in a fully residential capacity up to 125 dwelling units in total with a maximum of 10 storeys in height. Should the site develop wholly residential, a minimum of 50 un/ha shall be achieved.
- iv. Permitted uses with mixed residential/commercial will be identified in the implementing zoning.
- v. Outdoor amenity area for residential shall be defined in the implementing zoning. A rooftop common amenity space and use is also permitted and encouraged.
- vi. Smaller scale stand-alone corner commercial of not more than 25% of the site area may be permitted via the consent process; however this shall require a site specific zoning by-law amendment for remaining lands for medium density residential with a net minimum density of 50 un/ha.
- vii. Supporting studies (Section 13.15.IV) for any development scenario shall be determined as part of the pre-consultation with approval authorities, including the Ministry of Transportation.
- viii. Residential development of these lands will need to consider MOECC D-6 Guidelines as part of any development proposal respecting the existing industrial use in the vicinity (Rich's).

4.21.11. **EMPLOYMENT LANDS (INDUSTRIAL)**

The Secondary Plan has limited lands currently in use as industrial. This plan shall preserve the industrial designations for these lands and any adjacent lands presently designated, for the potential future expansion of their operations (Rich's).

- a) The Policies of Section 4.10 shall apply to all Industrial lands within the Southend Secondary Plan Area. Section 4.10 provides general comprehensive policy coverage for Industrial lands within the Plan Area and shall be relied upon for guidance when development is being considered.

4.21.12. **INSTITUTIONAL**

- a) The lands designated on Schedule “S-2” as “Institutional” recognize the existing institutional uses established within the Secondary Plan Area. The designation within the Plan Area shall be reserved for a variety of public and institutional uses and be generally governed by the parent Official Plan policies of Section 4.12.
- b) Should any Institutional lands be considered for sale or divestment, current ownership is encouraged to consult the Town on such plans to discuss alternate site uses when redesignation or rezoning is anticipated. The Town may also seek to pursue acquisition in select circumstances to either carry but not limited to such uses as park space or municipal parking, depending on location and size.
- c) Transition from Institutional to residential may occur through a site specific zoning by-law amendment, subject to the residential policies of this plan and general provisions of the Town’s Comprehensive Zoning By-law. Determination on residential density will be assessed at such time that any sites may transition, having considered such matters as neighbourhood character and the growth objectives of this Plan and the Town in general.

4.21.13. **PEACE BRIDGE**

- a) The lands designated on Schedule “S-2” as “Peace Bridge” recognize the existing land holdings of the Peace Bridge Authority and the uses shall be generally governed by the parent Official Plan policies of Section 4.12 and more specifically, Section 4.14.2.

4.21.14. **OPEN SPACE**

- a) The lands designated as “Open Space” on Schedule “S-2” shall be reserved for a variety of active and passive recreational uses. The policies of Section 4.13 shall generally apply to lands designated as Open Space and may be amended from time to time, where new Parks and Open Space Master Planning has identified or modified objectives.
- b) The Plan contains both public and private Open Space. Lands shown as Open Space are intended for long term use as such, regardless of public or private ownership.
- c) The Plan Area contains several instances where Private Open Space is identified. Designation and zoning of these private lands does not imply municipal acquisition. The lands identified as Private Open Space are either currently designated as such, or have been designated to reflect constraints that

would otherwise limit the use of the land for anything other than existing uses or passive, non-invasive, surface oriented activity.

The Town shall encourage ownership to seek out partnerships that may lead to beautification and landscaping efforts to enhance the aesthetic of the Private Open Space and by extension, the public realm in general. Any development on lands designated Private Open Space shall be required to undertake a site plan process prior to any work being undertaken. The use of holding provisions may be applied through zoning to ensure compliance. Lands identified under an “Open Space” designation within the Southend Secondary Plan Area are further defined as provided for below.

4.21.14.1.OPEN SPACE – PARKS (NEIGHBOURHOOD AND SPECIALIZED)

- a) Town owned parks fall within three classifications as currently stated in the 2006 Parks and Open Space Master Plan. These are known as Community Parks, Neighbourhood Parks and Specialized Parks. While a “Community Park” does not fall within the Secondary Plan Area, Sugarbowl and Oakes Parks are immediately adjacent on the northern boundary of this Plan. These are substantive parks and serve both as a Community and Neighbourhood Park spaces serving the northern portion of the Secondary Plan population. The remaining Neighbourhood Parks are that of Douglas Park in the southwest adjacent to Peace Bridge Public School and the Goderich Street Park along the west side of Goderich Street. Combined and geographically positioned, these parks service almost the entire Plan Area residents.

The following policies are intended to identify objectives of the Town as it relates to:

Neighbourhood Parks

- a) **Douglas Park** will be a focus for physical improvements and addition of park features and fixtures as a result of review and recommendation through the Parks and Open Space Master Plan (2017). The park is sizable enough and hosts team sports field activities and may also hold potential for additional uses such as a playground facility. The Town shall also explore opportunity for shared use with the District School Board for the Peace Bridge Public School to capitalize on the amenity potential that can be offered to students and residents.
- b) **Goderich Street Park** is generally reserved for passive recreational pursuit and casual activities not requiring large open field areas. The location and topography are limiting factors to the long term development of the park space. Any

additional park development will be as recommended in the Parks and Open Space Master Plan.

Specialized Parks

- c) Specialized parks in context of the secondary plan include such features as Riverwalk and Freedom Park. These park spaces are adjacent to the Niagara River and are owned by the Niagara Parks Commission (NPC) Agreements in place with the Town for their use as specialized parks and offer unique passive and active recreational opportunity.
- d) The Town's Waterfront Strategy shall assist in guiding the long term use and preservation of the waterfront park spaces and the Town shall work cooperatively with NPC in seeking opportunities to enhance the pedestrian and cycling activity with facilities that provide areas of respite and comfort for the prolonged enjoyment and use of the waterfront open spaces.

4.21.14.2.OPEN SPACE – TRAIL AND LINKAGE

- a) The Town supports linkage opportunities that assist in providing improved pedestrian connection and access to points of interest such as Community and Neighbourhood parks, Trans-Canada Trail, Niagara Circle Route and the Niagara River Recreational Trail, including Riverwalk and the Core Mixed Use area of Niagara Boulevard.
- b) The Town shall make every effort to ensure publicly accessible linkage opportunities are identified, protected and accessible when new development or re-development is proposed within the Plan Area. This includes retention of an Open Space designation along the Niagara River regardless of ownership. Some linkage shall remain privately held and until such time that the lands may become available, access remains in private ownership control. Recommendations of the Town's Waterfront Strategy shall provide guidance on matters relating to waterfront within the Plan Area.
- c) Although not within, an abandon rail corridor truncates at the northwestern edge of the Plan Area that holds potential for a trail linkage reaching south, down to the Friendship Trail. The Town shall investigate future opportunity of this potential linkage as it currently provides available underpass access of the QEW, which is a rare occurrence. It is anticipated the Parks and Open Space Master Plan shall review potential for long term potential and development of this link.
- d) Linkage opportunities are represented on Schedules S-3 and S-4 of this Plan and illustrate existing, proposed and conceptual forms of pedestrian linkage intended

to connect the community by way of walking or cycling. Pedestrian linkage for the purposes of this Secondary Plan can be comprised of sidewalks, multi-class paved and on-road cycling routes.

4.21.14.3.OPEN SPACE – NIAGARA PARKS COMMISSION

- a) The majority of lands along the Niagara River between Niagara Boulevard and the River are those within Niagara Parks Commission control and jurisdiction. Public amenity and use of these lands for passive recreational pursuit is encouraged and the Town will continue to work cooperatively with Niagara Parks Commission where improvements or provision of infrastructure will enhance the public experience and enjoyment of the waterfront. The Town encourages active dialogue and consultation between the Niagara Parks Commission, with the Town and public, on these matters.
- b) The Niagara Parks Commission, in consultation with the Town, is encouraged to identify important views and viewpoints along the Niagara River Parkway (Niagara Boulevard) and Niagara River shoreline and to implement environmentally sustainable land management best practices to ensure protection of natural heritage of the Niagara River shoreline and the identified important views and viewpoints.

4.21.15. NATURAL HERITAGE

4.21.15.1.GENERAL

- a) Policies of Section 8 shall apply to all Natural Heritage resources within the Southend Secondary Plan Area. Section 8 provides comprehensive policy coverage for all relevant environmental features within the Plan Area and shall be relied upon for guidance when development is being considered in, or within defined proximity to the limited environmental features or sensitive areas.

Confirmation on the absence of any natural feature boundaries or requirements for environmental study will be identified/confirmed during mandatory pre-consultation for Planning Act applications, or on permit application review for site or building expansions.

- b) Determination of any potential EIS requirements shall be based on Regional EIS Guidelines with administration and approval authority having been set out as per the Memorandum of Understanding (MOU) between local and regional governments and the Niagara Peninsula Conservation Authority.

- c) The Southend Secondary Plan Area is essentially void of natural feature constraints with those represented relating to shoreline corridor potential and a small portion representative of a significant Natural Area, again shoreline related. This is largely due to the Plan Area being almost completely built out.

Despite their absence the Town shall remain diligent in review of any potential development or re-development applications in promoting good stewardship and shall work cooperatively with NPC in seeking opportunities to enhance the environment along the Niagara River.

- d) The Plan Area does not contain any lands being designated as Environmental Protection and as a result, Schedule S-2 of the Secondary Plan is shown as being void of any such designation. Where previous Secondary Plans contain separate schedules for use in illustrating Natural Heritage Features, Natural Hazards, Open Space and Fish Habitat, a single schedule shall be used with this Secondary Plan. Schedule S-3 shall illustrate the limited Natural Heritage Features identified.

4.21.15.2. ENVIRONMENTAL CORRIDORS

- a) The policies of Section 8.3.4.IV of the Official Plan shall generally apply to Environmental Corridors shown on the Secondary Plan Schedule S-3.
- b) Schedule “C” of the Official Plan illustrates conceptual Corridors throughout the municipality. These corridors represent a higher level linkage or linkage potential and are intended to demonstrate where provision of wildlife and avian routes may be considered for enhancement. The feasibility of enhancement should be examined as part of a development application process. The Southend Secondary Plan Area contains one such corridor, which is directly associated with the shoreline of the Niagara River.

The Town shall work cooperatively with NPC when opportunities for enhancement are presented.

4.21.16. TRANSPORTATION SYSTEMS (ROAD NETWORKS, ACTIVE TRANSPORTATION AND PUBLIC TRANSIT POTENTIAL)

- a) “Transportation Systems” is in reference to the various modes of transportation infrastructure that exist, or may be planned to be made available to service the Southend Secondary Plan Area. These include, but are not limited to, existing and future road networks, active transportation infrastructure (either planned or existing sidewalks & trails) and local transit service. Transportation systems are shown on Schedule S-4 of this Plan.

- b) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation System over the long term, review of current standards, or development of new standards may be required. Prioritizing maintenance, construction/improvements will be considered annually through capital budgeting and through development application activity.
- c) It is recognized that major infrastructure projects can take time to coordinate and finance. The Town will seek opportunities for funding program assistance from other levels of government when made available; to assist in expediting transportation related capital projects and work cooperatively when jurisdiction over transportation infrastructure is not solely with control of the Town.

4.21.16.1.ROAD NETWORKS

- a) Any further development of the road network within the Southend Secondary Plan Area shall generally be in accordance with Section 12.7 of the Town Official Plan.
- b) Council will strongly consider the existing character and needs of the neighbourhood when making road improvement decisions.
- c) There is very limited opportunity for development of new roads with planned public right-of-way access. If in the event a public road is planned for construction, the road shall be constructed to full municipal standard using an urban cross section unless otherwise approved by the Town. Private development, including plans of condominium, may use alternate right-of-way designs for private roads internal to their site, however; such roads will still require approval from the municipality, typically as part of the condominium or site plan approval process.
- d) There are generally seven (7) categories of roadway hierarchy in, permitted or bounding the Plan Area. These would be defined as:
 - Queen Elizabeth Way (QEW) and by extension, the federal interests of the Peace Bridge Plaza
 - Regional Arterial Road (Central Avenue contained within and Gilmore Road as a northern Plan Area boundary road)
 - Niagara Boulevard – (NPC and/or public authority having jurisdiction)
 - Town Collector Roads (Bertie Street and Concession Road);
 - Local Roads (all remaining public roads);
 - Municipal Laneway (John Street); and

- Private Roads (permitted)
- e) Schedule S-4 illustrates the road network within the Plan Area and any new development application shall have regard for ultimate road allowance widths (as identified in Section 12.7.4 of this Plan and any regional requirements as conveyed in the Region's Official Plan) in design and zoning setback regulation.
- f) The Region of Niagara determines ultimate road allowance width for roads under its jurisdiction. The Region will be circulated with respect to any Planning Act application adjacent to Central Avenue and Gilmore Road, at which time final determination on provision of any widening requirements will be identified.
- g) Town collector roads seek to establish an ultimate width of 23m and local roads are to seek a 20m road allowance. It is recognized these desired widths may not always be obtainable. Determination of municipal road widening will be reviewed by the Town at the time of application submission or during road reconstruction/improvement projects.
- h) The Town shall remain sensitive to increased interest and movement towards "complete streets" policies and support Active Transportation efforts where feasible. Amendments to this section may be required from time to time as a result of increased and ongoing provincial and regional policy implementation.
- i) Private roads or driveways from sizable development proposals should be aligned with opposing roads or major driveways whenever possible.
- j) Any newly planned private road or driveways connections to Central Avenue, Gilmore Road or Niagara Boulevard shall require approval of the respective authority.

4.21.16.2.ACTIVE TRANSPORTATION

- a) Active Transportation shall be a consideration of Council as identified under Section 12.7.2 iv).
- b) Schedule "S-4" illustrates all components of the Active Transportation Network for the Southend Secondary Plan.
- c) Portions of the various networks under separate jurisdiction are collectively integrated and recognized as part of larger networks such as the Niagara Circle Route and Trans Canada Trail. Protection and enhancement of these assets is of interest to Council to ensure promotion of inter-municipal, interregional and to the fullest extent, National and International connectivity of Active Transportation

opportunities in reaching the neighbourhoods of Fort Erie, including the Southend Secondary Plan Area.

- d) Components of active transportation in the context of the Southend Secondary Plan Area serve both utilitarian and recreational need and purpose. There is limited southerly connection opportunity for active transportation use due to the Peace Bridge Plaza and the QEW. Active transportation access and crossings shall be protected and enhanced where feasible.
- e) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking road improvements / reconstruction. Where applicable, applications for development will be required to address and demonstrate how plans may integrate and provide for the necessary infrastructure to facilitate active transportation in relation to the overall network illustrated on Schedule “S-4”.
- f) Collector roads within the Plan Area shall be planned to provide for sidewalks on both sides, or in the case of Niagara Boulevard, a combination of sidewalk and trail, depending on location of available riverfront open space. Council may consider single side locations in part or in whole, following departmental review and recommendation having considered such matters as open ditches or other infrastructure constraints.
- g) Existing sidewalk locations shall remain and older sections will be subject to review and reconstruction to current standards, wherever feasible, and remain subject to annual repair and maintenance schedules in terms of priority and budget allocation municipal-wide.
- h) Regional Roads within the Plan Area have been identified as Regional Bikeways in the Niagara Region’s Transportation Master Plan (Here We Go). The roadways are identified for bike lanes and the Town supports their location and identification. Secondary bicycle routes are identified on Schedule S-4 and would be envisioned to have sharrow road markings in lieu of formal bike lanes.
- i) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.
- j) Wherever possible, the Town, Region and NPC, as the case may be, will work cooperatively in establishing linkage to broader regional active transportation infrastructure to further promote and extend the range and reach accessible by active transportation users.

- k) Active Transportation and Public Transit use are complimentary modes of transportation and can be co-dependent for some residents. Capital projects, planned developments should have due consideration for Active Transportation connection to established or planned transit stops.

4.21.16.3.PUBLIC TRANSIT

Conventional and specialized transit service presently serves the Plan Area and may be subject to routing modifications from time to time. Transit service has recently been enhanced by way of established formal routing where bus-stop infrastructure is being planned, with incremental improvements contributing to a more formal and structured transit schedule. This serves as an indication that improved transit measures and service are being implemented as a specific goal of the Town's Strategic Plan, to be secured and promoted for the long term benefit of the resident, business and visiting populations.

- a) New development along transit routes shall have regard for access to transit and may be requested to demonstrate how their proposed development is transit supportive.
- b) The Southend Secondary Plan Area shall also remain fully serviced by Fort Erie Accessible Specialized Transit presently operating throughout the Town, or until such time that an alternate is established that meets our community's accessible needs.
- c) The Town supports Region of Niagara inter-municipal transit service and shall work cooperatively in review and support provision of regional connecting routes. The Town remains cooperative on any endeavour to establish a fully integrated, or full regionally operated transit system that maintains and enhances existing local municipal service.
- d) Approved transit routing and fixed stop locations are illustrated on Schedule "S-4". Routing and stop locations are subject to review over time and as data driven results on ridership inform transit planning for efficiency and effectiveness. Modifications to transit routing do not require amendment to this Plan.
- e) Long term local transit planning shall have regard for locating potential transit stops using a typical 400m radius (or better) service area catchment model. Distances may vary depending on location of populations throughout the local and rural areas, as well as the class roadway which is being used as part of the route.

