

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...

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 ..

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...

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...

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; ...*
- 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.*

1.1.2 *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.

1.1.3 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:

- a) managing and/or promoting growth and development that is integrated with infrastructure planning;*
- c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;*
- 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.*

1.2.6 Land Use Compatibility

1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.

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;*
- c) facilitating the conditions for economic investment by identifying strategic sites for investment, monitoring the availability and suitability of employment sites, including market-ready sites, and seeking to address potential barriers to investment;*
- 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*
- e) ensuring the necessary infrastructure is provided to support current and projected needs.*

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; ...*

1.6.8 Transportation and Infrastructure Corridors

1.6.8.3 Planning authorities shall not permit development in planned corridors that could preclude or negatively affect the use of the corridor for the purpose(s) for which it was identified.

New development proposed on adjacent lands to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize negative impacts on and from the corridor and transportation facilities.

1.6.9 Airports, Rail and Marine Facilities

1.6.9.1 Planning for land uses in the vicinity of airports, rail facilities and marine facilities shall be undertaken so that:

- a) their long-term operation and economic role is protected; and*
- b) airports, rail facilities and marine facilities and sensitive land uses are appropriately designed, buffered and/or separated from each other, in accordance with policy 1.2.6.*

1.6.9.2 Airports shall be protected from incompatible land uses and development by:

- a) prohibiting new residential development and other sensitive land uses in areas near airports above 30 NEF/NEP;*
- b) considering redevelopment of existing residential uses and other sensitive land uses or infilling of residential and other sensitive land uses in areas above 30*

NEF/NEP only if it has been demonstrated that there will be no negative impacts on the long-term function of the airport; and
c) *discouraging land uses which may cause a potential aviation safety hazard*

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;*

1.8 Energy Conservation, Air Quality and Climate Change

1.8.1 *Planning authorities shall support energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions, and preparing for the impacts of a changing climate through land use and development patterns which:*

- b) *promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas; ...*
- e) *encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;*
- f) *promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; ...*

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.*

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

1. *Population and employment forecasts contained in Schedule 3 or such higher forecasts as established by the applicable upper- or single-tier municipality through its municipal comprehensive review will be used for planning and managing growth in the GGH to the horizon of this Plan in accordance with the policies in subsection 5.2.4.*
2. *Forecasted growth to the horizon of this Plan will be allocated based on the following: ...*
 - a) *the vast majority of growth will be directed to settlement areas that:*
 - i. *have a delineated built boundary;*
 - ii. *have existing or planned municipal water and wastewater systems; and*
 - iii. *can support the achievement of complete communities;*
 - b) *growth will be limited in settlement areas that:*
 - iii. *are in the Greenbelt Area;*
 - c) *within settlement areas, growth will be focused in:*
 - i. *delineated built-up areas;*
 - iii. *locations with existing or planned transit, with a priority on higher order transit where it exists or is planned; and*
 - iv. *areas with existing or planned public service facilities;*
 - d) *development will be directed to settlement areas, except where the policies of this Plan permit otherwise; ...*
3. *Upper- and single-tier municipalities will undertake integrated planning to manage forecasted growth to the horizon of this Plan, which will:*
 - c) *provide direction for an urban form that will optimize infrastructure, particularly along transit and transportation corridors, to support the achievement of complete communities through a more compact built form;*

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; ...*

2.2.5 Employment

1. *Economic development and competitiveness in the GGH will be promoted by:*
 - a) *making more efficient use of existing employment areas and vacant and underutilized employment lands and increasing employment densities;*
 - 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;*
 - c) *planning to better connect areas with high employment densities to transit; and*
 - 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*
4. *In planning for employment, surface parking will be minimized and the development of active transportation networks and transit-supportive built form will be facilitated.*
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

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 in this Plan;*
 - 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.*
3. *To support the achievement of complete communities, municipalities will consider the use of available tools to require that multi-unit residential developments incorporate a mix of unit sizes to accommodate a diverse range of household sizes and incomes.*

2.2.7 Designated Greenfield Areas

1. *New development taking place in designated greenfield areas will be planned, designated, zoned and designed in a manner that:*
 - a) *supports the achievement of complete communities;*
 - b) *supports active transportation; and*
 - c) *encourages the integration and sustained viability of transit services.*
2. *The minimum density target applicable to the designated greenfield area of each upper- and single-tier municipality is as follows:*
 - a) *The... Region of ...Niagara... will plan to achieve within the horizon of this Plan a minimum density target that is not less than 50 residents and jobs combined per hectare;*
3. *The minimum density target will be measured over the entire designated greenfield area of each upper- or single-tier municipality...*

4.2.7 Cultural Heritage Resources

1. *Cultural heritage resources will be conserved in order to foster a sense of place and benefit communities, particularly in strategic growth areas.*
2. *Municipalities will work with stakeholders, as well as First Nations and Métis communities, in developing and implementing official plan policies and strategies for the identification, wise use and management of cultural heritage resources.*

4.2.10 Climate Change

1. *Upper- and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with other provincial plans and policies for environmental protection, that will include:*
 - a) *supporting the achievement of complete communities...*
 - b) *reducing dependence on the automobile and supporting existing and planned transit and active transportation;...*

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

Municipality	Population	Employment
Niagara-on-the-Lake	28,900	17,610

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.*

2.2.2 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 with particular focus on the following locations:*

