

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 plan

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.

Zoning by-laws

34 (1) Zoning by-laws may be passed by the councils of local municipalities:

Restricting use of land

1. For prohibiting the use of land, for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or abutting on any defined highway or part of a highway.

Restricting erecting, locating or using of buildings

2. For prohibiting the erecting, locating or using of buildings or structures for or except for such purposes as may be set out in the by-law within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway.

Construction of buildings or structures

4. For regulating the type of construction and the height, bulk, location, size, floor area, spacing, character and use of buildings or structures to be erected or located within the municipality or within any defined area or areas or upon land abutting on any defined highway or part of a highway, and the minimum frontage and depth of the parcel of land and the proportion of the area thereof that any building or structure may occupy.

Area, density and height

(3) The authority to regulate provided in paragraph 4 of subsection (1) includes and, despite the decision of any court, shall be deemed always to have included the authority to regulate the minimum area of the parcel of land mentioned therein and to regulate the minimum and maximum density and the minimum and maximum height of development in the municipality or in the area or areas defined in the by-law. 2006, c. 23, s. 15 (1).

Plan of subdivision approvals**Application**

51(16) An owner of land or the owner's agent duly authorized in writing may apply to the approval authority for approval of a plan of subdivision of the land or part of it. 1994, c. 23, s. 30.

Criteria

(24) In considering a draft plan of subdivision, regard shall be had, among other matters, to the health, safety, convenience, accessibility for persons with disabilities and welfare of the present and future inhabitants of the municipality and to,

- (a) the effect of development of the proposed subdivision on matters of provincial interest as referred to in section 2;*
- (b) whether the proposed subdivision is premature or in the public interest;*
- (c) whether the plan conforms to the official plan and adjacent plans of subdivision, if any;*
- (d) the suitability of the land for the purposes for which it is to be subdivided;*
 - (d.1) if any affordable housing units are being proposed, the suitability of the proposed units for affordable housing;*
- (e) the number, width, location and proposed grades and elevations of highways, and the adequacy of them, and the highways linking the highways in the proposed subdivision with the established highway system in the vicinity and the adequacy of them;*
- (f) the dimensions and shapes of the proposed lots;*
- (g) the restrictions or proposed restrictions, if any, on the land proposed to be subdivided or the buildings and structures proposed to be erected on it and the restrictions, if any, on adjoining land;*
- (h) conservation of natural resources and flood control;*
- (i) the adequacy of utilities and municipal services;*
- (j) the adequacy of school sites;*
- (k) the area of land, if any, within the proposed subdivision that, exclusive of highways, is to be conveyed or dedicated for public purposes;*
- (l) the extent to which the plan's design optimizes the available supply, means of supplying, efficient use and conservation of energy; and*

- (m) *the interrelationship between the design of the proposed plan of subdivision and site plan control matters relating to any development on the land, if the land is also located within a site plan control area designated under subsection 41 (2) of this Act or subsection 114 (2) of the City of Toronto Act, 2006. 1994, c. 23, s. 30; 2001, c. 32, s. 31 (2); 2006, c. 23, s. 22 (3, 4); 2016, c. 25, Sched. 4, s. 8 (2).*

Conditions

(25) The approval authority may impose such conditions to the approval of a plan of subdivision as in the opinion of the approval authority are reasonable, having regard to the nature of the development proposed for the subdivision, including a requirement,

- (a) that land be dedicated or other requirements met for park or other public recreational purposes under section 51.1;*
- (b) that such highways, including pedestrian pathways, bicycle pathways and public transit rights of way, be dedicated as the approval authority considers necessary;*
 - (b.1) that such land be dedicated for commuter parking lots, transit stations and related infrastructure for the use of the general public using highways, as the approval authority considers necessary;*
- (c) when the proposed subdivision abuts on an existing highway, that sufficient land, other than land occupied by buildings or structures, be dedicated to provide for the widening of the highway to such width as the approval authority considers necessary;*
- (d) that the owner of the land proposed to be subdivided enter into one or more agreements with a municipality, or where the land is in territory without municipal organization, with any minister of the Crown in right of Ontario or planning board dealing with such matters as the approval authority may consider necessary, including the provision of municipal or other services; and*
- (e) in the case of an application for approval of a description or an amendment to a description, as referred to in subsection 9 (2) of the Condominium Act, 1998, if the condominium will contain affordable housing units and if a shared facilities agreement will be entered into with respect to the condominium, whether under section 21.1 of that Act or otherwise, that the shared facilities agreement be satisfactory to the approval authority. 1994, c. 23, s. 30; 2005, c. 26, Sched. B, s. 1; 2006, c. 23, s. 22 (5); 2016, c. 25, Sched. 4, s. 8 (3).*

Agreements

(26) A municipality or approval authority, or both, may enter into agreements imposed as a condition to the approval of a plan of subdivision and the agreements may be registered against the land to which it applies and the municipality or the approval authority, as the case may be, is entitled to enforce the provisions of it against the owner and, subject to the Registry Act and the Land Titles Act, any and all subsequent owners of the land. 1994, c. 23, s. 30.

Lapse of approval

(32) In giving approval to a draft plan of subdivision, the approval authority may provide that the approval lapses at the expiration of the time period specified by the approval authority, being not less than three years, and the approval shall lapse at the expiration of the time period, but if there is an appeal under subsection (39) the time period specified for the lapsing of approval does not begin until the date the Tribunal's decision is issued in respect of the appeal or from the date of a notice issued by the Tribunal under subsection (51). 2017, c. 23, Sched. 5, s. 99 (1).