4.21.17. **PARKING**

- a) The majority of the Secondary Plan Area is largely established residential, low density in character with most residences providing adequate on-site parking. On street parking in the majority of the residential areas has not been considered problematic. The Town shall monitor on-street parking throughout the community and may recommend restrictions to alleviate any safety issues if deemed appropriate.
- b) Lighting of commercial area parking lots shall be of adequate levels to ensure pedestrian safety while having regard for any adjacent or upper level residential uses. Spillover lighting from parking lot lighting onto adjacent properties shall be avoided unless otherwise planned and approved to do so.
- c) When other jurisdictions have interest in parking provisions, the Town shall seek opportunities to work cooperatively with these jurisdictions when capital projects are being designed and undertaken within the Plan Area. With respect to Niagara Boulevard specifically, the Town seeks to create a pedestrian friendly environment that would include “on-street” parking within the core mixed use area and additional opportunities for parking associated with the Niagara River as an amenity area for residents and visitors, where feasible. The Town will work cooperatively with Niagara Parks Commission to establish appropriate locations for parking. The provision of parking, particularly on-street parking, will need to have consideration for active transportation linkage/connections to the waterfront area and the Niagara Parks Recreational Trail System.
- d) Any new municipal or private parking areas shall be designed and constructed in a way that provides adequate screening and landscape buffering where abutting residential zones.
- e) Parking in the Core Mixed Use designated lands are encouraged to provide on-site parking for commercial uses. Parking requirements for the residential components associated with the Core Mixed Use designation are preferred to be situated on-site, however the implementing by-law may provide for alternate solutions in meeting parking requirements.
- f) Landscaped areas may be requested for large parking lots. Landscaping requirements shall be focused along the road frontages and shall provide for appropriate landscaped buffering and planting strips between the roadway and parking areas, using high quality materials and plant stock.

4.21.18. CULTURAL HERITAGE

- a) All matters of Cultural Heritage shall be consistent with Section 11 of this Plan.
- b) The Town recognizes the setting and cultural heritage of the Southend as being that of archaeological interest associated with pre-contact native peoples occupation of the lands, but also that of early European settlement leading to today's urban form and occupation of the properties in the Plan Area, particularly those lands close to the waterfront.

The following policies are aimed at bringing awareness to municipal partners, general public and the regulatory agencies in effort to seek a balance for current and future ownership that may wish to develop or redevelop lands within the Plan Area.

Built Heritage

- a. The Fort Erie Museum and Cultural Heritage Committee shall continue to advise Council on matters of the Southend's built heritage and from time to time, may recommend for Council's consideration, properties for addition to the Municipal Registry following the Committee's more detailed review of community building stock. Schedule "S-2" identifies the location of properties that are either designated or listed on the Municipal Registry. New designated and listed properties in the Southend Secondary Plan Area may be referenced on Schedule S-2 without amendment to the this Plan.
- b. The Town has relied on voluntary designation of heritage properties and shall continue to act in this manner. The Town encourages designation of such properties and will work cooperatively with ownership in effort to facilitate designation.

Archaeological

- c. The Town's Archaeological Master Plan informed and formed the background on the policies contain in Section 11 in the Town's Official Plan. It also introduced identification of Archaeological Zones of Sensitivity, which are reflected on the mapping schedules of the Official Plan. The Peace Bridge Zone of Sensitivity represents the single most challenging constraint to new or redevelopment efforts of the downtown waterfront area.

There are additional identified areas of archaeological interest within the Plan Area being lands in the vicinity of the Rich's facilities next to the QEW and also the lands identified as Douglas Park. Schedule 'D' of the Official

Plan can be consulted for extents of these identified lands.

Applications for development or redevelopment shall first be screened through pre-consultation and then assessed by the appropriate review authority with respect to the nature of the proposal and whether the proposal will present new disturbance requiring Stage 1 and/or Stage 2 Archaeological Study work be undertaken. The results of which, shall determine if further study is required.

- d. The Town encourages cooperation of the MTCS and its licensed archaeologists in seeking/providing flexibility and feasible solutions to proponents of development that may result in scoping of stage study work. There is a considerable amount of disturbed and vacant, previously developed lands within the Peace Bridge Zone of Sensitivity that can contribute to the intensification and rejuvenation efforts of this downtown environment and its desirable waterfront residential potential.

Conversely, should a property be found, or known to contain, immovable archaeological artifacts, property owners are encouraged to seek designation or place lands in an amenable land trust that may have the resources to improve and maintain the site(s) over the long term. The Town does not promote the development of lands containing immovable artifacts and shall maintain a preservation position under such circumstances.

- e. The Town shall explore any potential for incentive programs aimed at offsetting costs of archaeological study work and remediation, within the Peace Bridge Zone of Sensitivity.

4.21.19. **MUNICIPAL SERVICES**

- a) Municipal servicing shall be consistent with the policies of Section 12 of this Plan.
- b) Municipal services such as sanitary and storm sewers, stormwater management and municipal drainage will be provided, where feasible, and maintained / upgraded as necessary to accommodate the needs of existing and future development in the Southend Secondary Plan Area.
- c) Based on findings of the 2010 Waste Water / Stormwater Master Plan study (*XCG Consultants Ltd.*), no immediate servicing concerns respecting sanitary capacity of the Anger Avenue Waste Water Treatment Plant have been identified.

Regional capital upgrade to the Catherine Street Sanitary Pumping Station is identified under the Region's 2016 Master Servicing Update, with an anticipated implementation date at the outer reach of the 2041 planning horizon.

- d) New development may be requested to provide a servicing study that includes analysis of the downstream sanitary sizing and the network's capacity capabilities in relation to proposed development flows.
- e) The Town shall continue to make improvements to its storm, sanitary and water networks and any planned improvement projects shall be identified in the 10 year capital projects budget. Reduction in wet weather impacts on existing infrastructure shall remain a priority of the municipality.
- f) All new development shall require approval of storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to mitigate or alleviate flooding of adjacent and downstream properties during storm events. Additionally, engineering solutions for storm water management that improve infiltration and assist in improving groundwater quality and recharge will be considered relative to the feasibility and practicality of their implementation.
- g) Existing municipal water supply is currently available to service the majority of the Plan Area. Sizeable infilling projects may be required to loop watermains wherever opportunity exists to do so.
- h) There are currently no identified restrictions to development within the Southend Secondary Plan Area under current water supply conditions, however functional servicing studies that may be requested for new or re-developing properties and sizable infill, shall address water supply demand on the existing network.

4.21.20. UTILITIES

- a) Utility providers are required to consult with the Town when new plant locations or infrastructure is required, or existing infrastructure is identified for upgrade. The Town will work cooperatively with utility providers in effort to facilitate their needs while balancing the interests of the area residents or businesses.
- b) Utility companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are both compatible reduce or eliminate potential conflicts.

- c) Utility providers shall ensure their respective utility has been planned and located in accordance with any relevant safety regulations, separation requirements and/or municipal standards, either through individual utility plant location or as part of a combined installation.

4.21.21. **NEIGHBOURHOOD GATEWAYS & LANDMARKS**

- a) Schedule S-4 illustrates a Gateway symbols at the primary entry points to the Neighbourhood. The Town shall seek voluntary participation and effort on the part of development interests at these locations to promote the sense of gateway when new or redevelopment is planned.
- b) Gateway features act to provide both physical and psychological cues on demarcation of community boundary. Features or landmarks act as visual benchmarks or visual points of reference to indicate location and reinforce arrival or departure.

Intensity of the gateway feature makes an intended statement and projects an image the community can become associated with. This can be done in many ways such as signature buildings or architectural features, or through landscaping treatment and lighting. Combining any or all of these types of treatments provides opportunities to make a very bold statement or a much more modest approach to signal a threshold or specific location.

- c) Any Gateway or Landmark Feature planned along a regional road or NPC roadway will require consultation with relevant authority and approval accordingly.
- d) The Southend Neighbourhood is unique in its geography within the Town wherein the downtown is located along the waterfront. While many local road connections are able to access the downtown area, there is an expressed desire by the community to promote international travellers to be alerted to the first available exit via a wayfinding initiative to help drive increased tourism to the Downtown and Riverwalk area. This is a challenging endeavour when considering the limitation on access from points beyond the Customs and toll booth operations. Lane selection ahead of the toll station is an important determining factor as to whether an exit can be made safely and conveniently at the Central Avenue ramp. Control over these factors are simply not within the Town authority to modify.

The Town shall work cooperatively with MTO and The Peace Bridge Authority in seeking opportunities to have advanced knowledge/awareness of the Central

Avenue exit made available in advance of the toll booth station to assist potential destination traffic. Competition for signage is challenging under such circumstances; however, important to assist in tourism efforts and commercial viability of the Downtown Core and Riverwalk area.

4.21.22. **INTERPRETATION OF THE PLAN**

The Southend Secondary Plan (Official Plan Amendment No.37) consists of Sections 4.21.1 through 4.21.21, and Schedules “S-1”, “S-2”, “S-3”, and “S-4”.

The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

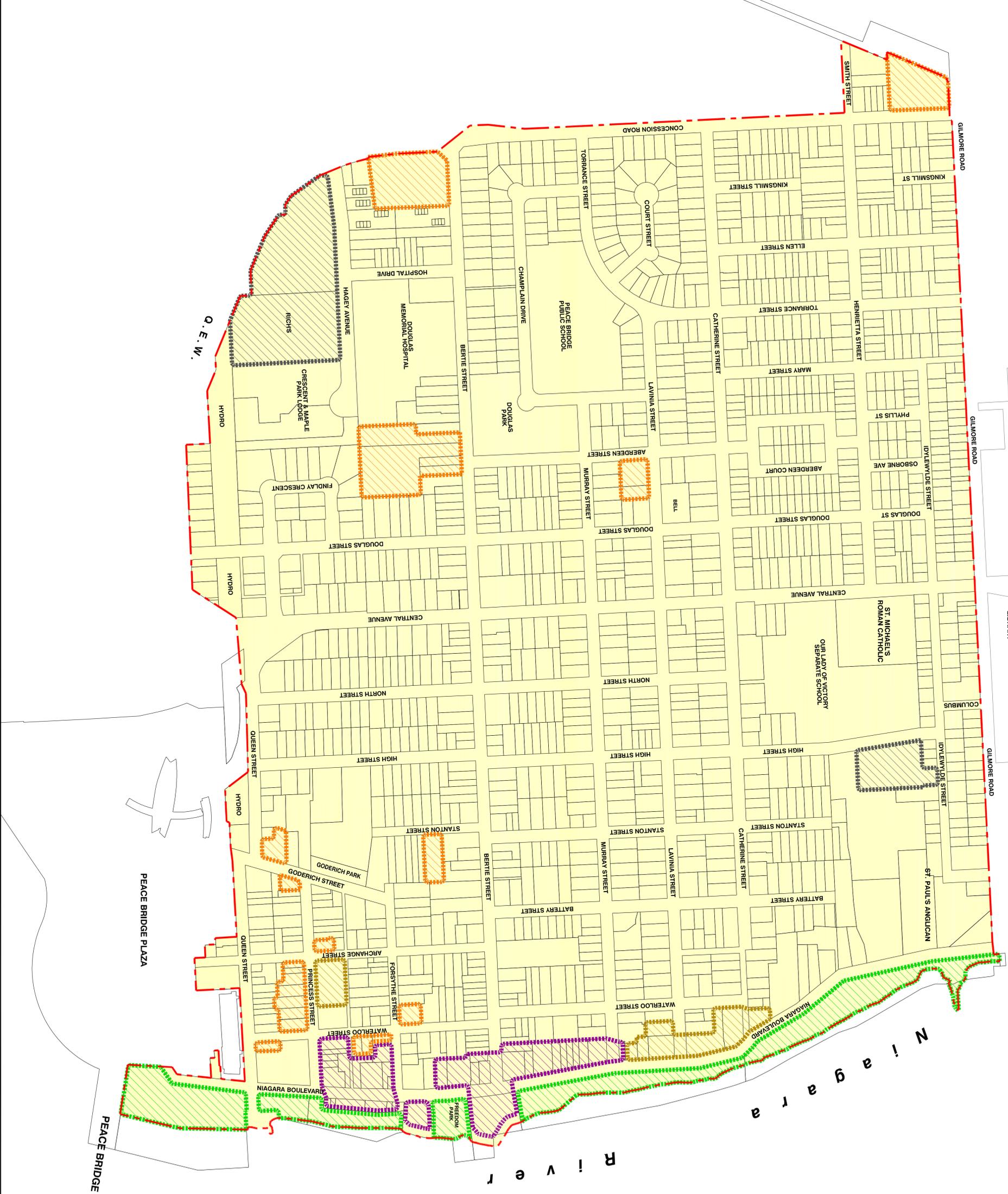
(Section 4.21 was introduced by By-law 2018-001, OPA #37)

TOWN OF FORT ERIE OFFICIAL PLAN

PROVINCIAL COMPLIANCE WITHIN THE URBAN AREA

LEGEND

-  Secondary Plan Limit
(Urban Area Boundary)
-  Built-Up Area (Growth Plan Designation)
-  Under Utilized / Infilling
-  Residential Intensification
-  Core Mixed Use Intensification
-  Retention of Industrial
-  Niagara Parks Commission Lands



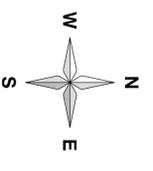
SOUTHEND SECONDARY PLAN



DATE: As Adopted
 JAN. 22, 2018

SCALE: N.T.S

DRAWN: CSM



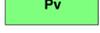
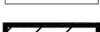
SCHEDULE

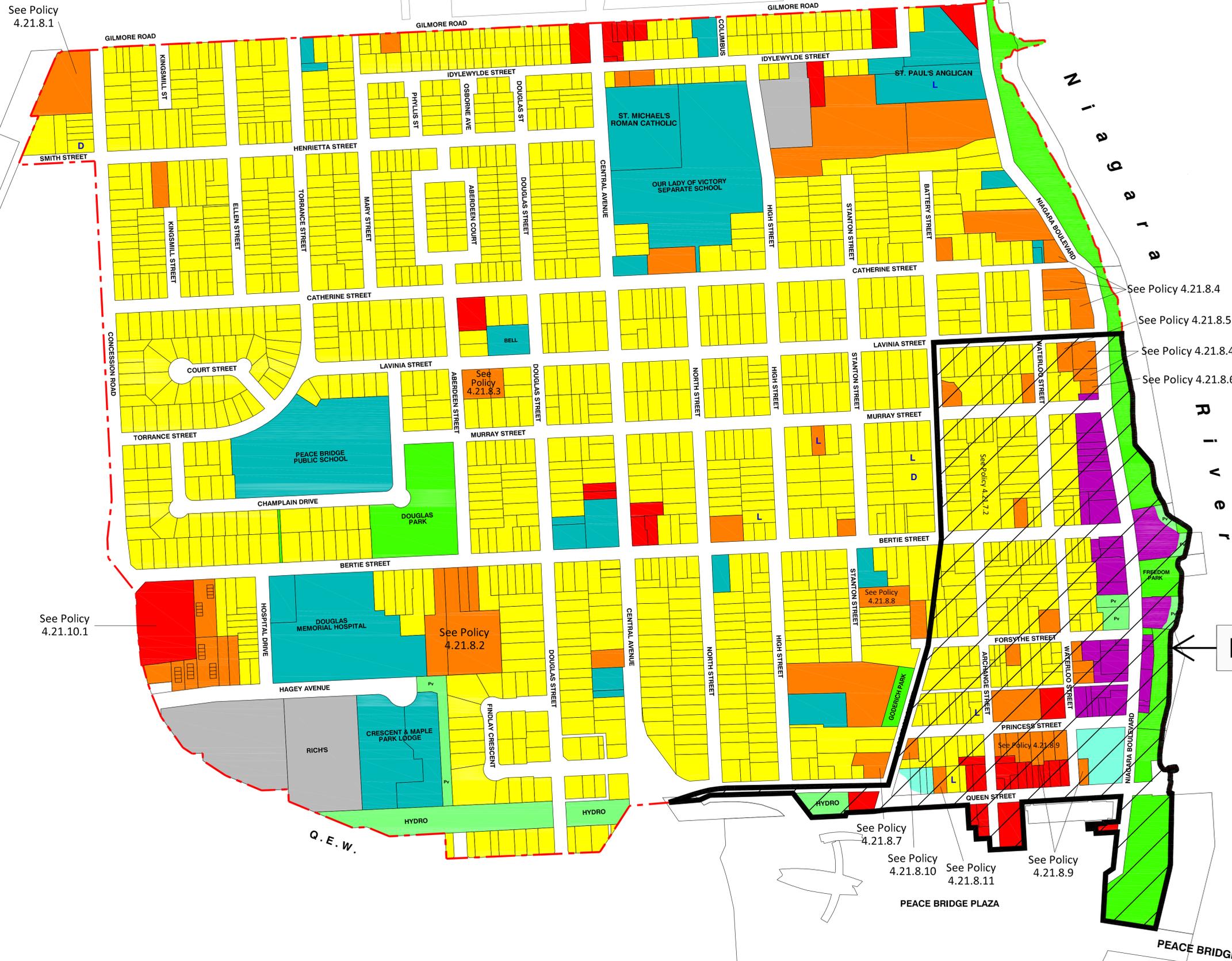
S-1

TOWN OF FORT ERIE OFFICIAL PLAN

LAND USE PLAN

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Low Density
-  Medium Density
-  Core Mixed Use
-  Commercial
-  Open Space (Public)
-  Open Space (Private)
-  Institutional
-  Peace Bridge
-  Industrial
-  Heritage Designation
-  Listed on Municipal Registry
-  Peace Bridge Zone of Sensitivity

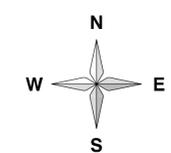


MODIFICATION 1

SOUTHEND SECONDARY PLAN



COMMUNITY & DEVELOPMENT SERVICES



DATE: As Adopted
 JAN. 22, 2018

SCALE:
 N.T.S.

