

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.

Natural features and areas

- 3.2 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures within any defined area or areas,
 - i. that is a significant wildlife habitat, wetland, woodland, ravine, valley or area of natural and scientific interest,
 - ii. that is a significant corridor or shoreline of a lake, river or stream, or
 - iii. that is a significant natural corridor, feature or area.

Significant archaeological resources

- 3.3 For prohibiting any use of land and the erecting, locating or using of any class or classes of buildings or structures on land that is the site of a significant archaeological resource.

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.*

Loading or parking facilities

6. *Subject to subsection (1.1), for requiring the owners or occupants of buildings or structures to be erected or used for a purpose named in the by-law to provide and maintain loading or parking facilities on land that is not part of a highway. R.S.O. 1990, c. P.13, s. 34 (1); 1994, c. 23, s. 21 (1, 2); 1996, c. 4, s. 20 (1-3); 2006, c. 22, s. 115; 2024, c. 16, Sched. 12, s. 5 (1).*

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 Planning Statement, 2024

2.1 Planning for People and Homes

6. *Planning authorities should support the achievement of complete communities by:*

- a) *accommodating an appropriate range and mix of land uses, housing options, transportation options with multimodal access, employment, public service facilities and other institutional uses (including schools and associated child care facilities, long-term care facilities, places of worship and cemeteries), recreation, parks and open space, and other uses to meet long-term needs;*

- b) *improving accessibility for people of all ages and abilities by addressing land use barriers which restrict their full participation in society; and*

2.3 Settlement Areas and Settlement Area Boundary Expansions

2.3.1 General Policies for Settlement Areas

1. *Settlement areas shall be the focus of growth and development. Within settlement areas, growth should be focused in, where applicable, strategic growth areas, including major transit station areas.*

2. *Land use patterns within settlement areas should be based on densities and a mix of land uses which:*

- a) *efficiently use land and resources;*

- b) optimize existing and planned infrastructure and public service facilities;*
- c) support active transportation;*
- d) are transit-supportive, as appropriate; and*
- e) are freight-supportive.*

3. Planning authorities shall support general intensification and redevelopment to support the achievement of complete communities, including by planning for a range and mix of housing options and prioritizing planning and investment in the necessary infrastructure and public service facilities.

2.4 Strategic Growth Areas

2.4.1 Supporting a Modern Economy

1. Planning authorities are encouraged to identify and focus growth and development in strategic growth areas.

2. To support the achievement of complete communities, a range and mix of housing options, intensification and more mixed-use development, strategic growth areas should be planned:

- a) to accommodate significant population and employment growth;*
- b) as focal areas for education, commercial, recreational, and cultural uses;*
- c) to accommodate and support the transit network and provide connection points for inter- and intra-regional transit; and*
- d) to support affordable, accessible, and equitable housing.*

3. Planning authorities should:

- a) prioritize planning and investment for infrastructure and public service facilities in strategic growth areas;*
- b) identify the appropriate type and scale of development in strategic growth areas and the transition of built form to adjacent areas;*
- c) permit development and intensification in strategic growth areas to support the achievement of complete communities and a compact built form;*

2.8 Employment

2.8.1 Supporting a Modern Economy

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) 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 intensification of employment uses and compatible, compact, mixed-use development to support the achievement of complete communities; and*
- e) addressing land use compatibility adjacent to employment areas by providing an appropriate transition to sensitive land uses.*

2.9 Energy Conservation, Air Quality and Climate Change

1. Planning authorities shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through approaches that:

- a) support the achievement of compact, transit-supportive, and complete communities;*
- b) incorporate climate change considerations in planning for and the development of infrastructure, including stormwater management systems, and public service facilities;*
- c) support energy conservation and efficiency;*
- d) promote green infrastructure, low impact development, and active transportation, protect the environment and improve air quality; and*
- e) take into consideration any additional approaches that help reduce greenhouse gas emissions and build community resilience to the impacts of a changing climate.*

