

## PLANNING LEGISLATION AND POLICIES

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

#### **Provincial interest**

**2** *The Minister, the council of a municipality, a local board, a planning board and the Tribunal, in carrying out their responsibilities under this Act, shall have regard to, among other matters, matters of provincial interest such as,*

- (a) *the protection of ecological systems, including natural areas, features and functions;*
- (b) *the protection of the agricultural resources of the Province;*
- (c) *the conservation and management of natural resources and the mineral resource base;*
- (d) *the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest;*
- (e) *the supply, efficient use and conservation of energy and water;*
- (f) *the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems;*
- (g) *the minimization of waste;*
- (h) *the orderly development of safe and healthy communities;*
- (h.1) *the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies;*
- (i) *the adequate provision and distribution of educational, health, social, cultural and recreational facilities;*
- (j) *the adequate provision of a full range of housing, including affordable housing;*
- (k) *the adequate provision of employment opportunities;*
- (l) *the protection of the financial and economic well-being of the Province and its municipalities;*
- (m) *the co-ordination of planning activities of public bodies;*
- (n) *the resolution of planning conflicts involving public and private interests;*
- (o) *the protection of public health and safety;*
- (p) *the appropriate location of growth and development;*
- (q) *the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians;*
- (r) *the promotion of built form that,*
  - (i) *is well-designed,*
  - (ii) *encourages a sense of place, and*
  - (iii) *provides for public spaces that are of high quality, safe, accessible, attractive and vibrant;*
- (s) *the mitigation of greenhouse gas emissions and adaptation to a changing climate. 1994, c. 23, s. 5; 1996, c. 4, s. 2; 2001, c. 32, s. 31 (1); 2006, c. 23, s. 3; 2011, c. 6, Sched. 2, s. 1; 2015, c. 26, s. 12; 2017, c. 10, Sched. 4, s. 11 (1); 2017, c. 23, Sched. 5, s. 80.*

#### **Policy statements**

##### **Policy statements and provincial plans**

**3** (5) *A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Tribunal, in respect of the exercise of any authority that affects a planning matter,*

- (a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision; and
- (b) shall conform with the provincial plans that are in effect on that date, or shall not conflict with them, as the case may be. 2006, c. 23, s. 5; 2017, c. 23, Sched. 5, s. 80.

## **Official Plans**

### **Mandatory adoption**

**17 (13)** A plan shall be prepared and adopted and, unless exempt from approval, submitted for approval by the council of a prescribed municipality.

### **22 Request for amendment**

(11) Subsections 17 (44) to (44.7), (45), (45.1), (46), (46.1), (49), (50) and (50.1) apply with necessary modifications to a requested official plan amendment under this section, except that subsections 17 (44.1) to (44.7) and (45.1) do not apply to an appeal under subsection (7) of this section, brought in accordance with paragraph 1 or 2 of subsection (7.0.2). 2019, c. 9, Sched. 12, s. 4 (5).

### **24 Public works and by-laws to conform with plan**

(1) Despite any other general or special Act, where an official plan is in effect, no public work shall be undertaken and, except as provided in subsections (2) and (4), no by-law shall be passed for any purpose that does not conform therewith. R.S.O. 1990, c. P.13, s. 24 (1); 1999, c. 12, Sched. M, s. 24.

## **Provincial Policy Statement, 2020**

### **1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns**

1.1.1 Healthy, livable and safe communities are sustained by:

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and long-term care homes), recreation, park and open space, and other uses to meet long-term needs;
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns; ...
- e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs; ...
- f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;
- g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;
- h) promoting development and land use patterns that conserve biodiversity; and
- i) preparing for the regional and local impacts of a changing climate.

### **1.1.3 Settlement Areas**

*1.1.3.1 Settlement areas shall be the focus of growth and development.*

*1.1.3.2 Land use patterns within settlement areas shall be based on densities and a mix of land uses which:*

- a) efficiently use land and resources;*
- b) are appropriate for, and efficiently use, the infrastructure and public service facilities which are planned or available, and avoid the need for their unjustified and/or uneconomical expansion;*
- c) minimize negative impacts to air quality and climate change, and promote energy efficiency;*
- d) prepare for the impacts of a changing climate;*
- e) support active transportation;*
- f) are transit-supportive, where transit is planned, exists or may be developed;...*

*1.1.3.4 Appropriate development standards should be promoted which facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.*

### **1.2 Coordination**

*1.2.1 A coordinated, integrated and comprehensive approach should be used when dealing with planning matters within municipalities, across lower, single and/or upper-tier municipal boundaries, and with other orders of government, agencies and boards including: ...*

- g) population, housing and employment projections, based on regional market areas; and*
- h) addressing housing needs in accordance with provincial policy statements such as the Policy Statement: Service Manager Housing and Homelessness Plans.*

### **1.3 Employment**

*1.3.1 Planning authorities shall promote economic development and competitiveness by:*

- a) providing for an appropriate mix and range of employment, institutional, and broader mixed uses to meet long-term needs;*
- b) providing opportunities for a diversified economic base, including maintaining a range and choice of suitable sites for employment uses which support a wide range of economic activities and ancillary uses, and take into account the needs of existing and future businesses; ...*
- d) encouraging compact, mixed-use development that incorporates compatible employment uses to support liveable and resilient communities, with consideration of housing policy 1.4; and*

### **1.4 Housing**

*1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

- a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment*

*and, if necessary, lands which are designated and available for residential development; and*

- b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

*1.4.3 Planning authorities shall provide for an appropriate range and mix of housing options and densities to meet projected market-based and affordable housing needs of current and future residents of the regional market area by: ...*

- c) directing the development of new housing towards locations where appropriate levels of infrastructure and public service facilities are or will be available to support current and projected needs;*
- d) promoting densities for new housing which efficiently use land, resources, infrastructure and public service facilities, and support the use of active transportation and transit in areas where it exists or is to be developed; ...*

## **1.7 Long-Term Economic Prosperity**

*1.7.1 Long-term economic prosperity should be supported by: ...*

- b) encouraging residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce;*
- c) optimizing the long-term availability and use of land, resources, infrastructure and public service facilities;*
- d) maintaining and, where possible, enhancing the vitality and viability of downtowns and mainstreets;*
- e) encouraging a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character...*

## **2.3 Agriculture**

*2.3.1 Prime agricultural areas shall be protected for long-term use for agriculture. Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection...*

*2.3.3 Permitted Uses*

*2.3.3.1 In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.*

*2.3.3.2 In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.*

## **2.6 Cultural Heritage and Archaeology**

*2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be*

conserved.