DRAWN:
 CSM

SCHEDULE

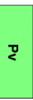
S-2

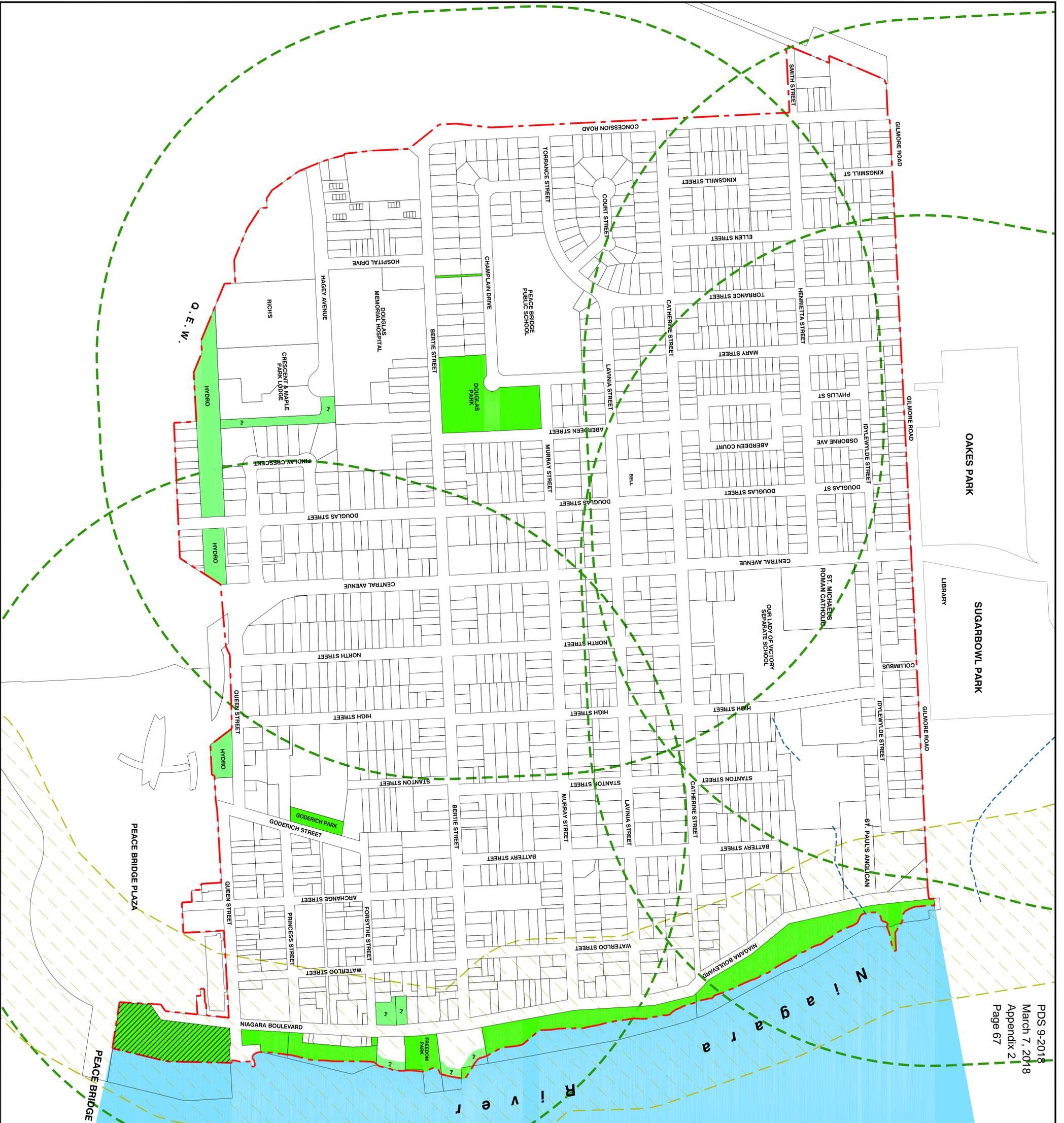
TOWN OF FORT ERIE OFFICIAL PLAN

PDS 9-2018
March 7, 2018
Appendix 2
Page 67

NATURAL FEATURES, NATURAL HAZARDS, FISH HABITAT & OPEN SPACE PLAN

LEGEND

-  Secondary Plan Limit
(Urban Area Boundary)
-  Significant Natural Area
-  Niagara River Fish Habitat
-  Environmental Corridors
-  Drainage Feature
-  Open Space
-  Public Open Space
-  Private Open Space
-  600m Neighbourhood Park Service Radius



SOUTHEND SECONDARY PLAN

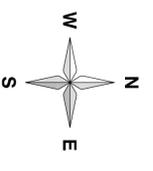


COMMUNITY & DEVELOPMENT SERVICES

DATE: As Adopted
JAN. 22, 2018

SCALE: N.T.S

DRAWN: CSM



SCHEDULE

S-3

TOWN OF FORT ERIE OFFICIAL PLAN

TRANSPORTATION SYSTEMS



- LEGEND**
- Secondary Plan Limit (Urban Area Boundary)
 - Roads**
 - Existing Regional Arterial Roads
 - Existing Municipal Collector Roads
 - Existing Municipal Local Roads
 - Planned Municipal Roads
 - Existing Public Laneway
 - MTO (Ramping)
 - Transit Routes and Stops**
 - Approved Transit Route (schematic)
 - Approved Transit Stop (approx.)
 - Active Transportation**
 - Proposed On-Road Bike Lane (Regional Niagara Bicycling Network)
 - Proposed On-Road Bike Route (Local Municipal)
 - Conceptual Off-Road Multi-Use Trail
 - Existing Off-Road Multi-Use Trail
 - Existing Sidewalk
 - Desired Sidewalk Network Completion
 - Open Space**
 - Open Space
 - Private Open Space
 - Conceptual Gateway Feature
 - Existing Gateway Feature

SOUTHEND SECONDARY PLAN

COMMUNITY & DEVELOPMENT SERVICES

	DATE: As Adopted JAN. 22, 2018
	SCALE: N.T.S
	DRAWN: CSM

SCHEDULE S-4



Town of Fort Erie

Schedule I: Crystal Beach Secondary Plan

PART "B" - THE AMENDMENT

Introductory Statement:

All of this part of the document entitled "Part B - The Amendment" consisting of map and textual additions constitute Amendment No. 56 to the Official Plan, adopted by By-law No. 56-2021 for the Town of Fort Erie Planning Area. The Official Plan for the Town of Fort Erie, as amended, is hereby further amended by adding the map and text changes, as follows:

Map Changes:

Schedule "A" to the Town's Official Plan is amended by identifying the Crystal Beach Secondary Plan limits and to provide reference to the following Schedules under Section 4.22 of the Official Plan:

1. Schedule "Crystal Beach-1" (CB-1) - Provincial Compliance;
2. Schedule "Crystal Beach-2" (CB-2) - Land Use Plan;
3. Schedule "Crystal Beach-3" (CB-3) - Natural Features, Natural Hazards and Fish Habitat;
4. Schedule "Crystal Beach-4" (CB-4) - Parks and Open Space;
5. Schedule "Crystal Beach-5" (CB-5) - Transportation Systems;
6. Schedule "Crystal Beach-6" (CB-6) - Active Transportation - Active Transportation Network

Text Changes:

The following textual changes to the Official Plan are to be read in conjunction with the Crystal Beach Secondary Plan Schedules identified above:

1. **That:** Section 4.14.4. BAY BEACH - Site Specific Policy Area 4 of the Official Plan is deleted in its entirety, "Appendix B" to the Official Plan is deleted and "Appendices C" and "D" are re-numbered to "B" and "C", respectively. Any references in the Official Plan to "C" and "D" are changed to "B" and "C", respectively.
2. **That:** Section 4.22 Crystal Beach Secondary Plan is to be added to the Official Plan as follows:

4.22 Crystal Beach Secondary Plan

4.22.1 Purpose

The purpose of the Crystal Beach Secondary Plan is to set in place a policy framework to provide opportunities for new or renewed development in the Plan Area while remaining conscious and sensitive to the established community as a whole. The framework is intended to provide forward direction in achieving subsequent goals and objectives.

The Secondary Plan consists of a land use plan and related policies that serve to guide growth and renewal with the intent to ensure the Town's vision for this

neighbourhood can be met. The planning period being considered considers the Region's Growth Plan and may be subject to amendments from time to time in keeping with the Regional Official Plan, as well as the Town's five (5) year review of its Official Plan. Full "build out" or development permitted by this Plan may exceed the planning horizon timeline associated with Provincial Growth Plan objectives and municipal growth management targets, as they are continually monitored and reviewed by local and regional municipalities.

4.22.2 Vision

The Secondary Plan is the result of corporate strategic direction and comprehensive consultation. This strategic planning exercise utilized a neighbourhood planning approach including input from senior municipal staff and Ward Councillor, together with a Council endorsed Community Focus Group, who all participated in SWOC (Strengths, Weakness, Opportunities & Constraints) sessions. The sessions resulted in the following Community Focus Group Secondary Plan Vision:

"Our ideal Crystal Beach Neighbourhood is a friendly, social, active, healthy, sustainable, year-round community, attractive to all age groups, easily accessible with a diverse and affordable housing stock attractive to all, with well-maintained green spaces and with public beach and water access, with a thriving downtown core that supports the residents and tourists alike, befitting the South Coast of Canada."

4.22.3 Goals

Over the course of the Strategic Planning exercises with the Community Focus Group, there was considerable focus on Community Improvement via incentive program availability and desire to improve the streetscape in the core area of Derby Road and parts of Erie Road. Top goals from the Community Focus Group were:

- Develop a Community Improvement Plan for Crystal Beach;
- Secure funding; and
- Investigate creating incentives to encourage private sector investment.

While it is intended that the Community Improvement Plan (CIP) implementation will follow the Secondary Plan, the CIP alone is not devised to address the need for accommodating planned growth and intensification, but rather to assist financially after the Secondary Plan implementation.

Community improvement together with other key planning related goals that were identified through the process can be characterized as parking related concerns, potential loss of community character and age-in-place related opportunity (broader choice in housing).

Parking

In effort to address the concerns over parking, the Town commissioned a parking study that would provide empirical data through collection during peak seasonal activity, in order to measure, assess and generate any recommendations that may alleviate concerns, if in fact any such concerns were validated. Council approved the “Crystal Beach 2019 Parking Study - Information Report (PDS-64-2019)” findings and recommendations on November 12, 2019. Policies of this Plan consider the findings and recommendations that were delivered with the approved parking study report, relative to new residential development, commercial parking supply and tourist generated demand. The recommendations of the study have also been a consideration of the Town’s Infrastructure Services Department in addressing parking demand and location through the recently amended Parking By-law for the Crystal Beach community. Generally, the study conclusions identified that parking into the future can be accommodated within current parking availability, with the exception of Crystal Beach Waterfront Park, which should be reviewed for optimization of parking facilities in the near term.

Character and Choice

The nature and character of the Crystal Beach built environment is one of predominantly detached residential cottage style dwellings that make up the vast majority of the community residential lands and represent the original subdivision plans of the late 1800’s and early 1900’s. Prior to this Secondary Plan being initiated, the Town took a considerable step to protect and preserve this cottage character through creation and implementation of zoning that regulated massing to fall within the similar topological constraints found amongst the prominent cottage form. Such effort is not being modified and for the most part, is welcomed in the vision for the community. The Town has the intent to develop an Urban Design Guideline document to provide effective guidance for all areas of the neighbourhood.

Recognizing there is significant interest in the small lot-small dwelling lifestyle, there was also desire expressed through public consultation that is very much in-line with fundamental planning principles aimed at a mix of dwelling unit type. A homogenous community of detached dwellings does not meet with contemporary policy and the need to supply choice in housing and support aging in place. Whether driven by the spectrum of economics or property maintenance considerations, a single choice of dwelling is no longer appropriate when a complete community framework and age-in-place philosophy has become more relevant to an aging population. Not to be overlooked are the needs of our younger cohort, that are most certainly in need of housing that will enable them to establish, grow, invest and transition into an otherwise expensive ownership marketplace.

This plan has considered community character and recommends policies aimed at striking a balance of opportunity with a land use arrangement set in place to provide choice and sustain commercial viability in a setting that is both a historical destination for seasonal tourism and year-round urban services to promote quality of life for full time residents.

Community Improvement

A Community Improvement Plan is seen as a means of making aesthetic improvement to a commercial core area that served the community during the rise and fall of the Crystal Beach Amusement Park era. After 1990 and the Park's redevelopment for residential use began, the commercial core area was exposed to uncertainty with respect to long term viability once the amusement park closed.

Many buildings in the core fell into disrepair or were being used for residential accommodation contrary to zoning permissions, but served as an indicator that the commercial was in low demand while residential was in need.

The Town CIP Programs operating in the municipality's other core areas have assisted in similar instances and included grant funding for such matters as aesthetic improvements for commercial facades, residential intensification to increase supply of rental apartment units and commercial signage that was geared to those renting commercial space. It is expected these same programs will assist commercial property owners in meeting the goals expressed by the Community Focus Group and members of the public.

Additionally, future review and modification to Program offerings are expected to place higher degree of significance on affordable housing. Subsequently, Core Area incentives offered by the Town may be put under review to consider maximizing grant funding made available to the property owners in these strategic locations. Until such time, the current suite of Programs shall be maintained and will serve the Crystal Beach Core Area in the same manner experienced in other core areas of Fort Erie.

Development and implementation of a CIP for Crystal Beach will follow a separate planning process once land uses have been adopted by Council under this Secondary Plan. In other words, legislatively, the Secondary Plan must be in place, prior to implementing a CIP program.

Refined Commercial Core Delineation

The Secondary Plan supports and maintains residential prominence within the Crystal Beach community, while scaling back on some of the commercial and mixed-use designations and zoning that are currently in place. It is evident that use as residential (new and older) has persisted over the years in areas that could have otherwise developed as commercial or mixed use. This plan seeks

to curtail the potential for commercial creep into the residential areas and will provide additional residential permissions to further complement the long-established residential use, most notably around Queen’s Circle and in the shoulder areas in the immediate vicinity.

The Secondary Plan will focus more succinctly on defining a mixed-use commercial / residential core to enable a contiguous collection of commercial clustering in a more desirable arrangement for pedestrian and tourist destination and use. Efforts to concentrate the commercial activity are evident in this Plan in response to stated goals of the consultation process and good planning principles.

4.22.4 Objectives

The main objectives of the Crystal Beach Secondary Plan are to:

- a) Provide a variety of housing choice that supports housing opportunities for all ages, that spans the full lifecycle and economic status;
- b) Encourage development forms which are more compact, affordable and utilize urban land and services more efficiently;
- c) Identify locations within the Plan Area which best support intensifying residential form and reinforce support for these locations through zoning implementation;
- d) Increase population in a moderate manner through intensification efforts in key locations. An increased population will better support existing community facilities and offer increased viability to commercial enterprise year-round;
- e) Refine extents of the core area that are more in keeping with the existing use and better reflect the preferred concentration of core mixed use along Erie and Derby Roads;
- f) Provide supporting policy that recognizes active transportation with focus on connecting links to destinations such as Bay Beach, Crystal Beach Waterfront Park, the Erie/Derby Commercial Core and the Friendship Recreational Trail;
- g) Leverage existing investments at Bay Beach Waterfront Park and Crystal Ridge Park and continue to invest in parks and open space throughout the Crystal Beach community including new Neighbourhood Parks in the South Coast Village and Elizabeth Street subdivisions.

4.22.5 General Policies for all Designations

- a) The Crystal Beach Secondary Plan is largely characterized as being a “built-up” area with limited opportunity for large scale subdivision development, as

shown on Schedule CB-1, and will instead rely predominantly on, and be more suitable for, infilling of vacant and/or underutilized lands. The vast majority of its geography and building typology is comprised of detached dwellings; many in the cottage character architecture. Lands that are identified or available for development / redevelopment will be the focus of growth and intensification and will assist the Town in meeting its intensification targets. However, areas for infilling and intensification are not to be viewed in isolation. Existing use, land use designation and zoning of adjacent lands shall be considered when intensification is being proposed and designed.

- b) Development shall be sensitively planned in the community, having considered such factors as setbacks, interface, building height, built form massing and access.
- c) Site specific zoning that is in force and effect on select sites within the Plan Area, including any sites with existing holding provisions, shall continue to apply to those sites and will be recognized through zoning implementation of this Plan, unless otherwise identified and/or modified by this Plan.
- d) Transition to more sensitive use of the properties may require Provincial Ministry clearances such as, but not limited to, Certificates of Approval or Record of Site Condition to be determined on a site by site basis, through pre-consultation with the Town and relevant authorities.
- e) New development shall be subject to *Accessibility for Ontarians with Disabilities Act, 2005* and any relevant Regulations made thereunder concerning full accessibility and barrier free design where required.
- f) Land assembly within the same designation is encouraged where any such acquisitions improve conditions for site design, building placement and site access. Facilitating intensification in targeted areas, as referred to in the Schedule CB-1, shall be considered to be in keeping with this Plan's intent.
- g) Storm water management shall be a function of engineering review for new or redeveloping sites within the Plan Area. The community is extensively built-out, which occurred prior to contemporary development and water quality standards and as a result, large open storm detention and sediment ponds are not generally feasible within this Plan context. Low impact development techniques and other mitigating measures to deal with storm water run-off and quality will be subject to review and approval by the pertinent authorities.
- h) Development on lands designated as Core Mixed Use, Commercial and Medium Density Residential along Erie Road, east of Beechwood Avenue and west of Ridgeway Road should front onto the Erie Road and be pedestrian orientated.

4.22.6 Residential – General

a) Section 4.7 of the Town’s Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections herein. More specifically, Section 4.7.4.1, sentence II & III provide the over-arching policy applicable to this Secondary Plan and its intensification efforts. See these points below:

II. In considering medium density and high-density residential uses, redevelopment and infill residential intensification on vacant land, regard shall be given to the following:

- a. The height, bulk and arrangement of buildings and structures to achieve a harmonious design, compatible integration with the surrounding area and not negatively impact on lower density residential uses;
- b. Appropriate open space, including landscaping and buffering to maximize privacy and minimize the impact on adjacent lower density uses;
- c. Landscaping that supports design matters such as, but not limited to, Low Impact Development (LID), biodiversity and shade (to combat the heat island effect).
- d. Parking areas that are sufficient size to satisfy the need of the development and are well designed and properly related to buildings and landscaped areas;
- e. The design and location of refuse pick-up and recycling service areas meets Regional Waste Collection design requirements;
- f. Driveway access, internal roadways and pedestrian walkways that are safe and properly designed;
- g. Convenient access to a collector or arterial road;
- h. Location in regard to the elements of traditional neighbourhood design and within convenient walking distance of the central focus of the neighbourhood;
- i. Building designs that place windows and balconies to overlook pedestrian routes and parking areas to encourage “eyes on the street”; and
- j. Site planning considerations that facilitate walking and cycling activity such as secured bike storage, lighting and bikeways.