Chapter 3: Infrastructure and Facilities

3.1 General Policies for Infrastructure and Public Service Facilities

1. Infrastructure and public service facilities shall be provided in an efficient manner while accommodating projected needs. Planning for infrastructure and public service facilities shall be coordinated and integrated with land use planning and growth management so that they:

- a) are financially viable over their life cycle, which may be demonstrated through asset management planning;*

- b) leverage the capacity of development proponents, where appropriate; and*
- c) are available to meet current and projected needs.*

2. Before consideration is given to developing new infrastructure and public service facilities:

- a) the use of existing infrastructure and public service facilities should be optimized; and..*

3.4 Airports, Rail and Marine Facilities

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 3.5.*

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

- c) prohibiting land uses which may cause a potential aviation safety hazard.*

3.6 Sewage, Water and Stormwater

1. Planning for sewage and water services shall:

- a) accommodate forecasted growth in a timely manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services and existing private communal sewage services and private communal water services;*

- b) ensure that these services are provided in a manner that:*

- 1. can be sustained by the water resources upon which such services rely;*
- 2. is feasible and financially viable over their life cycle;*
- 3. protects human health and safety, and the natural environment, including the quality and quantity of water; and*
- 4. aligns with comprehensive municipal planning for these services, where applicable.*

- c) promote water and energy conservation and efficiency;*

- d) integrate servicing and land use considerations at all stages of the planning process;*

e) consider opportunities to allocate, and re-allocate if necessary, the unused system capacity of municipal water services and municipal sewage services to support efficient use of these services to meet current and projected needs for increased housing supply; and

f) be in accordance with the servicing options outlined through policies 3.6.2, 3.6.3, 3.6.4 and 3.6.5.

2. Municipal sewage services and municipal water services are the preferred form of servicing for settlement areas to support protection of the environment and minimize potential risks to human health and safety. For clarity, municipal sewage services and municipal water services include both centralized servicing systems and decentralized servicing systems.

8. Planning for stormwater management shall:

a) be integrated with planning for sewage and water services and ensure that systems are optimized, retrofitted as appropriate, feasible and financially viable over their full life cycle;

b) minimize, or, where possible, prevent or reduce increases in stormwater volumes and contaminant loads;

c) minimize erosion and changes in water balance including through the use of green infrastructure;

d) mitigate risks to human health, safety, property and the environment;

e) maximize the extent and function of vegetative and pervious surfaces;

f) promote best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and

g) align with any comprehensive municipal plans for stormwater management that consider cumulative impacts of stormwater from development on a watershed scale.

3.9 Public Spaces, Recreation, Parks, Trails and Open Space

1. Healthy, active, and inclusive communities should be promoted by:

a) planning public streets, spaces and facilities to be safe, meet the needs of persons of all ages and abilities, including pedestrians, foster social interaction and facilitate active transportation and community connectivity;

b) planning and providing for the needs of persons of all ages and abilities in the distribution of a full range of publicly-accessible built and natural settings for recreation, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources;

Chapter 4: Wise Use and Management of Resources

4.1 Natural Heritage

1. *Natural features and areas shall be protected for the long term.*

2. *The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features.*

5. *Development and site alteration shall not be permitted in:*

a) *significant wetlands in the Canadian Shield north of Ecoregions 5E, 6E and 7E1;*

b) *significant woodlands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*

c) *significant valleylands in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River)1;*

d) *significant wildlife habitat;*

e) *significant areas of natural and scientific interest; and f) coastal wetlands in Ecoregions 5E, 6E and 7E1 that are not subject to policy 4.1.4.b), unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.*

6. *Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.*

7. *Development and site alteration shall not be permitted in habitat of endangered species and threatened species, except in accordance with provincial and federal requirements.*

8. *Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 4.1.4, 4.1.5, and 4.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.*

4.6 Cultural Heritage and Archaeology

2. *Planning authorities shall not permit development and site alteration on lands containing archaeological resources or areas of archaeological potential unless the significant archaeological resources have been conserved.*

6.1 General Policies for Implementation and Interpretation

6.1.1 *The Provincial Planning Statement shall be read in its entirety and all relevant policies are to be applied to each situation.*

6.1.5 *Official plans shall identify provincial interests and set out appropriate land use designations and policies. Official plans shall provide clear, reasonable and*

attainable policies to protect provincial interests and facilitate development in suitable areas.