2.6.3 *Planning authorities shall not permit development and site alteration on adjacent lands to 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 heritage property will be conserved.*

## **Greenbelt Plan, 2017**

### **3.1.2 Specialty Crop Area Policies**

*For lands falling within specialty crop areas of the Protected Countryside, the following policies shall apply:*

- 1. All types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted based on the provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed agriculture-related uses and on-farm diversified uses shall be compatible with and shall not hinder surrounding agricultural operations.*
- 2. Lands shall not be redesignated in official plans for non-agricultural uses. Non-agricultural uses may be permitted subject to the policies of sections 4.2 to 4.6. These non-agricultural uses are generally discouraged in specialty crop areas and may only be permitted after the completion of an agricultural impact assessment.*

## **A Place to Grow: Growth Plan for the Greater Golden Horseshoe, Office Consolidation 2020**

### **1.2.1 Guiding Principles**

*... The policies of this Plan regarding how land is developed, resources are managed and protected, and public dollars are invested are based on the following principles:*

- Support the achievement of complete communities that are designed to support healthy and active living and meet people's needs for daily living throughout an entire lifetime.*
- Prioritize intensification and higher densities in strategic growth areas to make efficient use of land and infrastructure and support transit viability.*
- Provide flexibility to capitalize on new economic and employment opportunities as they emerge, while providing certainty for traditional industries, including resource-based sectors.*
- Conserve and promote cultural heritage resources to support the social, economic, and cultural well-being of all communities, including First Nations and Métis communities.*
- Integrate climate change considerations into planning and managing growth such as planning for more resilient communities and infrastructure – that are adaptive to the impacts of a changing climate – and moving towards environmentally sustainable communities by incorporating approaches to reduce greenhouse gas emissions.*

## **2.2 Policies for Where and How to Grow**

### **2.2.1 Managing Growth**

4. *Applying the policies of this Plan will support the achievement of complete communities that:*
  - a) *feature a diverse mix of land uses, including residential and employment uses, and convenient access to local stores, services, and public service facilities;*
  - b) *improve social equity and overall quality of life, including human health, for people of all ages, abilities, and incomes;*
  - c) *provide a diverse range and mix of housing options, including additional residential units and affordable housing, to accommodate people at all stages of life, and to accommodate the needs of all household sizes and incomes;*
  - d) *expand convenient access to:*
    - i. *a range of transportation options, including options for the safe, comfortable and convenient use of active transportation;*
    - ii. *public service facilities, co-located and integrated in community hubs;*
    - iii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities; ...*
  - e) *provide for a more compact built form and a vibrant public realm, including public open spaces;*
  - f) *mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability; ...*

### **2.2.2 Delineated Built-up Areas**

3. *All municipalities will develop a strategy to achieve... intensification throughout delineated built-up areas, which will:*
  - c) *encourage intensification generally throughout the delineated builtup area;*
  - d) *ensure lands are zoned and development is designed in a manner that supports the achievement of complete communities;*
  - e) *prioritize planning and investment in infrastructure and public service facilities that will support intensification; and*
  - f) *be implemented through official plan policies and designations, updated zoning and other supporting documents.*

### **2.2.5 Employment**

1. *Economic development and competitiveness in the GGH will be promoted by: ...*
  - b) *ensuring the availability of sufficient land, in appropriate locations, for a variety of employment to accommodate forecasted employment growth to the horizon of this Plan;*
  - d) *integrating and aligning land use planning and economic development goals and strategies to retain and attract investment and employment.*
3. *Retail and office uses will be directed to locations that support active transportation and have existing or planned transit.*
15. *The retail sector will be supported by promoting compact built form and intensification of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of complete communities.*

## **2.2.6 Housing**

1. *Upper- and single-tier municipalities, in consultation with lower-tier municipalities, the Province, and other appropriate stakeholders, will:*
  - a) *support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by:*
    - i. *identifying a diverse range and mix of housing options and densities... to meet projected needs of current and future residents; ...*
  - b) *identify mechanisms, including the use of land use planning and financial tools, to support the implementation of policy 2.2.6.1 a);*
  - c) *align land use planning with applicable housing and homelessness plans required under the Housing Services Act, 2011;*
  - d) *address housing needs in accordance with provincial policy statements such as the Policy Statement: “Service Manager Housing and Homelessness Plans”; and*
  - e) *implement policy 2.2.6.1 a), b), c) and d) through official plan policies and designations and zoning by-laws.*
  
2. *Notwithstanding policy 1.4.1 of the PPS, 2020, in implementing policy 2.2.6.1, municipalities will support the achievement of complete communities by:*
  - a) *planning to accommodate forecasted growth to the horizon of this Plan;*
  - b) *planning to achieve the minimum intensification and density targets...;*
  - c) *considering the range and mix of housing options and densities of the existing housing stock; and*
  - d) *planning to diversify their overall housing stock across the municipality.*

## **Niagara Region Official Plan, 2022**

### **2.1 Forecasted Growth**

*The objective of this section is as follows:*

- a) *coordinate Regional growth forecasts with land use, transportation, infrastructure and financial planning.*

#### **2.1.1 Regional Growth Forecasts**

**2.1.1.1** *Population and employment forecasts listed in Table 2-1 are the basis for land use planning decisions to 2051.*

**2.1.1.3** *Forecasts in Table 2-1 are used to determine the location and capacity of infrastructure, public service facilities, and the delivery of related programs and services required to meet the needs of Niagara’s current and future residents.*