- b) *areas with existing or planned public service facilities;*

2.2.2.2 *Within urban areas, forecasted employment growth will be primarily accommodated within the employment areas shown on Schedule B and Schedule G, and subject to the policies of Section 4.2.*

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;*

2.2.2.11 *Strategic growth areas are the highest priority for development and intensification, as well as the primary location for major public service facilities, major institutional uses, high density and mixed-use development, major office uses, major commercial uses and major recreational uses*

2.2.2.12 *Local Area Municipalities shall identify the applicable strategic growth area minimum density targets outlined in Table 2-3 in their official plans.*

Table 2-3 Minimum Density Targets for Identified Strategic Growth Areas. Strategic Growth Area: Glendale Niagara District Plans, Density Target: 100 people and jobs per hectare by 2051

2.2.2.23 *Designated greenfield areas shall achieve a minimum density of 50 residents and jobs combined per hectare as measured across the entire region.*

- 2.2.2.25 Designated greenfield areas will be planned as complete communities by:
- a. ensuring that development is sequential, orderly and contiguous with existing built-up areas;
 - b. utilizing proactive planning tools in Section 6.1 and Section 6.2, as appropriate;
 - c. ensuring infrastructure capacity is available; and
 - d. supporting active transportation and encouraging the integration and sustained viability of public transit service.

2.3 Housing

- 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; and
 - b) incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development.
- 2.3.1.5 New residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life.

4.2 Planning for Employment

The objectives of this section are as follows:

- d) plan employment lands to enhance economic resilience through a diversified economy;
- e) guide future redevelopment of employment lands;
- f) protect airport and aerodrome lands short-term and long-term operational needs;

4.2.6 Airport and Aerodrome Lands

4.2.6.1 Niagara's airport and aerodrome lands are shown on Schedule G.

4.2.6.2 The Region and Local Area Municipalities shall consult with applicable airport or aerodrome authorities at the time any planning matter arises that may impact the ability for the facilities to operate and expand.

4.2.6.3 The Region recognizes the Niagara District Airport as a non-curfew airport of entry. The airport and its associated lands as mapped in accordance with Federally approved Airport Zoning Regulation (SOR/84-901), as amended, on Schedule G will be supported as an economic contributor to the regional market area and is a valued component of Niagara's transportation system.

4.2.6.5 Land use permissions and zoning for lands within the airport's area of influence shall maintain the Federal Government's recommended Noise Exposure Forecast (NEF) contours where applicable and be compatible with the

operations of the airport.

4.2.6.6 Federal, Provincial, and Municipal policies and guidelines apply where sensitive land uses are proposed near existing or planned airports and aerodromes.

4.2.6.7 Conflict between airport lands and surrounding land uses shall be minimized to ensure:

- a. there will be no negative impact on airport operations and viability;*
- b. an expansion of airport operations will not be limited;*
- c. land uses in the airport's area of influence, as shown in Local official plans, in conformity with this Plan, will not cause a potential aviation hazard; and*
- d. land uses in the airport's area of influence, as shown in Local official plans, in conformity with this Plan, will not limit existing and/or the expansion of airport operations*

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.*

5.2 Infrastructure

5.2.1.1 Infrastructure planning, development, and asset management shall be undertaken in support of the growth management policies of this Plan to promote sustainability and the achievement of complete communities.

5.2.2.1 Adequate water supply and sewage collection shall be provided to meet the existing and future development needs in alignment with the growth management policies of this Plan, the Water and Wastewater Master Servicing Plan and the Region's capital budget process.

5.2.2.2 Municipal water and wastewater systems/services are the required form of servicing for development in urban areas.

5.2.2.4 Prior to approval of development, the municipality shall ensure that required water and wastewater services and servicing capacity is available to support the development.

5.2.5.3 Local Area Municipalities shall implement sustainable stormwater management plans and strategies as part of development and redevelopment.

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;*

6.4 Archaeology

6.4.2.1 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 or the land has been investigated and cleared or mitigated following clearance from the Province.

6.4.2.7 When an archaeological assessment is required, the assessment will follow the applicable guidelines and processes as dictated by the Province, such as the Standards and Guidelines for Consulting Archaeologists, and an acknowledgement letter from the Province verifying this shall be required prior to any final approvals.

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.

6.4 BUILDING HEIGHT RESTRICTIONS

The Town of Niagara-on-the-Lake consists of low-rise structures in a small town setting with a large number of historic buildings. Generally, the building height has not exceeded 11 metres (36 feet). For the most part this low-rise character should be maintained and the implementing zoning by-law should limit building height accordingly. Special provisions may also be included in the implementing zoning by-law limiting the building height to less than 11 metres (36 feet) in low density residential, and established residential areas where the majority of the buildings are one or 1 1/2 storeys in height.

6.5 CONTAMINATED AREAS DUE TO PREVIOUS USE

Any new use or redevelopment of lands where Council has reason to believe that soil contamination may be present shall, require prior to any Council approval of the new use or redevelopment, a professional analysis of soils on the site to determine the presence, type(s) and concentration of contaminants which may be hazardous to the environment and/or to human health. Such an analysis shall be based upon all present and previous uses of the site and shall be submitted to the authority having jurisdiction and the Town for approval of the remedial works.

6.15 LANDS ABUTTING CONSERVATION DESIGNATIONS

The municipality shall consult with the Ministry of Natural Resources and Forestry and/or the Conservation Authority prior to the approval of any development on lands abutting Conservation Areas. Proposed uses shall be sensitive to and minimize any impact on the natural environment in a Conservation designation. Building setbacks and buffering may be a requirement in Zoning By-laws and/or Site Plan Control.