In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with the Provincial Planning Statement. The policies of the Provincial Planning Statement continue to apply after adoption and approval of an official plan.

6.1.6 Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and the Provincial Planning Statement by establishing permitted uses, minimum densities, heights and other development standards to accommodate growth and development.

6.1.7 Where a planning authority must decide on a planning matter before their official plan has been updated to be consistent with the Provincial Planning Statement, or before other applicable planning instruments have been updated accordingly, it must still make a decision that is consistent with the Provincial Planning Statement.

6.1.11 Strategic growth areas and designated growth areas are not land use designations and their delineation does not confer any new land use designations, nor alter existing land use designations. Any development on lands within the boundary of these identified areas is still subject to the relevant provincial and municipal land use planning policies and approval processes.

6.2 Coordination

6.2.1 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, boards, and Service Managers including:

- a) managing and/or promoting growth and development that is integrated with planning for infrastructure and public service facilities, including schools and associated child care facilities;*
- c) managing natural heritage, water, agricultural, mineral, and cultural heritage and archaeological resources;*
- d) infrastructure, multimodal transportation systems, public service facilities and waste management systems;*
- g) population, housing and employment projections, based on regional market areas, as appropriate; and*
- h) addressing housing needs in accordance with provincial housing policies and plans, including those that address homelessness.*

6.2.3 Planning authorities are encouraged to engage the public and stakeholders early in local efforts to implement the Provincial Planning Statement, and to provide the necessary information to ensure the informed involvement of local citizens, including equity-deserving groups.

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

2.2.2.2 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

Brock and Glendale Niagara District Plans 100 people and jobs per hectare by 2051

2.2.2.20 Regional growth centres shall be focal points for accommodating significant population and employment growth and other activities to achieve higher densities through a broad mix and range of uses to the horizon of this Plan.

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.*

3.1 The Natural Environment System

The objectives of this section are as follows:

- a. identify and protect a natural heritage system and water resource system which will form the natural environment system;*
- b. maintain, restore, and enhance the biodiversity and connectivity of natural features and their associated ecological and hydrological functions;*
- c. recognize the important role the natural environment system plays in mitigating the impacts of climate change by protecting and enhancing natural features;*
- g. protect woodlands and their biodiversity, restore ecological functions, and enhance woodland cover through reforestation and restoration;*
- i. identify and protect other woodlands as a way to maintain treed area in the region;*
- j. screen for, and evaluate enhancement areas as well as supporting features and areas to support the long-term ecological integrity of the natural environment system;*
- l. maintain protection for woodlands that have been disturbed in an effort to maintain tree cover in the region;*
- o. protect and enhance water resources through proactive watershed and subwatershed planning;*
- q. minimize risks to human health and safety and property associated with natural hazards;*
- u. recognize that flexible approaches to existing uses in the natural environment system are required;*

3.1.1 The Natural Environment System

3.1.1.1 The features and components of the natural environment system are listed in Schedule L. Schedule L also includes the definitions and criteria for each of the features and components.

3.1.1.4 The mapped features and components of the natural environment system are shown as a single overlay on Schedule C1 to this Plan. Key hydrologic areas, which are also a component of the natural environment system, are mapped separately as an overlay on Schedule C3. The purpose of Schedule C1 and C3 is to allow for preliminary screening, and to determine if the policies of the natural environment system may apply. Schedule C1 also includes the limits of the Provincial natural heritage system.

3.1.2 Individual Features and Components of the Natural Environment System

3.1.2.2 The individual features and components of the natural environment system that are mapped on Schedule C2 include:

- ...b. other woodlands;*
- g. permanent and intermittent streams;*

3.1.4 Refinements to the Limits of the Natural Environment System

3.1.4.1 Changes to the limits or classification of individual features or components of the natural environment system identified through Regional criteria may be considered through the submission of an environmental impact study and/ or hydrological evaluation based on a terms of reference approved by the Region, in accordance with the policies of this Plan, and in consultation with the Conservation Authority as appropriate.