Extension

(33) The approval authority may extend the approval for a time period specified by the approval authority, but no extension under this subsection is permissible if the approval lapses before the extension is given, even if the approval has been deemed not to have lapsed under subsection (33.1). 2022, c. 12, Sched. 5, s. 9 (2).

Parkland

Land conveyed or dedicated for parkland

51.1(1) *The approval authority may impose as a condition to the approval of a plan of subdivision that land in an amount not exceeding, in the case of a subdivision proposed for commercial or industrial purposes, 2 per cent and in all other cases 5 per cent of the land included in the plan shall be conveyed to the local municipality for park or other public recreational purposes or, if the land is not in a municipality, shall be dedicated for park or other public recreational purposes. 1994, c. 23, s. 31.*

Payment in lieu

(3) If the approval authority has imposed a condition under subsection (1) requiring land to be conveyed to the municipality and subsection (2) does not apply, the municipality may require a payment in lieu, to the value of the land otherwise required to be conveyed. 2015, c. 26, s. 32 (2).

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)... 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; ...

- h) promoting development and land use patterns that conserve biodiversity; and*
- i) preparing for the regional and local impacts of a changing climate.*

1.1.2 *Sufficient land shall be made available to accommodate an appropriate range and mix of land uses to meet projected needs for a time horizon of up to 25 years...*

Within settlement areas, sufficient land shall be made available through intensification and redevelopment and, if necessary, designated growth areas.

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.*

1.1.3 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...*

1.4 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...*

2.6 Cultural Heritage and Archaeology

2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

2.6.2 Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been 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.

3.2 Human-Made Hazards

- 3.2.2 *Sites with contaminants in land or water shall 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.*

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

2.2.1 Managing Growth

2. *Forecasted growth to the horizon of this Plan will be allocated based on the following: ...*
 - d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise; ...*
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... 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... active transportation;*
 - ii. *public service facilities...*
 - iii. *an appropriate supply of safe, publicly-accessible open spaces, parks, trails, and other recreational facilities;*
 - iv. *healthy, local, and affordable food options...;*
 - e) *provide for a more compact built form and a vibrant public realm...;*
 - f) *mitigate and adapt to the impacts of a changing climate, improve resilience and reduce greenhouse gas emissions, and contribute to environmental sustainability;*
 - g) *integrate green infrastructure and appropriate low impact development.*

2.2.2 Delineated Built-up Areas

1. *By the time the next municipal comprehensive review is approved and in effect, and for each year thereafter, the applicable minimum intensification target is as follows:*
 - a) *A minimum of 50 per cent of all residential development occurring annually within each of the Cities of Barrie, Brantford, Guelph, Hamilton, Orillia and Peterborough and the Regions of Durham, Halton, Niagara, Peel, Waterloo and York will be within the delineated built-up area;*

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.*
- 4. *Municipalities will maintain at all times where development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units. This supply will include, and may exclusively consist of, lands suitably zoned for intensification and redevelopment.*

Niagara Escarpment Plan, 2017, as amended

Part 1 Land Use Policies

1.6 Minor Urban Centre

This land use designation identifies those rural settlements, villages and hamlets that are distributed throughout the Niagara Escarpment Plan area.

1.6.1 OBJECTIVES

- 1. *To recognize, maintain and enhance existing rural settlements or provide concentration points for development and growth in rural areas.*
- 2. *To ensure that cumulatively the existing Minor Urban Centres and any associated development and growth can be accommodated and serviced in a manner that would be environmentally sustainable over the long term.*
- 3. *To promote the co-location of compatible public services to address local community needs in convenient locations that are accessible by walking, cycling and public transit, where available.*
- 4. *To conserve cultural heritage resources...*

5. *To ensure that new development is compatible with the identity and traditional character of Minor Urban Centres.*
6. *To direct the growth of villages, hamlets, and settlement areas away from Escarpment Natural Areas and Escarpment Protection Areas into Escarpment Rural Areas in a logical manner with the least possible environmental and agricultural disruption.*
7. *To ensure that any growth will be in accordance with a municipal official plan and/or secondary plan that is not in conflict with the Niagara Escarpment Plan.*

1.6.2 LIST OF MINOR URBAN CENTRES

The Minor Urban Centre designation includes the following list of villages and hamlets that are designated in local, regional or county official plans.

St. Davids

1.6.6 AMENDMENTS TO MUNICIPAL PLANS AND/ OR SECONDARY PLANS

Amendments to designations and/or land use policies within the boundaries of an approved official plan and/or secondary plan that is not in conflict with the Niagara Escarpment Plan may be made without requiring an amendment to the Niagara Escarpment Plan provided such an amendment does not involve Escarpment Natural Areas, Mineral Resource Extraction Areas or conflict with the Objectives and Development and Growth Objectives of this designation.

1.6.7 LAND USE CONTROL

Land use control within a Minor Urban Centre with an approved official plan and/or secondary plan that is not in conflict with the Niagara Escarpment Plan may be exercised either through by-laws passed under the Planning Act or through Development Control as authorized under the provisions of the Niagara Escarpment Planning and Development Act. By-laws or by-law amendments must not conflict with the Objectives and Development and Growth Objectives of this designation, and the Development Criteria in Part 2 of the Niagara Escarpment Plan.