**2.1.1.4** *Local Area Municipalities shall plan to accommodate the population and employment allocations in Table 2-1 in Local official plans and use the allocations to determine the location and capacity of Local infrastructure, public service facilities, and related programs and services to 2051...*

**Table 2-1 – 2051 Population and Employment Forecasts by Local Area Municipality**

| <b>Municipality</b>        | <b>Population</b> | <b>Employment</b> |
|----------------------------|-------------------|-------------------|
| <i>Niagara-on-the-Lake</i> | <i>28,900</i>     | <i>17,610</i>     |

## **2.2 Regional Structure**

The objectives of this section are as follows:

- a) *manage growth within urban areas;*
- b) *accommodate growth through strategic intensification and higher densities; ...*
- d) *plan for the orderly implementation of infrastructure and public service facilities; ...and*
- e) *promote transit-supportive development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community.*

### **2.2.1 Managing Urban Growth**

2.2.1.1 *Development in urban areas will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support:*

- b) *a compact built form, a vibrant public realm, and a mix of land uses, including residential uses, employment uses, recreational uses, and public service facilities, to support the creation of complete communities; ...*
- d) *social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:*
  - i. *a range of transportation options, including public transit and active transportation;*
  - ii. *affordable, locally grown food and other sources of urban agriculture;*
  - iii. *co-located public service facilities; and*
  - iv. *the public realm, including open spaces, parks, trails, and other recreational facilities;*
- e) *built forms, land use patterns, and street configurations that minimize land consumption, reduce costs of municipal water and wastewater systems/services, and optimize investments in infrastructure to support the financial well-being of the Region and Local Area Municipalities;*
- f) *opportunities for transit-supportive development pursuant to Policies 2.2.17, 2.2.2.18 and 2.2.2.19;*
- g) *opportunities for intensification, including infill development, and the redevelopment of brownfields and greyfield sites;*
- j) *conservation or reuse of cultural heritage resources pursuant to Section 6.5;*
- k) *orderly development in accordance with the availability and provision of infrastructure and public service facilities; and*
- l) *mitigation and adaptation to the impacts of climate change by: ...*
  - 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.*

## **2.3 Housing**

The objectives of this section are as follows:

- a) *provide a mix of housing options to address current and future needs;*
- b) *provide more affordable and attainable housing options within our communities; and ...*



### **2.3.1 Provide a Mix of Housing Options**

2.3.1.1 *The development of a range and mix of densities, lot and unit sizes, and housing types, including affordable and attainable housing, will be planned for throughout settlement areas to meet housing needs at all stages of life.*

2.3.1.4 *New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:*  
a) *facilitating compact built form; ...*

### **4.1.1 Region's Agricultural Land Base**

4.1.1.2 *Prime agricultural areas and specialty crop areas, as shown on Schedule F, shall be protected for long-term use for agriculture. Prime agricultural areas are areas where prime agricultural lands predominate. Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through seven lands within the prime agricultural area, in this order of priority.*

4.1.1.4 *An agricultural system has been identified in which all types, sizes, and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with Provincial standards...*

### **4.1.2 Specialty Crop Areas and Prime Agricultural Areas**

4.1.2.1 *Specialty crop areas shall not be redesignated in official plans for non-agricultural uses. Non-agricultural uses may be permitted subject to Policies 4.2 to 4.6 of the Greenbelt Plan and Section 4.1.3 of this Plan.*

4.1.2.2 *In specialty crop areas, all existing uses lawfully used for such purpose prior to December 16, 2004 are permitted. In specialty crop areas, single detached dwellings and accessory structures are permitted on existing lots of record, provided they were zoned for such or permitted through other regulation as of December 16, 2004.*

4.1.2.3 *In specialty crop areas and prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are permitted.*

## **4.5 Economic Prosperity**

The objectives of this section are as follows:

b) *facilitate economic prosperity through land use planning.*

### **4.5.1 Land Use and Economic Goals**

4.5.1.1 *The Region will maintain an Economic Development Strategy that will inform alignment between Regional land use planning and economic development goals and strategies.*

### **4.5.2 Economic Prosperity through Land Use Planning**

4.5.2.1 *This section consolidates policy direction integrated throughout this Plan that supports economic prosperity.*

*The Region will endeavour to: ...*

- e) support opportunities for nature and culture-based tourism by: ...*
  - iv. promoting excellence in urban design and requiring conservation of significant cultural heritage resources to foster a sense of place;*
  - vi. promoting revitalization and redevelopment within downtown and community cores to enhance their existing character.*

## **6.2 Urban Design**

The objectives of this section are as follows:

- a) commit to excellence in urban design;*
- b) enhance the public realm and promote active transportation;...*

### **6.2.1 Excellence in Urban Design**

- 6.2.1.1 Excellence and innovation shall 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.*
- 6.2.1.2 The collaboration and co-ordination of related disciplines, including land use planning, urban design, transportation planning, architecture, engineering, environmental planning, and landscape architecture shall be encouraged.*
- 6.2.1.4 Revitalization and redevelopment within downtowns and community cores shall be promoted to enhance their existing character*
- 6.2.1.6 Active transportation shall be promoted through the cohesive and collaborative design of streets, building interfaces and public spaces.*
- 6.2.1.8 The Region shall promote:*
  - a) the creation of liveable and vibrant urban areas and streets;*
  - b) community design that:*
    - i. offers a range of transportation options, including public transit and active transportation;*
    - ii. respects the complete streets approach by creating safe and attractive interconnected streets; and,*
    - iii. encourages a mix of land uses, a vibrant public realm and compact built form;*
  - d) well-designed buildings, high quality streetscapes, and attractive public spaces that create neighbourhood character and strengthen community identity and diversity;*
  - e) the integration of views of built and cultural heritage features, landmarks, and significant natural heritage features to enhance a sense of place;*

## **6.5 Cultural Heritage**

- 6.5.1.1 Significant cultural heritage resources shall be conserved in order to foster a sense of place and benefit communities, including First Nations and Métis communities.*
- 6.5.1.5 Development and site alteration on protected heritage property or adjacent lands shall not be permitted, except where the proposed development and site alteration has been evaluated through a heritage impact assessment and it has been demonstrated that the heritage attributes of the protected heritage property will be*

conserved.