6.18 NATURAL OPEN SPACE

Public or private open space in its natural state shall be permitted in all land use designations in this Plan. Pedestrian pathways or trails shall also be permitted. Where a Town public work is proposed on lands used for natural open space that is in public ownership the municipality shall, prior to the commencement of any work, advise all abutting property owners.

6.21 PARKING AND LOADING FACILITIES

Off-street parking areas and loading facilities shall be provided for the applicable uses as required by the implementing Zoning By-law. Access points to parking areas and loading areas shall be limited in number and designed in a manner which will minimize the danger to pedestrian and vehicular traffic in the immediate area and compatible with abutting properties.

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.

6.29 ROAD SETBACKS

To comply with right-of-way widths established by the appropriate road authority, setbacks from roads shall be provided as required by the implementing Zoning By-law. Such setbacks shall be sufficient to allow space for landscaping and off-street parking, loading and movement of vehicles clear of any road allowances.

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.*

(2) SANITARY SEWERS

- c) Within any Urban Boundary development shall be required to connect to municipal sanitary sewers upon confirmation that sewage treatment capacity is available. Council may give consideration to development on interim services where it can be demonstrated that:
 - (i) by permitting the proposed use in advance of services, other objectives of this Plan will be met.*
 - (ii) the expansion of services has been planned for and that funding commitments have been made by the Region and/or the Town to ensure that the provision of necessary services will proceed within a reasonable time frame.*
 - (iii) the form of interim servicing has been approved by the Niagara Health Services Department where necessary; and*
 - (iv) the interim servicing is not expected to result in a detriment to the environment, the private development, the Town or to the efficient use of land.**

(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.*

- e) *Design of development proposals shall incorporate on-site control techniques to minimize peak storm water flows, and to ensure adequate water quality treatment*
- h) *Development shall be permitted only on lands having soil and drainage conditions which are suitable for development and only with appropriate storm water management and sediment control.*

6.32.6 SPECIAL POLICY AREA A-7 (GLENDALE SECONDARY PLAN):

2.2 Diversity

Accommodate a diversity of employment uses and housing types

- *A variety of employment opportunities within a high quality built form setting shall be provided.*
- *A variety of housing choices shall be provided in Glendale to accommodate all household types and individuals at all stages of life, including higher density forms that complement existing and planned housing.*

2.3 Mixed Uses

Mix uses in strategic locations to create civic focal points and encourage walking.

- *To create identifiable places that promote economic activity and civic life, complementary land uses-hotels, retail, residential and office-should be intermingled and concentrated around central open spaces and along key streets.*
- *Mixed-use buildings with street-related commercial or public uses at grade are encouraged along York Road, west of Glendale Avenue, and the north-south segment of Taylor Road, north of Glendale Avenue.*
- *Streets and other civic spaces in mixed-use areas shall encourage walking to and within the area while providing places for meeting and gathering and reinforcing an urban identity.*

2.4 Street Walls

Bring buildings to the street to define the streetscape and support an active pedestrian environment.

- *Buildings shall contribute to the creation of a street wall that frames the pedestrian environment and establishes a generally consistent edge to development.*
- *Build-to lines close to or at the property line will be established along main streets, in key places and to frame civic squares or parks.*
- *Appropriate maximum front yard setbacks will be established in employment and commercial areas.*
- *Buildings and their main entrances shall be oriented to and accessible from a public or private street or pedestrian mews.*
- *To provide for an inviting, comfortable pedestrian environment and enhance the image of Glendale, off-street parking shall be buffered from the street and located at the rear or side of buildings where possible.*
- *Sight lines, day-light triangles to facilitate safety are required.*

2.6 Adaptability

Anticipate intensification and potential changes in use over time.

- *New buildings, streets, driveways and parking areas on large sites shall be planned to allow for the orderly intensification of the site over time.*
- *Individual buildings should be designed to accommodate different tenancies and in some cases different land uses during their life span.*

2.7 Built Form Variety

Use well-designed buildings to frame the public realm, reinforce the gateway and distinguish the Glendale skyline.

- *Taller, landmark buildings will be permitted at strategic locations where they can help focus pedestrian- oriented commercial activity, contribute to place-making and enhance the skyline.*
- *Tall buildings shall be slender and articulated to lend interest to the skyline and distinguish the Glendale interchange.*
- *Long buildings shall be varied through architectural detailing and recesses to avoid uniform treatments along the length of the building façade.*
- *Corner buildings should address the intersection with special architectural massing or detail.*
- *While contributing to consistent and attractive streetscapes, buildings within neighbourhoods and commercial areas shall display architectural variety.*

2.9 Efficiency

Use land, infrastructure, energy and water efficiently.

- *Reduce and consolidate access points to optimize the use of driveways and signalized intersections, to rationalize turning movements, and enhance pedestrian safety.*
- *Where feasible, common laneways serving parking, loading and service areas at the rear of buildings shall be provided.*
- *The incorporation of renewable energy sources, high-efficiency electrical and mechanical systems, water recycling and other "green" building features is encouraged.*

3.1 General Policies

The following policies shall apply to all land use and character precincts within Glendale:...

