



Town of Fort Erie

Draft Official Plan

February 2025

Land Acknowledgement

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

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A. Introduction

A.1 Our Community

1. The Town of Fort Erie (“Town”) is a municipality located on the Niagara Peninsula in southern Ontario. Situated on the shores of Lake Erie and the Niagara River, the Town boasts a strategic location being directly across from Buffalo, New York. This proximity to the United States has positioned Fort Erie as an essential economic trade corridor and facilitates the movement of people and goods.
2. Fort Erie is known for its rich history and natural beauty, offering a unique blend of urban amenities and rural charm. Fort Erie is comprised of several smaller communities which each have a distinct identity and history. They include Bridgeburg, Ridgeway/Thunder Bay, Stevensville, Douglstown, and Crystal Beach, coming together as one community through the amalgamation of Bertie Township and the village of Crystal Beach with Fort Erie in 1970. Tourists are drawn to Fort Erie for its historical sites, such as the Old Fort Erie, and its beautiful beaches along Lake Erie, such as Bay Beach. The Town’s picturesque waterfront provides breathtaking views and offers abundant recreational opportunities, including boating, fishing, and hiking along scenic trails like the Niagara River Parkway and Fort Erie Friendship Recreational Trail. These attractions and the Town’s commitment to preserving its heritage make Fort Erie a desirable destination for visitors and residents alike.
3. The Peace Bridge is a prominent landmark, stretching across the Niagara River connecting Canada and the United States of America. It serves as a critical transportation link, facilitating trade, commerce and tourism between the two countries. This infrastructure contributes significantly to the Town’s economic vitality and prosperity, making Fort Erie a key player in regional and international trade. The Town’s diversified economy spans transportation, logistics, advanced manufacturing, and tourism, taking advantage of its proximity to international borders and major highways. Fort Erie’s location near major urban centres such as Toronto, and Hamilton, Ontario and Buffalo, New York, further enhances the Town’s appeal as both a residential and commercial hub while contributing to its economic resilience and opportunities for future growth.
4. Fort Erie has a diverse and growing population, with a mix of young families, working-age adults, and retirees. People are drawn to Fort Erie for its quality of life, economic prosperity, and natural amenities. Future population growth will primarily be driven by intra-provincial migration, where residents relocate from other areas within Ontario, and international migration, bringing new residents from abroad. This Official Plan (the Plan) for Fort Erie will build on the Town’s strengths, aiming to enhance the quality of life for residents, encourage sustainable growth, and preserve the unique heritage and natural environment.

A.2 Purpose of this Official Plan

1. The purpose of this Official Plan is to set out a planning policy framework in accordance with the Planning Act and other relevant Provincial policies and guidelines. It contains

policies and schedules that provide the framework for a long-term vision for the Town, establishing a broad strategy to achieve overall community wellbeing through social, economic, cultural and environmental objectives.

2. This Official Plan establishes a strategic decision-making framework to manage growth and development to the year 2051, with Fort Erie projected to accommodate 48,050 people and 18,430 jobs by 2051.
3. The policies of this Plan support a strong, livable, and healthy community, by protecting the environment, safeguarding public health and safety, and facilitating sustainable development and economic growth.

A.3 How this Official Plan is Organized

1. This Plan contains a total of seven operative parts, being Parts A through F, as follows:
 - i. Part A – Introduction, describes the Plan’s context, purpose and effect, and organization.
 - ii. Part B – Vision and Guiding Principles, establishes the long-term vision for how the Town manages growth and development over the planning horizon, while having specific regard for local priorities that are represented through the Guiding Principles.
 - iii. Part C – Growth Management, identifies projected population, housing, and employment growth within the Town over the planning horizon, and establishes broad policies to manage this growth in a manner that advances the Vision and Guiding Principles.
 - iv. Part D – Land Use Designations, establishes various land use designations and associated permitted uses and development policies to guide future growth and protect what is valuable to the Town.
 - v. Part E – Town-wide Policies, contains broad strategies for implementing the Vision, the identification of population and employment forecasts, objectives for growth management and planning for growth in an urban structure.
 - vi. Part F – Implementation and Interpretation, describes the processes and tools available to the Town to implement the policies of this Plan, as well as establishing certain expectations regarding development applications. Part F also contains a Glossary of Defined Terms.
 - vii. Part G – Secondary Plans, which includes the Town’s various secondary plans that establish more detailed land use planning direction for various areas throughout the Town. **For the purpose of the Draft Official Plan, the secondary plans are not appended to this document.**

A.4 Interpreting this Official Plan

1. The contents of this Plan must be read comprehensively, including the Schedules, any amendments thereto.

2. This Plan contains non-operative components that are intended to make the plan more accessible and the intent of certain policies or concepts more understandable. Non-operative components of this Plan include commentary in shaded boxes, photographs, and graphics.
3. The language used in this Plan is intentional and is important to interpretation and administration of the policies. More specifically:
 - i. Language such as “will” and “must” indicates an obligation on the subject of the policy to meet the stated requirements; and
 - ii. Language such as “may”, “should” and “encourage” provides guidance, but with some discretion regarding the interpretation of the policy relevant to the context in which it is used.
4. A glossary of defined terms is located in Part F. Words that are bolded in this Official Plan are to be interpreted as defined terms as provided for in the glossary.

B. Vision and Guiding Principles

B.1 Introduction

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

B.2 Vision Statement

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

B.3 Goals and Objectives

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

B.3.1 Housing

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

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

B.3.2 Heritage and Culture

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

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

B.3.3 Employment

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

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

B.3.4 Natural Environment

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

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

B.3.5 Agriculture & Rural

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

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

B.3.6 Transportation

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

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

C. Growth Management

C.1 Introduction

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

C.2 Population and Employment Forecasts

1. The Town’s projected population, employment, and household forecasts to the year 2051 are shown in Table C-1.

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

	2021	2051
Population	34,089	48,050
Employment	14,080	18,430
Households	10,895	21,510

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

C.3 Managing Growth

C.3.1 Objectives

1. The Town will continue to grow as a healthy, resilient, and complete community that provides a mix of jobs and housing to create opportunities for people to work close to where they live.
2. The policies of this Plan support intensification of residential, commercial, office, and institutional uses through a compact built form. It also supports a more efficient use of land and infrastructure investment by promoting the development of more compact neighbourhoods that promote compatible development and focus growth to strategic areas within the Town.
3. To facilitate intensification and redevelopment, the Town may identify specific areas or land use contexts as the focus for strategic development and investment, or the implementation of a range of financial and planning tools.
4. These areas are identified as having greater potential to function as a catalyst to support the vision and objectives of this Plan, including building a complete community that is comprised of a mix and range of land uses, a high quality built form, incorporate

the principles of universal design, and protects, restores, and enhances the natural environment system.

C.3.2 Housing

The provision of an adequate supply of housing is a key growth management objective of this Plan. A diverse housing stock with a range of tenures, sizes, and types will be made available to meet the evolving needs of the Town and support the growth management objectives of this Plan. More specifically:

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

- iv. The inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes;
- v. Site standards that facilitate the development of additional residential units, such as reduced setbacks, narrower lot sizes, and reduced parking standards;
- vi. Inclusionary zoning provisions within protected major transit station areas and/or areas with an approved Community Planning Permit System, subject to the preparation of an assessment report as described in the Planning Act and Ontario Regulation 232/18; and
- vii. Demolition control and residential replacement by-laws that would prohibit the demolition of existing rental units without replacement of the same or higher number of rental units

C.3.3 Town Structure

The Town structure directs growth to appropriate locations, while minimizing adverse development-related impacts on existing built-up areas, the agricultural area, and the natural environment system. It also ensures that the Town manages growth in a fiscally responsible manner and that infrastructure is planned for and built to accommodate this growth. The Town Structure is shown on Schedule A.

C.3.3.1. Settlement Areas

Settlement Areas include the communities of Fort Erie, Ridgeway, Crystal Beach, Stevensville, and Douglastown. A majority of growth is planned to occur within the Settlement Areas, which are planned as complete communities with a broad range of housing options, employment, everyday amenities, open space, and where planned or existing full municipal servicing is available. The Town promotes built forms, land use patterns, and infrastructure within Settlement Areas that improve community resiliency and sustainability, reduce greenhouse gas emissions, and protect, conserve, and enhance the natural environment system.

C.3.3.2. Strategic Growth Areas

Strategic Growth Areas are planned to contain the greatest concentration and mix of land uses and are the focus of redevelopment and intensification in a compact built form. Strategic Growth Areas will function as a focal area for residential, commercial, office, recreational, cultural, and entertainment uses. The following policies will guide development within Strategic Growth Areas:

1. New development on full municipal servicing is required for Strategic Growth Areas to accommodate the growth management policies of this Plan.
2. Major development, redevelopment, and intensification opportunities may include infill, brownfield remediation and redevelopment, the expansion or conversion of existing buildings, greyfields, or the development of new mixed-use, higher density development.

3. To support the growth management policies of this Plan and the planned function of Strategic Growth Areas, the Town may undertake any of the following municipal-led initiatives:
 - i. In partnership with the Region, a comprehensive strategy for municipal infrastructure in advance of anticipated development pressure;
 - ii. Explore alternative implementation tools for this Plan, such as a Community Planning Permit System;
 - iii. Establish as-of-right permissions for appropriate forms of development;
 - iv. Undertake secondary planning processes;
 - v. Financial incentives; or
 - vi. Establishing urban design guidelines.

C.3.3.3. Designated Growth Areas

Designated Growth Areas have been identified by this Plan to accommodate the Town's long-term projected population and employment growth. These lands have been brought into the delineated Settlement Area boundary and have generally not been subject to a more detailed land use planning study. The following policies apply to Designated Growth Areas:

1. Designated Growth Areas will be subject to future studies that provide more detailed direction on land use planning matters. Until such time that those studies are undertaken, Designated Growth Areas are not planned for development.
2. Designated Growth Areas will be planned as complete communities by:
 - i. Ensuring that development is sequential, orderly and contiguous with existing and planned development;
 - ii. Utilizing planning tools as established under Part E of this Plan, as applicable;
 - iii. Ensuring infrastructure capacity is available, and where it is not available, is planned for in accordance with projected growth and phasing of development; and
 - iv. Supports multi-modal transportation options, including active transportation.
3. Designated Growth Areas will achieve a minimum density of 50 residents and jobs combined per hectare as measured across the Town.
4. Until such time that a more detailed land use planning study, such as but not limited to a Secondary Plan is undertaken, permitted uses are recognized as legally existing uses. Development or change in land use may be permitted, provided that it can be demonstrated that the development or new land use will be compatible with the planned long-term function of the Designated Growth Area and surrounding or adjacent land uses.
5. New development or changes in land use that would be incompatible with the long-term planned function of these areas, as outlined in this Plan, are not permitted. Incompatible uses include but are not limited to developments that could hinder future

residential, employment, or community uses, or any other use that may hinder the viability of these lands for future development.

6. It is the policy of this Plan that future uses within Designated Growth Areas will be provided full municipal servicing. The Town will work with the Region on a long-term servicing strategy for Designated Growth Areas, while also taking into consideration the service requirements necessary to support the more near-term growth management objectives of this Plan.

C.3.3.4. Countryside

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

C.3.3.5. Natural Environment System

The Natural Environment System applies to areas within the Town that have an important ecological function, and where the protection, conservation, and enhancement of those ecological functions is planned for. The Natural Environment System is also recognized as an important component of a complete community, providing clean air, water, and opportunities for low impact recreation and leisure activities, and as an important tool to mitigate the adverse impacts of climate change. The Town will protect, maintain, and enhance the Natural Environment System's overall integrity while protecting the system from incompatible development.

C.3.3.6. Hazard Lands

Hazard lands represent areas within the Town where there is imminent risk to life and property due to natural conditions, including increasing risks due to climate change, or human-made conditions, such as previous land use activities. To protect the overall health and wellbeing of the Town, development is generally not permitted on hazard lands, subject to the policies of this Plan.

C.3.4 Settlement Area Boundary Expansion

1. It is not anticipated that the Town requires additional land outside of the delineated Settlement Area Boundary as shown on Schedule A over the planning horizon.
2. Where the Town may consider an expansion to the Settlement Area boundary, the following criteria will be considered:
 - i. The need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;
 - ii. If there is sufficient capacity in existing or planned infrastructure and public service facilities;
 - iii. Whether the applicable lands comprise specialty crop areas;

- iv. The evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
 - v. Whether the new or expanded settlement area complies with the minimum distance separation formulae;
 - vi. Whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and
 - vii. The new or expanded settlement area provides for the phased progression of urban development.
3. The establishment of a new Settlement Area within the Town is prohibited.

C.3.5 Employment Land Conversions

1. By a decision of Council, the Town may remove lands from the Employment designation only where it has been demonstrated that:
 - i. There is an identified need for the removal and the land is not required for employment area uses over the long term;
 - ii. The proposed uses would not negatively impact the overall viability of the employment area by:
 - a. Avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned employment area uses in accordance with provincial direction and guidelines regarding land use compatibility; and
 - b. Maintaining access to major goods movement facilities and corridors;
 - iii. Existing or planned infrastructure and public service facilities are available to accommodate the proposed use.
 - iv. The Town has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.
2. The long-term protection and viability of employment lands is a matter of provincial interest and a key objective of this Plan. The conversion of lands within the Employment designation is discouraged.

C.4 Built Form

1. The built form policies of this Plan function to provide further direction regarding the location and organization of development within the existing and planned context of the Town. The built form policies ensure that development will promote and achieve the overall objectives of this Plan, and in particular the growth management objectives.
2. The range of permitted heights within the Settlement Area is determined based on the road classification as shown on Schedule H and identified in Table C-2: Permitted Built Forms and Heights.

Table C-2: Permitted Built Forms and Heights

Road Classification	Permitted Built Form	Maximum Permitted Height
Local	Low-rise	Up to 3-storeys
Collector	Mid-rise	Up to 6-storeys
Arterial or Regional	High-rise	Up to 8-storeys, except in accordance with Policy C.4.3 and Policy C.4.4

3. In the Garrison Road Strategic Growth Area, as shown on Schedule A, and the Strategic Economic Area land use designation, as shown on Schedule B, the maximum permitted height is 10-storeys.
 - i. For development proposed on the boundary of the Strategic Growth Area, the maximum permitted height of 10-storeys will prevail.
4. Where there is a conflict between Table C-2: Permitted Built Forms and Heights and a secondary plan:
 - i. For a secondary plan adopted on or prior to November 21, 2021, the policies of Table C-2: Permitted Built Forms and Heights prevail; and
 - ii. For a secondary plan adopted on or after November 22, 2021, the policies of that secondary plan prevail.
5. Where a property abuts two road classifications, the higher-order classification’s height permissions apply to the entirety of the lot.
6. This Plan establishes development criteria for the permitted built forms to ensure that there is general compatibility and transition between different land use contexts within the Town. It must be demonstrated to the satisfaction of the Town that the development criteria of this Plan are satisfied through the development application process.
7. The massing of new buildings is encouraged to provide an appropriate transition between areas of different height and scale through the use of setbacks and/or a stepping down of heights, where appropriate, to address matters of privacy and shadowing.
8. The Town may establish further form-based regulation through the implementing zoning by-law as appropriate for development on interior lots, corner lots, through lots, and whole-block lots, in order to support a high-quality built form and to achieve the community design objectives of this Plan.
9. The implementing zoning by-law may establish more detailed regulations regarding the character, location, scale and massing of the permitted built forms as contemplated by this Plan.

D. Land Use Designations

D.1 Introduction

D.1.1 Town Structure and Land Use Designations

1. The Town's land use structure is shown on Schedule A: Town Structure. The Town structure includes different land use contexts within the Town, including Settlement Areas, the Countryside, the Natural Environment System, and hazard lands.
2. The land use designations are shown on Schedule B: Land Use Plan. The land use designations establish more specific land use planning direction within the various components of the Town's structure, including on matters such as permitted uses and development criteria.
3. The land use designations also support implementation of the vision, goals, and objectives of this Plan and the generally accepted principles of good land use planning, including responsible growth management.

D.1.2 Uses Permitted in All Designations

1. In all designations, excluding the Natural Environment System, parks, schools, public and private utility installations, transportation infrastructure/commuter facilities, institutional and quasi-institutional uses and other public service facilities which provide services directly to all properties in the Town, or to the immediate neighbourhood, will be permitted, provided that:
 - i. Such use is necessary or essential; and
 - ii. Installations are or can be made compatible with adjacent properties and surrounding land use contexts.
2. Institutional uses, including schools, are encouraged to be located within Settlement Areas where there is full municipal servicing. Where these uses are located outside of Settlement Areas, development will be in accordance with the provision of adequate partial, communal, or private servicing, to the satisfaction of the Town and any agency or authority having jurisdiction.