## **Town of Niagara-on-the-Lake Official Plan, 2017 Consolidation, as amended**

### **SECTION 7: AGRICULTURE**

#### **7.2 GOALS AND OBJECTIVES**

- (1) *To help ensure the preservation of prime agricultural lands for farming with particular emphasis on the preservation of specialty crop lands.*
- (2) *To help preserve the existing and potential agriculturally productive land giving highest priority to Good Tender Fruit/Grape Lands.*
- (3) *To allow flexibility to farm operations in both type and size and to permit the expansion and contraction of farm operations as necessary provided that the farm remains economically viable and that the size of the farm is appropriate and common in the area.*
- (4) *To permit a limited amount of farm-related development by way of retirement lots, selectively located small scale agriculturally related commercial and industrial developments.*
- (5) *To ensure that existing small scale industries and commercial uses supportive of agricultural operations are allowed to expand where appropriate, while requiring new development or redevelopment not primarily related to agriculture is to locate in appropriately designated areas (ie. Light Industrial, General Commercial, etc.).*
- (6) *To ensure that agricultural areas are protected from harassment and conflict from non farm residents and non-farm related uses through measures such as preventing the development of non-farm uses in the Agricultural designation.*
- (7) *To consider the impact on agriculture as the primary guideline in evaluating development proposals in the agricultural areas.*

### **Section 6A: Growth Management Policies**

#### **4. Intensification**

##### **4.4 Intensification Objectives**

###### **Objectives**

*The objectives of the intensification policies of this Plan are to:*

- b) *Provide land use policy directions for accommodating additional growth within the Built-up Areas;*
- c) *Provide a policy framework that supports intensification and infilling throughout the Town's Built-up Area...*
- e) *Direct intensification to the Built-up Areas where development will not impact designated heritage areas, adjacent heritage resources and/or heritage resources on the property, estate lots and the residential character of the property or the surrounding area.*

###### **Built-up Area Intensification Policies**

*The Town will support appropriate infilling and intensification within the limits of the Built-up Area. The following policies apply:*

- a) *The Town plans to accommodate 15% of its forecasted intensification development within the Built-up Area between 2015 and 2031.*

- b) *The predominant built form for intensification and redevelopment within the residential areas of the Built-up Area will be single detached... subject to the relevant development and compatibility policies of this plan.*
- e) *The Town will update zoning standards to ensure that the zoning requirements provide sufficient opportunities to support and encourage growth and intensification through redevelopment.*
- h) *The Town will ensure that intensification and redevelopment is consistent with the heritage and character of the Built-up Area. Urban design guidelines for the Built-up Area may be prepared and used as a tool to achieve compatible built form with intensification and redevelopment.*
- i) *The Town will locate and maintain important amenities and services, which serve the residents, such as parks, schools, recreational facilities, government offices, library within the Built-up Area.*
- k) *The Town will utilize maximum and minimum densities to ensure that intensification areas/sites are not underdeveloped. Minimum net density shall be 14 units per hectare (6 units per acre) and maximum density of 30 units per hectare (12 units per acre).*
- l) *During the development approval process that consideration will be given with respect to capacity of existing infrastructure including utilities and type of improvements, if any, which may be necessary to serve the Built-up Area.*

#### *Urban Design*

*...the following urban design guidelines apply to intensification proposals in Virgil and the Old Town:*

- a) *Infill and intensification sites should match the average pre-established building setback of adjacent buildings within the block face.*
- d) *Bulk, mass and scale of new development shall fit the context within which it is located.*
- f) *The design of infill and intensification development should be consistent with the Land Use Compatibility criteria of this Plan.*

#### *4.6 Land Use Compatibility Policies*

##### *Residential Neighbourhoods*

*Neighbourhoods are stable but not static. There is a degree of change that occurs within neighbourhoods over time and the policies of this provide that this change will be appropriate and compatible within the Town's neighbourhoods and throughout the entire Built-Up Area.*

*Intensification and/or redevelopment should be consistent with:*

- a) *The existing and/or planned built form and heritage of the property and surrounding neighbourhood;*
- b) *The existing and/or planned natural heritage areas of the site and within the surrounding neighbourhood;*
- c) *The existing and/or planned densities of the surrounding neighbourhood;*
- d) *The existing and/or planned height and massing of buildings within the surrounding neighbourhood.*
- e) *Development proposals will demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale. Transition in built form*

*will act as a buffer between the proposed development and existing uses and should be provided through appropriate height, massing, architectural design, siting, setbacks, parking, public and private open space and amenity space.*

- f) *Intensification and/or redevelopment shall be compatible and integrate with the established character and heritage of the area and shall have regard to:*
- Street and block patterns*
  - Lot frontages lot area, depth*
  - Building Setbacks*
  - Privacy and over view*
  - Lot grading and drainage*
  - Parking*
  - Servicing*

#### *Conflicts Between Built Form and the Target*

*In circumstances where a proposed development supports the Town's intensification target but does not support the compatibility policies of the Plan, the compatibility policies shall prevail.*

#### **Development Criteria – Residential Infill and Intensification in Old Town and Virgil**

*In considering an application for development approval on lands designated “Low Density Residential”, “Medium Density Residential” and “Established Residential”, Council shall ensure infill and intensification development and redevelopment respects and reflects the existing pattern and character of adjacent development, by adhering to the development criteria outlined below, unless otherwise specified in a Heritage Conservation District Plan:*