III. Residential intensification, by the redevelopment of an existing building shall be subject to the following:

- a. The lot size and configuration are sufficient to accommodate adequate parking, green space and amenity areas;

- b. The building age and condition are capable of supporting the intensified use and the building code requirements as well as health and safety requirements, can be satisfied;
 - c. The development shall be compatible with its surroundings and buffering measures may be required. Building additions may be limited in terms of height, mass, orientation and setbacks to achieve compatibility;
 - d. The availability and adequacy of municipal services to accommodate the increased density; and
 - e. The development shall be subject to a site-specific zoning by-law amendment unless identified by a Neighbourhood Plan.
- b) Schedule “CB-2” designates areas of residential land use within the Secondary Plan Area and the policies of the respective residential sections herein shall apply accordingly.
- c) The Secondary Plan provides an opportunity for approximately 1100 additional units, primarily through select infilling and general intensification of vacant or underutilized properties as well as redevelopment, particularly in the core area.

There is a principled effort and focus to place multi-residential dwellings in the core mixed use area in support of existing commercial businesses and foster new commercial enterprise, to support a walkable, social and vibrant community environment. Additional multi-residential dwellings are placed close to or along major roads and public facility hubs further to the north in the Secondary Plan Area.

- d) The Secondary Plan sets out to provide for areas of low, medium and higher density residential designation as well as making adjustment to existing core mixed use designations limits in support of more residential uses; the focus of which is predominantly located along Erie Road between Ridgeway Road and Bay Beach, and along Derby Road between Queens Circle and Erie Road.
- e) Other locations for intensification are shown throughout the study area and provide additional choice for multi-residential housing in settings other than the core area. These sites may see zoning regulations limited where the Town seeks to ensure compatibility and sensitive contextual design. The implementing zoning by-law shall contain site specific regulations that respond to the intent expressed in additional policies found under the residential policies herein.
- f) The Secondary Plan recognizes the anticipated increase of residential provision is not restricted to lands only designated for residential use, but

can be expected in commercial and core mixed use designations as well, accounting for approximately 30% of the total new unit targets under the intensification permissions in this Plan.

- g) Re-designation of peripheral core mixed use sites around Queen's Circle to medium density residential reflects the longstanding market interest and existing residential conditions around this iconic park space. Core mixed use will be focused on the Derby and Erie Road corridors in effort to make the commercial more viable, concentrated and walkable. Select commercial sites and permissions will remain and will be identified in the implementing zoning for the lands affected.

Zoning implementation shall also be used in support of intensification and may detail regulations such as density and height, and may also recognize existing commercial uses being permitted to continue until such time as a transition to residential occurs.

- h) Infilling on smaller parcels and vacant lots will provide opportunities to augment or supplement unit creation within established neighbourhood areas, particularly for those lots which have not been deemed through by-law. Estimates as high as 200-300 detached small lot singles could be achieved using existing lots of record and through consent to create detached lots throughout the Plan Area.
- i) Collectively, the changes identified in this Plan, together with existing new growth potential should allow for a population increase of approximately 2200 to 2300 persons over the long term. This Town estimate uses an average persons per household calculation of 2.1 based on 2016 Statistics Canada data for this serviced urban area. Regional estimates may be higher (2.4) when using their Town-wide projection, however the localized urban area is reporting slightly lower at the detailed level.
- j) Current population is estimated at 3800 persons plus a seasonal component. Should build-out achieve full potential, the population is expected to be approximately 6000-6100 persons within the Crystal Beach Neighbourhood, representing an increase of between 55 and 60% over the long term.
- k) An appropriate level of affordable housing and senior citizen's housing shall be considered by the Town when reviewing development applications proposed within the Plan Area in keeping with Provincial Policy. Efforts by all levels of government are actively seeking to address on-going affordable housing issues. Should new legislation or upper tier government policies result, any required amendments to the Town's Official Plan will provide new guidance on development respecting affordable housing.

- l) The waterfront properties along Lake Erie and their related designation and zoning have not been identified for policy change in this Plan. They are however identified for an administrative name change to better reflect their unique presence in the Secondary Plan, from “Urban Residential” to “Waterfront Residential”. The focus of residential growth identified in this Plan generally lay north of Erie Road and provides opportunity for the appropriate level of targeted intensification, unit mix and population growth to meet with minimum Secondary Plan objectives.
- m) All residential development shall be subject to the regulations and provisions of the Town Comprehensive Zoning By-law 129-90, as amended from time-to-time, or succession thereof. Site specific zoning will be used in certain situations or under special circumstance during implementation of this Plan.

Through implementation of this Plan, properties may be re-designated and further, may be zoned into non-conformity. Existing use at the date of this Plan’s adoption may continue until such time as the site is redeveloped or a change of use is proposed, in which case, the new use must conform to the policies of this Plan and applicable zoning of the lands after their effective date of passing.
- n) Policies relating to targeted residential mix respect those of the parent Official Plan and have adopted a target of 70% detached (may include semi and duplex) and 30% multi-unit dwellings in a range of low, medium and higher densities for the overall neighbourhood.

4.22.7 Waterfront Residential

Lands designated as Waterfront Residential designation are shown on Schedule CB-2.

The Crystal Beach waterfront is almost exclusively zoned in a waterfront related residential zone. This occurred in June 2013 following public process in consultation with, and support of, waterfront property owners and was effectively an administrative change. No new policies are being introduced for this designation.

With the same intent, the properties are being reflected in a designation name change only that aligns and reflects their waterfront location and remain subject to the same policies (4.7.4 l) as they have been since the Official Plan was approved.

4.22.8 Low Density Residential

- a) The lands designated on Schedule “CB-2” as “Low Density Residential” shall be reserved for single detached, semi-detached and duplex dwellings and

uses accessory thereto, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.

Vacant or redeveloping sites in low density residential zones may, through by-law amendment, be considered to intensify with semi or duplex dwellings. Site specific zoning may be applied to address any potential compatibility issues. As part of a required zoning by-law amendment seeking this “soft” intensification, site and surroundings shall be considered and may be required to supply supporting information or study for use in assessing compatibility with existing buildings and surroundings.

Therefore, notwithstanding policy 13.4.II a) a change in zoning to permit a semi-detached or duplex dwelling on vacant or redeveloping site occupied or previously occupied by a single detached dwelling may be placed under Site Plan Control to ensure appropriate details are provided that can demonstrate compatibility is being achieved.

- b) Schedule “CB-2” illustrates the Low-Density designation, which is predominant throughout the Secondary Plan Area, accounting for approximately 1880 existing units (approximately 86%). As the Low-Density area is almost completely built-out, any addition of low density-built form will likely come from existing lots of record (subdivision lots not previously deemed), consent or the few remaining large parcels suitable for subdivision. A Low-Density range of up to 50 units per hectare will assist in providing opportunities for additional building stock while also making efficient use of existing and proposed infrastructure.

Low Density built form through infilling can generally be expected to reflect scale and massing of the surrounding residential dwellings. Estimates project approximately 350 units over the long term can be accommodated through Low Density infilling in the established neighbourhoods and through subdivision plans, assisting in achieving the targeted mix balance of 70% low density and 30% medium and higher throughout the neighbourhood.

- c) Medium Density residential development on lands designated as Low Density Residential in this Plan shall only occur by zoning by-law amendment, having considered matters such as size of the site and compatibility with adjacent lands, proximity to collector or arterial roads, and parks or open space areas. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.22.6 c).
- d) Much of the original lot fabric from the historical plans of subdivision that surround the outer areas of Queen’s Circle and that are setback from the commercial corridors (*Erie and Derby Roads*) represent the true character of the Crystal Beach Neighbourhood. The lots for detached homes are typically

small in frontage and area when compared to late twentieth century suburban subdivisions. It is the intent of this Plan to respect and promote their continued contribution to the character of the community by maintaining zoning that reflects their compact scale.

4.22.8.1 316 Ridgeway Road

Notwithstanding the Low Density Residential policies of this Plan, these lands are permitted to continue operating the existing use (welding/fabrication shop). Site specific zoning will also be used to provide for limited local convenience uses on the subject site.

4.22.9 Medium Density Residential

Medium density residential designations will be available throughout the neighbourhood in various forms. While most of the medium density is expected to be ground-based form, select areas of the neighbourhood can support more intensive form such as stacked towns or apartments of varying height.

- a) The lands designated on the Schedule “CB-2” as “Medium Density Residential” shall be reserved for multiple-unit structures (such as townhouses, triplex, quads and low-rise apartment dwellings), accessory uses thereto and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section. Where provided for in the implementing zoning by-law, single and semi-detached dwellings may also be permitted.
- b) Medium Density shall generally be developed between a range of 50 to 100 un/ha.
- c) A minimum target of 30% Medium Density residential (per 4.22.8b) shall be anticipated within the overall Neighbourhood. In effort to achieve or exceed this target, the medium density designation and dwellings should comprise approximately 35% (approximately 400 units) of all new residential units constructed within the Plan Area. A Medium Density range of 50 to 100 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure, and providing opportunities to diversify medium density housing stock and form.
- d) The majority of new medium density residential development is anticipated in the form of townhouse and low-rise apartment dwellings. Height shall not exceed three (3) storeys unless otherwise identified in site specific policy and defined in the implementing zoning by-law.
- e) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.

- f) Additional studies (Section 13.15.III) may be a requirement of the development approval process. Pre-consultation with the municipality and partner agencies will result in a determination on any relevant study work being required to support proposed development with approval authority resting with the relevant or requesting authority.
- g) An amendment to the Official Plan will be required to justify Low Density residential development (less than 50 un/ha.) on lands designated as Medium Density Residential.
- h) Some properties may be the subject of re-designation to reflect and align with existing site-specific zoning that is in keeping with the intent of the Medium Density designation. These changes are considered housekeeping changes.
- i) Higher density residential development on lands designated as Medium Density Residential in this Plan shall only occur by zoning by-law amendment, having considered matters such as size of the site and compatibility with adjacent lands, proximity to collector or arterial roads, public transport and parks or open space areas. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.22.6 c).
- j) Building heights shall be no greater than three (3) stories, except as otherwise noted in the applicable zoning by-law. Additional building height may be considered without an amendment to this Plan, if it is demonstrated through a Planning Act approval process that additional height is compatible with surrounding land uses. Approval for additional height may be subject to a community benefit agreement pursuant the Planning Act.

4.22.9.1 Identified Medium Density Lands Surrounding Queens Circle (multiple addresses)

- a) The lands identified as Medium Density in this area will be permitted a density range between 25 to 55 un/ha, or up to 75un/ha as identified in the implementing zoning by-law.
- b) The Town encourages consolidation of properties to afford opportunities for more intense forms of permitted dwellings such as townhouses and apartment dwellings. Any efforts to further divide lands through subdivision or consent should be avoided. Boundary adjustments may be considered as appropriate.
- c) In instances where lot conditions exist or are created, driveway access should be from the roadways, other than Queens Circle. Substantive landscaped screening of parking areas shall be required in such instances and fencing should be avoided.

- d) Building height shall be defined in the implementing zoning, but at no time shall the height exceed 3 storeys.
- e) This area may be afforded opportunities for single detached and semi-detached under specific limiting criteria detailed in the zoning by-law. Other dwelling forms such as those preferred within the designation may also have specific criteria to assist in ensuring compact form around Queens Circle is being achieved.
- f) Site specific zoning may also be used to provide for limited local convenience commercial, office or institutional use of select sites on the north side of Queens Circle.
- g) All facades, particularly those facing Queens Circle, should be appropriately articulated and display characteristics that are in keeping with or compliment the built heritage of the community. As part of any site plan process, the Town may require building elevations for approval.

4.22.9.2 Former Fort Erie Fire Station No. 6 Lands (271 Ridgeway Road)

- a) The site shall be reserved for Medium Density residential consisting of townhouse or apartment dwellings and contain a range between 50-100 un/ha.
- b) Building height shall be defined in the implementing by-law but at no time shall the height exceed 3 storeys for permitted residential forms.
- c) In addition to residential use, the site and existing building may be considered for institutional use as defined in the implementing by-law Section 31.
- d) In addition to residential use, the site and existing building may be considered for commercial use as defined in the implementing by-law Section 20.
- e) Where access is planned for the site, multiple driveways associated with freehold townhouses are to be from Cambridge Road East. Other development form should restrict access to align with Roxborough Avenue with secondary access to Cambridge Road East, if deemed necessary by agency or department review.
- f) Any development shall remain cognizant of through lot conditions and plan for dual facade treatments that are complimentary to their respective streetscape.

4.22.9.3 145 Derby Road (former Crystal Beach Public School site)

- a) The site shall be reserved for, semi-detached dwellings, multiple-unit structures (townhouses and apartment dwellings), their accessory uses and

shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.

- b) A Medium Density range for the entire site of 50 to 75 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) An apartment shall be required on the site with a minimum of 32 residential units, as per the intent of Council when these lands were first re-designated through OPA 39. The building façade should be directed to the intersection of Derby Road and Rebstock Road.
- d) Low-rise apartment dwellings will generally be restricted to 4 storeys in height. Medium Density apartment building height beyond 4 storeys will only be allowed by Zoning By-law Amendment with required supporting studies demonstrating compatibility.
- e) Permit institutional uses subject to the policies contained in 4.12.1.

4.22.9.4 3990, 4000, 0-17048, 4012 and 4020 Rebstock Road

- a) The site shall be reserved for semi-detached dwellings, street, stacked and block townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 75 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) Semi-detached dwellings and townhouses shall not exceed 3 storeys.
- d) The Town supports consolidation of this site with lands to the east (145 Derby Road). If in the event that the properties are merged on title, the policies of 4.22.8.3 shall apply.

4.22.9.5 4042 Rebstock Road and 116 Elmwood Avenue

- a) The site shall be reserved for semi-detached dwellings, townhouses, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 75 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.

- c) If developed as an apartment, the building should be situated forward on the site, close to the intersection with parking and any amenity at rear and interior side yard.
- d) The following height restrictions shall apply: semi-detached development up to a max of 2 storeys, townhouses development up to a max of 2 storeys and apartment development up to a max of 3 storeys.

4.22.9.6 122 Ridgeway Road

- a) The site shall be reserved for semi-detached dwellings, townhouses, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 100 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) If developed as an apartment, the building should be situated forward and south on the site, closer to the intersection with parking and any amenity at rear and interior side yard.
- d) The following height restrictions shall apply: semi-detached development up to a max of 2 storeys, townhouses development up to a max of 3 storeys and apartment development up to a max of 4 storeys.
- e) Any private road development created through lot conditions will ensure facades fronting Ridgeway Road are designed with dual front facades with private unit driveways access from the private road.
- f) All other development options are to avoid private unit driveways onto Ridgeway Road.

4.22.9.7 14 Ridgeway Road

- a) The site shall be reserved for townhouse dwellings, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 100 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) If developed as an apartment, the building should be situated forward on the site, closer to Ridgeway Road with parking and any amenity at the rear and interior side yard.

- d) The following height restrictions shall apply: townhouses development up to a max of 3 storeys and apartment development up to a max of 4 storeys.
- e) Any private road development shall ensure facades fronting or flanking Ridgeway Road are designed to address the public road with high quality design and aesthetic.
- f) All development options are to avoid private unit driveways onto Ridgeway Road.
- g) Environmental Impact Study will be required prior to any development and will be determined, along with any other required studies, through mandatory pre-consultation on any *Planning Act* applications.

4.22.9.8 Lands bound by Farr Avenue, Derby and Michener Roads (3949 and 4015 Farr Avenue, 3980 Michener Road, 15 and 19 Derby Road (Muni. Add. 3954 Michener Road).

These lands represent a unique opportunity to provide additional multi-unit residential that can take advantage of being centrally located to public amenities on Farr and Gorham Road.

- a) These sites shall be reserved for semi-detached, street, stacked or block townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 50 to 100 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- c) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, street townhouse dwellings up to a max of 3 storeys, stacked townhouse dwellings up to a max of 3 storeys and block and street townhouses up to a max 3 storeys.
- d) Road access, whether private or public, will be required to demonstrate safe access and sightlines if directed towards Farr Avenue. Preference will be given to utilizing access from the east off Michener Road or the unimproved Michener Road allowance, or from Derby Road.

4.22.9.9 0-15850 Rebstock Road (adjacent to Crystal Ridge Park)

These lands represent a key opportunity within the Secondary Plan for intensified, family-oriented development with a mix of multi-unit dwellings. Proximity to amenities such as the arena, park, library, transit and schools provides excellent opportunities for all age groups, particularly that of youth. It is

the Town's desire to see development that addresses these unique opportunities.

- a) The site shall be reserved for semi-detached dwellings, townhouses, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Applications shall be subject to approval of urban design guidelines.
- c) Apartment dwellings shall form part of any proposal to develop these lands and shall generally be located in the northwesterly portion of the site. Zoning shall be used to regulate location and height of one or more buildings.
- d) The following height restrictions shall apply: semi-detached dwellings up to a max of 2 storeys, townhouses development up to a max of 3 storeys and apartment development up to a max of 3 storeys.
- e) The Town does not support development that includes a public road to access/service this site. Developments shall be designed with a private/common roadway. Any proposed development shall consider the impacts of any proposal on the surrounding low density dwellings and incorporate appropriate setbacks or height limitations at these interface points.

4.22.9.10 East side Ridge Road South, North of Shore Breeze Condominiums

Land assembly is encouraged to allow for more comprehensive site planning of private road developments. Public road development will only be considered with through road connection.

- a) The site shall be reserved for semi-detached dwellings, duplex, street, stacked and block townhouses, low-rise apartment and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 25 to 35 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Densities may be reduced or restricted in the implementing zoning by-law.
- c) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, duplex dwellings up to a max 2 storeys, townhouses

development up to a max of 2 storeys and apartment development up to a max of 3 storeys.

- d) Notwithstanding paragraph a) herein, if development occurs on a public road, detached dwellings shall be permitted as defined in the implementing by-law at a density not lower than 15 un/ha.

4.22.9.11 Lands East of South Coast Village between Ryan Avenue and Graeber Avenue (3771, 0-15281, 3765, 3757 & 3767 Graeber Avenue, 0-15290 Erie Road East and 3748 & 3758 Ryan Avenue)

Land assembly is encouraged to provide for a new public road running north-south between Ryan Avenue and Graeber Avenue, immediately east of the South Coast Subdivision and as illustrated on Schedule CB-2 of this Plan.