1.6.8 DEVELOPMENT AND GROWTH OBJECTIVES

3. *Development and growth should avoid Escarpment Protection Areas and be directed to Escarpment Rural Areas in a manner consistent with Escarpment Rural Area Objectives and Part 2, the Development Criteria of this Plan.*
4. *Development and growth should be limited to minimize land use conflicts (e.g., with agriculture) and all development should be of a design compatible with the scenic resources of the Escarpment. Where appropriate, provision for adequate setbacks, and maximum heights for buildings, structures and screening shall be required to minimize the visual impact of development, consistent with any applicable provincial guidance.*

5. *Development within Minor Urban Centres should encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions (consistent with provincial reduction targets to 2030 and 2050) and work towards the long-term goals of low carbon communities, net-zero communities and increased resilience to climate change, through maximizing opportunities for the use of green infrastructure and appropriate low impact development.*
6. *Development and growth should be minor only, relative to the size and capacity of the settlement to absorb new growth, so that the community character is maintained.*
9. *Growth and development in Minor Urban Centres shall be compatible with and provide for:*
 - a) *the protection of natural heritage features and functions;*
 - b) *the protection of hydrologic features and functions;*
 - c) *the protection of agricultural lands, including prime agricultural areas;*
 - d) *the conservation of cultural heritage resources...*
 - e) *considerations for reductions in greenhouse gas emissions and improved resilience to the impacts of a changing climate;*
 - f) *sustainable use of water resources for ecological and servicing needs; and*
 - g) *compliance with the targets, criteria and recommendations of applicable water, wastewater and stormwater master plans, approved watershed planning and/or subwatershed plan in land use planning.*
10. *Municipal sewage and water services will be the preferred form of servicing. Where municipal sewage services and municipal water services are not provided, the use of private communal sewage services and private communal water services may be permitted. Individual on-site sewage services and individual on-site water services may only be permitted where municipal or private communal services are not available.*

Part 2 Development Criteria

2.2 General Development Criteria

The objective is to permit reasonable enjoyment by the owners of all lots that can sustain development.

1. *The Escarpment environment shall be protected, restored and where possible enhanced for the long term having regard to single, multiple or successive development that have occurred or are likely to occur.*

2.13 Scenic Resources and Landform Conservation

The objective is to ensure that development preserves the natural scenery and maintains Escarpment Related Landforms and the open landscape character of the Escarpment.

Scenic Resources

1. *Development shall ensure the protection of the scenic resources of the Escarpment.*
4. *Appropriate siting and design measures shall be used to minimize the impact of development on the scenic resources of the Escarpment, including:*
 - a) *establishing appropriate setbacks and maximum building heights;*
 - b) *changing the orientation and height of built form to reduce visibility and skylining;*
 - c) *clustering buildings where appropriate;*
 - d) *minimizing the development footprint and changes to the existing topography and vegetation;*
 - e) *using natural topography and vegetation as screening for visual mitigation;*
 - f) *where there is minimal existing screening or vegetation that cannot be retained, providing new planting of native species to screen development;*
 - g) *using non-reflective materials on roofs and walls along with measures to reduce reflectivity associated with windows; and*
 - h) *minimizing the effect from exterior lighting (e.g., lighting directed downward).*

Landform Conservation

5. *Planning, design and construction practices shall ensure that Escarpment Related Landforms are maintained and enhanced, and that development is visually compatible with the natural scenery and open landscape character of the Niagara Escarpment.*
6. *Use of impervious surfacing should be minimized and limited to areas of the site where it is necessary to the Permitted Use (e.g., driveways, walkways, patios, parking, recreational surfaces).*

Niagara 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

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

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.

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;*
- c) protect and enhance the character of rural settlements;*
- 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:

- a) the intensification targets in Table 2-2 and density targets outlined in this Plan;*
- 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;*
- c) a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and affordable housing needs.*
- 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;
 - h) opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;
 - i) the development of a mix of residential built forms in appropriate locations, such as local growth centres, to ensure compatibility with established residential areas;
 - 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:
 - i. protecting natural heritage features and areas, water resource systems, and other components of the Region's natural environment system pursuant to Section 3.1;
 - 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.

2.2.2 Strategic Intensification and Higher Densities

2.2.2.1 Within urban areas, forecasted population growth will be accommodated primarily through intensification in built-up areas...

2.2.2.5 A Regional minimum of 60 per cent of all residential units occurring annually will be within built-up areas.

2.2.2.6 Local Area Municipalities shall establish intensification targets in their official plans that meet or exceed the targets identified in Table 2-2.

Table 2-2: Niagara Region Minimum Residential Intensification Targets by Local Area Municipality 2021-2051

| Municipality | Units | Rate |
|---------------------|--------------|-------------|
| Niagara-on-the-Lake | 1,150 | 25% |

2.2.2.10 Local intensification strategies shall be implemented through Local official plans, secondary plans, zoning by-laws, and other supporting documents that identify:

- a) development standards to support the achievement of complete communities, permit and facilitate a compact built form and all forms of

- intensification throughout the built-up area, and avoid or mitigate risks to public health and safety;*
- c) *other major opportunities for intensification, such as infill, redevelopment, brownfields, and the expansion or conversion of existing buildings and greyfield sites;*

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*
- c) *plan to achieve affordable housing targets through land use and financial incentive tools.*

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...*

2.3.3.1 The following tools will be considered to support the development of affordable and attainable housing:

a) *flexibility in the scale, form, and types of residential uses permitted as-of-right, including additional residential units and other alternative housing forms;*

b) *streamlining of planning approvals for the development of affordable housing, attainable housing, and community housing;*

d) *the inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes;*

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

SECTION 6: GENERAL DEVELOPMENT POLICIES

6.1 ARCHAEOLOGICAL SURVEY

As a condition of a planning application for the development or redevelopment of land, the municipality in consultation with the authority having jurisdiction may require the proponent to undertake an Archaeological Survey for the purposes of determining whether prehistoric or historic archaeological resources exist on site and determining an appropriate course of action should these resources be found. Detailed requirements are contained in SECTION 18: HERITAGE CONSERVATION.