D.1.3 Implementation

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

1. Coordination and partnership with the Region, Province, the Government of Canada, Indigenous communities, and other relevant agencies and authorities, as applicable.
2. Tools afforded to the Town under the *Planning Act*, *Municipal Act*, and other provincial statutes, where deemed necessary or appropriate by the Town.
3. The implementing zoning by-law, or a Community Planning Permit System, which in either case will be used as the principal implementation tool of this Plan.

D.2 Settlement Areas

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

D.2.1 Core Area

D.2.1.1. Vision

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

D.2.1.2. Objectives

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

1. The Core Area designation is principally intended to support development, redevelopment and intensification within the Strategic Growth Areas in accordance with the policies of this Plan. The Strategic Growth Areas are shown on Schedule A: Town Structure.
2. A balanced mix of residential, commercial, employment, and institutional land uses is envisioned to support Core Areas to evolve into vibrant, mixed-use communities. Core Areas are comprised of a broad range of activities, goods and services to meet the diverse needs of the Town’s residents, local work force, businesses, and visitors.
3. Require that all development within the Core Area be pedestrian-oriented, incorporating high-quality universal design to support active transportation, and creating a strong public realm, which includes built form, architectural details, landscaping and signage to reflect the Town’s unique sense of place and heritage.
4. Encourage opportunities for new major office and institutional uses to be located within the Core Area designation.
5. Recognize Core Areas as having an important role in supporting the Town’s economic development by recognizing their strategic location and building on the many cultural

heritage assets, historic sites, proximity to international gateways, and the Lake Erie Shoreline.

6. The appropriate protection of the Natural Environment System from negative impacts.
7. Council may identify public realm improvement priorities and establish incentive programs, such as a Community Improvement Plan, to assist the private sector in improving their properties and to encourage redevelopment and intensification within the Core Area designation.

D.2.1.3. Permitted Uses

The permitted uses within the Core Area designation include:

1. Low-rise mixed-use;
2. Mid-rise mixed-use;
3. High-rise mixed-use;
4. Major office;
5. Long-term care facility;
6. Community uses; and
7. Additional residential unit(s);
8. Additional needs housing;
9. Home occupation;
10. Parks and open space.

D.2.1.4. General Policies

1. Development is encouraged to be of a mixed-use format, including a range of housing options, commercial, office, institutional, community uses, and recreational opportunities to support the development of a complete community that is easily accessible to the surrounding communities through multi-modal transportation options.
2. Mixed-use development will either consist of a mixture of permitted uses on an individual site, or within individual buildings.
3. Development that proposes mid-rise and high-rise mixed use building is encouraged in order to support intensification within the Core Area designation and to promote a concentration of people living in these areas to support ongoing economic vitality, development, and investment.
4. Development, redevelopment, and intensification will be compatible with adjacent land uses, where height and massing are appropriately considered, and buffers and/or transitions to adjacent land uses is achieved.
5. Development will be pedestrian-oriented, and use high quality design to create a strong, engaging, and vibrant public realm that contributes to a unique sense of place.

6. Expansive surface parking areas is discouraged and will generally be situated to minimize visibility from the public realm. The implementing zoning by-law will establish more detailed regulations regarding the location and siting of surface parking areas.
7. Minimum parking requirements may be reduced where possible as established through the implementing zoning by-law.
8. There is existing or planned capacity for municipal services and infrastructure, including transportation, to adequately accommodate the proposed development and planned growth.
9. The long-term function and continued improvement of the Core Areas will be supported by the Town through the following municipally led initiatives:
 - i. Improvements to the public realm that enhance form, function, and visual aesthetic, and are guided by principles of universal design;
 - ii. Enhanced connections between land uses, specifically parks, open spaces, waterfront areas, and lands or buildings with cultural heritage significance;
 - iii. Safe, accessible, and efficient movement of people and goods, including active transportation; and
 - iv. Provision of municipal infrastructure to accommodate long-term growth, including servicing.
10. The Town will identify public realm improvement priorities and establish incentive programs, such as a Community Improvement Plan, to assist the private sector in improving their properties and to encourage the intensification of the Core Area.
11. The implementing zoning by-law may permit the full range of uses contemplated under the Core Area designation.

D.2.1.5. Development Criteria

D.2.1.5.1. General Development Criteria

The following development criteria apply to mixed-use development:

1. The maximum height of development within the Core Area is as follows:
 - i. The maximum building height for low-rise residential uses is three (3) storeys.
 - ii. Mid-rise residential uses will generally be greater than three (3) storeys, but no higher than six (6) storeys.
 - iii. High-rise mixed-use will be greater than six (6) storeys, but no higher than eight (8) storeys, except as otherwise established in Section C.4 of this Plan.
2. The Town will encourage a high standard of design within the Core Area and may also develop urban design guidelines to establish the Town's built form and design expectations.
3. Active, pedestrian-oriented uses, particularly retail and service commercial uses, are preferred at grade, with any residential or office uses in upper storeys to maintain a continuous activated streetscape.

4. Existing buildings and/or facades which contribute positively to the character of a Core Area, or have heritage value will be conserved, where feasible.
5. Development will be designed to respect the existing scale and character of building facades or adjacent or nearby buildings, maintaining the character associated with the Core Area.
6. Active transportation linkages, including those that provide access to parking and open space areas, will be improved.
7. Identified cultural heritage resources are appropriately conserved and compatibility with the heritage built form is achieved, where applicable.
8. On-site amenity space is provided in a manner that reflects or improves upon the existing patterns of private and public amenity space in the vicinity
9. That impacts to adjacent or surrounding land uses are minimized, particularly with regard to privacy, traffic generation, and reduction of sunlight. The proposed design of the development will be carefully considered and may be evaluated against urban design guidelines.
10. Building elements, including massing, that contribute to compatible development will be established through the implementing zoning by-law.
11. The following additional development criteria applies to mixed-use development:
 - i. Be located on a site of suitable size for the proposed development;
 - ii. Be compatible with adjacent land uses and built form, particularly with regard to height, massing, and transition;
 - iii. Provide adequate landscaping, on-site amenity features and spaces, onsite parking, on-site waste pickup, buffering and stormwater management features including low impact development;
 - iv. Be located in proximity to parks, open space, schools, everyday commercial amenities, active transportation routes, and other community uses;
 - v. Promote multi-modal transportation by having convenient access to the Town's active transportation network;
 - vi. Integrate with surrounding land uses, with particular regard for common elements such as access points, driveways, landscaping and parking areas;
 - vii. Not generate a volume of traffic that has potential to be a hazard for the surrounding land use context; and
 - viii. Have regard for Town-wide urban design guidelines.
12. The Town may undertake additional planning study for specific land use contexts where the Core Area designation applies, providing more detailed direction regarding development expectations that address unique planning opportunities and challenges within the Town.

D.2.2 Community Area

D.2.2.1. Vision

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

D.2.2.2. Objectives

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

1. Community Areas are planned to encourage a mix of housing options to ensure an adequate supply of housing to meet the current and future diverse needs of the Town.
2. Provide for a broad range of housing types with respect to location, size, cost, tenure, design, and accessibility, including affordable housing.
3. Encourage residential intensification and infill development in the Community Area where development and redevelopment is compatible with surrounding land uses and municipal services and facilities can be efficiently utilized.
4. Plan for non-residential supporting uses that enhance quality-of-life, community wellbeing, and promote a complete community.
5. Support non-profit groups in developing non-profit and co-operative housing and promote housing initiatives that facilitate revitalization, compact urban form and an increased variety of housing options
6. Maintain and enhance a high quality and accessible open space system to meets the needs of the Town's diverse population, while mitigating climate change and protecting the natural environment.

D.2.2.3. Permitted Uses

The permitted uses within the Community Area designation include:

1. Low-rise residential;
2. Mid-rise residential;
3. High-rise residential;
4. Additional residential units;
5. Home occupations, including bed and breakfast establishments;
6. Supportive housing;
7. Small-scale commercial uses; and
8. Community uses.

D.2.2.4. General Policies

1. New residential development within the Community Area designation will proceed in an orderly and phased manner to allow land and infrastructure to be used efficiently.
2. The overall housing mix for new residential development will contain at least 40% medium rise and 10% high rise.
3. Residential intensification, infill development and redevelopment will be encouraged in Community Areas that have sufficient existing or planned infrastructure and community uses.
4. Development should generally be integrated with existing planned or developed areas in accordance with the policies of this Plan.
5. Where new infrastructure is required for new development, it should not be extended through designated growth areas.

D.2.2.5. Development Criteria

D.2.2.5.1. General Development Criteria

1. The Town may consider the following criteria when reviewing an application for development or intensification within the Community Area:
 - i. The type, mix, density and affordability of the housing positively contributes to the area and the provision of a diverse housing stock, including a mix of unit sizes and bedrooms;
 - ii. The adequacy of municipal services available to the area or to the site, including water, wastewater and stormwater management services;
 - iii. The promotion of active transportation and mitigation of adverse impacts on traffic and the surrounding transportation system;
 - iv. The adequacy of existing and/or proposed amenities within easy access to serve future residents and the existing community, including community uses, everyday amenities, and open spaces;
 - v. The provision of adequate vehicular and bicycle parking, buffering, and landscaping;
 - vi. The prevention of adverse impacts on cultural heritage features;
 - vii. The appropriate protection of and conservation of the Natural Environment System;
 - viii. The incorporation of sustainability features, including green infrastructure, green building practices, energy conservation measures and renewable/alternative energy systems;
 - ix. The financial viability of life-cycle costs of new and existing infrastructure and public service facilities required to service the development;
 - x. The phasing of development is consistent with the availability of municipal services; and,

- xi. Where applicable, consistency with approved urban design and architectural control guidelines.
- 2. The scale, massing, setback, and orientation of development within the Community Area will be determined through the development application process including secondary plans, plans of subdivision, demonstration plans, and/or urban design briefs.
- 3. Where the Community Area designation abuts the Agriculture or Rural designation the Minimum Separation Distance policies of this Plan will apply.

D.2.2.5.2. Low-rise Residential Development Criteria

- 1. Low-rise residential uses will generally be located within the interior of existing or planned neighbourhoods, with frontage on local roads or collector roads.
- 2. The maximum building height for low-rise residential uses is three (3) storeys.
- 3. Building elements, including massing, that contribute to compatible development will be established through the implementing zoning by-law.
- 4. Built forms that are considered low-rise residential include:
 - i. Single Detached, duplex, and semi-detached dwellings;
 - ii. Triplexes, quadplexes, and townhouse dwellings;
 - iii. Apartment buildings; and
 - iv. Additional residential units.
- 5. Low-rise residential built forms that permit multiple dwelling units must provide for adequate on-site amenity spaces, active transportation facilities, and on-site waste pickup.
- 6. Development of apartment dwellings are subject to the following additional policies:
 - i. An apartment building will only be permitted through an amendment to the implementing zoning by-law.
 - ii. Apartment buildings will be located on a site of suitable size for the proposed development, and will provide adequate landscaping, amenity features, on-site parking, buffering and stormwater management features including low impact development.
 - iii. Be sited so as to minimize their effect on neighbouring low-rise residential land uses particularly with regard to privacy, traffic generation, and reduction of sunlight. The Town may require an urban design brief where an apartment dwelling is adjacent to or located near other low-rise built form typologies.
- 7. Have regard for Town-wide urban design guidelines.

D.2.2.5.3. Mid-rise Residential Development Criteria

- 1. Mid-rise residential uses will generally be located with frontage on collector roads or arterial roads.
- 2. Mid-rise residential uses will generally be greater than three (3) storeys, but no higher than six (6) storeys.

3. Built forms that are considered mid-rise residential include:
 - i. Townhouse dwellings;
 - ii. Apartment buildings; and,
 - iii. Other cluster or multiple unit dwellings as may be defined by the implementing zoning by-law.
4. Mid-rise residential uses are subject to the following additional development criteria:
 - i. Have direct access to a Collector or Arterial Road.
 - ii. Where direct access to a Collector or Arterial Road is not possible, the development may gain access to the Collector or Arterial Road from a Local Road, subject to approval from the Town.
 - iii. Be located on a site of suitable size for the proposed development.
 - iv. Provide adequate landscaping, on-site amenity features and spaces, onsite parking, on-site waste pickup, buffering and stormwater management features including low impact development;
 - v. Be located in proximity to parks, open space, schools, everyday commercial amenities, and active transportation routes, and other community uses;
 - vi. Promote multi-modal transportation by having convenient access to the Town's active transportation network;
 - vii. Integrate with surrounding land uses, with particular regard for common elements such as access points, driveways, landscaping and parking areas;
 - viii. Not generate a volume of traffic that has potential to be a hazard for the surrounding land use context.
5. Have regard for Town-wide urban design guidelines.

D.2.2.5.4. High-rise Residential Development Criteria

1. High-rise residential uses will be greater than six (6) storeys, but no higher than eight (8) storeys, except as otherwise established in Section C.4 of this Plan.
2. Built forms that are considered high-rise residential include:
 - i. Apartment buildings; and,
 - ii. Other multiple unit dwellings, as may be defined through the implementing zoning by-law.
3. High-rise residential uses are subject to the following additional development criteria:
 - i. Have direct access to an Arterial or Regional road;
 - ii. Be located within a highly accessible area with the Town, including connections to the active transportation network, as well as sidewalks;
 - iii. Be located within 400.0 metres of schools, commercial use, parks, open space, or other community uses;

- iv. Provide adequate landscaping, on-site amenity features and spaces, onsite parking, on-site waste pickup, buffering and stormwater management features including low impact development;
 - v. Integrate with surrounding land uses, with particular regard for common elements such as access points, driveways, landscaping and parking areas; and
 - vi. Not generate a volume of traffic that has potential to be a hazard for the surrounding land use context.
4. New mid-rise residential uses may be permitted through the implementing zoning by-law or require a zoning by-law amendment.
 5. Have regard for Town-wide urban design guidelines.

D.2.2.5.5. Small-scale Commercial Uses

1. The Town supports the integration of small-scale commercial uses within the Community Area, which are complementary and serve the needs of residents to support the development of a walkable and complete community.
2. The implementing zoning by-law will establish an appropriate mix of uses, building types, and scale for small-scale commercial uses that are compatible with the surrounding area.
3. Small-scale commercial uses may be permitted as stand-alone buildings or integrated with residential uses in a mixed-use development. In mixed-use buildings, non-residential uses will be encouraged to locate on the ground floor, with residential uses located above the ground floor or at the rear of the building.
4. Small-scale commercial uses may include:
 - i. Convenience retail;
 - ii. Restaurant, only as accessory to a convenience retail;
 - iii. Personal service shops;
 - iv. Day care centres;
 - v. Personal fitness and recreation establishments; and
 - vi. Artisan establishments, studios, and shops.
5. Where a proposed small-scale commercial use abuts a residential use, the Town will require that impacts be mitigated through site design including appropriate screening and landscape treatments.

D.2.2.5.6. Additional Residential Units

1. A maximum of two additional residential units is permitted for each dwelling unit.
2. One additional residential unit may be contained within each of a primary residential dwelling and an accessory building or structure.
3. A severance to subdivide an additional residential unit from the principal residential dwelling is not permitted.

4. Additional residential units will be directed to areas outside of hazardous lands which are impacted by flooding hazards and/or erosion hazards and will not be permitted within a floodway.
5. The implementing zoning by-law will establish more detailed regulations regarding the location, scale, and character of additional residential units, in particular with regards to compatibility with surrounding land uses.

D.2.2.5.7. Supportive Housing

Policies for special needs housing, including group homes, include:

1. The Town recognizes the need for supportive housing in the community and supports the integration of these housing types at appropriate locations, subject to the policies of this Plan;
2. Supportive housing will be permitted in any land use designation which permits residential uses, subject to regulations of the implementing zoning by-law; and,
3. Supportive housing is encouraged to be located in closer proximity to everyday amenities, community uses, as well as multi-modal transportation options.
4. Supportive housing will be located on a site of suitable size for the proposed development, and will provide adequate landscaping, amenity features, on-site parking, and buffering.

D.2.2.5.8. Home Occupations

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

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

D.2.3 Strategic Economic Area

D.2.3.1. Vision

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

D.2.3.2. Objectives

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

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

D.2.3.3. Permitted Uses

Land uses permitted within the Strategic Economic Area designation are:

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

D.2.3.4. General Policies

1. The Strategic Economic Area will evolve into a significant cluster of economic activity that is supported by a range of complementary amenities. New development will be planned in a manner that has regard surrounding land use contexts in order to create appropriate scale and transition.
2. Development will emphasize high quality placemaking, creating a visually appealing, interesting, and engaging public realm, while accommodating a mix of complementary retail, cultural and entertainment uses to promote the area as a destination for investment.
3. Future planning study will engage residents, community groups, organizations, businesses, property owners, and other partners to identify more specific principles, priorities and actions that will support and advance the planned form and function of the Strategic Economic Area.
4. The implementing zoning by-law may apply a Holding (H) Symbol as an interim planning tool to ensure that development within the Strategic Economic Area progresses in an orderly and phased manner, until such time that the conditions associated with the Holding (H) Symbol are satisfied.
5. Additional land use planning tools, such as an Interim Control By-law, may be enacted by Council where it is deemed that additional study is required until such time as a secondary plan process or equivalent is undertaken and completed.