- a) the lot frontage(s) and lot area(s) of the proposed new lot(s) shall be consistent with the sizes of existing lots on both sides of the street on which the property is located;*
- b) the proposed new building(s) shall have heights, massing and scale appropriate for the site and generally consistent with that permitted by the zoning for adjacent properties and properties on the same street;*
- c) front and rear yard setbacks for the new building(s) shall be consistent with the front and rear yards that exist on the same side of the street;*
- d) the setback between new building(s) and the interior side lot line shall increase as the lot frontage increases;*
- e) the new building(s) shall have a complementary relationship with existing buildings, while accommodating a diversity of building styles, materials and colours;*
- f) existing trees and vegetation shall be retained and enhanced through new street tree planting and additional on-site landscaping;*
- g) the width of the garage(s) and driveway(s) at the front of new building(s) shall be limited to ensure that the streetscape is not dominated by garages and driveways;*
- h) new driveways and service connections shall be sited to minimize tree loss;*
- i) impacts on adjacent properties shall be minimized in relation to grading, drainage, access and circulation, privacy and microclimatic conditions such as shadowing;*
- j) the orientation and sizing of new lots shall not have a negative impact on significant public views and vistas that help define a residential neighbourhood;*
- l) road and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*

## **Section 9: Residential**

### **9.2 Goals And Objectives**

- (1) *To ensure that sufficient lands have been placed in a Residential designation to accommodate the anticipated population in a suitable variety of locations, densities and unit types.*
- (2) *To improve the housing supply of rental and moderately priced housing by the municipality becoming involved in or promoting the involvement of others in the various government housing programs.*
- (3) *To ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, incorporates energy efficient aspects in its design, retains to the greatest extent feasible desirable natural features and uses land in an efficient manner.*
- (4) *To encourage the development of economical housing in a suitable environment.*
- (5) *To ensure that existing housing and existing residential areas shall be preserved and improved.*
- (7) *To encourage infill residential development of vacant or underutilized parcels of land in residential areas where such development will be compatible with existing uses and where it will contribute to the more efficient use of sewer and water services and community facilities.*
- (8) *To minimize the potential for land use compatibility problems which may result from the mix of residential densities or the mix of residential and non-residential uses.*
- (11) *To encourage the development of well-designed and visually distinctive forms.*

### **9.4 General Residential Policies**

#### **(4) Residential Density**

*The maximum number of dwelling units per acre is a function of the capacity to provide municipal services and the topography of the site. The visual impression of density is expressed in the mass and arrangement of the buildings on the site. In Niagara-on-the-Lake the visual impression is that of a low rise, low density small-town community. While that impression should be maintained it is possible to consider a variety of housing forms that will complement this image. ...*

*Special care will be taken in the Old Town of Niagara and Established Residential designations to maintain the low-density character. Therefore new residential development in these areas consisting of more than two units will be accompanied by a detailed site and area analysis demonstrating that there will be minimal impact on surrounding neighbourhoods and development.*

## **SECTION 10: COMMERCIAL**

### **10.2 GOALS AND OBJECTIVES**

- (1) *To provide for an orderly distribution of commercial areas within the Urban Boundaries of the Town to meet the shopping and service needs of residents and tourists.*
- (2) *To adequately provide for local-serving commercial areas and, where necessary, to prevent their use for tourist serving uses...*
- (5) *To encourage controlled and orderly growth within designated commercial areas...*
- (9) *To promote compact forms of commercial development, and to discourage scattered forms of development.*

#### **10.4 COMMERCIAL POLICIES**

- (3) *The character of each individual commercial area, and the character of its surrounding uses, shall be considered in determining the zoning regulations to apply to that area, so that a cohesive character may be promoted which will be in keeping with adjoining areas. Zoning regulations will also take into consideration limiting the use of land at the fringe of a commercial area designation.*

#### **16.4 GENERAL CONSERVATION POLICIES**

- (2) *No buildings or structures, or addition thereto nor the placement or removal of fill material, shall be permitted within or adjacent to the Niagara River, Lake Ontario or any inland watercourse, and its associated valley system, without the prior written authorization of the Conservation Authority or the Ministry of Natural Resources and Forestry.*

#### **18.2 GOALS AND OBJECTIVES**

- (1) *To protect, preserve and encourage the restoration of the original architectural detail wherever feasible on all buildings having architectural and historical merit within the context of the Town of Niagara-on-the-Lake, as well as on all buildings contributing towards the heritage value of the Town of Niagara-on-the-Lake.*
- (2) *To encourage good contemporary building design by using sympathetic forms while avoiding simply copying historic architecture. To restrict building design that is not compatible with existing structures or unsympathetic alterations to buildings that would detract from the character of a Heritage Resource. Where lands or buildings have been designated pursuant to the Ontario Heritage Act the provisions of that Act regarding buildings and additions shall apply. ...*
- (3) *To prevent the demolition, destruction or inappropriate alteration or use of heritage resources.*
- (4) *To encourage appropriate character and uses adjacent to heritage resources in those areas designated as Heritage Conservation Districts.*
- (5) *To develop and encourage creative, appropriate and economically viable uses of heritage resources.*
- (7) *To recognize the importance of archaeological sites within the municipality that represent the physical remains of a lengthy settlement history and a fragile non-renewable cultural legacy.*

### **Town of Niagara-on-the-Lake Proposed Official Plan (2019)**

#### **2.6 Complete Communities**

##### **2.6.2 Healthy Neighbourhoods**

- 2.6.2.1 *Healthy neighbourhoods and communities are essential to the quality of everyday life in Niagara-on-the-Lake, from housing to community services, arts and culture and heritage. Components of healthy communities in the Town include:*
  - a) *Vibrant, walkable, complete settlement areas with a mix of housing, jobs, parks, shops and services in close proximity to each other;*
  - b) *retention of schools and family supportive institutions including pre-schools, elementary schools and post-secondary schools;*

- c) *a range of quality housing choices to meet the needs of people in all stages of life;*
- d) *Community Design and heritage guidelines to ensure growth will conserve and, where possible, enhance the cultural heritage resources of the Town;*
- g) *measures to protect the Town's scenic beauty, tree cover and landscaping;*

2.6.2.2 *Development applications will be required to identify how the development will contribute to the health of the community.*

### **2.6.3 Housing**

2.6.3.1 *A diversity of housing types and tenure and affordable housing options contribute to the liveability of neighbourhoods and the quality of life for residents. To ensure a stable workforce and market for goods and services, businesses, both urban and rural depend on housing with access to jobs, public transportation, recreation, schools, parks and services.*