- (b) Stormwater management shall be incorporated into the planning and design of open spaces, buildings and paved areas. Stormwater retention ponds and other elements should contribute to a park-like setting and connect to other open space amenities.*
- (c) Existing mature trees shall be preserved wherever possible. Niagara Region's Tree and Conservation Bylaw shall apply in Glendale, and development applications may be required to include a tree preservation plan.*
- (d) Applications for development on lands within or adjacent to Environmental*

Conservation Areas shall include an environmental impact study stating that there will be no negative impact on the natural feature or its ecological function.

- (e) Buildings shall be oriented toward streets in order to clearly define the public realm and create a consistent street wall.*
- (f) Main building entrances shall address and be accessible from a primary or secondary road.*
- (g) All entrances to commercial-retail buildings shall be at grade with and provide easy access to the public sidewalk....*
- (j) The provision of parking above the minimum zoning requirement generally shall be discouraged.*
- (k) Parking facilities for bicycles shall be provided in all commercial developments.*
- (l) Parking lots shall be well landscaped and lit to provide safe, comfortable walking environments and minimize energy waste. The use of permeable materials for parking surfaces shall be considered.*
- (m) Building heights shall be governed by Schedule F-2. The upper limit of the height ranges represents the maximum permitted height in storeys, and the lower limit represents the preferred minimum height of buildings in storeys. Buildings lower than the minimum may be permitted through a zoning by-law amendment and site plan approval and without amendment to this plan. However, where the preferred minimum height is two or three storeys, the perceived mass of lower buildings at the front shall reflect the preferred minimum height.*
- (n) On all buildings, mechanical penthouses, antennae, vents and chimneys shall be screened from view or incorporated into the design of the roof.*
- (o) An environmental site assessment and record of site conditions may be required prior to approval of residential, institutional or other sensitive land uses on former agricultural or industrial lands.*
- (p) Applications for development of sensitive uses adjacent to the QEW, Regional Roads and industrial uses shall have regard for provincial and Regional policies and guidelines regarding land use compatibility and may be required to include a noise impact study addressing appropriate separation distances and/or noise mitigation measures.*

3.7 Village Centre

The Village Centre is intended to accommodate over time a mix of uses and provide a focal point for commercial and social activities for residents, workers, students and visitors in Glendale. It includes the White Oaks Resort and Spa on a large and prominent site bounded by the QEW, Glendale Avenue and Taylor Road. Council recognizes the importance of White Oaks to the economy of the Town and encourages further development of its site that enhances the identity, vitality and character of Glendale. The portion of the Village Centre west of Taylor Road has been identified as a Special Study Area to recognize that the configuration of land

uses, streets and open spaces in this area will be determined in conjunction with future plans for the mixed use Destination area and Niagara-on-the-Green community to the west.

Development in the Village Centre should be oriented to pedestrian-friendly streets, including Taylor Road, and potentially a publicly accessible urban square or village green.

- (a) *The following uses shall be permitted in the Village Centre:*
- *hotel*
 - *convention centre*
 - *recreation facilities*
 - *restaurants*
 - *retail stores*
 - *medical or other professional office*
 - *corporate or other business office*
 - *apartment and live/work dwellings*
 - *educational facility*
 - *day care centre*
 - *place of worship*
- (b) *Housing designed for students of Niagara College is encouraged in the Village Centre.*
- (c) *The ground floors of future buildings fronting Taylor Road shall be occupied by retail, restaurant, hotel or other commercial service uses.*
- (d) *On the west side of Taylor Road, buildings shall address and have main entrances on a street or open spaces, forming an urban edge. Parking shall not be located between the front of buildings and the street.*
- (e) *Loading, servicing and garbage areas generally shall be located at the rear of buildings and screened from public view.*
- (f) *Buildings shall be clad in high-quality materials consistent with the materials predominantly used in the Town's historic communities, including masonry, wood, wood-like materials and clear glass. To maintain the visual prominence of the Niagara Escarpment, highly reflective or glaring materials such as mirror glass and non-neutral coloured glass shall not be permitted. Exceptions may be made for vertical additions to existing buildings already incorporating such glass.*
- (g) *Above-ground parking structures shall be designed to appear as fenestrated buildings with a regular pattern of openings and materials that are compatible in type and quality with those of surrounding buildings.*
- (h) *In addition to the above policies 3.7(a)-(f) and the policies of 3.1, site planning and architecture for buildings greater than three (3) storeys fronting Taylor Road and the village green shall be guided by the following. Exceptions to the following guidelines are permitted without amendment to this plan provided the exceptions satisfy the principles and objectives for Glendale.*