D.2.3.5. Development Criteria

1. Detailed development criteria will be established through a secondary plan process, or equivalent, as adopted by Council.
2. Future land use planning studies may have regard for the following general development criteria:
 - i. The maximum building height will generally be ten-storeys, with the tallest buildings located near higher order road classifications, as determined through future land use planning study.
 - ii. In mixed-use buildings, non-residential uses are encouraged to be located at grade, to foster a more engaging, activated, and vibrant public realm.
 - iii. High-quality open spaces, including new parks, plazas, courtyards, greenways, as well as a connected network of open spaces to provide diverse places for enjoyment, leisure, and recreation to enhance amenity and create a sense of place.
 - iv. Protect, conserve, and enhance the Natural Environment System in accordance with the policies of this Plan, and where feasible, incorporate these features into the public realm as an amenity.
 - v. A fine-grained street system that will ensure a comfortable pedestrian experience and public realm, with a pedestrian-oriented street and block network to support movement throughout the area, improve linkages to surrounding communities, and create a safe and welcoming environment.

- vi. Development will result in a high-quality public realm and new pedestrian and cycling connections that promotes multi-modal transportation.
 - vii. Principles of universal design will support mobility for all ages and abilities.
 - viii. Development will demonstrate climate resiliency by integrating green building practices, and the use of green infrastructure and sustainable design.
3. Within 300.0 metres of lands designated Employment, only compatible land uses are permitted. Development will avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long term economic viability of lands designated Employment within existing or planned employment areas, in accordance with provincial guidelines.

D.2.4 Employment

D.2.4.1. Vision

The Employment land use designation is planned to accommodate a diverse range of industrial, manufacturing, and related business activities that contribute to a strong and resilient local economy. Employment lands directly support the overall economic wellbeing and vitality of the Town, and therefore this Plan has heightened regard for their long-term protection and viability.

D.2.4.2. Objectives

The following objectives apply to the Employment land use designation:

1. Provide opportunities for a diversified economic base which supports a healthy, stable economy and generate employment opportunities within the Town.
2. Ensure that an adequate supply of employment land is designated to maintain a reasonable vacancy rate and that the necessary infrastructure is provided to support current and projected employment needs.
3. Support the expansion of the existing employment land uses and promote new employment land uses within the Employment designation.
4. Improve compatibility and connectivity between employment lands and adjacent land uses, including through urban design, streetscaping and an enhanced active transportation and transit networks, to support a complete community.
5. Protect employment lands from the encroachment of non-compatible land uses which may impact the long-term economic viability of employment lands.
6. Encourage a mix of employment uses to support a diverse economic environment that provides a range of employment opportunities.
7. Ensure that the necessary infrastructure is provided to support current and projected needs within the Employment designation.

D.2.4.3. Permitted Uses

1. Land uses permitted within the Employment designation are:
 - i. Manufacturing uses;

- ii. Uses related to research and development in connection with manufacturing;
 - iii. Warehousing uses, including uses related to the movement of goods;
 - iv. Office and retail uses, but only where they are normal, incidental, and accessory to the principal employment use; and
 - v. Any facility that may be normal, incidental, and ancillary to the uses permitted within the Employment designation of this Plan.
2. Notwithstanding D.2.6.3.1, uses that were lawfully established on or before October 20, 2024, may continue to be used for such purposes pursuant to subsections 1 (1.1) and (1.2) of the *Planning Act*.

D.2.4.4. General Policies

1. The Town will plan for, protect and preserve employment areas for current and future uses, and ensure that the necessary infrastructure is provided to support current and projected needs.
2. Uses permitted within the Employment designation will be conducted in a manner that prevents pollution from smoke, noise, vibration, odour, dust or other forms of pollution, and be in compliance with all applicable municipal and Provincial policies, standards and guidelines
3. The Town will designate, protect and plan for all employment areas in settlement areas by:
 - i. Planning for employment area uses over the long-term that require those locations including manufacturing, research and development in connection with manufacturing, warehousing and goods movement, and associated retail and office uses and ancillary facilities;
 - ii. Prohibiting residential uses, commercial uses, public service facilities and other institutional uses;
 - iii. Prohibiting retail and office uses that are not associated with the primary employment use;
 - iv. Prohibiting other sensitive land uses that are not ancillary to uses permitted in the employment area; and
 - v. Including an appropriate transition to adjacent non-employment areas to ensure land use compatibility and economic viability.
4. The Town will protect employment areas that are located in proximity to major goods movement facilities and corridors, including facilities and corridors identified in provincial transportation plans, for the employment area uses that require those locations.
5. The Town will assess and update employment areas to ensure that this designation is appropriate to the planned function of employment areas.

D.2.4.5. Development Criteria

The following development criteria apply to the Employment land use designation:

1. Building design, location and treatment should be compatible with surrounding uses and promote a high quality urban design to heighten the aesthetic appeal of the location and the surrounding area.
2. The Town will encourage the design and built form of new development to be compact and active transportation friendly.
3. Development within the Employment land use designation will use the following design standards to promote high quality appearance and function:
 - i. The visual appearance of development, in terms of building design and materials, landscaping, signs and accessory structures;
 - ii. Access location and design, parking area screening, and the layout of loading and truck manoeuvring areas;
 - iii. The location and screening of any permitted outside storage areas;
 - iv. The exposure of industrial developments and activities to more sensitive abutting land uses;
 - v. Effective integration of any accessory uses, particularly accessory retail components; and
 - vi. All industrial activities other than outside storage or display areas will be contained wholly within enclosed buildings.
4. Outside storage or display areas may only be permitted provided that they are properly screened from public view, and will be subject to the following criteria:
 - i. All outside storage areas will be located away from any adjacent existing residential and/or open space uses, or have adequate buffers that will visually screen the outside storage area from adjacent lands;
 - ii. All buffers, fencing and screening will visually enhance the site, and will be of permanent construction; and
 - iii. Where natural landscaping is utilized, it will be of adequate size to appropriately screen the outside storage area when it is installed.
5. Development on lands within 300 metres of employment areas, will avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned employment areas, in accordance with provincial guidelines.
6. The proposed redevelopment of non-employment uses on employment land will only be permitted in accordance with the Region's Employment Land Redevelopment Criteria Guideline and Provincial direction.

D.2.5 Commercial

D.2.5.1. Vision

The Commercial land use designation permits a broad range of commercial goods and services to meet the everyday needs of the Town's residents, contributing to a complete community.

D.2.5.2. Objectives

The following objectives apply to the Commercial land use designation:

1. Commercial land uses function to meet the diverse everyday needs of the Town's residents, employees and businesses.
2. A full range of commercial goods and services are planned for throughout the Town, with emphasis on providing everyday goods and services in close proximity to where people live, work and travel.
3. Maintain the economic growth and community value of Town's commercial land uses by encouraging development, redevelopment and rehabilitation for a diverse range of uses, and offering an attractive economic environment for new businesses and investors.
4. Permit broad range of commercial activities, while also providing flexibility to accommodate future changes as a result of market trends, technology, and community needs.
5. Undertake, by both direct municipal action and private sector incentives, a program of ongoing improvements within the commercial areas of the Town to enhance the efficiency, convenience, safety and appearance commercial lands.

D.2.5.3. Permitted Uses

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

D.2.5.4. General Policies

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

2. Automobile land uses, such as automobile service stations, automobile repair, and car washes, as well as drive-through facilities, will be subject to design guidelines developed by the Town to enhance their appearance and compatibility with surrounding land uses.

D.2.5.5. Development Criteria

The following development criteria apply to the Employment land use designation:

1. Development within the Commercial land use designation will incorporate high quality design, and evolve over time to be pedestrian-oriented, support active transportation, and create a strong public realm.
2. That the height and massing of surrounding land uses is considered, and appropriate transition in buffers and/or transitions in height and massing between adjacent land uses is achieved, where necessary.
3. Sidewalks, walkways and other pedestrian facilities that may function to link adjacent development, and to nearby cycling facilities and public sidewalks, will be provided within new developments to promote and support active transportation.
4. The layout and design of a proposed development will ensure that the parking area provides for the adequate movement of vehicular traffic. Access to public roads will be limited in number, designed to minimize danger to both vehicles and pedestrians.
5. Commercial development should be grouped, where possible, to promote joint access arrangements and to reduce the number of access points onto the adjacent public road.
6. Residential uses located at grade is generally discouraged to ensure a more vibrant and engaging public realm that is activated by a range of commercial land uses.
7. Permitted office and residential may be located in stand-alone buildings but are encouraged to be located in the upper storeys of a mixed-use building or development.
8. Lands within the Commercial land use designation will be regulated by the implementing zoning by-law and include provisions that address appropriate setbacks, building massing, off-street parking, outdoor display and storage, landscaping, and buffering.
9. Land uses that generate nuisance impacts on surrounding land uses such as noise, vibration, odour, lighting, or traffic, are not permitted.
10. Development within the Commercial land use designation will have regard for the following criteria:
 - i. The need for new commercial land uses by evaluating the development potential of the area and the adequacy of existing commercial development to meet the everyday needs of the Town;
 - ii. The physical suitability of the site for the proposed use;
 - iii. The adequacy of existing transportation infrastructure;
 - iv. The convenience, accessibility and safety of the site for vehicles, pedestrians, and cyclists, particularly where development is proposed in vicinity to nearby residential areas;

- v. The provision of adequate off-street parking facilities and access points that are designed to minimize risks for vehicles, including bicycles, transit and pedestrians;
 - vi. The adequacy of municipal servicing based on technical reports or recommendations from the relevant authorities;
 - vii. The compatibility of the proposed commercial use with neighbouring areas, ensuring the new commercial area would not negatively impact surrounding land uses;
11. At the Town’s discretion, a development application within the Commercial land use designation will be supported by information on the economic, physical and servicing impacts of the proposed development. A market study may also be required to demonstrate the economic feasibility of the proposed development and assess whether it would affect the viability of surrounding commercial land uses.

D.2.5.6. Recreational Commercial Land Uses

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

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

D.2.6 Institutional

D.2.6.1. Vision

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

D.2.6.2. Objectives

The following objectives apply to the Institutional land use designation:

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

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

D.2.6.3. Permitted Uses

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

D.2.6.4. General Policies

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

D.2.6.5. Development Criteria

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

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

D.2.7 Hamlet of Snyder

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

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

D.2.8 Peace Bridge International Gateway

D.2.8.1. Vision

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

D.2.8.2. Objectives

The following objectives apply to Peace Bridge International Gateway land use designation:

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

D.2.8.3. General Policies

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

D.3 Countryside

The Countryside is made up of many unique natural and cultural heritage features as well as valuable natural resources, including large areas of land dedicated to agriculture and normal farm practices. Agriculture is a key component of the Town’s economy and has an important role in the achieving the objectives of this Plan regarding the environment, climate change, cultural heritage and overall community wellbeing. It is the intent of this Plan to support agriculture as the predominant land use in the Countryside and protect these lands from non-compatible development that may hinder the long-term viability of the Town’s agriculture land base.

D.3.1 Agriculture

D.3.1.1. Vision

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

D.3.1.2. Objectives

The objectives of the Agriculture land use designation are:

1. Lands designated Agriculture will be protected from incompatible, non-agricultural development to ensure the long-term viability and function of the agricultural land base

as an important contributor to the Town’s economic prosperity and broader agri-food system.

2. Restrict non-compatible development in agricultural areas to prevent fragmentation of farmland and preserve the rural character and landscape.
3. This designation will strengthen rural communities by supporting agricultural businesses and ensuring that agricultural lands contribute to the social and economic fabric of the Town.

D.3.1.3. Permitted Uses

Permitted uses within the Agriculture designation are:

1. Agricultural uses, including normal farm practices;
2. Agriculture-related uses;
3. On-farm diversified uses;
4. Home occupations; and
5. Additional residential units.

D.3.1.4. Development Criteria

D.3.1.4.1. Agriculture-related Uses

1. Applications to establish an agriculture-related use is permitted, provided that the proposed use:
 - i. Conforms to all other policies of this Plan and satisfies the requirements of the implementing zoning by-law;
 - ii. Minimizes the amount of land removed from the agricultural land base and is suitable for the site;
 - iii. Where reasonable alternatives have been taken into consideration for the proposed agriculture-related use, including other locations within the Town where there are lands that exhibit a lesser capability class, are fragmented, or are located on smaller lots and/or a mix of existing lots that are used for non-agricultural purposes.
 - iv. Are prohibited within the Natural Environment System, except as other permitted in accordance with Section D.5 of this Plan.
 - v. Mitigates any potential land use conflicts with surrounding land uses and complies with the Ministry of Environment’s Guidelines on Land Use Compatibility; and
 - vi. Where it can be demonstrated to the satisfaction of the Town and any applicable authority that the proposed use can be services by private servicing.
2. Development applications to sever lands for agriculture-related uses may be permitted subject to the following criteria:
 - i. The severed lands will be limited to a minimum size needed to accommodate the use of private wells and individual wastewater treatment systems; and

- ii. The severance will not result in an undersized farm that may not be economically viable in the long-term; and
- iii. The consent to sever will not receive final approval until the buildings or structures associated with the use have been constructed or substantially completed.

D.3.1.4.2. On-farm Diversified Uses

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

D.3.1.4.3. Additional Residential Units

1. An additional residential unit may be permitted within the Agriculture designation, subject to the following:
 - a. Where a residential dwelling is permitted on a lot in the Agriculture designation, up to two additional residential units will be permitted in accordance with provincial guidance, provided that, where two additional residential units are proposed, at least one of these additional residential units

is located within or attached to the principal dwelling, and any additional residential units:

- b. Comply with the minimum distance separation formulae;
- c. Are compatible with, and would not hinder, surrounding agricultural operations;
- d. Where it can be demonstrated that the adequate servicing can be provided;
- e. Address any public health and safety concerns;
- f. Are of limited scale and are located within, attached, or in close proximity to the principal dwelling or farm building cluster; and
- g. Minimize land taken out of agricultural production.
- h. Lots with additional residential units may only be severed in accordance with Section D.3.4.5 and provincial direction.
- i. For greater certainty, the two additional residential units that are permitted on a lot in a prime agricultural area in accordance with policy E.3.4.5 are in addition to farm worker housing permitted as an agricultural use.

D.3.1.4.4. Lot Creation and Adjustment in the Agriculture Designation

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

- by the Province, or based on municipal approaches that achieve the same objective; and
 - c. Infrastructure, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.
4. Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

D.3.1.4.5. Residential Lot Creation in the Agriculture Designation

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

D.3.2 Rural

D.3.2.1. Vision

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

D.3.2.2. Objectives

The following objectives apply to the Rural land use designation:

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

D.3.2.3. Permitted Uses

Land uses permitted within the Rural designation are:

1. Agricultural uses, including normal farm practices;
2. Agricultural-related uses;
3. On-farm diversified use;
4. Low-rise residential;
5. Home occupation;
6. Home industry;
7. Low-intensity recreation;
8. Conservation and forestry;
9. Small-scale non-agriculture uses;
10. Cemeteries;

11. Wayside pits and quarries; and
12. Mineral aggregate and petroleum resource operations.

D.3.2.4. Development Criteria

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

D.3.2.4.2. Small-scale Non-Agricultural Uses

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

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

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

D.3.2.4.3. Consent to Sever on Rural Lands

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

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

D.3.3 Rural Residential

D.3.3.1. Vision

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

D.3.3.2. Objective

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

D.3.3.3. Permitted Uses

Land uses permitted within the Rural Residential designation are:

1. Legally existing development;
2. Development on existing lots of record;
3. Home occupations; and
4. Additional residential units.

D.3.3.4. General Policies

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

D.3.3.5. Development Criteria

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

D.3.3.6. Rural Residential Along the Niagara Parkway

1. Lands designated Rural Residential and located along the Niagara River Parkway are subject to the following additional policies:
 - i. Parks and natural open space that enhances the amenity of the Niagara River Parkway are permitted; and
 - ii. Development will occur in accordance with the policies of the Niagara Parks Commission and the following additional criteria:
 - a. New residential development will be coordinated with the Niagara Parks Commission's;
 - b. Individual site access will be from service roads; and
 - c. Where service roads are not available, mutual driveways or individual driveways with shared access to the Niagara Parkway may be permitted on a temporary basis subject to the discretion of the Niagara Parks Commission.