2.6.3.4 *New housing will be directed to the Settlement Areas.*

2.6.3.5 *The Town will maintain a minimum three-year supply of residential units as well as the infrastructure to support that supply.*

## **4.5 Intensification Strategy**

### **4.5.2 Objectives**

4.5.2.1 *The objectives of the intensification policies of this Plan are to:*

- a) *Support the Built-up Areas by strategically directing most intensification to Intensification Areas identified on Schedule B7;*
- b) *Provide policy for accommodating additional growth within the Built-up Areas;*
- c) *Provide a framework that supports intensification and infilling throughout the Town's Built-up Area;*
- d) *Provide a framework that allows for second dwelling units;*
- e) *Ensure any proposal for intensification conserves cultural heritage resources; Intensification will be directed to the Built-up Areas where development will not impact cultural heritage resources; and*
- f) *Ensure that intensification and infilling are consistent with the character of the surrounding neighbourhood.*

### **4.5.3 Policies**

4.5.3.2 *The predominant built form for intensification and redevelopment within the residential areas of the Built-up Area will be single-detached, semi-detached, townhouses, and low-rise apartment buildings subject to the relevant development and compatibility policies of this Plan.*

4.5.3.4 *The Town will ensure that intensification and redevelopment conserves cultural heritage resources. Community Design Guidelines will be prepared and used as a tool to achieve compatible built form with intensification and redevelopment. Adaptive reuse of cultural heritage resources will be strongly encouraged.*

4.5.3.10 *In considering an application for development approval on lands in the Established Residential and Residential designations, or on properties not currently zoned for high density residential development, Council shall ensure infill and intensification development and redevelopment respects and reflects the existing pattern and character of adjacent development, by adhering to the development criteria outlined below, unless otherwise specified in a Heritage Conservation District Plan:*



- a) *the lot frontage(s) and lot area(s) of the proposed new lot(s) shall be consistent with the sizes of existing lots on both sides of the street on which the property is located;*
- b) *the proposed new building(s) shall have heights, massing and scale appropriate for the site and generally consistent with that permitted by the zoning for adjacent properties and properties on the same street;*
- c) *front and rear yard setbacks for the new building(s) shall be consistent with the front and rear yards that exist on the same side of the street;*
- d) *the setback between new building(s) and the interior side lot line shall increase as the lot frontage increases;*
- e) *the new building(s) shall have a complementary relationship with existing buildings, while accommodating a diversity of building styles, materials and colours;*
- f) *existing trees and vegetation shall be retained and enhanced through new street tree planting and additional on-site landscaping;*
- g) *the width of the garage(s) and driveway(s) at the front of new building(s) shall be limited to ensure that the streetscape is not dominated by garages and driveways;*
- h) *new driveways and service connections shall be sited to minimize tree loss;*
- i) *impacts on adjacent properties shall be minimized in relation to grading, drainage, access and circulation, privacy and microclimatic conditions such as shadowing;*
- j) *the orientation and sizing of new lots shall not have a negative impact on significant public views and vistas that help define a residential neighbourhood;*
- k) *proposals to extend the public street network should be designed to improve neighbourhood connectivity, improve local traffic circulation and enhance conditions for pedestrians and cyclists; and*
- l) *road and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*

## **4.7 Land Use Compatibility**

### **4.7.2 Compatibility**

- 4.7.2.1. *Intensification within the Built-up Areas should be compatible with surrounding existing and planned land uses. Intensification and/or redevelopment should be compatible with the property and the surrounding neighbourhood, having regard to:*
  - a) *conserving natural heritage and cultural heritage resources;*
  - b) *Existing and/or planned densities;*
  - c) *Lot frontages, area and depth;*
  - d) *Building setbacks;*
  - e) *Privacy;*
  - f) *Parking;*
  - g) *Servicing, lot grading and drainage; and,*
  - h) *The existing and/or planned height and massing of buildings.*
  
- 4.7.2.2. *Development proposals shall demonstrate compatibility and integration with surrounding land uses by ensuring that an effective transition in built form is provided between areas of different development densities and scale. Transition in built form will act as a buffer between the proposed development and existing uses and should*

*be provided through appropriate height, massing, architectural design, siting, setbacks, parking, public and private open space and amenity space*

## **4.8 Community Design**

### **4.8.1 Design Policies**

- 4.8.1.1. *The character of the Town is reflected in its cultural heritage resources, including, but not limited to, its heritage character areas, rural landscapes, tree-lined urban and semi-urban streetscapes, low profile development, walkable communities, and variety of architectural and design features.*
- 4.8.1.2. *Community Design Guidelines are used to integrate new development into the fabric of the community and to preserve its character and enhance those attributes that are important to residents and visitors. Community Design involves the arrangement and design of buildings, public spaces, transportation systems, services, landscaping and amenities.*
- 4.8.1.3. *Community Design Guidelines are used to focus attention on the quality, layout and design of built form, landscapes and the public realm, and can be at a broad, community-wide scale, or at a local, street-level scale. Preparing and implementing design guidelines for both the public realm and the private realm contribute to the quality of life in the community, and ultimately create healthy, complete and accessible communities.*
- 4.8.1.4. *Community Design Guidelines should be based on the following:*
- a) Encourage a compact, walkable and well-connected community;*
  - b) Provide a linked public open space system;*
  - c) Encourage the enhancement of streetscapes;*
  - d) Integrate public infrastructure into the landscape; and*
  - e) Conservation of cultural heritage resources.*
- 4.8.1.5. *The Town may develop Community Design Guidelines for all or parts of each settlement area. These guidelines may be implemented through the preparation and approval of secondary plans, community improvement plans, heritage district plans, or through a community planning permit system. Community Design Guidelines may be adopted by the Town as free-standing initiatives following a public review and may be incorporated into site plan approval or development approval standards.*
- 4.8.1.9. *In addition to meeting other design related policies of this Plan, the following design guidelines apply to intensification proposals in Virgil and Old Town until more detailed Community Design Guidelines are approved by the Town:*
- a) Infill and intensification sites should match the average pre-established building setback of adjacent buildings within the block face;*
  - d) Height, mass and scale of new development will fit the context within which it is located;*
  - e) Garages for single, semi and townhouse units will not exceed 50% of the building facade and will be setback from the front face of these units; and*
  - f) The design of infill and intensification development will be consistent with the Land Use Compatibility criteria of this Plan.*