3.1.4.2 If the change to the limit or classification of an individual feature or component of the natural environment system identified through Regional criteria can be justified to the satisfaction of the Region, an amendment to this Plan shall not be required. Further details on the scope of the study required to support a change to the limit or classification of the natural environment system will be included in the Region's Environmental Impact Study Guidelines and/or Hydrological Evaluation Guidelines.

3.1.4.6 Where the limits of a feature or component of the natural environment system have been refined through an approved environmental impact study, hydrological evaluation, or subwatershed study, the lands that are no longer included as part of the natural environment system overlay shall continue to be designated based on the underlying land use, unless otherwise determined through a Planning Act application.

3.1.9 Lands Outside of a Provincial Natural Heritage System and Outside of the Niagara Escarpment Plan Area

3.1.9.1 The policies of Section 3.1.9 apply to lands in settlement areas (i.e. urban areas and hamlets) and other lands that are outside of a Provincial natural heritage system and outside the Niagara Escarpment Plan Area.

3.1.9.5 Development and Site Alteration in Natural Heritage Features and Areas outside of a Provincial Natural Heritage System

3.1.9.5.2 Development and site alteration shall not be permitted in the following natural heritage features and areas unless it has been demonstrated through the preparation of an environmental impact study that there will be no negative impacts on the natural features or their ecological functions:

- a. other woodlands;*
- b. significant valleylands;*
- c. significant wildlife habitat; and*
- d. areas of natural and scientific interest*

3.1.9.9 Buffers in Settlement Areas

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

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

3.1.9.9.2 Development or site alteration shall not be permitted in the mandatory buffer, with the exception of that described in Policy 3.1.9.5.3 or infrastructure serving the agricultural sector unless it has been demonstrated through the preparation of an environmental impact study that there will be no negative impacts and the buffer will continue to provide the ecological function for which it was intended.

3.1.11 Other Woodlands

3.1.11.1 Other woodlands are identified, and considered a natural heritage feature and area in all geographic areas of the region. The location of known other woodlands is shown on Schedule C2.

3.1.11.2 Development or site alteration shall not be permitted in other woodlands unless it has been demonstrated through the preparation of an environmental impact study that there will be no negative impacts on the other woodland or its ecological functions.

3.1.11.4 Inside of settlement areas other woodlands are subject to an ecologically appropriate buffer to be determined at the time an application is made for development or site alteration in accordance with Policy 3.1.9.9.1.

3.1.15 Supporting Features and Areas

3.1.15.1 Supporting features and areas are lands that have been restored or have the potential of being restored, and include:

- a. grasslands, thickets, and meadows that support the ecological functions of adjacent key natural heritage features, key hydrologic features, and/ or natural heritage features and areas;*
- b. valleylands, which includes lands that may have ecological and/or hydrologic functions, that are not significant valleylands, and are not the site of a permanent or intermittent stream that is regulated by the Conservation Authority;*
- c. wildlife habitat that is not considered to be significant wildlife habitat; and*
- d. enhancement areas, which are the subject of Section 3.1.16 of this Plan.*

3.1.16 Enhancement Areas

3.1.16.1 Enhancement areas are intended to consist of natural self-sustaining vegetation that increase the ecological resilience and function of individual key natural heritage features, key hydrologic features and/or natural features and areas, or groups of such features, by:

- a. increasing the size of key natural heritage features, key hydrologic features and/or natural heritage features and areas;*
- b. connecting key natural heritage features, key hydrologic features and/or natural heritage features and areas to create larger contiguous natural areas;*
- c. improving the shape of key natural heritage features, key hydrologic features and/or*

natural heritage features and areas to increase interior habitat conditions; or
d. including critical function zones and important catchment areas for sustaining ecological functions.

3.1.16.2 The presence of potential enhancement areas shall be screened for by a proponent when an environmental impact study and/or hydrological evaluation is required to support an application for development and site alteration both inside and outside of settlement areas or when a subwatershed study is being undertaken.