D.3.3.7. Rural Residential Along The Lake Erie Shoreline

1. Rural Residential areas located along the Lake Erie shoreline are subject to the following additional policies:
 - i. Development is to be along existing roads, and a second tier of residential lots is not permitted;
 - ii. Any regulations of the Niagara Peninsula Conservation Authority under the Conservation Authorities Act are complied with.

D.3.3.8. Rural Residential in the Point Abino Area

1. Rural Residential areas located in the Point Abino area subject to the following additional policies:
 - i. Prior to the approval of new development or site alteration an Environmental Impact Study by a qualified environmental specialist will be carried out (at the owner's expense) outlining in detail the impacts of the development to the satisfaction of the Town, the Region of Niagara, the Ministry of Natural Resources and the Niagara Peninsula Conservation Authority;
 - ii. Dwellings will be setback sufficiently from the crest of any stream valley or sand dune embankment to ensure adequate structural stability, to protect the natural environment and existing views and vistas. A geotechnical or slope stability study could be required after consultation with the Niagara Peninsula Conservation Authority;
 - iii. Development and site alteration will be consistent with the Natural Heritage section of this Plan, comply with the regulations of the Niagara Peninsula Conservation Authority under the *Conservation Authorities Act*, and provisions of the Town's Zoning By-law; and
 - iv. The natural topography, surface drainage pattern and vegetative cover will be an important consideration in the design and layout of new development. Existing trees will be preserved wherever possible, and the planting of new native species will be encouraged. The Town may require an arborist's report in this regard. Tree cutting must follow the Town's Heritage Conservation By-law, as well as Regional Tree and Forest Conservation By-law.
2. Development within the Abino Dunes Development will be in accordance with the provisions of Zoning By-law 129-90, as well as subject to site plan control.

D.3.4 Extractive Industrial

D.3.4.1. Vision

Mineral aggregate resources, such as sand, gravel, stone, and shale, as well as mineral deposits and petroleum resources, are important natural resources and must be protected from incompatible land uses that may hinder their operation and the long-term viability of their extraction. It is an overall objective of this Plan that the extraction, processing, and transportation of these resources must take place in a manner that minimizes social, economic, and environmental impacts. This includes defining haul routes and managing

truck traffic, conserving and recycling mineral aggregate resources, and rehabilitating pits and quarries.

D.3.4.2. Objectives

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

1. Protect from development that would preclude or hinder the expansion or continued use of extractive industrial uses from incompatible development for reasons of public health, public safety, or environmental impact.
2. Minimize the negative impacts of proposed mineral aggregate operations in accordance with the policies of this Plan.
3. Ensure that mineral aggregate operations are subject to compatible and sustainable rehabilitation.

D.3.4.3. Permitted Uses

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

D.3.4.4. General Policies

1. Conservation through the use of recycled aggregates on infrastructure projects, where performance and life expectancy of assets can be maintained or enhanced while utilizing recycled products is supported.
2. Existing licensed mineral aggregate operations and petroleum resource operations will continue to be permitted without an amendment to this Plan, the implementing zoning by-law, or other approval under the Planning Act.
3. When a license for a mineral aggregate operation or petroleum resource operation ceases to exist, policies which protect deposits of mineral aggregate resources will continue to apply where deposits are still present.
4. The wise use of mineral aggregate resources, including utilization or extraction of on-site mineral aggregate resources prior to other development occurring is encouraged.

D.3.4.5. Development Criteria

D.3.4.5.1. Mineral Aggregate Operations

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

D.3.4.5.2. Mineral Deposits and Petroleum Resources

1. Petroleum resource operations and any future mineral mining operations will be protected from development and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
2. Development of a residential, institutional, commercial or industrial use is required to be located a minimum of 75 metres from an existing petroleum resource operation, unless it has been decommissioned and rehabilitated in accordance with applicable Provincial regulations and standards.
3. New road allowances, utility corridors, electrical transmission lines and railways will be located no closer than 50 metres from a petroleum resource operation.
4. Suitable access to and space surrounding existing wells will be maintained.
5. Petroleum and mineral resource extraction activities will be conducted in accordance with the Oil, Gas and Salt Resources Act and its regulations and standards, as well as a license from the Ministry of Northern Development, Mines, Natural Resources and Forestry.
6. Any proposal for a new mineral mining operation or petroleum resource operation will require an amendment to this Plan.

D.4 Natural Environment and Open Space

D.4.1 Natural Environment System

D.4.1.1. Vision

The Town recognizes the importance of the Natural Environment System its broad ecological functions that contribute to the creation of a vibrant, livable, and healthy

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

D.4.1.2. Objectives

The following objectives apply to Natural Environment System:

1. Ensure that all features of the Natural Environment System are identified and protected within a comprehensive planning process and that criteria identifying the features are applied transparently and consistently.
2. Maintain, restore, and enhance the health and biodiversity of the Town's Natural Environment System and protect it from incompatible development.
3. Recognize the contribution that the Natural Environment System provides to Open Space and recreational activities, tourist opportunities, and the economy of the Town.
4. Manage land uses and development to avoid negative impacts on water quality and the integrated hydrological/hydrogeological functions of wetlands, watercourses, and groundwater resources.
5. Outline the process for Environmental Impact Studies (EIS) where they are required to support applications for development or site alteration. Direct incompatible development outside identified constraint areas, thereby protecting them from natural hazards and preserving related Natural Heritage Features.
6. Acknowledge the impacts of climate change as a potential issue within the Town on ecosystems and communities, strengthening the rationale for protecting the Natural Environment System and thereby providing for the greatest amount of resiliency in the face of such changes.
7. Encourage landscape restoration and enhancement to repair past damage and mitigate the potential negative impacts of development. This includes creating partnerships with landowners to expand and enhance the connectivity and cohesiveness of the network regardless of jurisdiction.
8. The identification of lands as part of the Natural Environment System will not limit the ability of agricultural uses and associated normal farm practices to continue as defined in applicable provincial legislation and regulations in conformity with this Plan and the implementing zoning by-law, as well as statutes, policies, and regulations of other government agencies, including agricultural drainage through municipal or agreement drains.

D.4.1.3. Permitted Uses

Land uses permitted within the Natural Environment System are:

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

D.4.1.4. General Policies

1. The Natural Environment System is shown on Schedule B: Land Use Plan, Schedule C: Natural Environment System, and Schedule D: Natural Environment System Features.
2. The Natural Environment System is intended to protect and/or conserve natural features and ecological functions. The Natural Environment System policies are to be implementing in conjunction with the land use designations of this Plan and secondary plans.
3. The Town promotes the protection and/or conservation and, where appropriate, the restoration and enhancement of the Natural Environment System within and adjacent to its boundaries. In addition to implementing the policies of this Plan, the Town may use one or all of the following alternative means to protect the Natural Environment System:
 - i. The acquisition of lands or use of conservation easements;
 - ii. Requesting other levels of government or public bodies such as the Province of Ontario, the Regional Municipality of Niagara, the Niagara Peninsula Conservation Authority, Niagara Parks Commission and / or local nature clubs to acquire those lands associated with a hydrologic function and/or suitable for conservation purposes;

- iii. Entering into agreements with public agencies, private conservation groups or landowners to secure the protection of such lands;
 - iv. Encouraging landowners to preserve or convey such lands to a public agency or land trust; and
 - v. Where appropriate consider higher densities than currently permitted on lands adjacent to natural features and areas identified for protection.
4. The features that comprise the Natural Environment System contribute to the conservation of biological diversity and the quality of the air, land, and water. The individual features and components that are mapped include:
- i. Provincially Significant Wetlands;
 - ii. Other Wetlands and non-provincially significant wetlands;
 - iii. Significant Woodlands;
 - iv. Other Woodlands;
 - v. Valleylands;
 - vi. Wildlife Habitat;
 - vii. Areas of Natural and Scientific Interest;
 - viii. Fish Habitat;
 - ix. Watercourses;
 - x. Rehabilitation areas are Environmental Corridors and Linkages; and
 - xi. Dune Protection Areas.
5. Not all of the features and components that make up the Natural Environment System can or have been mapped as part of the schedules for this Plan. Detailed area-specific or site-specific studies, such as an Environmental Impact Study, hydrological evaluation, or subwatershed study, are required to identify where features or components are not mapped but may exist.
6. Where several different Natural Heritage Features are identified on Schedule D for the same lands, the most restrictive Policy section associated with the Natural Heritage Feature applies.
7. Changes to the limits or classification of individual features or components of the Natural Environment System identified through the criteria of this Plan may be considered through the submission of an Environmental Impact Study or similar study based on an approved terms of reference, in accordance with the policies of this Plan, and consultation with the Conservation Authority as appropriate. If the change to the limit or classification of an individual feature or component of the Natural Environment System can be justified to the satisfaction of the Town, an amendment to this Plan will not be required.
8. Changes to the limit or classification of individual features of the Natural Environment System identified through provincial criteria require approval from the Province. If the change to the limit or classification of an individual feature has been approved by the

province, an amendment to this Plan will not be required. Notwithstanding, the limits of the provincial Natural Heritage System can only be refined through the completion of a comprehensive municipal review.

9. Illegal acts that reduce the form or function of a Natural Heritage Feature, including, but not limited to, tree removal, wetland filling or draining, or the diverting of watercourses, will not be recognized as existing conditions within the development review process. Restoration of the damaged area may be required prior to or as a condition of approval of any development applications.
10. The removal, destruction, or injuring of Woodlands and/or trees will be regulated through Tree By-laws. Tree By-laws will be administered to complement the Natural Heritage policies of this Plan by ensuring tree cutting or removal prior to the approval of applications through the planning process, only takes place in accordance with the Town and/or Regional By-laws.
11. Where development or site alteration is approved in accordance with the policies of this Plan, the applicant will submit a Tree Saving Plan to maintain or enhance the remaining natural features and ecological functions. The Plan will be prepared in accordance with the administrable Tree Conservation By-law(s) and related Environmental Impact Study, and its implementation International Society of Arboriculture, or consultant who prepared the Environmental Impact Study.
12. Where appropriate and in compliance with the parkland dedication policies of this Plan, portions of protected natural areas may be considered for parkland dedication purposes where sufficient active parkland is provided as determined by the Town.
13. The Town will support efforts to achieve the following targets through voluntary landowner stewardship and restoration:
 - i. 30% of the land area in the Region in forest cover or wetland, with at least 10% of each subwatershed in wetland; and
 - ii. The use of 30 metre wide naturally vegetated buffers along 70% of the length of the first to third order stream corridors as per the policies of this Plan. Agricultural uses may continue within this buffer and are encouraged to employ best management practices to protect water resources and natural heritage.
14. The Town will support landowner stewardship by:
 - i. Encouraging good forestry practices and development of Woodland Management Plans;
 - ii. Encouraging restoration and conservation including the planting of native vegetation; and
 - iii. Maintaining a by-law regulating the harvesting, destruction or injuring of trees in Woodlands unless a Regional By-law is approved with similar or more rigorous standards.
15. Where any land is delineated as a Natural Environment System on Schedule C: Natural Environment System or Schedule D: Natural Environment System Features, and the land is under private ownership, this Plan does not intend that such land is open to the

general public, or that the lands will be purchased by the Town or any other public agency.

16. Public works and/or private infrastructure works and actions will only be undertaken in ways consistent with the protection of Natural Environment System and its features. In instances where public and/or private infrastructure works may impinge upon the Natural Environment System and its features, the Town will consider the impacts of its proposed actions, consider alternatives, and implement measures to minimize or avoid impacts where feasible.
17. Where, through the review of a development application, it is found that important environmental features or functions have not been adequately evaluated, the applicant will have an evaluation prepared by a qualified biologist in consultation with the Town and, where appropriate, as well as the Conservation Authority and the Province. If the evaluation finds one or more features of the Natural Environment System meet the criteria to be subject to the policies of this Plan, the relevant policies of this Plan will apply.
18. Lands that comprise the Natural Environment System may be subject to modification upon the submission and approval of an Environmental Impact Study. An Environmental Impact Study must demonstrate that the proposed changes will not result in negative impacts and the proposed development/site alteration is consistent with applicable policies. Any modification must be reviewed and approved by the Town, or any relevant agency or authority, as applicable.
19. The policies of this Plan also apply where development or site alteration is proposed on lands with the Town but that are adjacent to a significant natural area in an adjoining municipality that is designated in that municipality's Official Plan or by the Province.
20. The Conservation Authority should be consulted as to whether a permit is required to address Regulations under the *Conservation Authorities Act*.

D.4.1.5. Provincially Significant Wetland Areas

1. Provincially Significant Wetlands play an important role in the natural environment. This Plan protects the hydrological, social, ecological and economic benefits associated with these wetland resource areas of the Town in accordance with the Provincial Planning Statement, 2024. The Town, the Province, the Conservation Authority, and the Region have a role in the protection of Provincially Significant Wetlands through accepted land use planning and resource management practices.
2. The Province has evaluated and classified Provincially and Locally Significant Wetlands in the Town. All wetlands currently evaluated are shown on Schedule D: Natural Environment System Features.
3. In instances where Provincially Significant Wetland areas are identified by the Province, or a study approved by the Province, development and site alteration will not be permitted within the boundary of the wetlands.
4. In all instances, the Town will require an Environmental Impact Study for new development proposals on lands adjacent to these wetland areas. Development and

site alteration is not permitted unless it has been demonstrated that there will be no negative impacts to the wetlands features and their ecological functions.

5. As part of an Environmental Impact Study, the staking of the boundaries of the wetland feature will be completed in accordance with the most recent version of the Ontario Wetland Evaluation System Southern Manual.
6. Boundary changes to Provincially Significant Wetlands will be reviewed by the Town and sent to the Province. The following criteria will be applied to determine if an amendment to this Plan is required where a boundary change is proposed:
 - i. Minor refinements to boundaries, being an adjustment of 1 m or less, will be reviewed by the Town but do not require an amendment; or
 - ii. In all other cases, an amendment to this Plan is required for major boundary changes or status changes.
7. The Town may request a water balance for any wetland identified within development or site planning applications. The water balance must evaluate pre-development hydrological conditions and estimate post-development hydrological conditions. The water balance must include a monitoring plan to confirm predictions. Adaptive management measures must also be included should hydrological conditions not meet expectations. This assessment must be prepared by a qualified hydrologist and considered in the Environmental Impact Study.
8. The Conservation Authority should be consulted as to whether a permit is required to address Regulations under the *Conservation Authorities Act*.

D.4.1.6. Areas of Natural and Scientific Interest

1. The Town has unique features that have been classified by the Province as Life Science and Earth Science Areas of Natural and Scientific Interest (ANSI).
2. Where there are Areas of Natural and Scientific Interest identified within the Town, development or site alteration will not be permitted within the boundary of the Area of Natural and Scientific Interest as defined by the Province.
3. It is intended that the lands shown on Schedule D: Natural Environment System Features as Areas of Natural and Scientific Interest will be preserved as natural areas.
4. The Natural Environment System includes the identified feature as well as an adjacent area established by the Province.

D.4.1.6.2. Dunes in Areas of Natural and Scientific Interest

1. Dunes are a unique and sensitive landform of natural and scientific interest that are essential for biodiversity, ecosystem resilience, and the habitat of threatened and endangered species. Dunes are recognized as a local Areas of Natural and Scientific Interest within the Town.
2. It is a key objective of this Plan that dune formations are preserved and protected. Any activity that has potential to alter, degrade, or disturb dune ecosystems, including construction, vegetational removal, or recreational overuse, is prohibited unless authorized through an Environmental Impact Study and approved by the Town.

3. Dune ecosystems serve as habitat for Threatened and Endangered Species (e.g., Fowler’s Toad). Any proposed activity within or adjacent to dunes must include an assessment of potential impacts on these species and be completed in compliance with the Endangered Species Act and its regulations (as amended).

D.4.1.7. Habitat of Threatened, Endangered Species and Species of Special Concern

1. The policies of this Plan are intended to protect Habitats of Threatened and Endangered Species and Species of Special Concern.
2. Development and site alteration is not permitted within the Habitat of Threatened or Endangered species, except in accordance with Endangered Species Act and its regulations (as amended) and federal requirements.
3. In instances where the Habitat of Threatened and Endangered Species and Species of Special Concern is identified within the Town by study or agency review of applications, development will only be permitted on lands adjacent to the habitat, where an Environmental Impact Study demonstrates the development or site alteration will have no negative impact on the habitat’s features or functions.