- a) The site shall be reserved for semi-detached dwellings, street townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) Some small lot single detached dwellings may be permitted only if all lands identified in this policy reach the minimum density.
- c) A Medium Density range of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Densities may be reduced or restricted in the implementing zoning by-law.
- d) The Town may only consider divestment of the unimproved Erie Road East road allowance once parcels fronting the road allowance are acquired and merged on title with existing lots that provide access to an existing traveled road allowance. This may impact parcels in this site-specific area as well as other lots outside of the site-specific policy area.
- e) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, street townhouses development up to a max of 2 storeys.
- f) A sanitary servicing strategy be prepared for properties fronting on Ryan Ave between the Crystal Ridge Development and Graeber Ave to the satisfaction of the Town and Region.

4.22.9.12 Lands west of the intersection of Ryan Avenue and Graeber Avenue (3723, 3731, 0-15284 & 3747 Graeber Avenue, 0-15289 Erie Road East and 3740 Ryan Avenue)

Land assembly is encouraged to provide opportunities for street, stacked or block townhouses.

- a) The site shall be reserved for street, stacked or block townhouses and their accessory uses, and shall generally be governed by the Residential policies

of Section 4.7 unless otherwise defined under this section. Small lot single detached development is encouraged on this site.

- b) A Medium Density range of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- c) The following height restrictions shall apply: street townhouse dwellings up to a max 2 storeys, stacked townhouse dwellings up to a max of 2 storeys and block townhouses dwellings up to a max of 2 storeys.
- d) The Town may only consider divestment of the unimproved Erie Road East road allowance once parcels fronting the road allowance are acquired and merged on title with existing lots that provide access to an existing traveled road allowance. This may impact parcels in this site-specific area as well as other lots outside of the site-specific policy area.
- e) Any development of these lands shall ensure that units front Ryan and Graeber Avenues, whether street, stacked or block townhouse development, with exception for those units designed to flank the public roads.
- f) A sanitary servicing strategy be prepared for properties fronting on Ryan Ave between the Crystal Ridge Development and Graeber Ave to the satisfaction of the Town and Region.

4.22.9.13 Vacant Lands Southeast Corner of Michener Rd. and Elmwood Ave (0-17032 Elmwood Avenue).

- a) The site shall be reserved for semi-detached, street, stacked or block townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range for the entire site of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- c) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, street townhouse dwellings up to a max of 2 storeys, stacked townhouse dwellings up to a max of 2 storeys and block townhouses up to a max 2 storeys.
- d) Road access, whether private or public, will be required to demonstrate safe access and sightlines if directed towards Elmwood Avenue. Preference will be given to utilizing access from the unimproved Michener Road street allowance approaching from the east.

- e) Any road accessing the site is to preserve road connection potential to the south, so as to not preclude opportunity for additional future development of underutilized lands at the rear of Elmwood Avenue properties.

4.22.9.14 Multiple Parcels between Crystal Beach Drive and Terrace Lane (3856, 0-15084, 0-15085 & 0-15086 Terrace Lane and 0-15097 Crystal Beach Drive).

These lands represent a unique opportunity to provide additional multi-unit residential that can take advantage of waterfront views and amenity of Crystal Beach Waterfront Park.

- a) The site shall be reserved for semi-detached, street townhouses, block townhouses, stacked townhouses, apartment units and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form. Densities may be reduced or restricted in the implementing zoning by-law.
- c) Land assembly is encouraged to enable a comprehensive development plan for lands identified in this policy.
- d) The following height restrictions shall apply: semi-detached dwellings up to a max 3 storeys, street townhouses dwellings up to a max of 3 storeys, block townhouses up to a max of 3 storeys, stacked townhouses up to a max of 3 storeys and apartments up to a max of 3 storeys.
- e) Site access for resident parking should only occur from Crystal Beach Drive with a consolidated land assembly and development proposal.
- f) Sensitive architectural designs shall be deployed such as terraced building form reflecting slopes on site.
- g) These lots are in proximity to the Regional Waste Treatment Plant and new development will need to consider compatibility requirements from a noise, air quality and odour perspective.
- h) Existing Environmental Protection designation (Hazard zoning) at the southerly limit of the designated lands may form limits of development / setbacks in the implementing zoning.

4.22.9.15 Crystal Beach Tennis and Yacht Club - Westerly Land along Erie Road

Re-designation of these lands follows an expressed desire towards contribution to the residential density, street presence and built environment at this key location within the core area of the Secondary Plan.

- a) The site shall be reserved for block townhouses, stacked townhouses, apartment units and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) Preference to integrate building face and resident/pedestrian access with Erie Road, with a single point of vehicular access that can be integrated with existing controlled Crystal Beach Tennis and Yacht Club (CBTYC) points of vehicular access if kept in condominium tenure. If developed separately from existing condominium control, a single access to the Site from Erie Road should align with Cambridge Place. Direct private unit driveways onto Erie Road will not be permitted.
- c) A Medium Density range of 25 to 50 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- d) The following height restrictions shall apply: block townhouses dwellings up to a max of 3 storeys, stacked townhouse dwellings up to a max of 3 storeys and apartments up to a max of 3 storeys.
- e) Building placement should be in close proximity to the southerly limit of the Erie Road allowance to provide balance and frame the streetscape with similar massing permissions to that which are afforded on the opposing (north) side of Erie Road.

4.22.9.16 3901, 3899 and 3889 Rebstock Road

These lands represent a unique opportunity to provide additional multi-unit residential that can take advantage of being centrally located with ease of access to public amenities.

- a) The site shall be reserved for semi-detached, street townhouses and block townhouses, stacked townhouses and their accessory uses, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) A Medium Density range of 50 to 75 units per hectare will assist in making efficient use of existing and proposed infrastructure and providing opportunities to diversify medium density housing stock and form.
- c) The following height restrictions shall apply: semi-detached dwellings up to a max 2 storeys, street townhouse dwellings up to a max of 3 storeys,

stacked townhouse dwellings up to a max of 3 storeys and block townhouses up to a max 3 storeys.

- d) Consolidation of these parcels is encouraged for residential expansion and diversification of housing stock.

4.22.10 Core Mixed Use

The Core Mixed Use designation is intended to recognize and delineate properties that shall be the focus of combined commercial / residential buildings and uses with a purpose of generating an identifiable and intensified area of dwellings, residents/pedestrians and commercial activity.

The easterly end of Erie Road and Derby Road up to Queen’s Circle will serve as a focal point or destination for permanent residents with commercial uses that provide year-round goods and services, while also benefitting from increased seasonal commercial activity.

The westerly end of the designation towards the Bay Beach Waterfront Park intends to provide a similar mix of uses, but may contain more seasonal commercial activity given proximity to the public beach. Zoning may be used to reflect permitted uses that would underscore this distinction, while still affording and promoting year-round activity.

Policies of this section promote intensification of commercial activity in a concentrated area of this Plan and seek opportunities for additional residential through modest, increased height for properties suitable for development or redevelopment, as the case may be, to the satisfaction of the Town.

- a) The Core Mixed Use areas are shown on Schedule “CB-2” and shall generally be governed by the policies of Section 4.8 unless otherwise defined under this section.
- b) The lands designated as “Core Mixed-Use” shall be reserved for a variety of retail, restaurant, office and commercial uses, as well as defining requirements for residential uses. Zoning may be used to provide distinction or limit some commercial use between the easterly and western portions of the designation.
- c) Section 4.8.1.III provides that Core Mixed Use areas will be identified through the Secondary Planning Process.
- d) Residential associated with Core Mixed Use shall generally range between 25 to 100 un/ha. The Town anticipates approximately 350 new residential units to be developed in the Core Mixed Use designation. Residential components will be subject to minimum standards for dwelling unit sizes and any other applicable zoning regulations or requirements identified in the

implementing zoning by-law, including being within a mixed-use building that may have minimum and maximum heights defined.

- e) The Town shall implement the appropriate zoning to reflect the Core Mixed Use designation, providing detail on permitted uses, regulation and applicable provisions. Site specific zoning may also be implemented where circumstances dictate. Zoning regulation may also use setback requirements from points off-site, such as nearby road allowance / property limits that may span several properties to regulate corridor form with respect to gradation of height.
- f) Height for buildings within the Core Mixed Use designations shall be established in the implementing zoning by-law and may contain minimum and maximum requirements to ensure core area urban form objectives and residential intensification are being achieved.
- g) Maximum building heights along Erie Road shall be regulated through “Schedule F” and the Zoning By-law, if the subject parcel or consolidation of parcels are equal or greater than 2304m² and dimensioned at 48m wide and 48m deep. Each individual site or collection of sites must be reviewed independently and structured on the various properties affected by the setback.

The submission of an Urban Design study to illustrate how the development will fit in with the existing context, follow datum lines, contribute to the street scape and character, and affect views and vistas will also be required as part of any development application.

- h) New development in the Core Mixed Use designation shall provide at-grade commercial. Site specific zoning may be used to both require residential with commercial and afford permissions in the western end of the designation for stand-alone commercial.
- i) The Town shall seek to implement and administer Community Improvement Plan funding programs available under Section 28 of the *Planning Act*, to assist commercial properties within the Core Mixed Use designation. Boundaries of a Community Improvement Project Area will be established under separate amendment through a subsequent Community Improvement Plan process and may or may not include all Core Mixed Use designations, with criteria defined at the time of the Project Area being established.
- j) All development within the Core Mixed Use designation shall be subject to Site Plan Control.
- k) Any existing buildings subject to conversion, expansion or addition for the purpose of mixed use shall require Site Plan Control. Details of which shall provide clear indication on key site design requirements related to parking

(on-site or off, where permitted), outdoor amenity space for residents and waste management solutions.

- l) Reductions in landscaped or planting strip requirements between residential and non-residential designations may be permitted, where existing use of a site or where site access will afford efficient development of the lands. Appropriate screening will be required through the Site Plan process.
- m) Commercial floor space within the Core Mixed Use designation shall be exempt from parking requirements; however residential components shall be subject to the general provisions of the Town's Comprehensive Zoning By-law as amended from time to time.
- n) Outdoor patios are anticipated to complement such uses as restaurants and cafes throughout the Core Mixed Use designation. The zoning by-law will contain applicable provisions to regulate the use of outdoor patios, with the objective of supporting local business while mitigating adverse impact on residential uses.
- o) Drive-thru facilities associated with restaurants, banks or any other type of commercial dispensary shall be prohibited within the Core Mixed Use designation.
- p) New automotive related uses are not permitted in Core Mixed Use areas.
- q) New at-grade commercial shall provide for full accessibility and barrier free design.
- r) Notwithstanding Section 4.8.2 to the contrary, stand-alone residential uses shall not be permitted in the Core Mixed Use designation with limited exceptions, such as replacement due to fire.
- s) Building heights shall be no greater than three (3) stories, except as otherwise permitted in the applicable zoning by-law. Additional building height may be considered without an amendment to this Plan, if there is a Planning Act community benefit approval process that it is compatible with surrounding land uses. Approval for additional height above four (4) stories may be subject to an agreement pursuant to Section 37 of the Planning Act.

4.22.10.1 266 Cambridge Road West (*aka Cambridge Lane*)

Notwithstanding the Core Mixed Use policies of this Plan this site may continue to be used for light manufacturing and assembly of rope, twine and other similar products within a fully enclosed building.

4.22.10.2 182 Lincoln Road West

Notwithstanding the Core Mixed Use policies of this Plan this site may continue to be used for light manufacturing / prefabrication and assembly of

building/home renovation related materials for contractor use with materials storage fully contained within the existing building.

4.22.10.3 3878 Erie Road & 412 Ridgeway Road

Notwithstanding the Core Mixed Use policies of this Plan these sites are considered to be within a key centre of the neighbourhood and may act as part of “Neighbourhood Gateways and Landmarks” and will be permitted a maximum height of 4.5 storeys if the upper level is:

1. Designed with windows embedded in the roof slope in the form of dormers or mansard roof type.
2. Designed as a tower or gateway feature (eg. clock tower or corner element).
3. Designed for use as a rooftop patio (this may include open patio trellis roof).
4. Or other design as approved by the Town.

Designs are subject to review by planning staff upon application submission.

4.22.11 Commercial

- a) The “Commercial” areas are shown on Schedule “CB-2” and shall generally be governed by the policies of Section 4.9 unless otherwise defined under this section.
- b) Lands designated Commercial shall be zoned for its intended commercial uses and may include site specific zoning provisions and regulation to assist in implementation.

4.22.11.1 4152 Erie Road

Notwithstanding the Commercial policies of this Plan, these lands are permitted freestanding residential apartments, street townhouses, stacked townhouses and block townhouses in addition to the current commercial uses permitted in the General Commercial C2 Zone. Apartment dwellings may have a maximum building height of 4 storeys, while townhouse dwellings will be allowed have a maximum building height of 3 storeys on both Eastwood Avenue and Erie Road

The following Urban Design guidelines shall apply:

1. Porches/Balconies to be provided on the front face of Erie Road.
2. An entry feature is required to the building. A main front door is required along Erie Road.
3. Windows and doors must be arranged symmetrically along the front façade.

4. The entry must be raised above grade, and accessible.
5. Upper level windows should be embedded in the roof slope in the form of dormers.

4.22.12 Employment Lands (Industrial)

The Secondary Plan does not designate any lands for industrial use. The Crystal Beach neighbourhood's history of commercial, tourism and seasonal residency did not establish an industrial district earlier in its evolution. That is not to say industrial activity was not occurring in the early years, but rather did not have a concentrated location or industrial park established that remains in use today.

There are several instances where very light industrial type use is occurring within the community and these sites will be afforded the opportunity to remain and be recognized with site specific zoning. Such zoning may limit aspects of use, with underlying designation and zoning applied that may one day see a change in use, better suited and more compatible with the immediate surroundings.

- a) Should new industrial land use be proposed within the Plan Area, the Policies of Section 4.10 shall be applied.
- b) Compatibility of adjacent land uses will be an important consideration for any future industrial land use proposal.

4.22.13 Institutional

- a) The lands designated on Schedule "CB-2" as "Institutional" recognize the existing institutional uses established within the Secondary Plan Area. The designation within the Plan Area shall be reserved for a variety of public and institutional uses and be generally governed by the parent Official Plan policies of Section 4.12.
- b) Institutional buildings and sites, particularly those serving as a place of worship, may be permitted to offer use and activity extending beyond their primary use, that address community need for programs and services otherwise not typically made available in the neighbourhood. Site specific zoning may be applied to facilitate or permit additional use on a site by site basis, pursuant to Official Plan Policy.

4.22.14 Open Space

- a) The lands designated as "Open Space" on Schedule "CB-2" shall be reserved for a variety of active and passive recreational uses including storm water management facilities and cemetery lands. The policies of Section 4.13 shall generally apply to lands designated as Open Space and

may be amended from time to time, where a new Parks and Open Space Master Plan has identified or modified objectives, designations, policy, etc.

- b) Lands shown as Open Space are intended for long term use as such; however, select sites as identified herein may be permitted additional uses based on municipal need.
- c) Lands identified under an “Open Space” designation within the Crystal Beach Secondary Plan Area are further defined, as provided for below.

4.22.14.1 Open Space – Parks

- a) The predominant use of Open Space in the Crystal Beach Plan area is dedicated to Park use. Park classification generally follows the classification / identification found in the Parks and Open Space Master Plan (2006) and the Waterfront Strategy (2017). The Parks and Open Space Master Plan is currently being updated, with an expected release in 2021. Park classifications used are as follows:

- Neighbourhood Park
- Community Park
- Specialized Park
- Waterfront Park
- Waterfront Window

Parks and other Open Space designated lands are broken down and shown on Schedule CB-4 to this Plan.

- b) Neighbourhood Parks

There are three (3) Neighbourhood Parks within the Plan Area consisting of one (1) established and two (2) planned. Neighbourhood Parks aim to provide a service area radius of 600m, such that is easily accessible by foot or bicycle.

Madeline Faiazzo Memorial Park

- i. This park space provides play equipment for the children in the area and serves to augment facilities that are otherwise not present in the Queens Circle Park.
- ii. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan.

Ryan Avenue Park

- iii. This parkland (0.32 ha.) is a recent acquisition pursuant to the parkland dedication requirements related to the adjacent plan of subdivision development.
- iv. The park will be developed after the Town assumes the subdivision.
- v. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan.

Elizabeth Road Park

- vi. This parkland (1.14 ha.) is a recent acquisition pursuant to the parkland dedication requirements related to the adjacent plan of subdivision development.
- vii. The park will be developed after the Town assumes the subdivision.
- viii. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan.

c) Community Parks

The Crystal Beach Secondary Plan Area contains one of the Town's existing Community Parks. Community Parks have a service catchment area radius of approximately 1,600 m, but can serve well beyond when enhanced facilities such as those found at the Crystal Ridge Park are available.

Crystal Ridge Park

Crystal Ridge Park is located north-central in the Plan Area and provides a wide variety of amenities together with the Town facilities (Crystal Ridge Arena and Library Branch) and Crystal Ridge Community Centre situated at this location.

- i. The Town shall complete implementation of the Crystal Ridge Park improvements identified in the Crystal Ridge Park Master Plan.
- ii. Wooded area in the northern portion of the park shall be retained; excepting an appropriate trail network may be established for active/passive recreational use and educational experience, and connection to Ridge Road North.

d) Specialized Parks

Specialized Parks offer unique, special purpose facilities. They take advantage of a variety of important resources, such as natural features, historically significant sites and structures, areas of unique character or significant recreational facilities. Alternatively, they might offer a unique recreational facility that will attract users from all around the Town. This might include a skate park facility, outdoor aquatic facility, or a premium spray pad/playground complex. These parks serve a large cross-section of the Town's population and may attract visitors from outside the town.

Queens Circle

- i. This existing historic park space was established in the original subdivision plan back in the late 1800's and serves as a community focal point and civic space. The park provides for passive recreation and community events, given its limited land area (0.29 ha.) and shall be protected to serve in such capacity.
- ii. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan.

e) Waterfront Parks and Waterfront Windows

The Town values and shall protect public access to the waterfront and shall seek opportunities to further add to publicly accessible waterfront whenever possible. The approved Fort Erie Waterfront Strategy (2017) provides guidance on opportunities for the Town to seek enhancing public access and shall be relied upon when any such opportunities are presented within the Crystal Beach Secondary Plan Area.

Presently there are 2 Waterfront Parks and 2 Waterfront Windows found within the Plan Area.