3.1.16.4 In a case where an enhancement area is identified in accordance with Policy 3.1.16.2, the lands within the enhancement area shall be planted and left as natural self-sustaining vegetation. The enhancement area may also be designed to include other compatible land uses and infrastructure, such as stormwater management ponds, if it can be demonstrated that the long-term ecological function of the enhancement area would be retained.

3.1.20 Enhancements to the Natural Environment

3.1.20.1 The Region supports enhancements to the natural environment system to support ecological functions and improve ecological integrity of the natural environment system. Enhancements can be as a result of a range of specific actions being undertaken by a landowner, developer, or public agency.

3.1.20.2. Where the preparation of a subwatershed study or an environmental impact study is required, the study shall demonstrate how enhancements to ecological function, ecological integrity, or biodiversity of the natural environment system can be achieved, and will be implemented, through for example:

- a. increases in the spatial extent of a feature or features;*
- b. increases in biological and habitat diversity;*
- c. enhancement of ecological system function;*
- d. enhancement of wildlife habitat;*
- e. enhancement or creation of wetlands, water systems or woodlands;*
- f. enhancement of riparian corridors;*
- g. enhancement of ecological services;*
- h. enhancement of groundwater recharge areas; and*
- i. establishment or enhancement of linkages or connectivity between key natural heritage features, and/or natural heritage features and areas*

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;*

4.2.4 Employment Lands

4.2.4.1 The Region will support Locally identified employment lands by:

- a) improving connectivity with transit and active transportation networks;*
- b) providing for an appropriate mix of amenities and open space to serve the*

- workforce;*
- c) planning for the intensification of employment uses;*
- e) encouraging approaches to transportation demand management that reduce reliance on single-occupancy vehicle use.*

4.2.4.2 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.

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.

6.1 District Plans and Secondary Plans

6.1.3 Glendale District Plan

6.1.3.1 The vision of the Glendale District Plan is to:

- a. transform the Glendale settlement area into a vibrant and complete community for people of all ages, lifestyles, and abilities;*
- b. encourage a mix of uses and built form within its urban districts;*
- c. protect, integrate, celebrate and connect to the natural and rural surroundings reflecting the distinct character of the area; and*
- d. put mobility first with a robust transit system and active transportation routes seamlessly connecting areas north and south of the QEW highway.*

6.1.3.2 Glendale District shall:

- a. promote a range and mix of housing in terms of built form and affordability;*
- b. incorporate a centrally located, accessible transit hub/station area;*
- c. promote sustainability and resiliency through development and redevelopment;*
- d. support all modes of mobility through a safe, comfortable and connected transportation network;*
- e. protect and enhance natural features and agricultural areas;*
- f. leverage the proximity of the Niagara District Airport to support social and economic links, including passenger connections, tourism and movement of goods; and*

g. encourage a high quality public and private realm through strong urban design direction.

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.

6.2.1.3 Areas strategically identified for intensification, including strategic growth areas, local growth centres and corridors, shall be designed to be pedestrian oriented with vibrant mixed-uses incorporating, where feasible, public gathering areas and public art.

6.2.1.4 Revitalization and redevelopment within downtowns and community cores shall be promoted to enhance their existing character

6.2.1.5 The public realm shall be enhanced through urban design and improvements, and investment that contributes to safe, attractive complete streets and desirable communities

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;*

6.2.2 Public Realm and Active Transportation

6.2.2.1 Regional Road allowances shall be designed in accordance with the Region's Complete Streets Design Manual and Guidelines. The Region's Model Urban Design Guidelines, as amended, shall be used to facilitate a continuous pedestrian experience where Regional and Local Road systems interface. 6.2.2.2 Alternative road designs that

balance the needs of pedestrians, cyclists, public transit users, and motorists, and prioritize road safety will be considered to support complete streets.

6.2.2.10 Streetscapes should be designed to create a seamless transition with the public space.

6.2.2.11 The mitigation of microclimate impacts, such as wind, shadowing and seasonal factors, should be considered regarding the impact of development on the public realm.