D.4.1.8. Significant Natural Areas

1. The Town has completed a Natural Areas Inventory that identifies Significant Natural Areas (SNA), Corridors, and Linkages. These Significant Natural Areas include, but are not limited to, Significant Woodlands, Thickets, Meadowlands, Significant Wildlife Habitat Areas, Environmentally Sensitive Areas, and Environmental Corridors and Linkages. Significant Natural Areas are considered to have a higher ecological significance than other natural areas in that they meet three or more criteria of the Town’s Natural Areas Inventory for assessing the significance of the natural feature.
2. Significant Woodlands means woodlands that are ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history (NHRM 2010).
3. Woodlands that abut another feature are considered adjacent when located within 20 m of each other. To be identified as significant, one or more of the following criteria must be met:
 - i. 2 hectares or greater in size;
 - ii. Any interior habitat (interior habitat is measured from 100 m from the outside edge as per the NHRM 2010);
 - iii. Overlapping or abutting an Environmental Protection Area or Fish Habitat and is at least 1 ha in size;
 - iv. Located within a defined Natural Heritage System or provide a connecting link between two other significant features are located within a sensitive or threatened watershed or a specified distance (e.g., 50 m or top of valley bank if greater) of a sensitive groundwater discharge, sensitive recharge, sensitive headwater area, watercourse or fish habitat

- v. Contains a vegetation community with a provincial ranking of S1, S2 or S3 (ranked by NHIC), rare vegetation community (Appendix M of the SWTG), a naturally occurring composition of native forest species that have declined significantly in the ecoregion, tree species of restricted distribution such as sassafras, or habitat of a woodland plant species with an S1, S2 or S3 in its ranking or an 8, 9, or 10 in its Southern Ontario Coefficient of Conservatism by the NHIC, consisting of 10 or more individual stems or 100 or more sqm of leaf coverage; or
 - vi. 10 or more trees per hectare greater than 100 years old or 50 cm or more in diameter.
4. All Significant Natural Areas identified on Schedule D: Natural Environment System Features are approximate and may be redefined through a Secondary Plan, Draft Plan of Subdivision or Condominium, or Site Plan in conjunction with an Environmental Impact Study.
 5. Development or site alteration within or adjacent to Significant Natural Areas is only permitted where an Environmental Impact Study demonstrates that the development or site alteration will not result in degradation that threatens the health or integrity of the natural features or ecological functions for which the area is identified as significant in the Town's Natural Areas Inventory or that are identified as significant through the Environmental Impact Study. The Town's Natural Areas Inventory identifies the key features and functions of Significant Natural Areas.

D.4.1.9. Locally Significant Wetlands

1. Locally Significant Wetlands are identified on Schedule D: Natural Environment System Features. These features represent other wetland areas evaluated by the Ministry of Natural Resources, the Town, or the Conservation Authority, but are not classified as provincially significant. Locally Significant Wetlands provide important habitat features and functions, as well as important hydrologic functions.
2. Development or site alteration within or adjacent to Locally Significant Wetlands will comply with the policies of this Plan, as well as ensure there is no negative impact to water quality and quantity.
3. Any Environmental Impact Study completed to assess the impacts of development will consider the Ministry of Natural Resources Wetland evaluations, as well as the Town's Natural Areas Inventory.
4. The Conservation Authority should be consulted as to whether a permit is required to address Regulations under the *Conservation Authorities Act*.
5. The Town may explore the opportunity to require wetland compensation as a last resort to achieve no-net-loss or a net gain in wetland functions.

D.4.1.10. Other Woodlands, Thickets and Meadowlands

1. The preservation of existing woodlands, thickets, and meadowlands is a priority for the Town. This Plan promotes the retention of these natural areas and the integration of tree cover into the developed and less-developed landscapes.

2. Woodlands, thickets, and meadowlands that are situated within valleylands and stream corridors are subject to the policies of this Plan.
3. Any Environmental Impact Study completed to assess the impacts of development will consider the Ministry of Natural Resources Wetland evaluations, as well as the Town's Natural Areas Inventory.
4. For the purposes of this Plan, Other Woodlands are considered to be wooded areas less than 2 hectares in size that meet the Ecological Land Classification definition of forest or woodland.
5. The configurations of all woodlands identified on Schedule D: Natural Environment System Features are approximate and may be refined through further field analysis and study. Whenever the Town is undertaking a public work, the Town will attempt, where feasible, to protect and preserve existing trees. In addition, in order to enhance the existing tree canopy, the Town will promote the retention of existing street tree cover and provide for tree planting on an on-going basis.

D.4.1.11. Environmental Corridors and Linkages

1. The Town encourages the connection of features within the Natural Environment System and adjacent to its boundaries using Environmental Corridors, and ecological Linkages, where feasible.
2. The Town will promote the ecological rehabilitation of Environmental Corridors, Linkages, and Corridor Areas as they become identified.
3. Corridor Areas are encouraged to regenerate to more natural conditions with the eventual aim of their reclassification to Significant Natural Areas. In this regard, the Town will encourage the implementation of voluntary Conservation Easements or Stewardship Agreements with the owners of lands with these Natural Environment System Features.
4. Where an environmental Linkage area has been identified on Schedule D: Natural Environment System Features or through further study, and in instances where a development proposal may impact upon it, an Environmental Impact Study may be required.
5. The Town will require that Linkages, as identified on Schedule D: Natural Environment System Features or through further study, be incorporated and protected through future land use planning studies, as well as development and redevelopment.
6. In an effort to provide Linkages between features, the Town will continue to support a program for the naturalization and revegetation of Parks, Open Space and Stormwater Management Areas, where appropriate.

D.4.1.12. Valleylands, Stream Corridors and Fish Habitat Areas

1. Valleylands and Stream Corridors provide unique ecological functions including the conveyance of storm and melt waters, nutrient and sediment transport, maintenance of stream flow and water levels and quality, Fish and Wildlife Habitat, and Linkages between natural areas and habitat features.

2. Fish Habitat areas are identified on Schedule D: Natural Environment System Features of this Plan. Fish Habitat is regulated under the Fisheries Act as enforced by Fisheries and Oceans Canada (DFO). Many Valleylands, Stream Corridors and Fish Habitat Areas are within the Natural Environment System.
3. The Town will promote the protection and maintenance of all Valleylands and Stream Corridors as Environmental Corridors.
4. Valleylands subject to these policies will be identified by the Conservation Authority in consultation with the Region, and the Town. These Valleylands are to be identified and mapped through future amendments to this Plan as well as the implementing zoning by-law.
5. Along Valleylands where the valleybank height is equal to or greater than 3 metres, the following policies apply:
 - i. A minimum setback of 7.5 metres from the stable top of the valley slope, as identified by the Conservation Authority, will be required for all new structures and site alterations including swimming pools and private servicing systems, including septic systems;
 - ii. Where the Conservation Authority identifies evidence of slope instability or where the valley slope exceeds 3:1 (Horizontal Distance: Vertical Distance) a geotechnical report prepared by a qualified engineer will be submitted with an application for new development or site alteration. A setback greater than 7.5 metres may be required where the Conservation Authority determined after considering the report that an increased setback is necessary to address site specific conditions;
 - iii. A reduced setback may be considered where an existing lot has insufficient depth to accommodate the required setback and a geotechnical report demonstrates to the satisfaction of the Conservation Authority that some infringement within the setback area on site can be accommodated with mitigative measures that maintains bank stability, will not create hazards or increase existing ones, and will have no adverse environmental impact in the long term. In no case will development be allowed beyond the top of bank; and
 - iv. Where possible existing vegetation should be maintained within the setbacks required under this policy. Vegetation below the top of the valley slope will not be disturbed. New lots created by plan of subdivision, consent or plan of condominium will not extend below the top of the valley slope as determined by the Conservation Authority. Lands below the top of the valley slope will be maintained as one block and the dedication of these lands to the Conservation Authority, Town or other public body is encouraged.
6. Development and site alteration is not permitted in Fish Habitat or adjacent lands except in accordance with provincial and federal requirements and where there is no net loss of productive capacity.
7. A development application will be required to provide an Environmental Impact Study for approval by the Town and consult with Fisheries and Oceans Canada. A naturally

vegetated buffer area, of at least 30 metres in width from the stable top of bank will be required adjacent to Critical Fish Habitat.

8. A minimum 15 metre vegetative buffer from the stable top of bank will be required adjacent to Important or Marginal Fish Habitat. A narrower buffer may be considered where the Environmental Impact Study has demonstrated that there will be no harmful alteration or destruction to Fish Habitat. For critical Fish Habitat a minimum 15 metre setback will be required unless the development represents an expansion to an existing use.
9. Where development is proposed adjacent to a Municipal Drain, a buffer zone a minimum of 15 metres in width will be required for maintenance purposes and the functioning of the drain. A narrower buffer may be considered if determined appropriate by the Town and the Conservation Authority.
10. The Conservation Authority should be consulted as to whether a permit is required to address Regulations under the *Conservation Authorities Act*.

D.4.1.13. Excess Soil

1. The proper management of excess soil is critical to protect human health and the environment as our communities continue to grow. Excess soil is soil that is not required at a construction or development site and must be moved to a new location. In some cases, excess soil may be temporarily stored at another location before being brought to a final receiving site. The Provincial policy framework for excess soil management provides a life-cycle management approach, which includes placing greater responsibility on source sites where soil is excavated and recognizing opportunities for excess soil re-use.
2. Excess soil will be managed in accordance with Ontario Regulation 406/19 under the *Environmental Protection Act*.
3. Best management practices for excess soil generated and fill received during development, site alteration, including infrastructure development, will be implemented to ensure that:
 - i. Excess soil generated is to be reused on-site or locally to the maximum extent possible;
 - ii. Temporary storage sites are encouraged to be permitted close to soil reuse sites to reduce transportation and environmental impacts such as greenhouse gas emissions; and
 - iii. Excess soil placement at receiving sites are required to demonstrate that the activity will not have a negative impact on existing land uses, the natural environment, surrounding land uses and cultural heritage resources.
4. Excess soil from a mineral aggregate operation should be reused on-site or locally to the maximum extent possible. A plan for the reuse of excess soil, meeting Provincial requirements will be prepared as part of the Planning Act application process.
5. A soil management plan, meeting Provincial best practices, is to be prepared as part of the Planning Act application process for new development.

D.4.1.14. Minimum Buffer Requirements for Natural Heritage Features

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

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

Natural Heritage Feature	Minimum Buffer Width Outside of a Settlement Area	Minimum Buffer Width within a Settlement Area
Significant Wetlands	120 metres	30 metres
Other Wetlands	30 metres	30 metres
Significant Woodlands	30 metres beyond the dripline	30 metres
Other Woodlands	10 metres beyond the dripline	10 metres beyond the dripline
Valleylands	10 metres	10 metres
Floodplains	Determined through hazard land mapping.	Determined through hazard land mapping.
Shoreline	30-metre buffer or larger if determined appropriate by an EIS.	30-metre buffer or larger if determined appropriate by an EIS.
Watercourses (cool and cold water)	50 metres from the high-water mark on both sides, plus 0.5 metres per 1% of the slope.	50 metres from the high-water mark on both sides, plus 0.5 metres per 1% of the slope.
Watercourses (warm water)	30 metres from the high-water mark on both sides.	15 metres from the high-water mark on both sides.
Significant Wildlife Habitat	Significant Wildlife Habitat criteria schedule to determine setbacks. Where they are not determined, 100 metres.	Significant Wildlife Habitat criteria schedule to determine setbacks.
Habitat for Threatened or Endangered Species	To be determined through consultation / permitting with the MECP.	To be determined through consultation / permitting with the MECP.
Linkages	30-metre buffer or larger if determined appropriate by an EIS.	Determined appropriate by an EIS.

D.4.1.14.2. Minimum Buffer Requirements Outside of Settlement Areas

1. Outside of settlement areas a minimum buffer on all natural heritage features and areas is required, as set out in Table D-1: Minimum Buffer Requirements for Natural Heritage Features.
2. Given the variability in the type, form, and function of significant wildlife habitat existing on the landscape, the width of the required minimum buffer is to be established through the completion of an environmental impact study or subwatershed study.

3. Development or site alteration will not be permitted in the minimum buffer set out in Table D-1, with the exception of that described in D.4.1.3 or infrastructure serving the agricultural sector, unless it has been demonstrated through the preparation of an environmental impact study that there will be no negative impacts and the buffer will continue to provide the ecological function for which it was intended.

D.4.1.14.3. Minimum Buffer Requirements Within Settlement Areas

1. Within settlement areas, mandatory buffers from natural heritage features and areas are required. The width of an ecologically appropriate buffer would be determined through an environmental impact study and/or hydrological evaluation at the time an application for development or site alteration is made, or through the completion of a subwatershed study in support of a secondary plan or other 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.
2. Development or site alteration will not be permitted in the mandatory buffer, with the exception of that described in D.4.1.3 or infrastructure serving the agricultural sector unless it has been demonstrated through the preparation of an environmental impact study that there will be no negative impacts, and the buffer will continue to provide the ecological function for which it was intended.
3. Notwithstanding any other policy in this Plan, the Conservation Authority has its own buffer requirements for watercourses which will apply. Reductions in any buffer required by the Conservation Authority may be considered in settlement areas where supported by a site-specific study that is approved by the Town, the Region, and the Conservation Authority.

D.4.1.15. Environmental Impact Study

1. Any required Environmental Impact Study will be completed in accordance with D.4.1.16, and comply with all provisions of this Plan, where applicable.
2. It is encouraged that an Environmental Impact Study be initiated early in the development application process to identify features that may be present and areas that need to be protected, as well as to ensure sufficient time to complete surveys in appropriate timing windows. The Environmental Impact Study will be submitted with the application.
3. An Environmental Impact Study will be carried out by professionals qualified in the field of ecology, as well as from biology, hydrogeology, and other environmental sciences as required, as necessary, and be acceptable to the Town, the Region, the Conservation Authority, and the Province, as applicable.
4. Pre-consultation with the Town, the Conservation Authority, and the Region is encouraged for consultants in developing a Scoping Checklist and the Terms of Reference for an Environmental Impact Study. The Town's Natural Areas Inventories contain important information that can assist in formulating the Terms of Reference and help inform the requirements of an Environmental Impact Study. Prior to the commencement of the Study, a Terms of Reference, prepared by the applicant's

consultant, will be developed and approved in consultation with applicable agencies, as required.

5. In general, the Environmental Impact Study will:
 - i. Describe and state the rationale for the proposal and alternatives to the proposal;
 - ii. Describe adjacent land use and the existing regulations affecting the proposal and adjacent lands;
 - iii. Describe the proposed undertaking, including a location map showing proposed buildings, existing land uses and buildings, existing vegetation, fauna, site topography, drainage, hydrology, soils and habitat areas;
 - iv. Describe all natural features and functions and the linkages among them, on site and on adjacent lands that might directly or indirectly be affected including significant hydrologic, surface and ground water functions such as groundwater discharge or recharge, as well as identification of the setting with respect to surrounding natural features;
 - v. Describe alternate forms that the proposal could take including an assessment of the advantages and disadvantages of each;
 - vi. Identify and evaluate the actions necessary to prevent, change, mitigate or remedy any impacts upon Natural Heritage Features and functions including significant surface and groundwater features and hydrologic functions and the alternative methods of protecting the functions and values of the areas affected;
 - vii. Assess the impacts on the Natural Heritage Features and ecological functions that might reasonably be caused by the proposal, identifying the types and significance of the impacts and including the cumulative effect;
 - viii. Draw a concluding statement on how the policy objectives of the Natural Heritage Section of this Plan are being complied with;
 - ix. Provide any other information required by the Town, the Ministry of Natural Resources, or the Niagara Peninsula Conservation Authority, that is deemed necessary to evaluate the proposal in relation to the particular Natural Area under investigation;
 - x. The required scope and or content of an EIS may be reduced in consultation with appropriate agencies, where: the environmental impacts of the development are thought to be limited; or other environmental studies fulfil all or some of the requirements; and

6. The Town will coordinate and partner with the Region, Conservation Authority, landowners and community groups to ensure watershed plans are prepared for major watersheds at the broad landscape level that include:
 - i. An inventory and assessment of ecological features and functions in the watershed;
 - ii. Identification of key issues and objectives;
 - iii. A water budget and conservation plan;

- iv. Recommendations to maintain and where feasible enhance ecosystem health; and
- v. Identification of subwatershed boundaries and establishment of new guidelines for additional studies where needed.