- i) The massing and design of mid-rise buildings should reflect a lined series of buildings, in which "connector" building segments, 6-15 metres long, are recessed 1.5-3.0 metres from the mandatory build-to line at regular intervals along the street frontage. Corner building segments should generally occupy 25-30 metres of frontage while mid-block building segments should generally occupy 15-20 metres of the street frontage to assert the prominence of the corner unit.*
- ii) Buildings should have a distinct base, middle and top or cornice. The building base should be 1-2 storeys and have a floor-to-ceiling height on the ground floor of 5 metres and glazing across at least 60% of the front. The top of the building base should be marked with a cornice feature 0.6-1.0 metres in height, which may be used for storefront signage mounted as a marquee. The building middle extends from the building base cornice to the top of the fifth storey. It should exhibit a distinctive and regular pattern of vertical relief or articulation along the street frontage. The use of brick is encouraged; stucco, wood or vinyl siding and vibrant-coloured glazing are not appropriate. The articulation of windows should vary along the building mid-section, and the use of divided windows and top and bottom lintels is encouraged. Except within recessed segments, projected balconies are discouraged. The building top should consist of a distinctive roof feature or 0.6-1.0 metres cornice element. Gabled roofs, windowed gables and other distinctive roof features are appropriate.*
- iii) On 6-8 storey buildings, the 1-3 additional storeys, plus a roof treatment, will comprise the building top. Except at corners, all additional storeys above the fifth floor should be set back 3 metres from the building edge. The use of projected balconies is permitted on these upper storeys and a distinctive roof or canopy feature is encouraged to complete the building. At corners, the sixth floor may be projected directly up and will be considered an extension of the building mid-section and should be completed with a building top or cornice. The seventh and eighth floors at the corner pavilions should be set back 1.5 metres from the building edge, and the top floor completed with a roof feature or cornice.*
- (i) With regard to the White Oaks site, in addition to the above policies, the following shall apply:*
 - i) To ensure individual phases of development on the site are coordinated with one another and together support the Village Centre concept for the area, development shall be guided by a master plan for the site that includes an intended phasing plan, prepared to the satisfaction of the Town. The master plan shall identify all existing and proposed buildings, open spaces, driveways and parking areas and parking garages.*
 - ii) To support the creation of an active, pedestrian- oriented public realm and frame the Village Centre park, the master plan shall be encouraged to include buildings of 3-5 storeys fronting Taylor Road. Alternatively or in addition, landscaped open space shall be provided.*

- iii) *The master plan shall include a building fronting a publicly-accessible plaza at the intersection of Glendale Avenue and Taylor Road. The precise location, size and dimensions of the plaza shall be determined through the site plan review process but generally should have a minimum depth of 35 metres. Any streetscaping enhancements that may be permitted to be located within the public right of way should be designed to integrate with the adjoining private realm to provide for a consistent and unified streetscape appearance and shall be subject to the approval of the Town and the Niagara Region.*
- iv) *Notwithstanding the height limit of 16 storeys for buildings in the centre of the site, as identified in Schedule F-2, one building in this area may be permitted a maximum height of 20 storeys without amendment to this plan, subject to the approval of council at the time of rezoning and site plan review.*
- v) *To provide an appropriate transition to lower buildings on surrounding properties, portions of buildings above eight storeys shall be set back a minimum of 30 metres from Taylor Road and a minimum of 60 metres from the southern-most point of the site.*
- vi) *To maintain the visual prominence of the Niagara Escarpment and establish a distinctive skyline for Glendale, tower elements above the fifth storey of a building shall be slender, with a floor plate width that does not exceed 22 metres and a length-to-width ratio of 3:2 or less. There shall be a minimum separation distance of 15 metres between tower elements. Separate tower elements shall be designed to achieve a coherent and harmonious paired built form relationship through the use of similar building materials, fenestration and architectural expression.*
- vii) *To establish landmarks and a distinctive skyline for Glendale, the tops of buildings greater than eight storeys, which includes the roof and may include the top floors and mechanical penthouse, shall have a form and architectural treatment that is distinct from other elements of the building.*
- viii) *Buildings up to 8 storeys shall be located at or close to the street edge, and taller buildings shall be located internal to the site.*
- ix) *Balconies shall be permitted provided they are recessed and do not project beyond the outer wall of the building.*
- x) *Vehicular access to the site from Glendale Road, which may provide a private road connection to Taylor Road, will be subject to further study through the development of a comprehensive transportation strategy for Glendale.*
- (j) *Prior to approval, applications for development in the Village Centre will be subject to an urban design and architectural review process.*

5.4 Highway Gateway Landscape

The landscape along the edge of the QEW through Glendale and immediately surrounding the interchange has an important role in defining and distinguishing

the community as a gateway. Although good landscaping should not be a substitute for high- quality development along a highway, implementing a gateway landscape program in the short-term will have a significant impact on the image of Glendale and, indeed, may help to attract prestige development. A landscape design for the approaches to the interchange and the area around the Glendale Avenue Bridge, such as the one conceptualized in the 2003 Glendale Gateway Study, should be developed, refined and executed, in cooperation with the MTO and Niagara Region. The Glendale Bridge itself should be treated as architecture, its railings and structural elements enhanced in ways that reflect the Town's built and cultural heritage. As a distinctive feature of the gateway and central element of the public realm, it should be beautiful and safe and inviting to pedestrians and cyclists, like the primary roads in Glendale but to a higher standard, given its prominence.

6. Energy and Water

6.1 Policies

- (a) Development shall only proceed on the basis of full municipal water and waste water services being in place at building occupancy.*
- (c) Stormwater shall be managed on site, or with shared systems, in accordance with the sewer and Stormwater Management Strategy to be prepared for Glendale, such that post-development peak flow rates off-site will not exceed pre-development rates for all storm events.*
- (d) Stormwater management systems shall be integrated into the design of buildings and the landscape.*

7. Implementation

7.1 Zoning By-law

- (a) The Town shall amend the land use and built form provisions of its Zoning By-law to bring them into conformity with this secondary plan Secondary Plan, and all future zoning amendments for lands in Glendale shall conform to this plan.*
- (b) The Town may, when enacting implementing Zoning By- law amendments, apply a holding zone and specify that development of the subject lands is considered premature for any one or more of the following reasons:*
 - Public infrastructure such as roads, sanitary sewers, stormwater management facilities and water supply are inadequate to serve proposed development;*
 - Consolidation of land ownership or execution of a development agreement among landowners is required to ensure orderly development, secure funding and/or equitably cost-share among benefiting landowners for community infrastructure;*
 - A site plan agreement is required;*

- *Supporting studies are required on matters related to transportation, environmental conditions, servicing, stormwater management or design features.*

7.2 Site Plan Control

With the exception of detached, semi-detached and Townhouse dwellings, and accessory structures on a residential property, all proposed developments in Glendale shall be subject to site plan control.