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.

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.

6.4 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.

6.15 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.*

2.5 Conservation

Preserve and respect natural heritage features.

- *The environmental integrity of existing creek and stream corridors shall be protected and enhanced.*
- *Existing woodlots should be preserved and be an amenity to the area.*
- *Existing water courses and areas of natural vegetation shall be integrated into site design and the overall character of Glendale.*

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.*

3.5 Hospitality Precinct

The hospitality precinct is intended to become a focal area for hotels, restaurants and other commercial uses catering to the travelling public and business community in Glendale and supporting tourism elsewhere in the Town. With such uses located in well-designed buildings oriented to a pedestrian-friendly York Road, the precinct will develop a village character and distinguish itself from other highway commercial areas along the QEW. In addition to the policies below, zoning and site planning in the hospitality precinct should be guided by the Urban Design concept plan shown in Figure 1. It is recognized that Figure 1 is a concept and that a different arrangement of buildings, open space, road design, accesses and parking areas may be considered.

- (a) The following uses are permitted in the hospitality precinct:
 - *hotel*
 - *convention centre*
 - *restaurant*
 - *retail store*
 - *medical or other professional office*
 - *corporate or other business office*
 - *financial institution**
- (b) Restaurants and retail stores shall be located on the ground floor of a multi-storey building*
- (c) To facilitate the establishment of a pedestrian-friendly environment and discourage the idling of automobiles, drive-through establishments shall not be permitted.*
- (d) To define a consistent street wall on York Road and encourage walking, buildings shall be located at or close to the front property line and have a minimum height of two (2) storeys. Mixed-use buildings shall be encouraged.*

- (e) *All commercial uses shall have an identifiable entrance on York Road, flush with the public sidewalk. Corner buildings generally shall have entrances at the corner.*
- (f) *Buildings fronting York Road shall have an elevation based on the planned urban cross-section of York Road.*
- (g) *Parking shall not be permitted between the edge of the public right-of-way and the building face.*
- (h) *Loading, garbage storage and other service areas shall be located at the rear of the building and screened from public view.*
- (i) *Interconnected systems of rear laneways and drive aisles across adjoining properties shall be encouraged.*
- (j) *Any structured parking required shall be located at the rear of buildings and screened from view from York Road. Parking structures should appear as buildings, with high-quality exterior cladding materials.*
- (k) *Generally lots shall have a minimum width of 30 metres.*
- (l) *Generally building heights shall be 2-5 storeys, and a minimum height of 3 storeys shall be encouraged. As identified on Schedule F-2, a building of up to 12 storeys shall be permitted at the rear of the property south of York Road and east of Airport Road, where a taller building will help to mark the interchange and not overshadow York Road. To ensure a tall building in this location distinguishes the gateway and minimizes impacts on long views, the portion of the building above the fifth (5) storey shall be slender, with a floorplate width that does not exceed 22 metres and a length-to- width ratio of 3:2 or less.*
- (m) *In addition to the above policies 3.5(a)-(1) and the policies of 3.1, site planning and architecture for buildings greater than three (3) storeys on York Road shall be guided by the following. Exceptions to the following guidelines, illustrated in Figure 2, are permitted without amendment to this plan provided the exceptions satisfy the principles and objectives for Glendale.*
 - i) *The massing and design of 4-5 storey buildings should reflect a lined series of buildings, in which "connector" building segments, 6-15 metres long, are recessed 0.5-1.5 metres from the front wall 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 one storey and have a floor-to-ceiling height 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 (5) 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.