6.17 LOT SIZES

The lot area and lot frontage shall be suitable for the proposed uses and should conform to the provisions of the implementing Zoning By-law. In considering any plan of subdivision or consent application regard shall also be had to the minimum lot sizes provided in the zoning by-law so as to keep the lots as small as possible in relation to the efficient use of land and the need to preserve the agricultural land resource.

6.22 PARKS AND DEDICATION

...the Town of Niagara-on-the-Lake shall, as a condition of approval, require that up to five per cent of such lands be conveyed to the municipality for park or other public recreational purposes...

The municipality, in the alternative, may require the developer to convey cash-in-lieu of parklands. The cash value of such lands shall be equal to the required amount of land dedication and will be determined by an appraisal authorized by the municipality. The value of the lands shall be determined as of the day before the day of the issuance of the building permit as outlined in Section 41 of the Planning Act, 1983. For plans for subdivision, the value of the land is determined as of the day before the day of the Draft Plan is approved, as outlined in Subsections 51(8) and (9) of the Planning Act, 1983.

6.30 SERVICING POLICIES

(1) GENERAL POLICIES

- a) *New development will be limited by the available capacities of services. Where within any Urban Boundary full municipal services are not available it is a policy of this Plan that development may be restricted.*

(4) DRAINAGE

- a) *No development shall occur without appropriate regard for storm run-off, on-site collection and channeling of storm water to an adequate outlet. Drainage shall be to a storm sewer outlet satisfactory to the Town.*

6.33 TREE PRESERVATION AND REFORESTATION

It is a policy of this Plan that existing trees must not be unnecessarily removed and that wherever possible existing trees should be preserved and protected. In urban areas where it is unavoidable that trees be removed the following policies shall apply.

- (1) *As a condition of any development or redevelopment where it is unavoidable that trees must be removed, the proponent shall plant trees of a similar or comparable species having a minimum caliper acceptable to the Town elsewhere on the site and the Town may require the proponent retain the services of a qualified arborist or similar professional. Where no other reasonable location exists on the site the town may require the owner to contribute to the town sufficient money to replant an equal number of new trees on public lands identified for reforestation by the Town.*

6.32.3 SPECIAL POLICY AREA A-3 (ST. DAVIDS)

The Official Plan recognizes the community of St. Davids as a Special Policy Area. The boundaries of the Special Policy Area are shown on Schedule D to this Plan.

It is the intent of this Plan that the future evolution and physical development of the St. Davids community shall be directed by the policies of this Plan and, as applicable, the specific policies of this Section.

A. Objectives

It is the intent of this Plan with respect to the St. Davids community to provide for the following planning policy objectives:

- 1. Preserve the ambience and character of the historic village;*
- 4. Protect the views of the Niagara Escarpment, and provide for appropriate public access and linkages to the Bruce Trail;*
- 5. Provide for efficient future growth within the urban area boundaries based on a comprehensive plan for municipal infrastructure and compatible land uses;*
- 6. Provide for appropriately located active parkland and recreational facilities;*
- 8. Provide for a diversity of housing types to meet the needs of the resident community;*
- 11. Provide for a comprehensive approach to transportation planning including roadways, pedestrian ways, bicycle ways/lanes and a long-term strategy for the future of Paxton Lane;*
- 12. Provide for a comprehensive approach to stormwater management;*
- 13. Provide for well-designed new development through urban design guidelines to address streetscape character, infill opportunities, and community focal points;*

B. Policies

Any development, redevelopment, or infilling proposals within the St. Davids Special Policy Area shall be subject to the policies of this Plan and the following Area-specific policies:

Land Use

Schedule D, the Land Use Plan, identifies the distribution of permitted land uses within the St. Davids Special Policy Area.

General Development Policies for St. Davids

Development in St. Davids shall be governed by the general development policies of this Plan and the following specific policies:

- 1. Where appropriate the scale, massing, and design of any new development shall be compatible with the character of adjacent development, and support the characteristics of the Village. All new street-related development should enhance the streetscape;*
- 2. New development shall be designed, where appropriate to preserve and enhance the streetscape in terms of such elements as building setback, façade design, and façade density;*
- 3. New development shall respect established building lines and significant landscape features;*
- 4. Access to new buildings that have a direct relation to the street shall be arranged in relation to, and designed to facilitate, street-oriented pedestrian movement;*

6. *Proposals for infill development shall be designed to be sensitive to the attributes of adjacent properties in terms of such elements as scale, massing, building separations, and landscaped open space;*
7. *Signage, lighting, and landscaping treatments shall be compatible with the character of adjacent properties and the Village in general.*

Protection of Natural Features

1. *The preservation and enhancement of tree and shrub species, woodlots, and habitat corridors shall be considered in project design to provide for the long-term maintenance of natural features and amenity for future development.*
2. *The design of new development shall be complementary to any adjacent natural features such as watercourses, wetlands, wooded areas, valley lands, parks, and other open space areas and shall only be permitted in accordance with the protective policies of this Plan and affected agencies.*

Niagara Escarpment Viewplane Protection and Access

1. *New development shall comply with the objectives and policies of the Niagara Escarpment Plan as applicable within St. Davids.*
2. *New development shall be designed to protect views of the Niagara Escarpment through such means as appropriate building height, separation, and orientation, and the provision of appropriately-located public space.*
3. *The design of new plans of subdivision and condominium should be in harmony with and maintain the existing character of the Escarpment landscape.*
4. *The designation and alignment of new roadways and service corridors should be in harmony with the Escarpment landscape.*
5. *New development should be designed and located in such a manner as to provide for and protect access to the Niagara Escarpment including the Bruce Trail Corridor.*