D.4.1.15.2. Applicability of an Environmental Impact Study

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

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

Natural Heritage Feature	Development Permission within Natural Heritage Feature	Development Permission Adjacent to Natural Heritage Feature
Significant Wetlands	Development is not permitted.	Environmental Impact Study required for development within 120 metres.
Significant Coastal Wetlands	Development is not permitted.	Environmental Impact Study required for development within 120 metres.
Significant Woodlands	Discretionary. An Environmental Impact Study is required.	Environmental Impact Study required for development within 50 metres.
Significant Valleylands	Discretionary. An Environmental Impact Study is required.	Environmental Impact Study required for development within 50 metres.
Significant Wildlife Habitat (SWH)	Discretionary. An Environmental Impact Study is required.	Environmental Impact Study required for development within 50 metres.
Significant Areas of Natural and Scientific Interest (ANSI)	Discretionary. An Environmental Impact Study is required.	Environmental Impact Study required for development within 50 metres.
Coastal Wetlands	Discretionary. An Environmental Impact Study is required.	Environmental Impact Study required for development within 50 metres.
Fish Habitat (must be	Discretionary. An	Environmental Impact

discussed with Fisheries and Oceans Canada (DFO))	Environmental Impact Study is required. Development and site alteration must be in accordance with provincial and federal requirements.	Study required for development within 50 metres.
Habitat of endangered and threatened species (must be defined in consultation with MECP)	Discretionary. An Environmental Impact Study is required. Development and site alteration must be in accordance with provincial and federal requirements.	Environmental Impact Study required for development within 50 metres.
Key Hydrologic Feature	Development is not permitted.	Environmental Impact Study required for development within 50 metres.

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

D.4.1.15.3.Environmental Impact Study Implementation

1. The Town is committed to protecting the Natural Environment System in accordance with the Provincial land use planning policy and guidelines.
2. The implementation policies regarding Environmental Impact Study provides the minimum requirements proponents must satisfy when preparing an Environmental Impact Study in. At its discretion, the Town may refine or prescribe more precise guidance on a case-by-case basis.
3. An Environmental Impact Study is to be submitted where development or site alteration is proposed wholly or partially within, or adjacent to, a feature of the Natural Environment System, as defined in Provincial and local policies and regulations.
4. At a minimum, an Environmental Impact Study must address the following matters:
 - i. A site-specific assessment of the feature(s),
 - ii. A determination of how and the extent to which feature(s) will be impacted by the proposed development or site alteration, and
 - iii. Appropriate mitigation measures to:
 - a. As a first priority, avoid;
 - b. As a second priority, minimize; or

- c. As a third priority, compensate for the negative impacts, including restoration and enhancement.
5. It is encouraged that an Environmental Impact Study be started early in the development application process to identify Natural Heritage Features and areas that need to be protected as well as to ensure sufficient time to complete surveys in appropriate timing windows. In this way, potential development constraints (i.e., areas that may not be appropriate for development) can be identified and avoided before developing a detailed site plan. To assist with the requirements for an Environmental Impact Study, a preliminary screening is to be completed, and, if necessary, it is recommended that a Terms of Reference (TOR) be submitted to Town for approval.
6. The Environmental Impact Study is to be submitted by the proponent but is to be prepared by qualified professionals with relevant environmental expertise. The professional preparing the Environmental Impact Study must work in conjunction with other professionals in relevant and applicable fields to integrate the information contained in stormwater management plans, lot grading and drainage plans, geotechnical reports, noise studies, traffic studies, and other plans and studies, as may be required. Where those studies and plans may have implications for the environmental impacts of concern in the Environmental Impact Study, they will be designed to address those impacts.
7. At a minimum, the following that may require an Environmental Impact Study where the proposed development involves lands in or adjacent to a Natural Heritage Feature, as identified in Table D-2: Environmental Study Impact Requirements Based on Natural Heritage Feature:
 - i. Amendments to this Plan;
 - ii. Amendments to the implementing zoning by-law;
 - iii. Subdivisions;
 - iv. Condominiums;
 - v. Site plan;
 - vi. Severances and Variances;
 - vii. Municipal site alteration permits;
 - viii. Development permits;
 - ix. Master drainage plans;
 - x. Trails and interpretive areas within Provincially and Locally Significant Wetlands;
 - xi. Tree Removal; and
 - xii. Other significant development proposals.
8. An Environmental Impact Study will not be required where an Environmental Assessment or alternative environmental review is being undertaken or has been completed in the last five years as part of a comprehensive planning process required under Provincial or Federal Legislation, provided the Environmental Assessment or

alternative environmental review fulfills all the requirements for site-specific, and/or landscape level Environmental Impact Study that would otherwise be required.

9. Only one Environmental Impact Study is required when a development proposal involves two or more applications under the Planning Act.
10. An Environmental Impact Study will also include the following:
 - i. A scoping checklist to determine the requirements of an Environmental Impact study prior to the Environmental Impact Study being prepared. The scoping checklist should include input from the proponent, their consultants, and the Town. A scoping checklist is required to ensure that the Environmental Impact Study provides the required information and analysis that addresses relevant environmental conditions as determined on a case-by-case basis.
 - ii. Terms of Reference must be submitted to and approved by the Town before submitting an Environmental Impact Study. The Terms of Reference will clearly outline the proposed report components and establish the study area, characterize the general nature and extent of the development proposal, briefly summarize the scoping exercise, planning context, and known triggers for the Environmental Impact Study. The Terms of Reference will also outline the proposed methodology for undertaking the Environmental Impact Study.
11. The Terms of Reference will be prepared in a report template and include the following additional information:
 - i. The name and contact information of the applicant, address of the subject, property, lists the report's principal author, the consulting firm, and the date the report was completed;
 - ii. Description of the subject property (natural features and areas, land cover, existing hard surfaces or buildings), type and scale of the development proposal (including any required servicing, infrastructure upgrades or stormwater facilities, existing or proposed trails), historical and present uses of the subject property, and map(s) of the development location, subject property and study area;
 - iii. The land use planning context, including a review of the official plan and zoning for the subject property and for the adjacent lands and identify environmental legislative, regulatory, and policy requirements that may affect the development proposal. This may include but is not necessarily limited to the Provincial Planning Statement, this Plan, the implementing zoning by-law, other applicable Town policies and by-laws, Conservation Authority regulations, as well as the *Endangered Species Act*, *Federal Fisheries Act*, and *Migratory Birds Convention Act*, as may be applicable;
 - iv. Background review to identify relevant information from existing studies, plans, databases, etc., to be reviewed and considered through the Environmental Impact Study;
 - v. Description of the approach and methodology, including detailed study methods for studying natural heritage features and areas, wildlife habitat, and species at risk (including time of year, level of searcher effort, etc.). Including but not limited

to Geology and soils, Hydrology and hydrogeology, Wetland Assessments and/or Delineations, Aquatic and fish habitat, Terrestrial vegetation (including wetlands), Vegetation communities (ecological land classification), Plants, Wildlife, Natural hazards, Connectivity, and ecological linkages;

- vi. Evaluation of significance to assess the various natural heritage features and areas against the appropriate policies and guidelines to determine significance, natural hazards, and assessment of appropriate buffers and/or setbacks;
- vii. Impact assessment to identify that the scope includes direct impacts, indirect impacts, cumulative impacts, etc. and an evaluation of alternative options/measures;
- viii. Mitigation measures including avoidance, enhancement, restoration, compensation, outreach, education, and stewardship;
- ix. Monitoring recommendations to outline of the types of monitoring to be included in the Environmental Impact Study; and
- x. Recommendations and a concluding statement.

D.4.1.16. Environmental Planning Study

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

D.4.1.17. Natural Hazards

1. Natural Hazards are identified as lands that could be unsafe for the development due to naturally occurring processes. Natural Hazards may include flooding hazards, erosion hazards or dynamic beach hazards, including dunes.

2. Development for institutional uses including hospitals, schools, nurseries, nursing homes and day care facilities, essential emergency services and uses associated with the disposal, manufacture, treatment or storage of hazardous substances are not permitted within Natural Hazard Lands.
3. Permitted uses within in all areas identified as Natural Hazard Area include:
 - i. Passive non-structural conservation and resource management uses, including flood and erosion control works; and
 - ii. minor additions, enlargements and reconstruction to existing uses, provided that all applicable approvals or permits have been obtained, including from the Conservation Authority.
4. Any development undertaken within lands identified as Natural Hazard should ensure that the effects and risks to public safety are minor so as to be mitigated in accordance with provincial standards as determined by the demonstration and achievement of:
 - i. Floodproofing standards, protection works standards, and access standards;
 - ii. Safe access during times of flooding erosion or other emergencies; and
 - iii. New hazards are not created, and existing hazards are not aggravated; and
 - iv. No adverse environmental impacts, particularly water quality impacts will result.
5. All development and site alteration must comply with the applicable regulations of the Conservation Authority.
6. There are Natural Hazards associated with Lake Erie shoreline as well as river and stream systems. Natural Hazards also include Hazardous Sites, which are property or lands that could be unsafe for development or site alteration due to naturally occurring hazards, such as unstable soils or unstable bedrock.
7. Natural Hazards for river and stream systems consist of the furthest landward limit of the flood hazard or erosion hazard limits. The one-hundred-year flood is used to define the flooding hazard within the Town. The Natural Hazards associated with the Lake Erie shoreline represent the furthest landward limit of the flooding hazard, erosion hazard, wave uprush or dynamic beach hazard limit.
8. The boundary of Natural Hazard lands reflects the definitions of the various hazards and is based on information provided by or prepared for the Niagara Peninsula Conservation Authority, such as floodplain mapping and Lake Erie Shoreline Management Plan, respectively. The Conservation Authority may provide technical information to assist in the delineation of Natural Hazards.
9. The 1 in 100-year flood will be used as the approved standard to define the flooding hazard for rivers and streams. Where no floodplain mapping is available, and the Conservation Authority has a flooding concern respecting a development application, the landowner will be required to determine the limits of the 1 in 100-year flood.

D.4.1.17.2. Dune Protection Areas within Natural Hazard Lands

1. Dune Protection Areas are delineated on Schedule D: Natural Environment System Features and are those lands that include all the natural sand dune formations in the Point Abino area.
2. These dunes exhibit steep slopes which may be subject to severe erosion and poor soil stability under certain conditions. Lands so designated are intended for the preservation and conservation of these significant landforms.
3. The preservation of these landforms is of the utmost importance. No new uses, development, or site alteration is permitted within the Dune Protection Area.
4. Minor alterations or additions to existing buildings will only be considered upon the written approval of the Town, Niagara Peninsula Conservation Authority, and Ministry of Natural Resources based on an Environmental Impact Study.
5. The precise limits of the Dune Protection Area can be determined in the field with the technical input of the Niagara Peninsula Conservation Authority and other appropriate agencies.
6. Where new development is proposed on a site, part of which is identified as Natural Hazard, these lands will not necessarily be acceptable as part of the dedication for park purposes as required under the Planning Act. All lands dedicated to the Town will be conveyed in a physical condition satisfactory to the Town.
7. Should development be proposed on lands appropriate for development adjacent to the Natural Hazard Area, the lands within the Natural Hazard Area will be dedicated to the Town, including any water lots.
8. Certain areas of the Town have substantial slope variation (i.e. slopes greater than 20 percent). In these areas, the Town will require development proposals to consider special design and engineering works to ensure slope stability, positive stormwater drainage and public safety. A geotechnical report prepared by a qualified geotechnical engineer may be required. This report may be circulated to the Conservation Authority.
9. The Niagara Peninsula Conservation Authority should be consulted as to whether a permit is required to address Regulations under the Conservation Authorities Act.
10. In consultation with the Conservation Authority, the implementing zoning by-law may include mapping of Natural Hazard lands and restrictions on the use of lands within Natural Hazard areas in accordance with the policies of this Plan.
11. An amendment to this Plan is not required where more up to date or accurate mapping of Natural Hazard Lands becomes available, as determined through consultation with the Conversation Authority.

D.4.1.18. Mineral Aggregate Operations within the Natural Environment System

1. Where a new mineral aggregate operation or an expansion to an existing operation is proposed within the Natural Environment System, an Environmental Impact Study is required and will include consideration of:
 - i. Whether the following will be maintained or enhanced before, during and after mineral aggregate extraction,

- ii. Connectivity among Natural Heritage Features and hydrologic features;
- iii. Significant hydrologic features and functions; and
- iv. How Significant Natural Heritage Features and ecological functions that would be affected will be replaced, on or off site, with features and functions of equal or greater ecological value that are representative of the natural ecosystem in that particular setting or ecodistrict.

D.4.2 Open Space

D.4.2.1. Vision

Lands designated Open Space are a valuable resource to the community and contribute to a high quality of life and overall community wellbeing. This Plan promotes a connected system of open spaces that are comprised of parks, trails, and more naturalized areas that provide recreation and leisure, while having regard for the Natural Environment System policies of this Plan.

D.4.2.2. Objectives

The following objectives apply to the Open Space land use designation:

1. Improve public access and the usability of public parkland along the Lake Erie shoreline.
2. Promote acquisition of land as Open Space adjacent to the Lake Erie shoreline and major water courses for the purpose of increasing public access to water.
3. Encourage the preservation of existing woodlands, unique natural areas, and areas of archaeological significance.
4. The development of scenic drives, hiking, equestrian and recreational trails and bicycle paths, and in this regard the abandoned railway between Fort Erie and Niagara Falls and the abandoned CNR line in the vicinity of Dominion Road, should be preserved and developed for public use.
5. The integration of the Open Space system within an overall pedestrian and cycling network.
6. Undertake joint planning of conservation lands to meet both the Region's and the Town's needs and objectives. Such planning will, through consultation with the Conservation Authority, consider the use of lands owned or operated by the Conservation Authority under the *Conservation Authorities Act*.

D.4.2.3. Permitted Uses

Land uses permitted within the Open Space designation are:

1. Active and passive recreational uses;
2. Conservation, forestry and wildlife management uses, including education, awareness, or research uses that are secondary to the principal use.
3. Community gardens;

4. Cemeteries;
5. Marinas;
6. Legally existing golf courses; and
7. Campgrounds.

D.4.2.4. General Policies

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

D.4.2.4.2. Parkland Development

1. Parklands will be developed in accordance with the Town's Parks and Open Space Master Plan.
2. Parkland will be planned and function to:
 - i. Serve the entire population of Fort Erie;
 - ii. Be accessible from major roads and highways and by public transportation, walking and cycling; and

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

D.4.2.4.3. Public Access to the Lake Erie Shoreline

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

E. Town-wide Policies

E.1 Introduction

The policies of this section apply to the entirety of the Town and contribute to the development of a complete, sustainable, and safe community. The implementation of these policies will be undertaken in co-operation with other levels of government, public and private agencies, and the broader community to improve the overall wellbeing and health of people living, working, and visiting Fort Erie.

E.2 Housing

E.2.1 Introduction

Access to range of housing options is essential for a high quality of life and overall wellbeing for residents of the Town. These policies support the development of housing options that meet the needs of the Town's current and future residents. These policies will be implemented through partnership with the Province, Region, as well as through various use land use planning tools established under Part F, including incentives to promote innovative housing solutions.

E.2.2 General Policies

1. A diverse range and mix of housing options, including additional needs housing, will be planned for to accommodate current and future housing needs of the Town.
2. New residential development and residential intensification should incorporate universal design standards to meet housing needs at all stages of life.
3. New residential development will proceed in a phased manner to ensure orderly and coordinated development over the planning horizon.
4. Residential intensification will be planned to occur within existing Built-Up Areas, and in particular within Strategic Growth Areas, as shown on Schedule A of this Plan.
5. In Designated Growth Areas, residential development will consist of:
 - i. 80% low-rise residential;
 - ii. 10% mid-rise residential; and
 - iii. 10% high-rise residential.
6. Residential development will integrate with existing planned or developed areas to minimize land consumption higher residential densities are encouraged. Secondary plans may contain an overall gross density and a minimum net residential density for development; and
7. The extension of infrastructure through designated growth areas is discouraged until such time that a more detailed land use planning study is undertaken for the Designated Growth Areas.

8. New residential development and residential intensification are encouraged to be planned and designed to mitigate and adapt to the impacts of climate change by:
 - i. Facilitating a compact built form;
 - ii. Incorporating sustainable housing construction materials or practices, green infrastructure, energy conservation standards, water efficient technologies, and low impact development; and
 - iii. Locating near existing or planned transit, including higher order transit and frequent transit service, and active transportation facilities.
9. The down zoning of residential properties, unless otherwise permitted under a Secondary Plan, will only be permitted if it can be demonstrated that the rezoning will not significantly impact on the intensification targets, supply and mix of residential land in the neighbourhood and broader area.
10. The Town will collaborate with publicly-assisted post-secondary institutions, where they exist to facilitate early and integrated planning for student housing that considers the full range of housing options near existing and planned post-secondary institutions to meet current and future needs.
11. The Town will explore opportunities to collaborate with publicly-assisted post-secondary institutions on the development of a student housing strategy.