7.4 Urban Design Review Process

The Town shall seek, and have regard for, the advice of the Urban Design Committee in reviewing significant development applications in Glendale. All site plan applications for lands adjacent to Airport Road, York Road and the QEW and within the mixed use Destination Area and Village Centre shall be subject to the Urban Design review process.

SECTION 6A: GENERAL DEVELOPMENT POLICIES

2.6 Greenfield Areas

Planned Function

Greenfield Areas are larger tracts of undeveloped areas and are planned to provide the Town with an opportunity to accommodate new growth on lands which generally do not contain existing urban development.

Though the Town of Niagara-on-the-Lake's Greenfield density target is 50 jobs and people per hectare as per Places to Grow, it is realized that not every site will be able to achieve that target. The Town will have flexibility on a site by site basis however; the Town will closely monitor its Greenfield developments to ensure that Niagara-on-the-Lake's overall Greenfield target will be achieved.

Delineation

Greenfield Areas are the lands within the Urban Area which are not built-up...

2.8 Transportation Corridors

Planned Function

The Town's main transportation corridors are planned to facilitate the movement of people and goods across the Town and through the Town to connect the Town's urban communities with one another and to provide connections with adjacent municipalities. The key vehicular transportation corridors are the arterial road system. Other transportation corridors include major inter-Regional trails (Bruce Trail, Waterfront Trail and the Greater Niagara Circle Route) and the Town's multi-purpose trail connecting the Old Town and Virgil.

Delineation

The Town's main transportation corridors are identified on Schedule "G" to this Plan. Additional policies pertaining to transportation are provided in the Transportation section of this Plan.

3. GROWTH MANAGEMENT

3.2 Growth Management Objectives

Growth Strategy Objectives

The objectives of the Town's growth strategy are to:

- a) To accommodate all future urban growth within the present-day urban boundary;*
- b) Maintain the current delineation of the urban area boundary for the foreseeable future;*
- c) Provide a framework for revitalizing the Town's commercial areas and directing growth to appropriate locations in the Town's urban communities.*
- d) Direct urban growth and development to the Town's existing Urban Areas.*
- e) Direct a minimum of 15% of the Town's future residential development to the Built-up Area located in Virgil, the Old Town, St. Davids, and Queenston through appropriate intensification.*
- f) Direct appropriate intensification to Designated Intensification Areas.*
- g) Optimize existing infrastructure to provide for efficient use of infrastructure.*
- h) Coordinate land use planning with infrastructure planning; ...*
- l) Develop compact, complete communities that include a diverse mix of land uses, a range of local employment opportunities and housing types, high quality public open spaces, and easy access to local stores and services via automobile and active transportation and provide active transportation-friendly structures and amenities.*

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...

5. GREENFIELD DEVELOPMENT

Objectives

The objectives of the Greenfield development strategy are to:

- a) Promote compact, mixed use and transit supportive development on Greenfield lands.*
- b) Promote appropriate densities with a mix of housing types on Greenfield lands.*
- d) Enhance the physical design of new neighbourhoods and apply sustainable best practices in Greenfield areas...*
- e) Niagara-on-the-Lake's Greenfield Areas will be planned to support the achievement of the target of 50 residents and jobs combined per gross hectare in Greenfield areas.*

5.2 Greenfield Density Target

The Town's Official Plan policies support the overall Region wide Greenfield density target of 50 people and jobs combined per gross hectare by:

- b) *Permitting low and medium density development within the Greenfield area.*
- c) *Providing for an appropriate mix of housing form within the Greenfield area including single detached, semi-detached, townhouses and apartment style housing.*
- d) *Allowing for a mix of uses on designated Greenfield lands; and,*
- e) *Preparing secondary plans and ensuring that development for Greenfield Areas meet a density of 50 people and jobs combined per gross hectare.*
- f) *The Town will utilize maximum and minimum densities to ensure that intensification areas/sites are not underdeveloped by utilizing a maximum net density as provided in the residential policies in Section 9 of the Official Plan and a minimum net density of 19.76 units per hectare (8 units per acre).*

5.3 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 the low density residential designation. In addition to low density residential uses such as single detached, semi-detached and duplex dwellings medium density residential dwellings... are permitted subject to specific design and locational criteria as provided in residential policies of the Official Plan. Over the long term, the designated Greenfield lands will be planned to achieve a mix of housing forms with the majority of housing to meet the Municipality's projected requirements for housing....

5.4 Greenfield Design

Urban Design

The design and development of Greenfield lands within the urban area boundaries of Glendale shall be in accordance with its respective approved secondary plan and urban design guidelines.