Servicing

1. *New development including plans of subdivision, plans of vacant land condominium, and new lots created by consent shall be designed and serviced subject to the approval of the Town's Public Works Department and other appropriate agencies.*
2. *Approval of new development shall be coordinated by the Town to ensure that the provision of municipal infrastructure takes place in an orderly, efficient, and cost-effective manner.*
3. *New development shall proceed only if Council is satisfied that services and utilities are or can be made available and have the adequate capacity to accommodate and safely service the proposed development.*
4. *Developers shall be financially responsible for providing all services and utilities to new development.*
5. *All lots shall be served by municipal water and wastewater services.*

Land Division and Land Assembly

1. *Land division within St. Davids should generally proceed by plan of subdivision to ensure that an appropriate lotting pattern is created; that an appropriate*

roadway design will be achieved; and that suitable arrangements for the provision of services are addressed in a subdivision agreement.

4. *Land assembly or lot consolidation may be required to ensure parcel configurations that are appropriate for development purposes by way of plan of subdivision, the orderly design of public infrastructure, and compatibility with abutting lands. The Town will encourage the merging of lands, or the undertaking of multi-party development agreements, in order to meet this policy intent.*

Residential Land Use

1. *Low density residential land uses and building types are recognized as the predominant permitted housing type intended in the St. Davids Special Policy Area. A mix of low density building types shall be encouraged.*
2. *Low density residential projects may be developed to a maximum 6 units per acre net density as provided for in the residential density policies of this Plan.*
3. *Medium density residential projects are recognized as a minor housing type. Medium density residential projects may be developed to a maximum 12 units per acre net density as provided for in the residential development policies of this Plan.*
4. *Medium density building types shall be limited to townhouses, triplexes, fourplex and quad-plex dwellings, senior citizen housing projects and nursing homes. Medium density building types may be considered in accordance with the following:*
 - (a) *Medium density projects shall be designed in such a way as to be compatible with adjacent low density buildings and areas;*
 - (b) *Medium density projects shall provide adequate outdoor amenity areas including functional common open areas and private open space areas with suitable landscaping;*
 - (c) *Medium density projects shall provide sufficient on-site parking for each dwelling and visitor accommodation.*
5. *Medium density projects shall be located:*
 - (a) *Where it can be demonstrated that the project will be compatible with adjacent development in terms of intensity of use, building design, and architectural treatment;*
 - (b) *Adjacent to or in close proximity to commercial areas for the purpose of serving the needs of residents, supporting the viability of the commercial area, and establishing consistency with the land use intensity of the commercial area;*
 - (c) *Where the project has direct access to a public street without drawing traffic through low density areas;*
 - (d) *Where adequate municipal services are available and can be provided without disruption through reconstruction of existing lines. Such reconstruction shall be discouraged by the Municipality. It shall be the responsibility of the proponent to establish the availability of capacity and demonstrate that adequate services are available.*

Housing Diversity

1. *Council recognizes the importance to the St. Davids community of providing adequate affordable housing for all residents of St. Davids, and encourages the*

development of an appropriate mix of housing types to meet the needs, preferences, and lifestyles of all residents.

- 2. Council encourages and intends to facilitate the development of an appropriate supply of housing for seniors in St. Davids and affordable housing for families which support community facilities and services in St. Davids.*
- 5. It is the intent of this Plan that development which is specifically intended to accommodate seniors be located in close proximity to supporting commercial and community facilities.*

Parkland and Park Facilities

- 3. It is the intent of Council to provide for new parkland and parks facilities to meet the needs of the growing residential community.*
- 4. New parks and park facilities shall be acquired and developed at the neighbourhood park level in accordance with the Open Space and Community Facilities policies of this Plan.*
- 7. Small parks may be acquired for the purpose of providing sitting and viewing opportunities where warranted by views and vistas of St. Davids or the Niagara Escarpment, or to provide public access to the Bruce Trail.*
- 8. The Town intends to acquire new parkland where a new park could be integrated with other public lands and has the potential to be integrated with a municipal pond. Acquisition of lands approximately 2-3 hectares in area (5-7 acres) in the general vicinity of the fire hall would satisfy this intent. Acquisition of a similar-sized parcel located between Warner Road and Highway 405 with access to Tanbark Road would be an acceptable alternative.*
- 9. Any new neighbourhood park should be located so that safe access and pedestrian linkages are provided for all park users.*
- 10. The Town intends to acquire new parkland through land dedication in conjunction with approval of new plans of subdivision. The Town may also acquire new parkland by purchase, donation, or bequest if warranted.*

Urban Design

- 1. The Town intends to adopt urban design guidelines to ensure that the unique historic character of St. Davids is preserved and extended through careful design consideration of built form, open space, and streetscapes.*
- 2. All development, redevelopment, and infill in St. Davids shall be designed in a manner consistent with urban design guidelines adopted by Council.*

SECTION 6A: GROWTH MANAGEMENT POLICIES

3.4 Housing Mix

The Official Plan's land use policies are based on providing an appropriate mix of housing to meet the needs of the Town and its long term land needs and housing growth. While a majority of the lands are designated for low density residential development medium density development is also a permitted form of housing in low density residential and established residential designations subject to specific design and locational criteria as provided in the residential policies of the Official Plan.