E.2.3 Affordable Housing

1. The Town will endeavour to ensure that affordable housing is made available to low and moderate income households.
2. The Town will prioritize the development of surplus municipally owned land to develop affordable housing, and explore opportunities to sell, lease or develop surplus municipal properties for the development of affordable housing.
3. To encourage the development of affordable housing, the following minimum targets will be implemented to the horizon of this Plan:
 - i. 20% of all new rental housing is to be affordable; and
 - ii. 10% of all new ownership housing is to be affordable.
4. The following tools may be used to support the development of affordable and attainable housing:
 - i. Flexibility in the scale, form, and types of residential uses permitted as-of-right, including additional residential units and other alternative housing forms;
 - ii. Streamlining of planning approvals for the development of affordable housing, attainable housing, and community housing, with a priority for developments receiving time-sensitive government funding;
 - iii. Financial incentive programs, such as grants, development charge deferrals, and property tax reductions that promote affordable housing options, including purpose-built rental housing;

- iv. The inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes;
 - v. Site standards that facilitate the development of additional residential units, such as reduced setbacks, narrower lot sizes, and reduced parking standards;
 - vi. Inclusionary zoning provisions within areas with an approved Community Planning Permit System, subject to the preparation of an assessment report as described in the Planning Act and Ontario Regulation 232/18;
 - vii. Demolition control and residential replacement by-laws that would prohibit the demolition of existing rental units without replacement of the same or higher number of rental units; and
 - viii. Residential intensification by means of conversion of non-residential structures, permitting additional residential units within existing dwellings, as well as infilling and redevelopment within Settlement Areas.
5. The Town will work in consultation with the Region to establish targets and implement strategies to develop affordable housing, including those identified in Niagara’s Housing and Homelessness Action Plan.

E.2.4 Additional Needs Housing

1. Additional Needs Housing is a residential facility where individuals with similar needs or conditions, beyond economic needs, live together under supervision and receive support services from qualified staff.
2. Additional Needs Housing intends to provide a stable and supportive living environment, tailored to the resident’s needs, while integrating into surrounding communities in a manner that promotes social inclusion and supports the provision of community-based care.

E.2.5 Additional Residential Units

1. The Town recognizes the importance of additional residential units as an important opportunity for contributing to a range and mix of housing options and supporting residential intensification.
2. It is the policy of the Town that:
 - i. Where a residential dwelling is permitted, up to two additional residential units will be permitted.
 - ii. The implementing zoning by-law may establish more detailed regulations regarding additional residential units, including such matters as location, size, scale, setbacks, and parking, as well as other regulations as deemed necessary.

E.2.6 Home Occupations

1. A Home Occupation is a commercial enterprise permitted as an accessory use to a residential dwelling operated by a resident of the dwelling. Home Occupations encourage live/work relationships and walkable complete communities. Home Occupations will be of an accessory and subordinate nature to the residential use of the property and compatible with the character of the surrounding community. Home

Occupations will comply with the provisions established in the implementing zoning by-law.

2. The implementing zoning by-law will establish more detailed regulations regarding permitted home occupation uses, as well as regulations regarding matters such as location, scale, parking, and other provisions to mitigate adverse impacts to surrounding land uses.
3. Home occupation that generate nuisance impacts, including noise, odour, lighting, traffic or visual impacts that have an adverse effect on adjacent properties are prohibited.

E.3 Employment

Fort Erie is home to a diverse and strong local economy that contributes to overall community wellbeing and prosperity. Planning for employment ensures that businesses can continue to prosper in Fort Erie, and that appropriate lands are available in the optimal location when new opportunities for businesses and investment arise. Protecting employment lands for long term growth provides businesses with the stability and assurance needed to make long term investments in the Town.

E.3.1 General Policies

1. Employment areas within the Town will be promoted by aligning land use planning and economic development strategies to retain and attract investment.
2. Planning for employment will align with the Region’s Master Servicing and Transportation Master Plans.
3. Municipal water and wastewater systems, services and infrastructure to employment areas will be prioritized by the Town in partnership with the Region.
4. The Town will use tools afforded under the Planning Act and other provincial regulations and guidelines to achieve land use compatibility between employment areas and non-employment lands, in accordance with the following:
 - i. Major facilities and sensitive land uses will be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with Provincial guidelines, standards and procedures.
 - ii. Where avoidance is not possible, the Town will protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment of incompatible land uses by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with Provincial guidelines, standards and procedures:
 - a. There is an identified need for the proposed use;
 - b. Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;

- c. Adverse effects to the proposed sensitive land use are minimized and mitigated; and
- d. Potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

E.3.2 Accommodating Future Growth within Employment Areas

1. Table E-1: Minimum Density Targets for Employment Areas establishes the minimum density targets apply to the employment areas shown in Schedule B: Land Use Plan:

Table E-1: Minimum Density Targets for Employment Areas

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

2. Fort Erie will plan to achieve the minimum density target identified for each employment area over the planning horizon in accordance with the policies of this Plan.

E.3.3 Employment in Community Areas

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

1. Employment uses that could be located adjacent to sensitive land uses without adverse effects are encouraged to locate in strategic growth areas and other mixed-use areas. Such uses could include small-scale warehousing or light manufacturing uses.
2. Office and institutional uses are encouraged to locate in the Strategic Growth Areas identified in Schedule A.

E.4 Climate Change

E.4.1 General Policies

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

- i. Promote a compact form and a system of multi-modal transportation options, including active transportation;
 - ii. Promote the use of active transportation and transit in and between residential, employment (including commercial and industrial) and institutional uses and other areas;
 - iii. Focus major employment, commercial and other travel-intensive land uses, on sites which are well served by transit where this exists or is to be developed, or designing these to facilitate the establishment of transit in the future;
 - iv. Focus freight-intensive land uses to areas well served by major highways, airports, rail facilities and marine facilities;
 - v. Encourage transit-supportive development and intensification to improve the mix of employment and housing uses to shorten commute journeys and decrease transportation congestion;
 - vi. Promote design and orientation which maximizes energy efficiency and conservation, and considers the mitigating effects of vegetation and green infrastructure; and
 - vii. Maximize vegetation within settlement areas, where feasible.
3. Assess infrastructure risks and vulnerabilities, including those caused by the impacts of climate change, and identify actions and investments to address these challenges, which could be identified as part of municipal asset management planning.
 4. The collaboration and co-ordination of related disciplines, including land use planning, urban design, transportation planning, architecture, engineering, environmental planning, and landscape architecture will be encouraged for all matters, including those related to climate change.
 5. The Town will maintain and enhance the existing tree canopy to the greatest extent possible by:
 - i. Implementing, monitoring, and regularly reviewing and updating the Tree Preservation By-law;
 - ii. Working with Council, the Region and the Conservation Authority to assess and monitor the tree canopy; and
 - iii. Encouraging the planting of trees as sustainable design elements in new development.
 6. Work with the Region to develop consultation protocols of the First Nations that have traditional territory in this area, including the Anishinaabe, specifically the Mississaugas of the Credit First Nation, and the Haudenosaunee when engaging on planning matters or public works projects, as well as consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources, planning for sustainability and climate change, and the natural environment system.
 7. The Town supports stewardship and partnerships to maintain and enhance the tree canopy. The Town will work with other levels of government, Conservation Authorities,

Indigenous Communities and community groups to support education, outreach, and landowner stewardship programs.

8. To encourage energy conservation, energy efficient practices and sustainable design, the Town may consider developing Green Development Standards. These Green Development Standards to be consistent with and implement the goals, strategic objectives and policies of this Plan.
9. The Town will encourage the Region to undertake the creation of Green Development Standards that takes a regional approach that reduces complexity for developers who work across the Region. By working together, the intent is to share resources, reduce administrative complexity, and present a coordinated approach to engaging with stakeholders.
10. The Town encourages the development of energy supply-related infrastructure and facilities, including electricity generation and transmission distribution systems, energy storage systems, district energy, renewable energy systems, and alternative energy systems, to accommodate current and projected needs.

E.4.2 Climate Change Projections

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

E.4.3 Climate Change Adaptation and Mitigation

1. Work with the Region to address climate change risks and vulnerabilities and resiliency and to reduce greenhouse gas emissions.
2. Growth and development within the Town will integrate land use planning and infrastructure planning to responsibly manage forecasted growth and to support the mitigation and adaption to the impacts of climate change by:
 - i. Protecting natural heritage features and areas, water resource systems, and other components of the natural environment system;
 - ii. Where possible, integrating green infrastructure and low impact development into the design and construction of public service facilities and private development; and
 - iii. Promoting built forms, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.
3. Work with the Region to update the municipal energy plan in consultation with the utility companies and organized interest groups to reduce energy consumption and

greenhouse gas emissions, complement land use and infrastructure master planning, and support economic development opportunities in the region.

4. Consider the role of public transit in contributing towards the Provincial and Regional greenhouse gas emissions reduction targets.

E.4.4 Water Quality and Quantity

1. The Niagara River has been designated by the federal and provincial governments in cooperation with the International Joint Commission as one of forty-three Areas of Concern in the Great Lakes Basin. In order to fulfil municipal obligations towards improving the quality of the *Niagara River the Natural Environment Policies* of this will be read in their entirety and all relevant policies applied to each situation.
2. As watershed and groundwater studies identify surface and groundwater features, hydrologic functions and natural heritage features and areas that are necessary for the ecological and hydrological integrity of the Town's watersheds, the Town will consider amendments to this Plan and incorporate appropriate findings into Secondary Plans to further delineate the features and establish appropriate policies.
3. Development or site alteration will be restricted in or near sensitive surface water features and sensitive ground water features as identified through watershed plans or source water protection plans such that those features and their related hydrologic functions will be protected, improved or restored through appropriate mitigative measures and/or alternative development approaches.
4. Development and site alteration should not negatively impact the quality and quantity, functions and characteristics of surface or ground water resources with respect to natural heritage areas, ground water recharge areas or essential well supplies of landowners.
5. Necessary restrictions will be placed on development and site alteration to protect all municipal drinking water supplies and designated vulnerable areas.
6. A stormwater management plan and sediment and erosion plan, signed by a qualified professional engineer, will be required with a development application. The stormwater management plan will demonstrate that vegetation removal, grading and soil compaction, erosion and sedimentation, and impervious services will be minimized.
7. Stormwater management plans will be prepared in accordance with current provincial planning and design standards and where an Environmental Impact Study (EIS) is being prepared for the development. The stormwater management plan will be coordinated with and integrate any recommendations of an Environmental Impact Study, Environmental planning study or Watershed Plan.
8. Abandoned wells can be conduits for hazardous materials to reach and contaminate groundwater systems. Before allowing any new development to occur on lots that contain abandoned wells, such wells will be plugged and decommissioned as a condition of development approval.
9. The Town supports design, construction and maintenance of Requisition and Petition Drains authorized under the Drainage Act in accordance with Best Management

Practices to avoid significant detrimental effects on farmland, water resources, natural areas and fish and wildlife habitat.

E.4.5 Energy Conservation

1. In order to provide support for improved energy efficiency and air quality, opportunities will be provided for alternative and renewable energy systems in accordance with the Provincial legislation, as required.
2. Alternative and/or renewable energy systems are permitted within Fort Erie, subject to the development and use of alternative and/or renewable energy systems being in accordance with provincial and federal requirements, including appropriate separation distances to address land use compatibility and consideration for standard but important site plan matters with respect to drainage, landscaping and access where relevant.
3. The Town will encourage the development of private and public renewable energy projects, where feasible, and where they will not cause harm to public health and safety, or the natural environment.
4. Promote energy conservation in all areas of the Town.
5. Encourage proponents of future development and/or redevelopment to incorporate energy-saving measures in their proposals through site planning and building design.
6. Promote the reduction of energy consumption and dependency on non-renewable energy sources, particularly in all Town-owned, maintained and/or operated facilities.
7. Cooperate with the appropriate public and private agencies to inform the public of energy concerns and promote energy efficiencies.
8. The Town will encourage and explore opportunities to attract economic growth through the development of environmental industries that produce environmental goods and services, including clean or resource efficient technologies.
9. The Town recognizes the Province's green energy objectives and, in an effort, to support the Provincial goal to build a green economy, and to achieve local goals and objectives for an economically strong and diverse community, the Town will support green energy and creation of green jobs.

E.5 The Agricultural System

The Region is home to an active and vibrant farming community, which includes a wide range of agricultural activities, including tender fruit; greenhouse, nursery, floriculture operations; oilseeds and grain operations; livestock operations, and more. The agricultural land base within the Town will be protected for the provision of healthy, local food for present and future generations, while contributing to climate change resilience and mitigation.

E.5.1 General Policies

1. Prime agricultural lands are designated by this plan as Agriculture, as shown on Schedule B: Land Use Plan.

2. Prime agricultural lands are areas where prime agricultural lands predominate. The prioritization of land protection should be Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through seven (7) lands within the prime agricultural area, in this order of priority.
3. The geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network will be maintained and enhanced in accordance with the policies of this Plan.
4. To support a thriving, diverse, and resilient agricultural system, the Town will:
 - i. Protect the agricultural land base over the long-term;
 - ii. Ensure agriculture is the predominant land use in prime agricultural areas;
 - iii. Restrict and control non-agricultural uses to minimize potential conflicts that would otherwise hinder agricultural land uses;
 - iv. Ensure the long-term sustainability and function of uses within the agricultural system;
 - v. Protect prime agricultural areas from fragmentation;
 - vi. Protect and recognize rural lands as part of the agricultural system;
 - vii. Provide for a limited amount of non-agricultural residential development on rural lands; and
 - viii. Restrict new non-agricultural uses within prime agricultural areas that may hinder or prohibit normal farm practices.
5. The removal of topsoil in prime agricultural areas and rural lands is discouraged. Further, the placement of fill in prime agricultural areas is prohibited. The Town may enact a by-law(s) to regulate the placement of fill in this regard.
6. The Town will use an agricultural system based approach to maintain and enhance a geographically continuous land base for agricultural practices, as shown in Schedule B.

E.5.2 Agri-food Network

1. The Town will explore opportunities to improve the agri-food network through strategies and programs which may include:
 - i. Improving access to healthy, local and affordable food;
 - ii. Supporting food processing activities and demonstrations; promoting urban agriculture and near-urban agriculture;
 - iii. Implementing food systems planning;
 - iv. Fostering the sustainability of agriculture, agri-food network, agri-food processing and agri-product businesses; protecting agricultural resources while minimizing land use conflicts;
 - v. Reducing food waste and promoting a circular food economy; and
 - vi. Supporting the development of agri-food innovation network and hubs.

E.5.3 Urban Agriculture

1. To encourage and support urban agriculture through increased flexibility in land use permissions by:
 - i. Allowing community gardens and related uses in the land use designations set out in this Plan.
 - ii. Investigating and encouraging the use of parks and public open spaces for gardening and urban agriculture, and prioritizing the identification of opportunities for community gardens in park spaces;
 - iii. Encouraging the use of Town-owned land, underutilized sites, and long-term development parcels for urban agriculture, where feasible, including community gardens, food cooperatives, and local food sourcing programs;
 - iv. Requiring the identification of space for urban agriculture through the secondary plan process;
 - v. Requiring the identification of space for urban agriculture in new residential development;
 - vi. Allowing and encouraging community gardens as part of the private outdoor amenity space requirements for new development, including rooftop gardens;
 - vii. Encouraging school boards and other organizations to promote school yards as ideal locations for community gardens due to their educational and community value; and
 - viii. Encouraging places of worship, educational institutions, retirement residences, and healthcare facilities to consider opportunities to integrate urban agriculture through new development and redevelopment projects, subject to the requirements of the implementing zoning by-law.
2. To support and encourage local food production and promotion through programs, education, funding and support.

E.6 Cultural Heritage

1. The Town is located on the traditional territory of the Attawandaronk, the Haudenosaunee and the Anishinaabe people on the Treaty Lands of Niagara. Fort Erie has a rich cultural heritage and archaeological heritage. More than just buildings, cultural heritage resources include tangible and intangible resources such as structures, scenic roadways, cultural landscapes, artifacts, traditions, geography and social ties. The protection and conservation of this cultural heritage contributes to the identify, character, economic and tourism viability, quality of life and sustainability of the Town.
2. Fort Erie's history dates back over 11,000 years and includes Paleo-Indian and European settlements. The Fort Erie site, establish in 1764 is one of a series of British garrisons found along the Great Lakes designed to control access to the Niagara River. Dunbar's gristmill erected in 1792 is the earliest recorded structure in the area and Loyalist settlers began arriving in 1789. The Town went through several name changes

Fort Erie Rapids or Fort Erie Mills, and Waterloo. In 1970, through amalgamation with Bertie Township and the Village of Crystal Beach, Town became known as it exists today.

E.6.2 Introduction

1. In recognition of cultural heritage resources and the contribution they make to the character, civic pride, tourism potential, economic benefits and historical appreciation of Fort Erie, the Town will ensure the protection and conservation of cultural heritage resources. The protection of built heritage will be a consideration in all development proposals and public works.