PART 3: LAND USE POLICIES

SECTION 11: INDUSTRIAL

11.2 GOALS AND OBJECTIVES

- (1) *To broaden the tax base through the attraction of new industrial development to meet the financial needs of the Town and its residents by helping to maintain a balanced assessment ratio between industrial/commercial and residential uses.*
- (2) *To diversify, stabilize and stimulate the local economy through the attraction of new industries.*
- (3) *To provide and expand the employment opportunities in the Town and Region.*
- (4) *To provide for a more efficient and economic extension of municipal service through the concentration of a number of industries in a specific area, rather than scattered indiscriminately in widely separated locations throughout the Town.*
- (5) *To provide for industrial sites that are serviceable and can be assured of a high level of hydro power supply.*
- (6) *To ensure that adequate water and sewer service (or alternatives) and drainage works will be provided to the entire industrial district.*

- (7) *To encourage industrial development to locate within serviced industrially designated lands.*
- (8) *To encourage prestige type industries to locate in areas with exposure to the Queen Elizabeth Way and the arterial roads.*
- (9) *To minimize conflicts between industrial uses and adjacent rural, rural residential and natural amenity areas through adequate regulation and separation;*
- (10) *To ensure that a broad range of industrial related commercial facilities exist to meet the needs of the users of the industrial district as well as other visitors to the area by providing suitable locations for the facilities and permitting a suitable range of services.*
- (11) *To protect and conserve environmentally sensitive areas, such as existing watercourses, their valley lands, wood lots and other significant landscaped areas by minimizing any adverse effects by industrial uses. This may be accomplished by special site plan requirements or other appropriate methods.*
- (12) *To ensure that all industrial development takes place in a logical and orderly manner within the physical and financial capabilities of the Town.*

11.3 LAND USE DESIGNATIONS

11.3.3 PRESTIGE INDUSTRIAL

- (1) *In Prestige Industrial designation shown on the Land Use Schedules the following uses shall be permitted:*

Main Uses:

- *Prestige type industrial uses, well designed, carefully sited and landscaped in order to benefit from their proximity and exposure to well-travelled highways and to foster a good impression of the community and the industrial district.*
- *Non-obnoxious industrial uses such as: light manufacturing; assembly of processed material, goods and products; warehousing; public utilities; research and development laboratories that by their operation do not result in any threat to public health or safety, technology centers, office complexes, colleges and universities.*

Secondary Uses:

Uses permitted with a Main Use:

- *recreation facilities.*
- *limited residential uses subject to General Industrial Policy (12)*
- *accessory buildings and structures*
- *open storage of goods and materials, subject to Policy (3)*

Uses permitted independent of a Main Use:

- *Commercial uses which provide services for the industrial area and which increase the attractiveness for industry such as offices and retail outlets*

operated as a subsidiary function of an industry, provided they meet prestige quality standards.

- *Industrial related commercial uses such as bank, restaurant, service station, hotel and motel, are permitted within the area shown as "service commercial with prestige industrial" on the Land Use Schedule F to this Plan.*
- *Agricultural uses subject to General Industrial Policy (10)*

(2) *Within the Prestige Industrial areas designated in the Plan, prestige quality standards shall be set out in the implementing zoning by-law to provide protection for adjacent residential communities and/or maintenance of high amenity value for the industrial or commercial use itself. Such standards may include special requirements for limitation of uses, landscaping, buffering, off-street parking and unloading facilities, external building design and materials, sign control, and prohibition or screening of outside storage.*

(3) *Only limited open storage of goods or materials shall be permitted within areas designated Prestige Industrial. In limiting the amount of open storage regard shall be had for such matters as visibility from main roads, highways and other significant public vantage points, amount of open storage and type of material to be stored (i.e. bulk goods vs. landscaping).*

11.4 INDUSTRIAL POLICIES

The following policies apply to all industrial designations shown on the Land Use Schedules:

(1) *The Industrial classification of land shall mean that the predominant use of the land designated shall be for all forms of non-obnoxious industrial, scientific, technical research and development activities.*

(2) *Under the Industrial classification, there shall be four Industrial designations, namely:*

- (a) General Industrial*
- (b) Light Industrial*
- (c) Prestige Industrial*
- (d) Niagara District Airport*

These designations are indicated on various Land Use Schedules to this Plan.

(3) *Where industrial uses are proposed adjacent to residential uses or lands designated for residential use, adequate separation and buffering shall be provided as determined by the Town in consultation with the authority having jurisdiction.*

SECTION 18: HERITAGE CONSERVATION

18.5 ARCHAEOLOGICAL PLANNING

- (1) *An archaeological resource assessment may be required by the Regional Municipality of Niagara as the delegated authority (Planning and Development Department) in consultation with Town of Niagara-on-the-Lake as a result of a planning application should any portion of the subject property fall within a zone of archaeological potential as shown on Schedule "H" to this Official Plan or where an archaeological site has been previously registered on the property.*

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2.6 Complete Communities

2.6.1 Sustainability

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;*

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

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 and development of greenfield areas.

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.

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.

4.4 Greenfield Areas

4.4.1 Greenfield Areas are identified on Schedule B7 and represent larger tracts of undeveloped areas that will provide the Town with an opportunity to accommodate new growth on lands which generally do not contain existing urban development.