Waterfront Windows

The Waterfront Windows are limited in area and are generally described as the unimproved public road allowances that extend from travelled roads down to the water's edge. These waterfront windows also provide public access to Crown land found along portions of the Lake Erie shoreline that, depending on fluctuating lake levels, are typically accessible by land. Guidance on their current and future use for public access will reflect related treatments found in the Town's approved Waterfront Strategy.

English Avenue (off Terrace Lane); and
Prospect Point Road South (shared boundary with Ridgeway-Thunder Bay Secondary Plan)

- i. Any improvements shall be identified in capital budget planning, as identified in the Waterfront Strategy, and through the updated Parks and Open Space Master Plan.

Waterfront Parks

Bay Beach Waterfront Park

- ii. Primary use of this waterfront park is for pedestrian waterfront access and passive use of its extensive sandy beach;
- iii. Other uses include children's playground, public washroom, and suitably sized community events on the upland festival square and pavilion;
- iv. Recent capital reconstruction of the Bay Beach Waterfront Park represents a significant investment in this popular sandy beach waterfront park. The Town shall maintain controlled public access to the beach to ensure its long-term protection, maintenance and enjoyment;
- v. Fees shall be collected for access to the waterfront to assist in offsetting ongoing maintenance costs for the beach grooming, waste management and supporting facilities such as washrooms, change rooms as well as seasonal operations staff and security;

- vi. Areas other than the sand beach of this waterfront park shall remain accessible to the general public free of charge;
- vii. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan
- viii. The Bay Beach lands shall adhere to the vision of the Bay Beach Master Plan. Only those passive uses and other uses listed shall be permitted.

Crystal Beach Waterfront Park

- ix. Primary use of this waterfront park is for boat launch facilities, passive gathering and event space;
- x. Other uses of this park space include a children's playground, paved walkways, large pavilion and washroom facilities.
- xi. Larger open field space and pavilion afford better opportunities for a variety of festival events;
- xii. The Town shall collect fees for use of the boat launch facilities;
- xiii. Based on findings of the Crystal Beach Parking Study (2019), the Town shall seek opportunities to improve and optimize parking facilities in effort to reduce capacity issues and conflict wherever feasible.
- xiv. Any park improvements shall be identified in capital budget planning and through the updated Parks and Open Space Master Plan

4.22.14.2 Open Space – Linear Connections

- a) The Town shall maintain ownership of walkways (established or planned) and unimproved road allowances that support linkage opportunities and provide improved pedestrian and active transportation connection and passage through long street blocks.

More particularly, but not limited to, Munster and Ulster Lanes, and portions of Glenolden Lane are being designated open space for such purpose.

- b) Linear connections may also afford and support municipal service routing or utility network needs.
- c) In some instances, sections of Glenolden may be considered for municipal parking should demand ever warrant such consideration. However, at this time and as projected in the approved Parking Study (2019), there is adequate parking available for beach and residential uses to meet present and future demand.

- d) Potential for a “Linear Park” classification is of interest for future connection to the Friendship Recreational Trail. Secondary Plan and Active Transportation Master Plan consultations identified interest and it was identified as a goal in the Secondary Plan consultations with the Community Focus Group.

As a result, the Town shall seek opportunities to establish a linear connection in the vicinity of Michener and Schooley Roads leading north to connect with the Friendship Recreational Trail. This location is the most practical connecting point to planned on-road bike route facilities of Schooley Road, which shall lead directly to Bay Beach from the northern limit of the Secondary Plan.

4.22.14.3 Open Space – Cemetery

- a) The Plan contains the municipally owned Ridgeway Memorial Cemetery at the southwest corner of Ridgeway Road and Farr Avenue. The Cemetery remains active and shall be maintained and managed by the Town.
- b) Cemetery use shall generally be restricted to passive, memorial and visitation activities by persons or families of loved ones as their final place of rest.

4.22.14.4 Open Space – Storm Water Management

- a) The Plan Area contains several storm water management facilities that have functional primacy as a municipal service and facility designed to collect storm water runoff and then release at the target rates and improve water quality prior to discharge.
- b) Storm water management pond designs vary and can contain a permanent pool or remain dry until storm events. Public access to storm water management ponds is typically restricted unless designed for pedestrian access. Determination on design (whether publicly accessible or not), ownership and maintenance is a function of planning approvals and engineering review. Developers shall be responsible for costs and complete construction of new storm water management facilities and conduct the required inspection and maintenance prior to municipal assumption.
- c) Physical characteristics of storm water management ponds typically resemble open space; however, serve mostly in a context of enhanced views and vistas of benefitting adjacent dwellings/uses. Stormwater management facilities form part of the urban fabric and any future SWM ponds are permitted anywhere in the plan area.

4.22.14.5 Open Space – Other

- a) The Secondary Plan also contains areas that are designated as Open Space but are not identified as park. These open space areas are to be maintained in current state unless otherwise identified in the Park and Open Space Master Plan for capital improvements. More specifically, these sites are identified as:
- lands within the traffic circle at Cherry Hill Boulevard South and Glenspring Road
 - lands bounded by Lincoln Road East, Loomis Crescent and Shannon Road North
 - lands bounded by Lincoln Road West, Shannon Road South and the untraveled portion of Providence Lane. Site specific zoning for these lands may provide for additional use of the site for municipal parking if in the event the Town should ever require.
 - 4168 Erie Road – these municipal lands are being used and retained as a public parking lot.

4.22.15 Natural Heritage

Section 8 provides comprehensive policy coverage for all relevant environmental features and shall be relied upon for guidance when development is being considered.

Natural features are generally limited within the Secondary Plan area and extend to Significant Natural Areas associated with the Lake Erie shoreline, portions of identified Woodlands and Environmental Corridors.

More prominent natural features do exist in close proximity to the boundary of this Secondary Plan (mostly along Erie Road in the western end of the Plan Area). Their protection and function will be part of any development application review process, whereby feature buffering and other potential impacts may require environmental study prior to deeming an application complete for processing.

Natural Heritage designation and features are illustrated on Schedule CB-3.

4.22.15.1 Significant Natural Areas

- a) Significant Natural Heritage features within the Plan Area are primarily comprised of Lake Erie shoreline and woodlands captured in the northern part of Crystal Ridge Park. The lands are designated in the Crystal Beach Secondary Plan accordingly.

The lands identified along the Lake Erie shoreline are protected via Environmental Protection designation, while the Woodlands have an Environmental Conservation overlay covering much of the remaining wooded area.

Other areas identified as Significant Natural Area are generally few and found in areas that have either existing registered plans, draft plan approval or are expected to develop in future, in which case, any environmental study requirements will be determined at the time of mandatory pre-consultation for *Planning Act* applications or on permit application review where required.

- b) Determination of any potential EIS requirements shall be scoped in consultation with the Region and based on Regional EIS Guidelines with administration and approval authority having been set out as per the Memorandum of Understanding (MOU) between local and regional governments and the Niagara Peninsula Conservation Authority.

4.22.15.2 Woodlands

- a) The Secondary Plan identifies several Open Space designations that have an associated Woodland feature noted as being present. The most notable of which is largely contained on municipal parkland (Crystal Ridge Park). The Woodlands designation also extends beyond the Park onto Institutional and other private lands.

Other locations with Woodlands designation include lands along the northerly limit of the Plan Area (Farr Avenue) and at the westerly limit, north of Erie Road (along Hazelwood Avenue).

- b) Any applications for development may be subject to Section 13.15 and will be identified through mandatory pre-consultation as part of an application process.

4.22.15.3 Environmental Corridors

- a) The policies of Section 8.3.4.IV of the Official Plan shall generally apply to Environmental Corridors shown on the Secondary Plan Schedule CB-3.
- b) Schedule “C” of the Official Plan illustrates Environmental Corridors throughout the municipality. These corridors represent a higher-level linkage or linkage potential and are intended to demonstrate where provision of wildlife and avian routes may be considered for enhancement. The feasibility of enhancement should be examined as part of any development application process.

The Crystal Beach Secondary Plan Area contains segments of two such corridors, the first of which is directly associated with the shoreline of Lake Erie. Much of the shoreline is developed residentially or recreationally. Opportunities for enhancement are limited and owners are encouraged to protect/supplement existing tree canopy coverage where practical, together with other native plantings where it would be reasonable to expect long term survival and protection from dynamic lake related effects.

A northerly segment represents an effort to enhance connection between the Woodlands in Crystal Ridge Park with that of the PSW located north of Erie Road in the westerly end of the Plan Area. The corridor effectively wraps around the westerly end of the urban area boundary. Property owners lining the westerly and northerly Plan limits are encouraged to plant or augment tree canopy coverage to assist in the establishment and general enhancement of this particular corridor.

4.22.16 Transportation Systems (*Road Networks, Active Transportation and Public Transit*)

- a) “Transportation Systems” is in reference to the various modes of transportation infrastructure that exist, or may be planned to be made available to service the Crystal Beach Secondary Plan Area. These include, but are not limited to, existing and future road networks, active transportation infrastructure (either planned or existing sidewalks, cycling infrastructure & trails) and local transit service. Transportation systems are shown on Schedules CB-5 and CB-6 of this Plan.
- b) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation System over the long term, review of current standards, or development of new standards may be required. Prioritizing maintenance, construction and improvements will be considered annually through capital budgeting and through development application activity.
- c) It is important to note this area of the municipality is founded on many historical subdivisions plans that use smaller road allowance widths than present standard requirements. Widening for the sake of meeting current standards can have detrimental impact on the character and streetscape on much of the established neighbourhood, particularly areas in the southern portions of the Plan Area. It is therefore the position of the Town that notwithstanding Section 12.7 of the Official Plan, road widenings shall not be required except for entirely unavoidable circumstances or those which can demonstrate building and parking on private properties along an entire street segment are not being negatively impacted. As a result of this recognition, various Schedules of the Official Plan and Comprehensive Zoning By-law may require amendments to reflect special circumstances.
- d) The Town will seek opportunities for funding program assistance from other levels of government, when made available, to assist in expediting transportation related capital projects and will work cooperatively when transportation infrastructure is not solely of interest to the Town.

4.22.16.1 Road Networks

- a) Any further development of the road network within the Crystal Beach Secondary Plan Area shall generally be in accordance with Section 12.7 of the Town Official Plan, recognizing Section 4.22.16 c) applies to most existing roads.
- b) Council will strongly consider the existing character and needs of the neighbourhood when making road improvement decisions.
- c) There is very limited opportunity for development of new roads with planned public right-of-way access. If in the event a public road is planned for construction, the road shall be constructed to full municipal standard using an urban cross section unless otherwise approved by the Town. Private development, including plans of condominium, may use alternate right-of-way designs for private roads internal to their site, however; such roads will still require approval from the municipality, typically as part of the condominium or site plan approval process.
- d) There are generally three (3) categories of roadway hierarchy in or bounding the Plan Area. Notwithstanding Section 12.7.4 iv) to the contrary, these would be defined as:
 - Town Collector/Arterial Roads (Farr Avenue, Ridge Road South, Rebstock Road, Ridgeway Road, Erie Road, Derby Road, Brunswick Avenue, Schooley Road, Michener Road and Point Abino Road);
 - Local Roads (all remaining public roads, standard or sub-standard); and
 - Private Roads (permitted)

Zoning implementation shall make any necessary amendments to Schedule “B” of the Town’s Comprehensive Zoning By-law to reflect exceptions regarding ultimate width / widenings.

Schedule CB-5 illustrates the road network within the Plan Area.

- e) The Town shall remain sensitive to increased interest and movement towards “complete streets” policies that support Active Transportation. All capital roads projects shall have regard for the Town’s Active Transportation Master Plan and the Active Transportation Policies of 4.22.15.2 herein.
- f) Private roads or driveways from new development proposals should be aligned with opposing roads or major driveways whenever possible.

4.22.16.2 Active Transportation

- a) Components of active transportation in the context of the Crystal Beach Secondary Plan Area serve both utilitarian and recreational need and purpose. Active transportation shall be a consideration of Council as

- identified under Section 12.7.2 iv) and the Fort Erie Active Transportation Master Plan (2020).
- b) Schedule CB-6 illustrates components of the Active Transportation Network for the Crystal Beach Secondary Plan.
 - c) The Town's Friendship Recreational Trail is located just north of the Secondary Plan Area and is recognized as being part of much broader trail systems including the Greater Niagara Circle Route, Great Lakes Waterfront Trail and Trans Canada Trail. Direct trail connections from the Friendship Recreational Trail to the Crystal Beach waterfront and tourist areas, in addition to serving the broader Plan Area for active and pedestrian choice and safety, shall be a consideration whenever development is occurring along identified active transportation routes within the Plan Area.
 - d) Council will require contributions from abutting property owners for the purpose of continued implementation of the Active Transportation network facilities as a condition of development and/or redevelopment including Site Plan Approval.
 - e) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking capital road improvements / reconstruction.
 - f) Sidewalk networks are illustrated on Schedule CB-6 and are identified as either existing or potential/future. The Active Transportation Master Plan (2020) shall be reviewed in conjunction with this Plan to assess priorities for new construction and routing when capital projects and budgets are being determined annually by the Town. Completion of sidewalk networks in proximity to schools that assist in facilitating safe active travel by students are considered a priority.
 - g) Existing sidewalk locations shall remain and older sections will be subject to review and reconstruction to current standards, wherever feasible. Repair and replacement of existing sidewalks may be subject to a separate budget to those considered new construction (capital projects), where sidewalk did not previously exist.
 - h) Future/potential sidewalks shown on the Schedule CB-6 does not necessarily imply short, medium or even long-term construction, but rather serves as a guide when capital projects are being considered.
 - i) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.

- j) Active Transportation and Public Transit use are complimentary modes of transportation and can be co-dependent for some residents. Capital projects and private developments will have regard for the Active Transportation networks for connection to established or planned transit stops.

4.22.16.3 Public Transit

Conventional and specialized transit service presently serves the Plan Area and may be subject to routing modifications from time to time.

- b) The Crystal Beach Secondary Plan Area shall remain fully serviced by Fort Erie Accessible Specialized Transit presently operating throughout the Town, or until such time that an alternate is established that meets the community's accessible needs.
- c) The Town supports Region of Niagara inter-municipal transit service and shall work cooperatively in review and support provision of regional connecting routes. The Town remains cooperative on any endeavour to establish a fully integrated, or full regionally operated transit system that maintains and enhances existing local municipal service.
- d) Approved transit routing and fixed stop locations are illustrated on Schedule "CB-5". Routing and stop locations are subject to review over time and as data driven results on ridership inform transit planning for efficiency and effectiveness. Modifications to transit routing do not require amendment to this Plan.
- e) Long term local transit planning shall have regard for locating potential transit stops that consider a typical 400m radius (or better) service area catchment model. Distances may vary depending on location of populations throughout the local and rural areas, as well as the class roadway which is being used as part of the route.
- f) Private sector interests that may seek to provide seasonal tram or trolley service to Bay Beach and other tourist destinations within the Plan Area shall require approval from the Town and any other government authority regulating such service or vehicles. Full liability shall be the responsibility of the operator.
- g) The Town shall remain open to explore opportunities that may leverage and increase municipal transit ridership to the neighbourhood during peak season.

4.22.17 Parking

- a) The Town has implemented a Seasonal Paid Parking By-law and shall maintain paid parking in the southern parts of the Plan Area. The By-law is subject to changes from time-to-time and the Town, through its Infrastructure

Services department shall monitor parking, parking availability, related signage and revenue in Town lots and on public roads. Town By-law enforcement shall monitor compliance and infraction volumes and related revenue. Together, these sources of monitoring shall inform decision making that is in line with Council interests and Public expectations, concerning any future changes to the Seasonal Paid Parking By-law or infrastructure needs.

- b) Based on findings and strategic recommendations of the Crystal Beach Parking Study (Paradigm Transportation Solutions, 2019) the following shall apply:

Shorter term policy objectives include:

- i. The Town shall endeavour to restripe and repave municipal parking lots when required.
- ii. The Town shall consider and explore options for parking layout and slight easterly expansion of the Crystal Beach Waterfront Parking Lot to increase single vehicle stalls while protecting vehicle with trailer stalls.
- iii. Improved use of signage to direct vehicles to commercial parking areas, Bay Beach parking areas and on-street parking to assist in directing incoming traffic to appropriate destination or area of interest.
- iv. Assist the Crystal Beach BIA through enforcing time limits for on-street parking on Erie Road and Derby Roads to deter Bay Beach related visitors from using spaces intended primarily for commercial patron use.
- v. The Town shall endeavour to provide clear information online concerning parking in Crystal Beach for public awareness and trip planning prior to visiting the neighbourhood and popular area destinations.

Medium term policy objectives include:

- vii. The Town shall seek opportunities to secure long term parking permissions with private land owners, in perpetuity, in the vicinity of Bay Beach.

Ongoing and longer-term policy objectives include: again, indent/alignment in this section

- viii. New development and site re-developments in the Core Area are to be designed to provide on-site parking that meet requirements. Where it has been demonstrated that full on-site requirements are not feasible, the Town may permit alternate arrangements that can include paid permit parking, cash in lieu or private parking off-site as detailed in the Town's pending parking policy. All development outside of these designations must provide on-site requirements in the implementing zoning.

- ix. The Town shall retain all Core Area municipal parking lots while making every effort to also retain on-street parking in the commercial core.
 - x. The Town shall reserve its land located on the north side of Shannon Road South and Lincoln Road West intersection in an Open Space designation in the event that additional or supplemental parking is needed. Zoning shall provide for such use in the implementing By-law.
 - xi. The Town shall monitor and enforce parking standards and regulations, particularly in time-limited areas. Monitoring infractions may lead to additional measures being taken if directed by Council.
- c) The majority of the Secondary Plan Area is largely established residential, low density in character with most residences having driveways or defined points of access. For properties that serve as seasonal or permanent residence, owners are encouraged to seek municipal permit approval to establish an entrance to their lands to avoid instances of potential blockage by vehicles parking on-street.
- d) Lighting of public municipal parking lots, private commercial and residential parking areas shall be of adequate levels to ensure pedestrian safety while having regard for any adjacent or upper level residential uses. Spillover lighting from parking lot lighting onto adjacent properties shall be avoided unless otherwise planned and/or approved to do so.
- e) Any new municipal or private parking areas in the Core Mixed Use designated lands that interface with Residential designations shall be designed and constructed in a manner that seeks to provide landscape buffering where practical.
- It is recognized that landscaped buffering may not be possible in all interface areas and consideration to assist in mitigation impacts, such as visual screening and/or solid fencing may be a requirement for development, re-development or site improvements, to the satisfaction of the Town. Zoning may provide for varied regulations on whole or on a site by site basis in respect of the Core Mixed Use designation in particular.
- f) Landscaped areas should be requested for large parking lots exposed to collector roads. Landscaping requirements shall be focused along the road frontages and shall provide for appropriate landscaped buffering and planting strips between the roadway or sidewalk and parking areas, using high quality materials and plant stock. Depending on size of parking lot, landscape islands may also be required.