A number of parcels in the municipality are designated for medium density residential development which includes multi-unit residential housing such as townhouses,

apartments, seniors' homes, etc. The policies of the Official Plan provide that while low density residential uses are permitted they are not encouraged in Medium Density Residential designations as the potential loss of residential units over medium density needs to be carefully considered.

Given the small-Town character and heritage of Niagara-on-the-Lake, high density development will be limited especially within established residential areas where high density development may adversely impact heritage resources and the character of the area in terms of scale, mass or height.

4.2 Intensification Target

Intensification Target

By the year 2015 and for each year thereafter the Town shall target for a minimum of 15% of all new dwelling units occurring annually to occur within the Built-up Area identified on Schedules "I-1" and "I-2".

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;*
- 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, semi-detached and townhomes and low rise apartment buildings subject to the relevant development and compatibility policies of this plan.*
- c) The provision of affordable housing in intensification areas will be encouraged through the application of the policies in Section 9 of the Official Plan.*
- d) Mixed use development is also encouraged within the commercial areas of the Built-Up Area. The preferred built form for mixed use development is a minimum of 2 storeys with commercial and office uses on the ground floor, with residential units or office uses located above. The 2 storey height will ensure mix use developments are not underdeveloped.*
- 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...*
- f) Parking for all new residential, commercial and mixed use development will be located at the rear of the building, with the principle entrance fronting onto the street and a secondary entrance at either the side or to the rear of the building.*

- g) *The Region and the Town will ensure that an adequate supply of sanitary and water services are made available to accommodate the unit target for the Built-up Area and for the existing potential developable lands within the urban area and that the infrastructure for the distribution of water collection of wastewater can support the increased load.*
- h) *The Town will ensure that intensification and redevelopment is consistent with the heritage and character of the Built-up Area...*
- m) *Intensification Areas will be planned to provide a diverse mix of land uses that complement and support the overall residential intensification objective. This includes providing for employment, commercial, recreation, institutional and other compatible land uses.*

4.6 Land Use Compatibility Policies

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 the change will be appropriate and compatible...

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; and,*
- 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: ...*
 - *Lot frontages lot area, depth*
 - *Building Setbacks*
 - *Privacy and overview*
 - *Lot grading and drainage*
 - *Parking*
 - *Servicing*

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.*
- (3) *To ensure that new development or redevelopment is appropriately located, is compatible with surrounding land uses, incorporates energy efficient aspects in its design... and uses land in an efficient manner...*
- (4) *To encourage the development of economical housing in a suitable environment.*

- (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 and non-residential uses.*
- (11) *To encourage the development of well-designed and visually distinctive forms.*

9.3 LAND USE DESIGNATIONS

9.3.1 LOW DENSITY RESIDENTIAL

- (1) *In the low density residential designation the following uses shall be permitted:*

Main Uses:

Low Density Residential uses such as single detached, semi-detached and duplex dwellings.

Secondary Uses:

Uses permitted with a Main Use:

- *roomers and boarders*
- *bed and breakfasts*
- *accessory apartments*
- *group homes*
- *home occupations*
- *accessory buildings and structures*

Uses permitted independent of a Main Use:

- *Minor open space and community facilities subject to Section 15 of this Plan;*
- *Medium density residential uses subject to; the relevant policies of Section 9, and a site specific amendment to the Zoning By-law.*

- (2) *Accessory apartments, rooming and boarding houses, and the residential mix of single family semi-detached and duplex dwellings may be placed in separate zoning categories and limited in the Zoning By-law to locations and densities deemed appropriate by Town Council.*

9.4 GENERAL RESIDENTIAL POLICIES

The following policies shall apply to all residential designations shown on the land use schedules.

(4) RESIDENTIAL DENSITY

The maximum number of dwelling units per acre is a function of the capacity to provide municipal services and the typography 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. Generally, ...medium density residential developments will not exceed 12 units per acre (30 units per hectare) unless accompanied by a detailed site and area analysis demonstrating that there will be minimal impact on surrounding

neighbourhoods and development and which will be subject to a public review process. The Council reserves the right to establish in an implementing zoning by-law the maximum number of units to be permitted on any property subject to the relevant policies of this Plan and applicable Provincial Policy.

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.

St. Davids Urban Design Guidelines

6.2 Public Realm: Public Parks

6.2.3 Community Park Guidelines

c) Bike paths and sidewalks should connect to parks that are located in the vicinity of arterial roads.

6.5 Public Realm: Views

6.5.2 Guidelines

- a) The street and block layout should be oriented to maximize views to the Escarpment.*
- b) Streets should shift at key locations to allow for significant view opportunities to the Escarpment.*

6.6.2 Guidelines: Streets for Walking and Recreation

6.6 Public Realm: Streets

The design principles that will promote streets for walking and recreation include:

- a) Create interconnected Road Patterns
An interconnected local street network with shorter block lengths will allow traffic flow to dissipate more evenly through neighbourhoods. This pattern will limit increased traffic speed on long road stretches and the need for traffic calming devices which limit emergency vehicle response time, reduce street parking, and are costly to construct and maintain.*
- c) Encourage Street Parking
Street parking helps to slow traffic through the manoeuvring of parked cars.*

6.6.3 Guidelines: Unique Street Character

- a) Vary the Length of Streets and Blocks
Allow streets to respond to the configurations of topography, other natural features, and existing development (streets, residential areas) to reinforce a sense of place in the new community.
A uniformity of new streets and blocks will limit orientation with community landmarks. A variety of streets and blocks that are occasionally offset, single loaded or curved will enhance one's orientation and enjoyment of the area.*
- b) Provide a Variety of Setbacks*

Opportunities to provide a variety of street setbacks will create visual interest and a sense of informality. A greater variety of buildings will create an image of incremental development as housing has evolved in the Town's older neighbourhoods, rather than an appearance of being built all at once.