## **4.10. Residential Areas**

### **4.10.4 Established Residential Designation**

#### **4.10.4.1 Character:**

- a) *The Established Residential areas represent older, stable neighbourhoods. These neighbourhoods can include cultural heritage resources that must be conserved. The existing character of the Established Residential areas shall be maintained.*

4.10.4.3 *Policies:*

- a) *Due to the wide variety of lot sizes, frontages, depths and setbacks in the Established Residential designation that result in a varied and attractive streetscape, the Zoning By-law may set requirements on a block-by-block basis to maintain the unique character of the area.*
- c) *Within the Established Residential designation, the following policies apply:*
- i. *Changes to lot frontage and/or lot depth may be permitted subject to a zoning by-law amendment.*
  - ii. *In the analysis of any application to amend the zoning by-law proposing changes to lot frontage and/or lot depth, the following will be considered:*
    - *The average lot frontage and lot depth of the existing parcels on the block face;*
    - *In the case of corner lots, average lot frontages and lot depths will be calculated on both block faces;*
    - *The relevant Intensification policies of the Official Plan;*
    - *Preparation of a streetscape study, planning justification report, and/or heritage impact assessment, if required, which demonstrate that the proposed new lot(s) will maintain or improve the character of the block face;*
    - *An arborist report which will consider the potential impacts on all trees with particular regard for Carolinian Canada species; and*
    - *Existing and proposed land uses on the subject lands and surrounding lands.*
- d) *Cultural heritage resources shall be conserved.*
- e) *Development will respect and reinforce the existing physical character of the neighbourhood, including in particular:*
- i. *Patterns of streets, blocks and lanes, parks and public building sites;*
  - ii. *Size and configuration of lots;*
  - iii. *Heights, massing, scale and dwelling type of nearby residential properties;*
  - iv. *Prevailing building type(s);*
  - v. *Setbacks of buildings from the street or streets;*
  - vi. *Prevailing patterns of rear and side yard setbacks and landscaped open space;*
  - vii. *Continuation of special landscape or built-form features that contribute to the unique physical character of a neighbourhood; and*
  - viii. *Conservation of cultural heritage resources.*
- f) *Special care will be taken to maintain the low profile character of the area. New residential development in these areas consisting of more than two units shall be accompanied by a detailed site and area analysis demonstrating there will be minimal impact on surrounding neighbourhoods and development.*

**4.18 Site Specific Policies**

**Site Specific Policy S4-4:** Commercial and Residential (Randwood - 144 & 176 John Street East):

*The lands identified S4-4 – Commercial on Schedule B2 are subject to the following additional provisions:*

- i. The following land uses shall be permitted:  
*Main Uses: Hotel; Spa; Arts and Learning Centre; Conference Centre; Restaurant; Secondary Uses: Accessory buildings and structures.*
- ii. At site plan approval stage, the property shall be designated under Part IV of the Ontario Heritage Act.
- iii. The final design and plans of any additions or new buildings shall be subject to approval by the Municipal Heritage Committee.
- iv. Sufficient landscaping, buffers, and setbacks shall be provided to minimize the impact on abutting residential uses.
- v. No terraces or balconies above the second storey shall be oriented toward abutting properties. Any terraces or balconies shall be oriented toward the interior of the property.
- vi. All access to parking areas shall be oriented or designed in such a way that there shall be no impact of vehicular lights on abutting residential properties.
- vii. There shall be no negative impact on abutting properties as a result of lighting in parking lots, driveways, walkways, or other outdoor recreation and amenity spaces.
- viii. There shall be adequate building separation from adjacent residential uses.
- ix. A tree preservation plan prepared by a qualified professional shall be submitted with a site plan application.
- x. The boxwood hedge within the buffer area adjacent to the western property line shall remain and be properly protected and preserved to ensure its continued growth. At site plan stage, measures to mitigate construction impacts to protect the boxwood hedge will be required.

*The lands identified S4-4 – Residential on Schedule B2 are subject to the following additional provisions:*

- i the following land uses shall be permitted: Main Uses: Pedestrian and carriage pathways; Existing buildings and structures; Stormwater management facilities; Parking lots; Walls along John and Charlotte Streets; Accessory buildings and structures to main uses in the General Commercial – Randwood Estate designation.*
- ii. All parking area shall be oriented or designed in such a way that there shall be no impact of vehicular lights on abutting residential properties.*
- iii. there shall be no negative impact on abutting properties as a result of lighting in parking lots, driveways, walkways, or other outdoor recreational and amenity spaces or accessory buildings or structures.*
- iv. A tree preservation plan prepared by a qualified professional shall be submitted with a site plan application.*

**Site Specific Policy S4-24, “Special Study Area – Randwood”:**

That the lands designated “Special Study Area” shall not be developed until such time as a study has been completed by the Town and released for public review and comment which determines the appropriate land use designation for this Special Study Area. Following completion of the study, the Official Plan shall be amended to apply the appropriate designation and the subject lands may develop in accordance with the applicable land use policies of that designation.