4.22.18 Cultural Heritage

- a) All matters of Cultural Heritage shall be consistent with Section 11 of the Official Plan.

- b) The Town recognizes the cultural heritage and history of the Crystal Beach Neighbourhood as being one of seasonal destination, spiritual retreat, waterfront recreation and amusement. With the demise of the amusement park in 1989 and its redevelopment into a residential community, the iconic or cultural landscape long associated with Crystal Beach began to transition. Presently there has not been any built heritage resources designated or identified for the Municipal Registry of Heritage Properties, pursuant to the Heritage Act.

Built Heritage

- i. The Fort Erie Museum and Cultural Heritage Committee shall continue to advise Council on matters of the Crystal Beach built heritage and from time to time, may recommend for Council's consideration, properties for addition to the Municipal Registry following the Committee's more detailed review of community building stock.
 - ii. The Town has relied on voluntary designation of heritage properties and shall continue to act in this manner. The Town encourages designation of such properties and will work cooperatively with ownership in effort to facilitate designation.
- c) The Town's Official Plan informs those seeking development opportunities on the potential for archaeological resources within the Plan Area. While the community is largely built up, there are instances where further investigation may be required, particularly those areas along the Lake Erie Shoreline as identified within the Point Abino Zone of Sensitivity. This Zone of Sensitivity is of archaeological interest given the likely association with pre-contact native peoples presence on the lands.

Schedule 'D' and 'D1' of the Official Plan must be consulted for extent of these identified lands.

Archaeological

- i. The Town's Archaeological Master Plan informed and formed the background on the policies contain in Section 11 in the Town's Official Plan. It also introduced identification of Archaeological Zones of Potential and Sensitivity, which are reflected on the mapping Schedules of the Official Plan. The Point Abino Zone of Sensitivity represents one of these Sensitivity Zones where heightened interest exists.
- ii. Applications for development or redevelopment shall first be screened through pre-consultation and then assessed by the appropriate review authority with respect to the nature of the proposal and whether the proposal will present new disturbance requiring Stage 1 and/or Stage 2 Archaeological Study work be undertaken. The results of which, shall determine if further study is required.

4.22.19 Municipal Services

- a) Municipal servicing shall be consistent with the policies of Section 12 of the Official Plan.
- b) Municipal services such as sanitary and storm sewers, storm water management and municipal drainage will be provided, where feasible, and maintained/upgraded as necessary to accommodate the needs of existing and future development in the Crystal Beach Secondary Plan Area.
- c) The Region of Niagara’s Master Servicing Update (GM Blue Plan 2017) indicates the Crystal Beach Waste Water Treatment Facility has capacity to provide for their allocated growth projection forecast for this treatment facility. The Town’s more recent Master Servicing Update (GM Blue Plan 2019) also indicates capacity for the projected growth, but also speaks to need for improving local sewer systems impacted by extraneous flow experienced in certain areas of the Plan Area.

The Town will identify and undertake improvements where necessary following testing and prioritization of its local sewer systems to reduce extraneous flow. The Town shall budget for improvements annually and shall also seek partial funding through Programs offered by Niagara Region, when available, to further assist offsetting of costs.

The Town shall work co-operatively with Regional counterparts with respect to ongoing monitoring of extraneous flow to ensure wet weather impacts are being reduced to safeguard plant capacity over the long term. The Town shall continue to update its Master Servicing Plan on a regular 5-year scheduled cycle.

- d) New development or redevelopment may be required to provide a servicing study that includes analysis of the downstream sanitary sizing and the network’s capacity capabilities in relation to proposed development flows.
- e) The Town shall continue to make improvements to its storm, sanitary and water networks and any planned improvement projects shall be identified in the 10-year capital projects budget. Reduction in wet weather impacts on existing infrastructure shall remain a priority of the municipality.
- f) All new development shall require approval of storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to enhance water quality and to mitigate or alleviate flooding of adjacent and downstream properties during storm events. Additionally, engineering solutions for storm water management that improve ground infiltration and assist in improving groundwater quality and recharge will be considered relative to the feasibility and practicality of their implementation.
- g) Existing municipal water supply is currently available to service the Plan Area. Looping of water mains may be requested and/or required as part of any agreement or conditions of development wherever an opportunity exists to do so.

- h) There are currently no identified restrictions to development within the Crystal Beach Secondary Plan Area under current water supply conditions, however functional servicing studies that may be requested for new or re-developing properties and sizable infill projects, shall address water supply demand on the existing water supply network.

4.22.20 Utilities

- a) Utility providers are required to consult with the Town when new plant locations or infrastructure is required, or existing infrastructure is identified for upgrade. The Town will work cooperatively with utility providers in effort to facilitate their needs while balancing the interests of the area residents or businesses.
- b) Utility companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are both compatible with existing and planned development and technically feasible in an effort to reduce or eliminate potential conflicts.
- c) Utility providers shall ensure their respective utility has been planned and located in accordance with any relevant safety regulations, separation requirements and/or municipal standards, either through individual utility plant location or as part of a combined installation.

4.22.21 Neighbourhood Gateways & Landmarks

- a) Schedule CB-2 illustrates a Gateway symbol at the primary entry points to the Neighbourhood and at key centres within, such as the intersection of Erie and Ridgeway Road.
- b) Gateway features act to provide both physical and psychological cues on demarcation of community boundary or area of interest. Features or landmarks act as visual benchmarks or visual points of reference to indicate location and reinforce arrival or departure.

This can be done in many ways such as signature buildings or architectural features, or through landscaping treatment and lighting. Combining any or all of these types of treatments provides opportunities to make a very bold statement or a much more modest approach to signal a threshold or specific location.

4.22.22 Interpretation of the Plan

The Crystal Beach Secondary Plan (Official Plan Amendment No.45) consists of Sections 4.22.1 through 4.22.22, and Schedules “CB-1”, “CB-2”, “CB-3”, “CB-4”, “CB-5” and “CB-6”.

The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

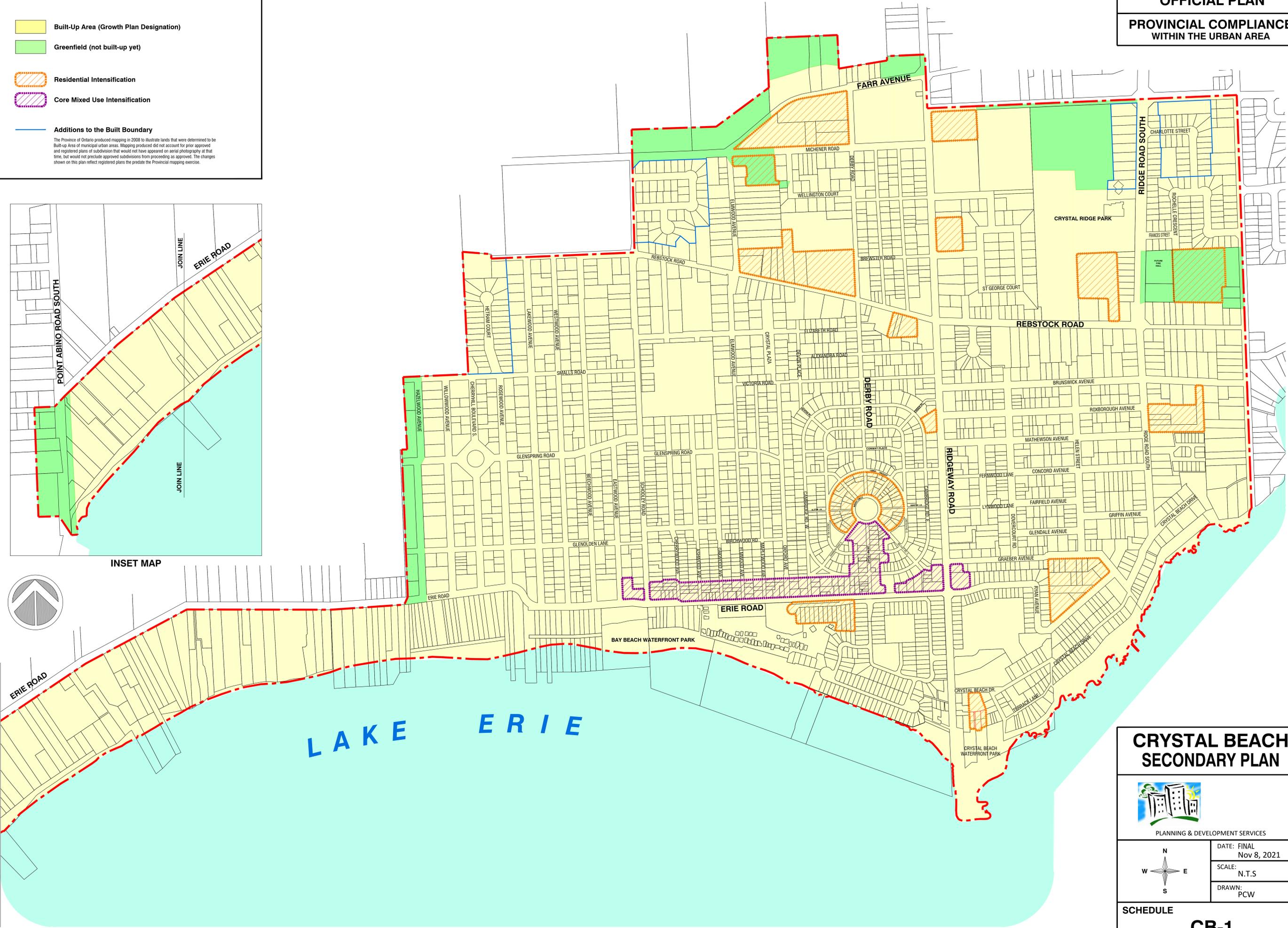
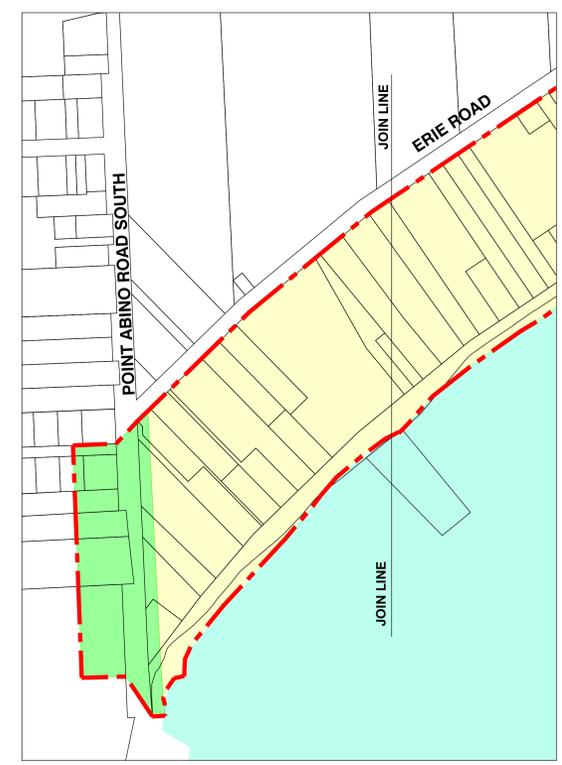
**PART “C”
THE APPENDICES**

(Please see Schedules CB-1 to CB-6)

**TOWN OF FORT ERIE
OFFICIAL PLAN**

**PROVINCIAL COMPLIANCE
WITHIN THE URBAN AREA**

- LEGEND**
-  Secondary Plan Limit (Urban Area Boundary)
 -  Built-Up Area (Growth Plan Designation)
 -  Greenfield (not built-up yet)
 -  Residential Intensification
 -  Core Mixed Use Intensification
 -  Additions to the Built Boundary
- The Province of Ontario produced mapping in 2008 to illustrate lands that were determined to be Built-up Area of municipal urban areas. Mapping produced did not account for prior approved and registered plans of subdivision that would not have appeared on aerial photography at that time, but would not preclude approved subdivisions from proceeding as approved. The changes shown on this plan reflect registered plans that predate the Provincial mapping exercise.



**CRYSTAL BEACH
SECONDARY PLAN**



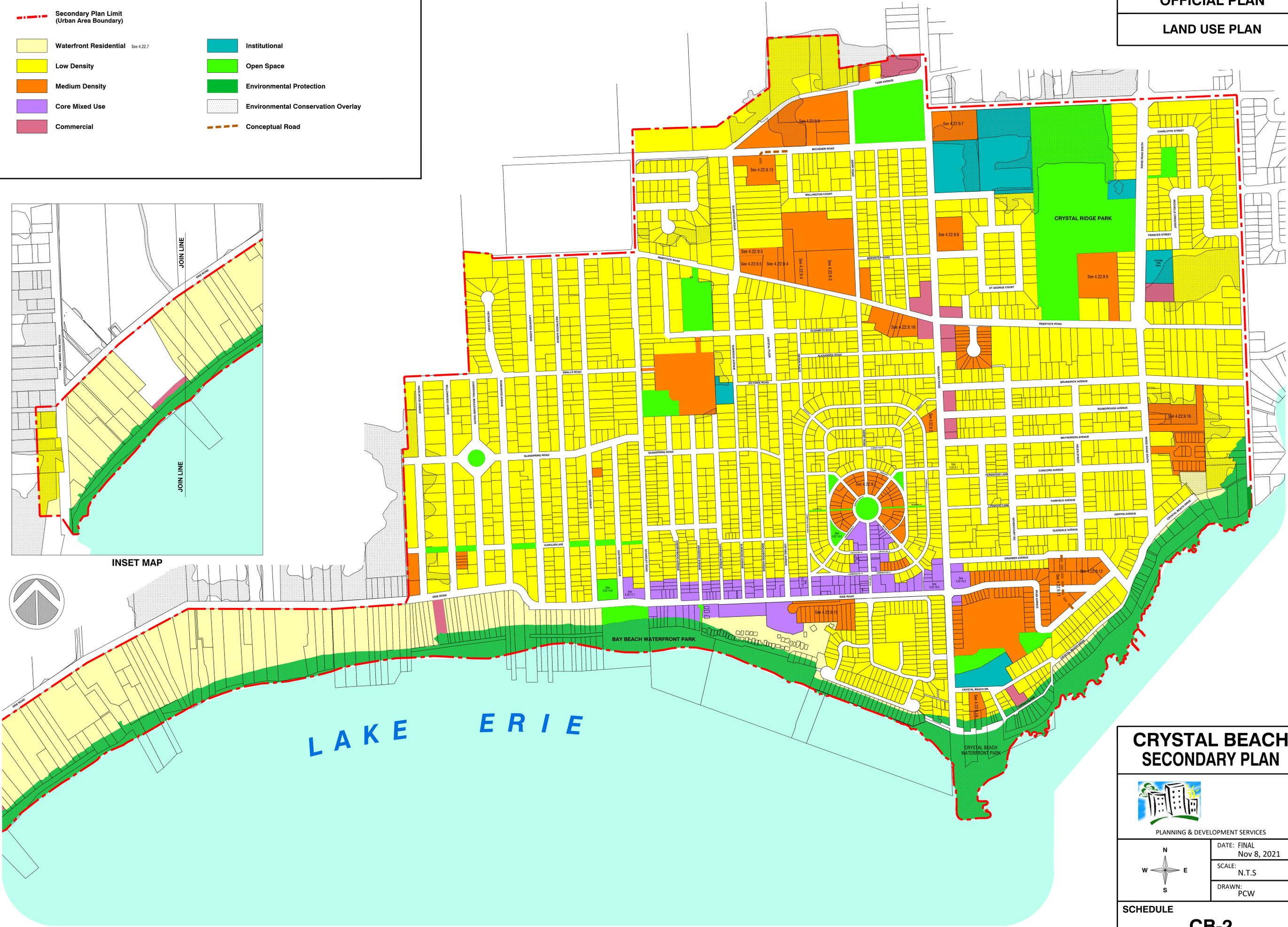
PLANNING & DEVELOPMENT SERVICES

	DATE: FINAL Nov 8, 2021
	SCALE: N.T.S
	DRAWN: PCW

**SCHEDULE
CB-1**

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Waterfront Residential See 4.22.7
-  Low Density
-  Medium Density
-  Core Mixed Use
-  Commercial
-  Institutional
-  Open Space
-  Environmental Protection
-  Environmental Conservation Overlay
-  Conceptual Road