- (o) Buildings shall be clad in high-quality materials consistent with the materials predominantly used in the Town's historic communities, including masonry, wood and glass.*
- (p) Development shall mitigate adverse impacts from lights or overlook on residential properties to the north. Lighting for parking areas shall be oriented away from residential properties and designed to minimize light pollution. Black-out curtains or shades must be used in rear-facing windows. Landscape buffers consisting of a continuous row of coniferous trees and/or fence shall be provided at the rear of properties.*
- (q) Prior to approval, applications for development in the hospitality precinct shall be subject to an urban design and architectural review process.*

5.3 Environmental Conservation Areas

The primary intent with respect to the Environmental Conservation Areas associated with the two branches of Six Mile Creek is to protect their natural features and enhance their ecological function while enhancing their visual presence and amenity value... Where fencing is required for reasons of environmental protection or public safety, attractive and durable black metal fencing should be used; chain link fencing is not in keeping with the planned character of Glendale and generally should not be used in publicly visible areas.

The policies below address the uses and activities permitted within Conservation Areas. Any proposed improvements within Conservation Areas and development adjacent to them shall be subject to the policies, regulations and guidelines of the Niagara Peninsula Conservation Authority. Applications for development on adjacent lands shall include environmental impact studies.

- The following main uses are permitted: fisheries management, wildlife management, waterfowl protection, floodplains, environmental protection, parks, activities and facilities of the Niagara Peninsula Conservation Authority.

In addition to the above policies, Niagara Region's policies respecting natural heritage and development adjacent to natural heritage features, as well as the Region's Tree and Conservation By-law, shall apply in Glendale. Applications for

development in areas where the Tree and Conservation By-law applies may be required to include a tree preservation plan.

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...

2.7 Core Natural Heritage System

Planned Function

Within the Urban Area Boundary the Core Natural Heritage System is planned to provide a framework for the protection, maintenance, restoration, integration and where possible, the enhancement of the Town's natural systems, ecological health and biodiversity.

Delineation

The Core Natural Heritage System is delineated on the Core Natural Heritage Map in the Regional Policy Plan. Policies which pertain to the Core Natural Heritage System are provided in the Environmental Section of the Regional Policy Plan and Conservation Policies of the Town 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).*

5.4 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).*

SECTION 16: CONSERVATION/WETLANDS

16.2 GOALS AND OBJECTIVES

- (1) *To protect wetlands from incompatible activities.*
- (2) *To encourage the retention of woodlots and the reforestation of low capability farmland.*
- (3) *To protect areas of natural and scientific interest.*
- (4) *To control development within the 100 year erosion limit of Lake Ontario.*
- (5) *To petition the senior levels of government for physical and financial assistance in stabilizing the Lake Ontario shoreline.*
- (6) *To increase public access to the Niagara River and Lake Ontario and to prevent damage to the shoreline.*
- (7) *To delineate and regulate development on all lands having inherent physical environmental hazards such as flood susceptibility, poor drainage or other physical conditions which act as a constraint to development in order to prevent loss of life and to minimize property damage and social disruption.*
- (8) *To preserve and enhance the amenities and natural resources offered by waterways, wetlands and natural areas in the Town.*
- (9) *To preserve and protect provincially significant wetlands in accordance with provincial policy statements.*

16.3 LAND USE DESIGNATIONS

16.3.1 Conservation

Within the Conservation designation as shown on the Land Use Schedules the following uses are permitted:

Main Uses:

Forestry, fisheries management, wildlife management, waterfowl production, floodplains, environmental protection, public and private parks (parks are permitted only within urban boundaries), activities and facilities of the Niagara Parkway Commission.

Secondary Uses:

Uses permitted with a Main Use:

- accessory buildings and structures subject to the approval of the authority having jurisdiction.

Uses permitted independent of a Main Use:

- shoreline protection works*
- any agricultural use permitted in Section 7 of this Plan*
- yard space for any use permitted in an abutting designation*
- accessory buildings or structures not used for human habitation permitted in an abutting designation subject to the approval of the authority having jurisdiction.*

16.4 General Conservation Policies

(7) Any applications for the redesignation of Conservation lands will be carefully reviewed and shall not adversely impact on the natural environment. Council shall, in conjunction with appropriate public agencies including the Conservation Authority, the Ministry of Natural Resources and Forestry and the Region, require a proponent to submit a study prepared by a qualified environmental specialist.