6.6.5 Guidelines: Block and Street Design

A pattern of short blocks encourages walking as it shortens distances. It is also more interesting since a greater combination of possible routes is created. With greater pedestrian activity, streets become safer; with more efficient routes, driving distances are reduced.

The result of this street design is environmental and safety benefits.

- a) Blocks should be short. Block lengths should not exceed 250 metres.*
- b) Streets should be interconnected to disperse traffic.*
- c) The street pattern should discourage through traffic (for example through T-intersections).*
- d) In general, culs-de-sac should be avoided.*
- e) Mid-block paths should be provided to create an overlay network dedicated to pedestrians.*

6.7 Public Realm: Pedestrian Network

6.7.2 Guidelines: Sidewalks and Walkways

- a) Sidewalks should be provided on all pedestrian routes as outlined above including major and local streets.*
- f) Sidewalks should be used to connect neighbourhoods, streets, public facilities, and open space.*

6.8 Public Realm: Streetscape

6.8.1 Guidelines: Mid-block Paths

As a means to promote walking and cycling, walkways through blocks and to open spaces are encouraged to increase accessibility throughout neighbourhoods, between public amenities and facilities, and to link recreational trails.

- a) Walkways should be provided as mid-block connections where blocks are greater than 250 metres.*
- b) Walkways should generally be lit from adjacent street lights; the length of a mid-block walkway should therefore not exceed the depth of the block.*
- c) In general, walkways should have a minimum 3.0 metre right-of-way incorporating a concrete surface that is suitable for pedestrian and bicycle use and requires minimal maintenance.*

6.8.4 Guidelines: On Street Parking

On-Street Parking Guidelines:

- b) On-street parking should be permitted in residential areas where appropriate as visitor parking.*

6.8.8 Sidewalks and Landscape Strips

A key objective of landscape strips and sidewalks is to provide a buffer between the street and private properties, and between differing uses.

- a) *A continuous public sidewalk should be provided on two sides of arterial roads and on a least one side of collector and local roads.*
- f) *Landscape strips that are less than 1.0 metre in width and are adjacent to a hard edge, such as a wall or a curb, should be paved with feature paving material.*

6.10 Public Realm: Residential Areas

6.10.4 Guidelines: Unique Neighbourhood Identity

The following characteristics of established neighbourhoods in St. Davids should be maintained and enhanced in new neighbourhoods:

- a) *A Variety of Street and Block Configurations*
It is easy to "know where you are" in St. Davids as no two streets appear the same. This is due in part to the variety of street, block and lot configurations and sizes within the town.
- b) *A Variety of Setbacks*
The wide variety of setbacks is a defining characteristic of the streetscape and provides visual interest and a sense of informality that are important attributes for a small town character.

6.10.7 Guidelines: Residential and Arterial/ Collector Road Interface

- c) *The front yard of dwellings should optimize opportunities for landscaped open space through reduced paving to access garages.*
 - *Front yards less than 40 feet (12 metres) wide should not permit double car garages to face the public roadway.*
 - *Driveway widths should not exceed the width of a single car garage of approximately 10 feet (3 metres).*
 - *Driveway spacing should be controlled to minimize disruption of the road function and ensure ample opportunity to plant street trees and where appropriate, provide street parking.*

7.1 Private Realm: Infill

7.1.5 Guidelines: Massing

Proposed heights for infill buildings should not be less than 80 percent or more than 120 percent of an existing building's height-to-width ratio. Since the majority of existing buildings does not exceed two storeys in height, it is recommended that new buildings generally reflect the same proportions particularly along the south end of Four Mile Creek Road where views to the Escarpment should be maintained.

7.2 Private Realm: Architectural Elements

7.2.3 Guidelines: Rooflines

- a) *A variety of rooflines and shapes should occur in each residential block.*
- b) *Roof forms should apply a generally consistent roofline in mass and height to adjacent buildings.*

7.2.4 Entranceways

- a) *A high proportion of dwellings in any development are recommended to have a front porch.*

- b) Front porch and deck dimensions are encouraged to be deep enough to accommodate furnishings to ensure their active use. Therefore, the minimum depth for porches and decks should be 2.0 metres.*
- c) Steps to front porches should have generous proportions and a gentle rise and run to encourage step sitting and the placement of flowerpots.*
- d) The design of front porch railings and columns should be integrated to provide enclosure and safe use of the porch.*

7.2.8 Guidelines: Fences

There is a great variety of fence types found in St. Davids, as shown below: wood picket, cast iron, traditional agricultural, and living fences, hedges. They all have an approximate height of three feet, are semi-permeable, and are made of natural materials. New fences should maintain the character of existing village fences in terms of materials, visual permeability, and height.