**SECTION 7 Heritage, Archaeology and Culture**

**7.1 Cultural Heritage Resources**

*7.1.1 Protection of Cultural Heritage Resources*

*7.1.1.1 Conservation and recognition of the Town’s cultural heritage resources are important for protecting its cultural legacy and for developing a strategy for protecting these resources. Conserving cultural heritage resources forms an integral part of the Town’s planning and decision-making. The Town will use the power and tools provided by legislation, policies and programs, particularly the Ontario Heritage Act, the Planning Act, the Environmental Assessment Act and the Municipal Act in implementing and enforcing the policies of this section.*

*7.1.1.2 Cultural heritage resources are not renewable resources. Once lost, they are gone forever. These resources can be formally recognized either individually or as cultural heritage landscapes, through designation under the Ontario Heritage Act or through identification within this Plan. They can also be recognized by Parks Canada or other approval or government bodies.*

**7.1.3 Protection of Cultural Heritage Resources**

*7.1.3.1 Protection, maintenance, adaptive reuse and stabilization of existing cultural heritage attributes and features, as opposed to removal or replacement, will be the core principle for all conservation projects and for all developments that have the potential to impact cultural heritage resources.*

*7.1.3.2 In order to protect heritage resources, the Town will establish policies and procedures to:*

- a) *Protect and conserve cultural heritage resources in accordance with the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Protection Act, the Funeral, Burial and Cremations Act, the Municipal Act, the Standards and Guidelines for the Conservation of Historic Places in Canada, the Venice Charter, the Appleton Charter for the Protection and Enhancement of the Built Environment, and other recognized heritage protocols and standards as applicable. Conservation, maintenance and stabilization of existing cultural heritage resources must be the first consideration for all properties on or adjacent to cultural heritage resources.*
- b) *Listing and/or designating real property under Part IV (Section 27 and/or 29) of the Ontario Heritage Act; designating a heritage conservation district under Part V of the Ontario Heritage Act, and/or encouraging the Province to designate real property under Part IV and/or VI of the Ontario Heritage Act.*

## **7.2 Cultural Heritage Landscapes and Heritage Conservation Districts**

### **7.2.3 Heritage Character Areas**

*7.2.3.1 The Town has identified the following Heritage Character Areas as Cultural Heritage Landscapes based on a review by Bray Heritage (Estate Lot Study) in 2018, based on the available information on the areas and the concentration of “estate lots” in those areas:*

- Old Dock Heritage Character Area;*
- Downtown Heritage Character Area;*
- Queen Street Summer Homes Heritage Character Area; and*
- John Street East Summer Homes Heritage Character Area.*

*7.2.3.2 The boundaries of these areas are shown on Schedule D4.*

## **8.8 Tree Preservation and Reforestation**

*8.8.1 The existing tree canopy in the Town is an important component of the character of the Town and its community design features. Tree preservation and management will be addressed in a by-law passed by the Region or the Town, under appropriate legislation.*

## **3.2 Agricultural System**

### **3.2.2 Objectives**

*3.2.2.1 The objectives for managing and building the Town’s agricultural system include:*

- a) Preserving and supporting the Specialty Crop Area for farming.*
- b) Expanding the area under production.*
- c) Accommodating supportive components and agricultural infrastructure including the Niagara-on-the-Lake Agricultural Infrastructure System.*
- d) Fostering functional and economic linkages.*
- e) Creating the circumstances that will support ongoing tender fruit and grape production.*
- f) Recognizing, respecting and valuing the full range of ecological goods and services delivered to the community through good farming practices.*

- g) *Protecting the integrity of the agricultural system from conflicting uses.*
- h) *Managing natural heritage features as part of the agricultural system in a way that will protect the feature but not impede the ability to farm or grow specialty crops in a sustainable manner.*
- i) *Acknowledging that agricultural land is integral to the long term sustainability of the Natural Heritage System and provides vital linkages.*
- j) *Supporting uses that enable farming and farmers to:*
  - i. *Become more economically viable, competitive and sustainable;*
  - ii. *Adapt to new and changing markets;*
  - iii. *Diversify into and take advantage of new agricultural opportunities;*
  - iv. *Improve the understanding of agriculture by the general public; and*
  - v. *Broaden operations to diversify economic activity and add value to agricultural production.*
- k) *Emphasizing the value of agriculture as an essential part of the Town's environment, working landscape, economy, character and quality of life.*
- l) *Encouraging the preservation of agricultural lands for agricultural purposes and directing non-farm uses to settlement areas.*
- m) *Managing the interface between agricultural and non-agricultural uses by preventing conflicts and implementing edge planning controls (buffering, separation, etc.) that protect the ability and right to farm and grow specialty crops.*
- n) *Permitting agriculture-related uses and on-farm diversified uses including agri-tourism uses in appropriate locations and at an appropriate scale relative to surrounding land uses.*
- o) *Consolidating and simplifying the regulations associated with farming on agricultural lands.*
- p) *Permitting the appropriate reconfiguration of farm operations to support economic viability.*
- q) *Permitting existing appropriate small scale industries and commercial uses supportive of, and directly related to, agricultural operations.*
- r) *Supporting the eradication of invasive species that threaten agricultural production.*

## **SECTION 7 Heritage, Archaeology and Culture**

### **7.1 Cultural Heritage Resources**

#### *7.1.1 Protection of Cultural Heritage Resources*

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### **7.1.3 Protection of Cultural Heritage Resources**

*7.1.3.1 Protection, maintenance, adaptive reuse and stabilization of existing cultural heritage attributes and features, as opposed to removal or replacement, will be the core principle for all conservation projects and for all developments that have the potential to impact cultural heritage resources.*

*7.1.3.2 In order to protect heritage resources, the Town will establish policies and procedures to:*

- a) Protect and conserve cultural heritage resources in accordance with the provisions of the Ontario Heritage Act, the Planning Act, the Environmental Protection Act, the Funeral, Burial and Cremations Act, the Municipal Act, the Standards and Guidelines for the Conservation of Historic Places in Canada, the Venice Charter, the Appleton Charter for the Protection and Enhancement of the Built Environment, and other recognized heritage protocols and standards as applicable. Conservation, maintenance and stabilization of existing cultural heritage resources must be the first consideration for all properties on or adjacent to cultural heritage resources.*
- b) Listing and/or designating real property under Part IV (Section 27 and/or 29) of the Ontario Heritage Act; designating a heritage conservation district under Part V of the Ontario Heritage Act, and/or encouraging the Province to designate real property under Part IV and/or VI of the Ontario Heritage Act.*

## **7.2 Cultural Heritage Landscapes and Heritage Conservation Districts**

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