Such a study shall contain:

- a) A description of the natural environment and existing physical characteristics including a statement of environmental quality.*
- b) A description of the proposed development and the potential effect on the natural environment.*
- c) A description of the costs and benefits in economic, social, and environmental terms of any engineering works and/or resource management practices needed to mitigate the potential effects.*
- d) An evaluation of alternatives including other locations to the proposal. There is no public obligation, however, either to change the designation of, or to purchase any area within the Conservation designation, particularly if the environmental hazard would be difficult or costly to overcome.*

(10) In interpreting the boundary of any conservation designation the following principals shall apply:...

- c) Where lands designated conservation are within an Urban Boundary as shown in this Plan and does not form part of any shoreline, watercourse or valley area development may be permitted but restricted to preserve existing trees or other natural feature....*

16.4 GENERAL CONSERVATION POLICIES

(7) Any applications for the redesignation of Conservation lands will be carefully reviewed and shall not adversely impact on the natural environment. Council shall, in conjunction with appropriate public agencies including the Conservation Authority, the Ministry of Natural Resources and Forestry and the Region, require a proponent to submit a study prepared by a qualified environmental specialist. Such a study shall contain:

- a) A description of the natural environment and existing physical characteristics including a statement of environmental quality.
- b) A description of the proposed development and the potential effect on the natural environment.
- c) A description of the costs and benefits in economic, social, and environmental terms of any engineering works and/or resource management practices needed to mitigate the potential effects.
- d) An evaluation of alternatives including other locations to the proposal.

(9) Conservation lands will be placed in appropriate zoning categories in the implementing Zoning By-laws.

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.

Town of Niagara-on-the-Lake Proposed Official Plan, 2019

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 4.15 Conservation

Policy 4.15.6 – The re-designation of Conservation lands may only be considered where it is demonstrated that the proposal complies with the applicable requirements in Section 8.

Section 8.2.1 Natural Heritage

Policy 8.2.2 – objectives for the Natural Heritage System are to:

- a) Promote the responsible protection of the Town's natural heritage features...*
- d) Promote environmental stewardship including restoration where possible, as part of all municipal decision-making...*
- g) Encourage the retention and restoration of woodlands.*
- h) Protect Significant Areas of Natural and Scientific Interest, wetlands, woodlands, wildlife habitat, fish habitat and valleylands...*
- k) Preserve and enhance the recreational amenities and natural resources offered by waterways, wetlands and natural areas;*
- l) Encourage landscape restoration and enhancement as part of the development approval process, to repair past damage and to mitigate the potential negative impacts of development.*

Policy 8.3.18 - Woodlands that meet one or more of the following criteria are considered Significant Woodlands:

- a) Contains threatened or endangered species or species of concern;*
- b) In size, are equal to or greater than:
 - i. Two (2) hectares, if located within or overlapping a settlement area boundary;*
 - ii. Four (4) hectares, if located completely outside a settlement area;**
- c) Contain interior woodland habitat which is defined as being a minimum of 1 hectare of woodland at least 100 metres in from the woodland boundaries;*
- d) Overlaps or contains one or more other significant heritage features; or*
- e) Within 50 metres of a watercourse or water body and be two (2) or more hectares in area.*

Policy 8.5.6 - Development and site alteration may be permitted where supported by an Environmental Impact Study (EIS) that demonstrates that there will be no negative impact on a component of the Core Natural Area or adjacent lands, and in the following situations:

- a) Within an Environmental Conservation Area; or*
- b) On adjacent lands to an Environmental Conservation Areas.*

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).*

8.12 Environmental Impact Study (EIS) Requirements

8.12.1 Where an EIS is required under this Plan it shall be submitted with the development application and shall be prepared in accordance with the Regional EIS Guidelines. An EIS shall be prepared to the satisfaction of the Town, in consultation with the NPCA and the Region. Within Settlement Areas, an EIS shall be prepared to the satisfaction of the Town in consultation with the Region and the NPCA. Outside of

Settlement Areas, an EIS shall be prepared to the satisfaction of the Region, in consultation with the Town and the NPCA. An EIS that has been prepared in response to an NPCA-regulated area is to be prepared to the satisfaction of the NPCA.

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