7.3 Private Realm: New Residential Built Form

7.3.2 Guidelines: Single Detached and Attached Dwelling Setbacks

- b) Front yard setbacks should generally be a minimum of 4.5 metres with the exception of "wide shallow lots" and lots providing rear yard garages which permit a minimum 3.0 metre front yard setback.*
- f) A variety of front yard setbacks (3-6 metres), house types and garage treatments are encouraged on any given street block.*
- i) Rear Yard setbacks shall be a minimum of 7.5 metres.*
- j) Visible building elements including porches, entrances, windows and building materials should differ from adjacent buildings to provide variety to the image of the streetscape.*

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2.4 Growth Management

2.4.3 Population and Employment Forecasts

2.4.3.2 Housing Forecast

- b) In 2011, the household mix by unit type in the Town was 85% low density (single-detached and semi-detached units), 9.3% medium density (townhouses, rowhouses), and 5.7% high density (apartments). Source: Watson and Associates The allocation of forecast housing growth to the various settlement areas will be completed upon finalization of the Regional Municipal Comprehensive Review.*
- c) The Town can accommodate over 4,300 housing units through intensification and greenfield development opportunities, which is in excess of the anticipated increase in households to 2031. The potential supply opportunities for each settlement area are shown in **Table 4**.*
- d) Beyond 2031, St. Davids is expected to accommodate the largest share of urban residential growth, with the balance distributed between Old Town, Glendale and Virgil. Queenston has limited opportunities for additional growth.*

Table 4 - Town of Niagara-on-the-Lake Residential Supply Opportunities by Settlement Area

| Settlement Area | Density Type | | | | Percentage Share |
|-----------------------------|-------------------------|------------------------|-------------------------|--------------|------------------|
| | Singles & Semi-Detached | Multiples ¹ | Apartments ² | Total | |
| <i>Old Town</i> | 187 | 323 | 241 | 751 | 17% |
| <i>Virgil</i> | 690 | 32 | 22 | 744 | 17% |
| <i>Queenston</i> | 29 | 0 | 0 | 29 | 1% |
| <i>St. Davids</i> | 858 | 113 | 800 | 1,771 | 41% |
| <i>Glendale</i> | 413 | 649 | 10 | 1,072 | 25% |
| <i>Rural</i> | 2 | 0 | 0 | 2 | 0% |
| Total | 2,179 | 1,117 | 1,073 | 4,369 | 100% |
| Percentage Breakdown | 50% | 26% | 25% | 100% | |

1 Includes townhomes and apartments in duplexes
2 Includes bachelor, 1 bedroom and 2 bedroom+ apartments
Note: Residential land supply includes units in plans of subdivision and units yields from potential developable parcels.
Source: Plans of Subdivision data derived from Niagara-on-the-Lake Development Charges Study 2013 revised for recent development activity and potential developable parcel unit data provided by Niagara-on-the-Lake.

2.6 Complete Communities

2.6.1 Sustainability

2.6.1.1 *The concept of a sustainable community is one that directs growth to well-planned built-up areas and protects the integrity of the agricultural sector. Compact development within settlement areas is key to growth management in the Town. In managing growth for the next 20 to 30 years, the Town will continue to direct growth to the settlement areas and maintain a balance of residential and employment opportunities.*

2.6.1.3 *Sustainability is achieved through a variety of initiatives that can include: ...*

- d) providing choices and opportunities for housing, employment, transportation, social, recreational and cultural amenities;*
- e) building on the existing employment strengths within the Town to generate economic prosperity;*
- g) making efficient use of public infrastructure by focusing on a compact, mixed use, walkable, and connected community, and support for active transportation alternatives;*
- h) having vibrant downtowns and attractive public spaces;*
- i) maintaining a commitment to low profile development; ...*

2.6.2 Healthy Neighbourhoods

2.6.2.1 *...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; ...*
- c) a range of quality housing choices to meet the needs of people in all stages of life; ...*

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.
- 2.6.3.2 Within settlement areas, a greater diversity of housing stock, including townhouses and small apartment buildings, and increased opportunities for more affordable housing choices will be provided through infilling, intensification ...
- 2.6.3.3 Multi-unit residential developments may be required to incorporate a mix of unit sizes to *accommodate a diverse range of household sizes and incomes.*

4.5 Intensification Strategy

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:*

- 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;*
- 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;*
- l) road and/or municipal infrastructure shall be adequate to provide water and wastewater service, waste management services and fire protection.*

4.8 Community Design

4.8.2 Building Height Restrictions

4.8.2.1 *With the exception of Glendale, the Town consists of low-rise structures in a small town setting with a large number of cultural heritage resources. Generally, building heights in Old Town... do not exceed ten (10) metres. This low- rise*

character will be maintained, and the implementing zoning by-law will limit building height accordingly. Special provisions may be included in the zoning by-law limiting the building height to less than ten (10) metres in residential areas where the majority of the buildings are 1 or 1.5 storeys in height...

4.10. Residential Areas

4.10.2 Objectives

4.10.2.1 Objectives for residential development areas are as follows:

- a) 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.*
- b) To improve housing supply options in the Town through various means including municipal involvement in various government housing programs.*
- c) To ensure new housing is appropriately located, is compatible with surrounding land uses, incorporates energy efficient aspects in its design, retains important natural heritage features and uses land efficiently.*
- d) To ensure that existing housing and existing residential areas are conserved and improved.*
- e) To support the conservation of cultural heritage resources...*
- f) 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 municipal services and community facilities.*
- g) To limit land use conflicts that may be associated with proposed new residential and mixed use development proposals.*
- i) To support appropriate development of residential facilities that house persons requiring specialized care.*
- j) To encourage development of well-designed and visually-distinctive housing projects.*
- k) To provide an appropriate mix of housing to meet the Town's long-term land needs and housing growth in the Town.*

4.10.3 Policies

4.10.3.1 Low-rise structures are the predominant built form throughout the residential areas...Low-rise structures are generally one (1) or two (2) storeys in height...

4.16 Secondary Plans

4.16.10 The following approved Secondary Plans continue in effect and form part of this Plan:

- b) St. Davids Secondary Plan (Appendix 4)*