4.4.2 Objectives

4.4.2.1. The objectives of the Greenfield development strategy are to:

- a) Promote compact, mixed use, walkable and transit supportive development on Greenfield lands;*
- b) Promote appropriate densities with a mix of housing types on Greenfield lands;*
- c) Improve connections between Greenfield Areas and the Built-up Area; and*
- d) Enhance the physical design of new neighbourhoods and apply sustainable best practices in Greenfield Areas including:
 - i. the maximization of water conservation, through water efficient landscaping and collection and reuse of clean water in new developments and municipal operations;*
 - ii. the use of green roofs as part of energy and water conservation strategies;*
 - iii. provisions for the collection and storage of recyclable waste on site; and*
 - iv. design subdivisions for energy efficiency (i.e. designing/ locating houses to catch and retain solar heat, improved insulation, use of photovoltaic panels, etc.).**
- e) Ensure outstanding design and a sufficient degree of variety in new streetscapes.*

Section 4.11 Commercial

Policy 4.11.2.1 Objectives for commercial development areas are as follows:

- a) To provide for an orderly distribution of commercial areas within the settlement areas of the Town to meet the shopping and service needs of residents and tourists.*
- b) To adequately provide for local-serving commercial areas and, where necessary, to prevent their use for tourist serving uses.*
- c) To ensure in commercial areas that cultural heritage resources are conserved.*
- e) To minimize the impact of commercial development on adjacent land uses and prevent the intrusion of commercial uses into residential areas unless it is demonstrated that there are no land-use conflicts.*
- f) To minimize the impact of commercial development on the traffic carrying capacity of adjacent roads.*
- g) To promote compact forms of commercial development, and to discourage scattered forms of development.*

4.11.5.1 Adequate off-street parking shall be provided for all new commercial development. In existing developed commercial areas, where inadequate parking has

been provided, and where additional off-street parking is difficult to achieve, or would negatively affect the pedestrian character of the area, the Town may consider accepting payments of cash-in-lieu of parking spaces from new or intensified commercial development.

4.11.5.4 Vehicular accesses for new commercial developments will be restricted, as necessary, to minimize the effect of turning movements on adjoining roadways. Wherever possible, joint accesses will be designed to serve multiple commercial uses.

SECTION 7 Heritage, Archaeology and Culture

7.3 Archaeological resources

7.3.3 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.

7.3.4 The Town will promote conservation of its archaeological resources and will:

- a) Require an archaeological assessment by a licensed archaeologist, as a result of a proposal or plan for site alteration or development if any portion of the subject property fall within a zone of archaeological potential... or where an archaeological site has been previously registered on the property.*
- b) Require an archeological assessment for the entire property in compliance with current Provincial requirements, standards and guidelines for consultant archaeologists; and assess the impact of the proposed development on any archaeological resources identified. For lands located outside a settlement area boundary where site alteration or development will not affect the entire property, the project archaeologist may consult with the Ministry of Tourism, Culture and Sport on a property-by-property basis to determine if these areas can be exempt.*
- c) Require a provincial review and acceptance letter verifying that an archaeological assessment is compliant with the Standards and Guidelines for Consultant Archaeologists (2011).*

9.1.6 Provincial Highways

9.1.6.3 All development adjacent to provincial highways is subject to the requirements and permits of the Ministry of Transportation.

9.1.12 General Transportation Policies

9.1.12.2 Daylighting or sight triangles, according to accepted traffic engineering standards, will be provided wherever possible, at road intersections. The construction of buildings, signs and opaque fences and the planting of trees or high shrubs at the road intersections will be discouraged or prohibited.

9.2 Water and Wastewater Services

9.2.1 General Policies

9.2.1.1 New development will be limited by the available capacities of services...

9.2.2 Urban Growth on Full Municipal Services

9.2.2.1 The provision of water and wastewater services is a shared responsibility with the Region; however, the Town is responsible for local water and wastewater services

in the municipality. Municipal sewage services and water services are required for the servicing of development in the Town's settlement areas. Stormwater management strategies will be based on current, innovative, best practices and are subject to the approval of the Operations and Community & Development Services Departments.

9.2.2.3 Sanitary Sewers

b) Within any settlement area, development is required to connect to municipal sanitary sewers upon confirmation that sewage treatment capacity is available. The Town may consider development on interim services where it can be demonstrated that:

i. by permitting the proposed use in advance of services, other objectives of this Plan will be met;

9.2.2.4 Watermains

a) The improvement and supply of water lines to existing development is a priority for the Town.

9.3 Stormwater Management

9.3.1 Planning for stormwater management will:

- a) minimize, or where possible, prevent increases in contaminant loads;*
- b) minimize changes in water balance and erosion;*
- c) Not increase risks to human health and safety and property damage;*
- d) Maximize the extent and function of vegetative and pervious surfaces;*
- e) Provide controls on invasive species including cattails and phragmites;*
- f) Promote stormwater management best practices, including stormwater attenuation and re-use, and low impact development; and*
- g) Develop stormwater master plans for serviced settlement areas.*

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

9.3.4 Stormwater management plans shall be prepared in accordance with the Ontario Ministry of the Environment Stormwater Management Planning and Design Manual 2003 or its successor, and with watershed and/or environmental planning studies for the area.

9.3.5 Proposals for large-scale development proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:

- a) Incorporates an integrated treatment approach to minimize stormwater flows and reliance on stormwater ponds, which includes appropriate low impact development and green infrastructure;*
- b) Establishes planning, design and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion and impervious surfaces; and*
- c) Aligns with the stormwater master plan for the settlement area, where applicable*

10.14 Potentially Contaminated Sites

10.14.4 A phase 1 environmental site assessment may be required in support of any planning application in order to ensure that there are no adverse effects, as defined in the Environmental Protection Act, including:

- a) impairment of the quality of the natural environment for any use that can be made of it,*
- b) injury or damage to property or to plant or animal life,*
- c) harm or material discomfort to any person,*
- d) an adverse effect on the health of any person,*
- e) impairment of the safety of any person,*
- f) rendering any property or plant or animal life unfit for human use,*
- g) loss of enjoyment of normal use of property, and*
- h) interference with the normal conduct of business.*