CRYSTAL BEACH
SECONDARY PLAN



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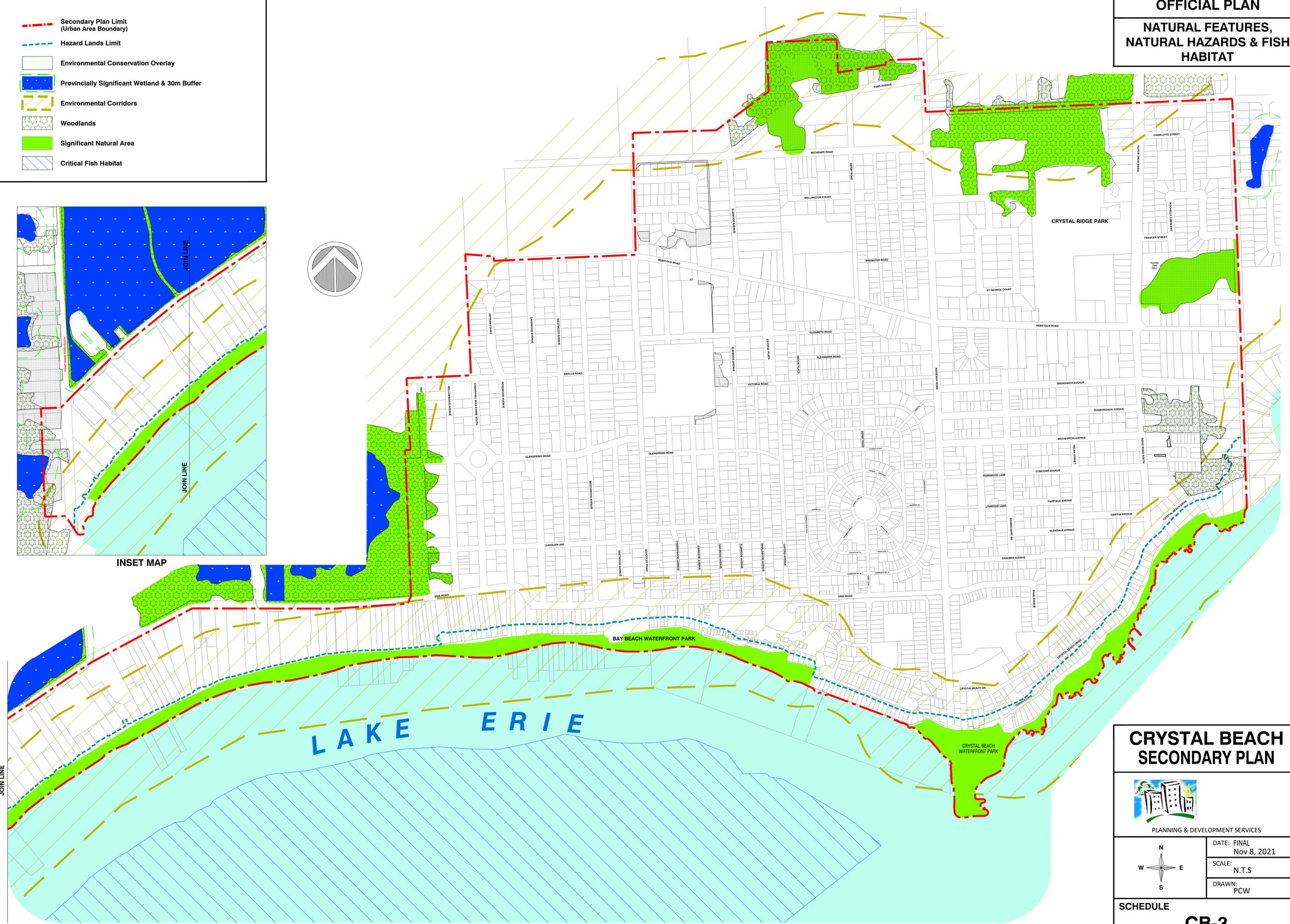
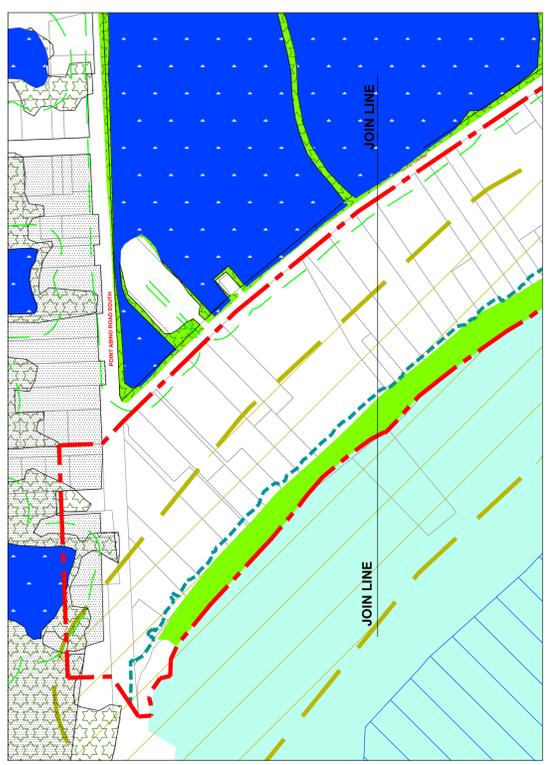
SCHEDULE
CB-2

**TOWN OF FORT ERIE
OFFICIAL PLAN**

**NATURAL FEATURES,
NATURAL HAZARDS & FISH
HABITAT**

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Hazard Lands Limit
-  Environmental Conservation Overlay
-  Provincially Significant Wetland & 30m Buffer
-  Environmental Corridors
-  Woodlands
-  Significant Natural Area
-  Critical Fish Habitat



**CRYSTAL BEACH
SECONDARY PLAN**



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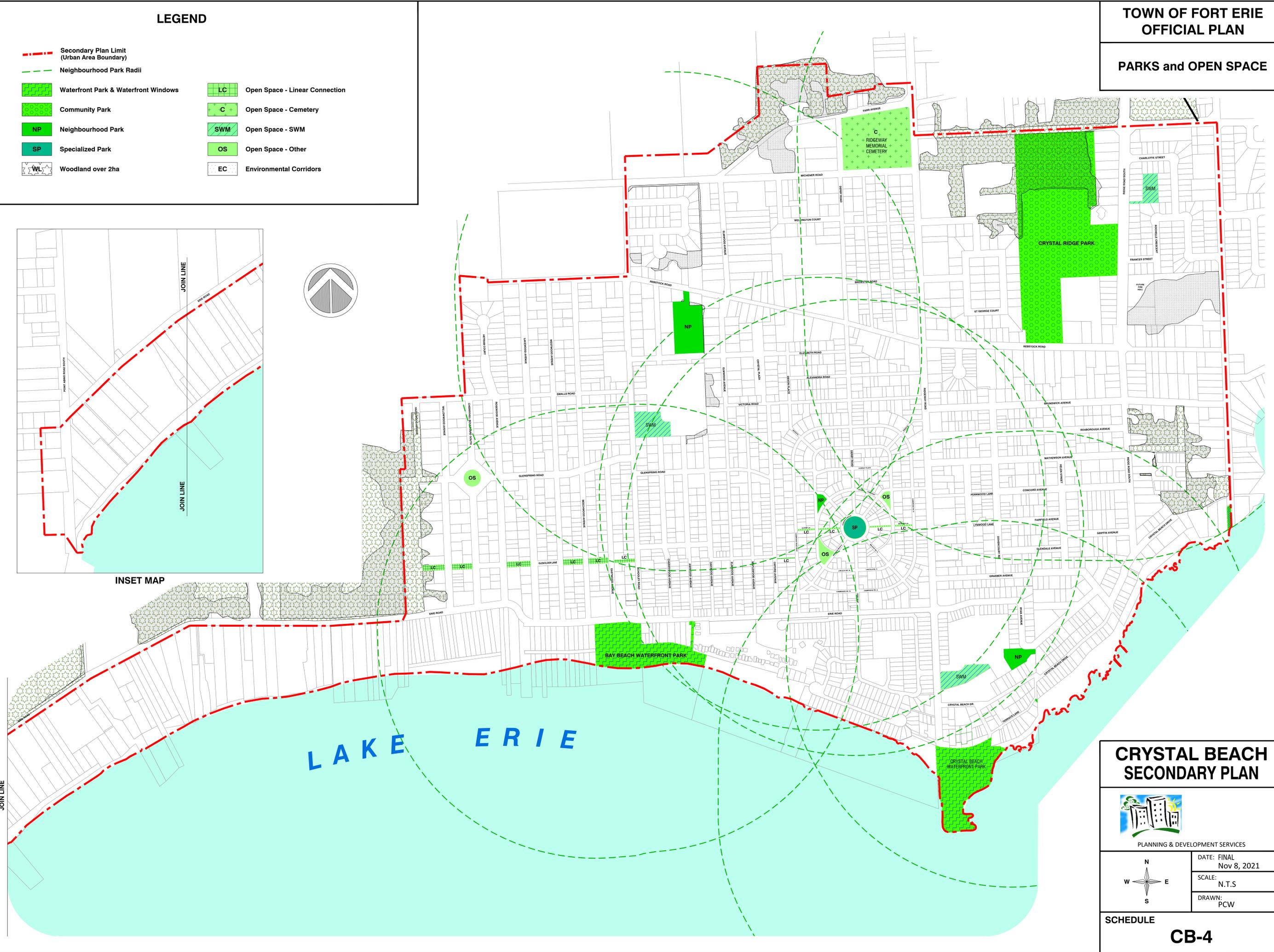
SCHEDULE
CB-3

LEGEND

-  Secondary Plan Limit (Urban Area Boundary)
-  Neighbourhood Park Radii
-  Waterfront Park & Waterfront Windows
-  Community Park
-  Neighbourhood Park
-  Specialized Park
-  Woodland over 2ha
-  LC Open Space - Linear Connection
-  C Open Space - Cemetery
-  SWM Open Space - SWM
-  OS Open Space - Other
-  EC Environmental Corridors



INSET MAP



CRYSTAL BEACH
SECONDARY PLAN



PLANNING & DEVELOPMENT SERVICES



DATE: FINAL
Nov 8, 2021

SCALE: N.T.S

DRAWN: PCW

SCHEDULE

CB-4

**TOWN OF FORT ERIE
OFFICIAL PLAN
TRANSPORTATION SYSTEMS
ROADS and TRANSIT NETWORK**

LEGEND

Roads

- Existing Municipal Collector Roads
- Existing Municipal Local Roads
- Approved Municipal Roads
- Existing Public Laneway
- Existing Private Road
- Approved Private Road
- Conceptual Road

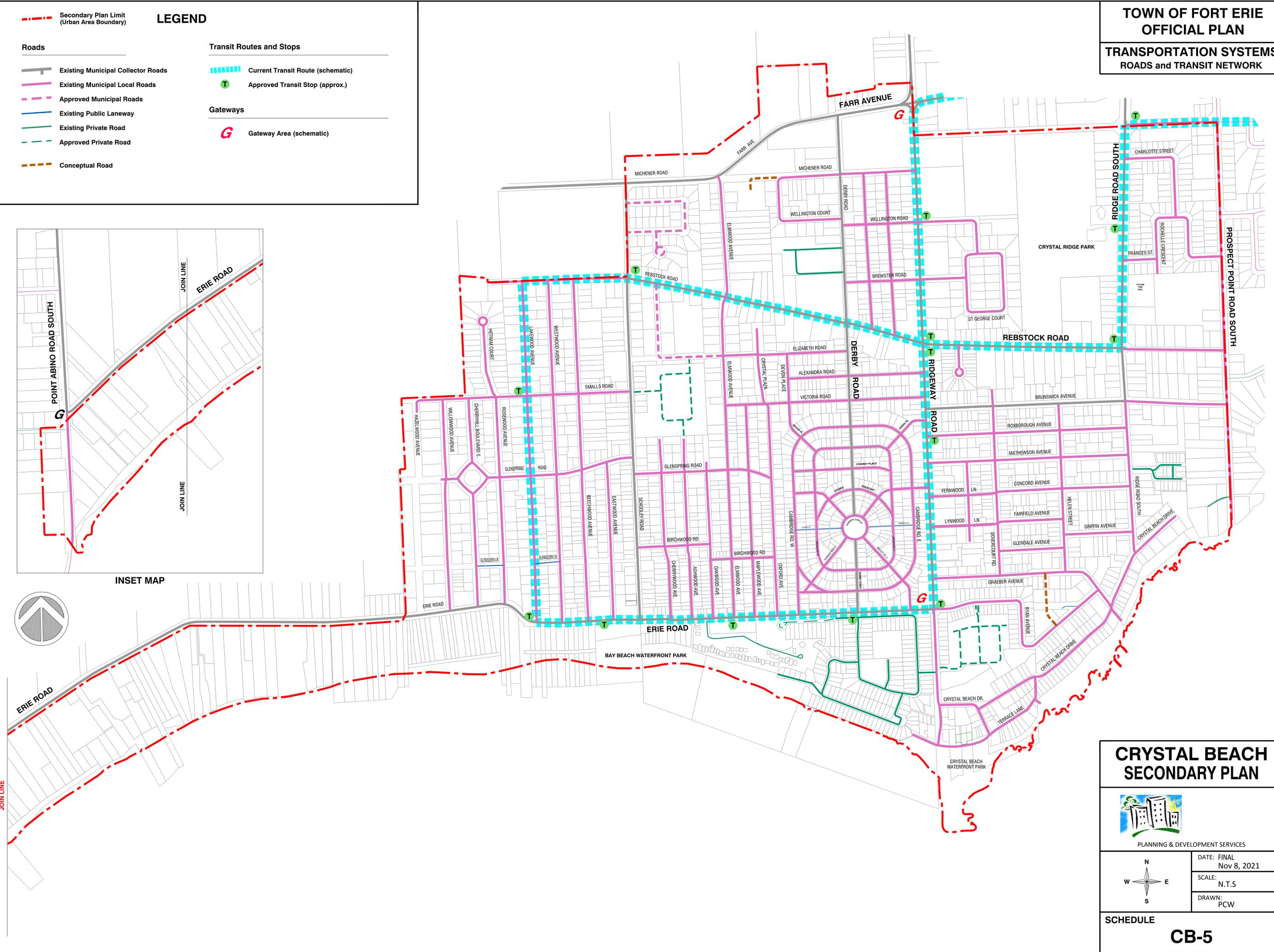
Transit Routes and Stops

- Current Transit Route (schematic)
- Approved Transit Stop (approx.)

Gateways

- Gateway Area (schematic)

INSET MAP



**CRYSTAL BEACH
SECONDARY PLAN**

PLANNING & DEVELOPMENT SERVICES

	DATE: FINAL Nov 8, 2021
	SCALE: N.T.S
	DRAWN: PCW

**SCHEDULE
CB-5**

LEGEND

Secondary Plan Limit
(Urban Area Boundary)

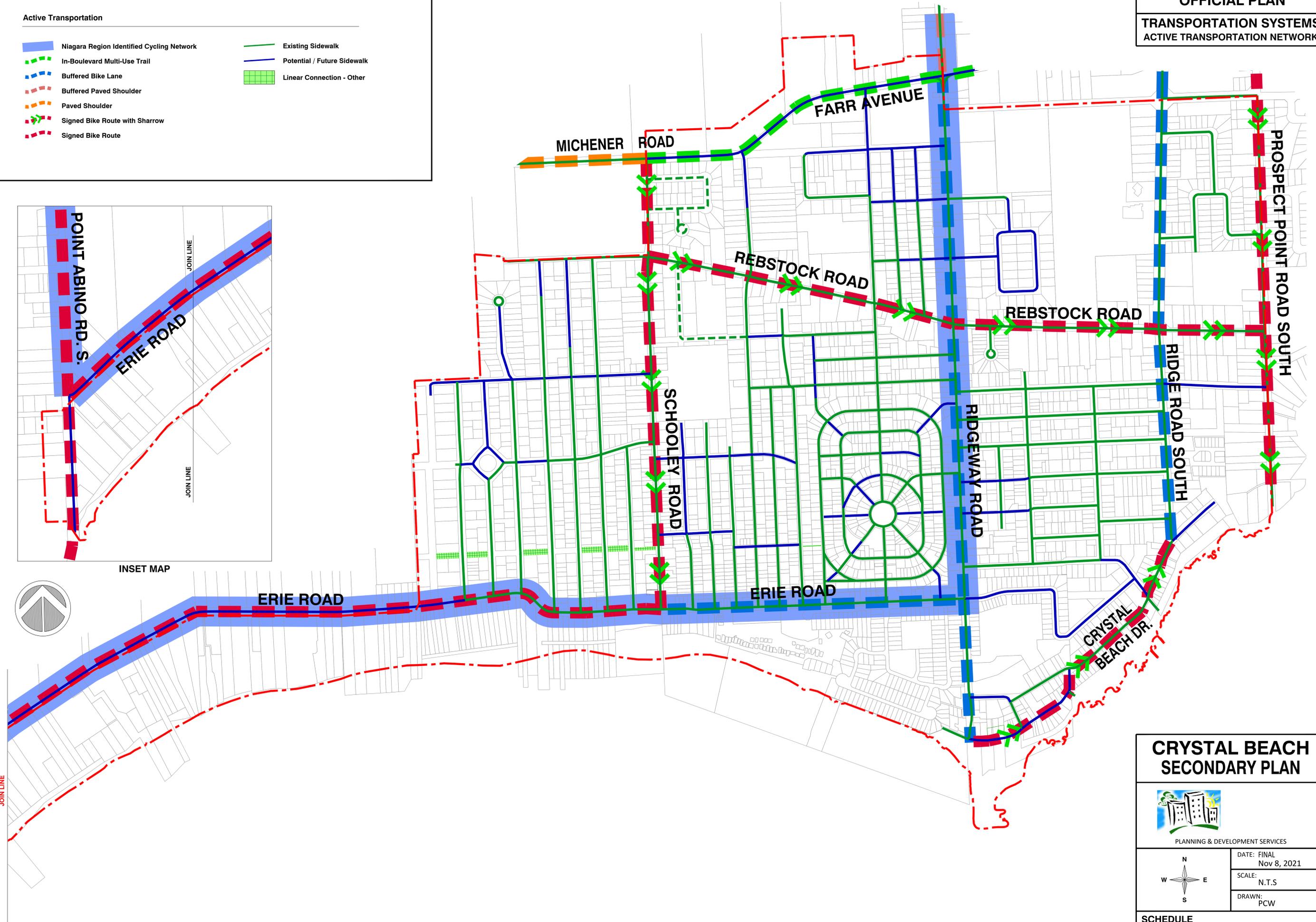
Active Transportation

- Niagara Region Identified Cycling Network
- In-Boulevard Multi-Use Trail
- Buffered Bike Lane
- Buffered Paved Shoulder
- Paved Shoulder
- Signed Bike Route with Sharrow
- Signed Bike Route
- Existing Sidewalk
- Potential / Future Sidewalk
- Linear Connection - Other

INSET MAP

POINT ABINO RD. S.
ERIE ROAD

JOIN LINE



**CRYSTAL BEACH
SECONDARY PLAN**

PLANNING & DEVELOPMENT SERVICES

	DATE: FINAL Nov 8, 2021
	SCALE: N.T.S
	DRAWN: PCW

SCHEDULE
CB-6