E.6.3 General Policies

1. Significant built heritage resources and cultural heritage landscapes in the Town will be identified, recognized and conserved.
2. The Town encourages the conservation, adaptive reuse, and material salvage of cultural heritage resources, where appropriate, as it is viewed as a form of environmental sustainability and contributing toward climate change mitigation.
3. Cultural heritage resources and their conservation contribute to the Town's economic development through tourism and restoration trades.
4. Interested Indigenous communities, public and stakeholders will be engaged in the conservation of cultural heritage resources.
5. All relevant Provincial legislation and policy will be used to conserve cultural heritage resources in the Town, particularly the provisions of the Ontario Heritage Act, the Planning act, the Provincial Planning Statement, the Environmental Assessment Act, the Municipal Act, and the Funeral, Burials and Cremation Services Act as amended by the Province.
6. Council will appoint the Municipal Museum and Cultural Heritage Committee, which will serve as the municipal heritage committee pursuant with the Ontario Heritage Act. Council will consult with the Municipal Museum and Cultural Heritage Committee on matters relating to:
 - i. the Town's built heritage inventory and the Municipal Heritage Register;
 - ii. the designation of properties under the Ontario Heritage Act;
 - iii. applications for Heritage Alteration Permits including demolition of properties on the Municipal Heritage Register; and
 - iv. programs and activities to increase public awareness and knowledge of heritage conservation.
7. Pursuant to Provincial regulations, the Town will use the following criteria in determining a property's cultural heritage value or interest:
 - i. The property has design value or physical value because it:
 - a. Is a rare, unique, representative, or early example of a style, type, expression, material or construction method;

- b. Displays a high degree of craftsmanship or artistic merit; or,
- c. Demonstrates a high degree of technical or scientific achievement.
- ii. The property has historical value or associative value because it:
 - a. Has direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to a community;
 - b. Yields, or has the potential to yield, information that contributes to an understanding of a community or culture; or
 - c. Demonstrates or reflects the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community.
- iii. The property has contextual value because it:
 - a. Is important in defining, maintaining, or supporting the character of an area;
 - b. Is physically, functionally, visually, or historically linked to its surroundings; or,
 - c. Is a landmark.

E.6.4 Municipal Heritage Register

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

E.6.4.2. Designation of Cultural Heritage Resources

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

4. The Town will develop criteria for the designation of Heritage Trees pursuant to the Town and /or Region's Tree Conservation By-laws.

E.6.5 Cultural Plan

The Town may prepare a cultural plan. The cultural plan, as amended from time to time, will be prepared through engagement with Indigenous Peoples, the public and stakeholders, and will provide a comprehensive basis for future initiatives, guidelines and additional policies for the conservation of cultural heritage resources.

E.6.6 Built Heritage Resources

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

E.6.7 Heritage Studies and Reports

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

- i. Any property listed or designated in the Municipal Heritage Register that is subject to land use planning applications;
- ii. Any property listed or designated in the Municipal Heritage Register facing demolition; and
- iii. Any property that is subject to land use planning applications and is adjacent to a property listed or designated on the Municipal Heritage register.

E.6.8 Heritage Impact Assessment

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

E.6.8.2. Alterations to Heritage Properties

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

E.6.8.3. Incentives

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

E.6.9 Cultural Heritage Landscapes

1. Cultural Heritage Landscapes are geographical areas of heritage significance that have been modified by human activities and are valued by the community. These landscapes

involve a grouping of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant and distinctive type of heritage form. Examples include but are not limited to heritage conservation districts, villages, parks, gardens, battlefields, main streets, neighbourhoods, cemeteries, railways and industrial complexes.

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

E.6.10 Heritage Conservation Districts

1. Before an area is designated as a heritage conservation district, the Town may conduct a study and may by by-law designate the study area as a heritage conservation study area for a period of up to one year. Such by-law may prohibit or set limits to the

alterations including new construction, demolition and removal of buildings or structures within the heritage conservation district study.

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

E.6.10.2. Permit for Alteration in Heritage Conservation Districts

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

E.6.10.3. Rural and Historic Settlements

1. The Town will seek the appropriate conservation of important inventoried rural heritage features including but not limited to: farmhouses, barns, silos, remnant foundations, earthworks, tree lines, fences, walls and woodlots.
2. The Town recognizes that there are historic villages, hamlets and settlement areas that are of cultural heritage value within the municipality. The Town will study historic villages, hamlets and settlement areas for their cultural heritage value and for inclusion on the Municipal Heritage Register. The character of these areas will be maintained by conserving existing heritage buildings, structures and properties, existing tree stands, grassed boulevards, tree lined streets and roads.

3. The Town will consider the use of former names, Indigenous culture, themes, families or persons associated with the affected area in the naming of parks, streets, roads, community facilities or other public works.
4. The Town also recognizes that in certain circumstances the potential for housing intensification may be constrained due to the prevailing character and attributes of cultural heritage landscapes. The public benefits of housing intensification versus the protection of the heritage resource needs to be carefully considered. Housing intensification developments may be limited in density and design in this regard.

E.6.10.4. Heritage and Scenic Roads

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

and landscaped in a manner that is sensitive to the cemetery as well as enhancing and integrating with the open space character of the cemetery.

E.6.11 Archaeological Resources

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

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

“Contingency Plan for the Protection of Archaeological Resources in Urgent Situations”.
The Contingency Plan will address the following:

- i. A notification process, involving the Town, the Region, the Province, and the interested Indigenous community;
- ii. An investigation and reporting process undertaken by a licensed archaeologist; and
- iii. Financial responsibility, structured according to the ability to pay of the proponent. In the case of individual landowners, it may be necessary to establish a contingency fund.

E.7 Open Space and Parkland

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

E.7.1 General Policies

1. To implement the parkland objectives and targets of the Town’s Parks and Open Space Master Plan, as amended from time to time, and as endorsed by Council.
2. Fort Erie will develop and undertake updates to park and trail master plans to strategically and equitably plan for the acquisition, use and management of publicly accessible parks, open spaces and trails, including shorelines, to best serve the needs of all local residents. Master plans should clearly identify, plan for and protect these resources.
3. Parks will support healthy communities by encouraging integration of open space and parks that facilitate physical activity, social cohesion and support mental health.
4. Ensure that the citizens of Fort Erie have access to a diversity of active and passive open space recreation opportunities.
5. Support the provision of public open space and required parkland in the review of secondary plans to facilitate the creation of healthy, complete communities.
6. Work with the Region, Conservation Authority, Niagara Parks Commission, and other interested agencies to:
 - i. Maintain a map of publicly accessible parkland, open space and trails to support the connectivity of natural heritage features and the achievement of complete communities, and inform the Regional Greening Initiative;
 - ii. Explore opportunities to plan new trails or develop/enhance existing trails on a cross-boundary basis to enhance interconnectivity between the Region and neighbouring Municipalities where practical and feasible; and

- iii. Promote good stewardship practices for publicly accessible parkland and open spaces, especially when adjacent to the natural environment system.
- 7. The Town will continue acquiring and dedicating lands to further develop the trail system, which provides significant economic and environmental benefit.
- 8. The Town will evaluate public lands being disposed of for potential acquisition for recreation and open space uses in concert with other growth needs, including reuse of abandoned rail facilities and utility corridors for trail development.
- 9. Assess park assets on an on-going regular basis, no less frequently than once a year, and their condition should be compared against the typical life cycle of the asset and the expected recurrence of life-cycle “events” (such as the replacement or repair of important sub-elements).
- 10. Maintain an up-to-date GIS-based inventory of existing parks and of in-park facilities and features, along with regularly updated population data at the Census Dissemination Block level, to assess the distribution of parks and outdoor facilities and to identify potential areas in need of greater park coverage.
- 11. Cultivate a closer partnership with the Niagara Parks Commission (NPC) by supporting and contributing to NPC initiatives and by amplifying volunteer opportunities among Town residents.
- 12. Work with the Niagara Peninsula Conservation Authority (NPCA) to identify opportunities to promote outdoor environmental education in local conservation areas and other activities that promote the appreciation of the natural environment.
- 13. Continue to seek out opportunities to collaborate with neighbouring municipalities and with the Region to expand, improve, and promote the active transportation and trails network.
- 14. Establish more formal partnerships and agreements with local school boards, including agreements regarding the shared use of facilities (both school and municipally owned).
- 15. Facilitate the establishment of a Community Liaison Committee for each Settlement Area to provide information about the community’s park-related needs and to promote stewardship.
- 16. That where there is a conflict between the Open Space Network policies, the policies pertaining to the underlying land use designation in this Plan, or the relevant secondary plan, the more restrictive policies will apply.
- 17. To support the seamless integration and connection of all open space types, public and private, into the land use fabric of the Town.
- 18. Establish an open space system within the Town’s settlement areas, which may include opportunities for urban agriculture, rooftop gardens, communal courtyards, and public parks.
- 19. The following policies apply to the shorelines and beaches in Fort Erie:
 - i. Establish and undertake improvements to public access to shorelines and dedication of shorelines to Fort Erie to support a public benefit to the overall open space network and trail system;

- ii. Existing beaches and major watercourses must remain accessible to the public; and
- iii. In areas lacking public access to the beach, Fort Erie may consider acquiring lakefront properties as they become available through easements, rights-of-way and parkland dedications, public purchase or management agreements.

E.7.2 Park Classifications

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

Table E-2: Classification System for Parks and Open Spaces

Park Class	Primary Function
Town Parks and Open Spaces	Provide Park and Open Space amenities for residents. (Service standards apply to sub-classes in this park class.)
Destination Parks	Provide space, amenities, and facilities for entire Town (and beyond).
Community Parks	Provide space, amenities, and facilities for residents of a particular Settlement Area.
Neighbourhood Parks	Provide space, amenities, and facilities for residents of the local neighbourhood.
Village Greens	Provide passive recreation space and social settings for nearby residents.
Waterfront Parks and Open Spaces	Provide residents and visitors with access to the waterfront.

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

E.7.2.2. Town Parks and Open Spaces

1. Town Parks & Open Spaces are an outdoor green space with features and facilities that support a range of recreational uses, both active and passive.
2. Town Parks & Open Spaces provide residents throughout the Town with outdoor amenity space and year-round recreation opportunities, with facilities that accommodate a wide range of interests and pursuits.
3. Town Parks & Open Spaces are further classified as the following:
 - i. Destination Parks;
 - ii. Community Parks;
 - iii. Neighbourhood Parks; and

- iv. Village Greens.
- 4. Town Parks & Open Space classification is based on factors such as the size of the park, its intended service radius, and the range of features and facilities it offers.

E.7.2.3. Waterfront Parks and Open Spaces

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

E.7.2.4. Heritage Parks and Open Spaces

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

E.7.2.5. Linear Parks and Open Spaces

- 1. Linear Parks & Open Spaces provide connections between the different elements of the Town’s park and open space network, as well as serving as important recreational facilities in their own right.
- 2. Linear Parks & Open Spaces accommodate the full range of pedestrian and active transportation options from walkers, joggers, and runners to cyclists and cross-country skiers.
- 3. Linear Parks & Open Spaces have been classified according to their location and function to include the following:
 - i. Regional Trails;
 - ii. Community Trails;
 - iii. Nature Trails; and
 - iv. Open Space Linkages.
- 4. Table E-3: Standards for Linear Parks and Open Spaces establishes standards for Linear Parks and Open Spaces. Pathways in this table refer to walkways, trails, and

similar facilities found in other classes of park, generally serving as in-park connective features.

Table E-3: Standards for Linear Parks and Open Spaces

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

E.7.3 Park Standards

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

Table E-4: Park Standards for Town Parks and Open Spaces

Park Class	Intended Service Area	Service Radius	Provision Standard	Optimal Size
Destination Parks	Town	(Entire Town)	1.25 ha/1,000 residents	Varies according to specific features
Community Parks	Settlement Area	1,600m	1.25 ha/1,000 residents	> 2.0 ha

Neighbourhood Parks	Neighbourhood	600m	1.0 ha/1,000 residents	0.5 ha – 2.0 ha
Village Greens	Neighbourhood	300m	0.5 ha/1,000 residents	0.2 ha – 0.5 ha
Anchor Waterfront Parks	Town	(Entire Town)	N/A	Varies
Urban Waterfront Parks	Settlement Area	1,600m	N/A	Varies
Waterfront Parks	Neighbourhood	600m	N/A	Varies
Waterfront Windows	N/A	N/A	N/A	Varies
Nature Parks	Town	(Entire Town)	N/A	Varies
Cultural Spaces	Town	(Entire Town)	N/A	Varies

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

Table E-5: Park Support Features

Park Class	Basic Facility Requirements	Support Features
Destination Parks	At least one destination feature.	Washrooms (permanent), snack bar/concession stand, parking lot, bleachers/spectator seating, waste receptacles.
Community Parks	At least one primary active feature and multiple primary passive features.	Washrooms (permanent or temporary), pavilions or shade structures, benches, waste receptacles, parking lot.
Neighbourhood Parks	At least one primary active feature or one primary passive feature plus one secondary active feature.	Washrooms (temporary), shade structures, benches, waste receptacles.
Village Greens	At least one primary passive feature.	Shade structures, benches, waste receptacles.
Anchor Waterfront	Based on park's specific	Washrooms (permanent or

Parks	focus, as defined in the Town’s Waterfront Strategy.	temporary), snack bar/concession stand, parking lot, waste receptacles.
Urban Waterfront Parks	At least one primary passive feature.	Washrooms (temporary).
Waterfront Parks	Generally, only secondary passive features.	Waste receptacles.
Waterfront Windows	Boat launch (optional).	Minimal
Nature Parks	Natural area (defining feature).	Interpretative signage, waste receptacles, benches
Cultural Spaces	Historic site or other feature of cultural heritage value (defining feature).	Commemorative plaques, interpretative signage, benches, waste receptacles.

E.7.4 Open Space Alternatives

E.7.4.1. Connecting Links

1. Connecting Links are outdoor walkways that may be linked with various community infrastructure and land uses. These spaces are sometimes public spaces but are often privately owned and publicly accessible. Although they enable pedestrians to travel through the community quickly and easily, many are destinations unto themselves with seating, restaurant and retail frontages, and unique public art
2. Connecting Links are planned to be developed in accordance with the following criteria:
 - i. There are no specific size criteria for connecting links, with each connecting link planned relative to the land use context in which the connecting link is located or intended to connect;
 - ii. There is no specific service area. Connecting Links will be provided where appropriate;
 - iii. Be provided in high pedestrian volume areas, for easy of movement, as well as the creation of unique urban spaces;
 - iv. Be located between pedestrian destinations and may become destinations themselves;
 - v. Have opportunities for retail along their length, or alternatively, a green, soft landscape treatment with plantings and lighting;
 - vi. Be safe and secure with adequate lighting; and
 - vii. Width should consider scale of adjacent buildings and ease of access for all users.

E.7.5 Open Space and Parkland Design

1. Parks and open spaces may include a range of community amenities, including sports facilities, playgrounds, pavilions and shelters, outdoor amphitheatres and picnic areas. The types of amenities provided should reflect the demographics, per capita ratios,

local needs, access, location and the park's functional characteristics, as appropriate to each park type.

2. Open spaces and parklands will ensure that they are designed in accordance with the requirements of the Accessibility of Ontarians with Disabilities Act (AODA) Ontario, under the Design of Public Space Standard of the AODA, as well as the principles of Universal Design.
3. That park, open space, and trail development will prioritize and implement best practices to mitigate and adapt to climate change impacts. Clear guidelines and standards should be developed for park and trail development or redevelopment to specifically address climate related impacts.
4. That all parks and open spaces will be located and oriented to be:
 - i. Within a five to ten minute walk for the community to be served in order to act as an accessible focal point for the community;
 - ii. Uninterrupted by major physical barriers, such as rail lines, arterial, and collector streets, and other physical barriers that restrict access;
 - iii. Accessible on foot, by transit, bicycle and by car;
 - iv. Highly visible with frontage on at least one public street and where possible, two street frontages to enhance accessibility and passive surveillance; and
 - v. Connected to other parks, public spaces, the active transportation network, and natural features to create an interconnected network of parks and open spaces.
5. That in addition to the Community Design policies of this Plan the design of parks and public spaces will adhere to the following criteria:
 - i. Accommodate a diverse range of both passive and active recreational uses, and have flexibility to accommodate new uses or interests, contributing to a sense of place;
 - ii. Cater to a broad range of users by providing space and facilities that support a range of activities and passive recreational opportunities that respond to the age demographics in the neighbourhood;
 - iii. Encourage healthy living, physical activity and mental wellbeing through the provision of a variety of recreational facilities, ranging from sports fields to outdoor fitness areas and playgrounds;
 - iv. Reflect the diverse cultures by providing for unique activities and facilities that reflect the needs of various cultural and ethnic groups;
 - v. Consider the needs of a diverse and aging population through the provisions of water fountains, seating, shade, cooling amenities such as splashpads, pathways, picnic areas and pavilions;
 - vi. Incorporate public art;
 - vii. Apply Crime Prevention Through Environmental Design (CPTED) principles;
 - viii. Frame view corridors and vistas; and

- ix. Incorporate best practice principles of sustainable design, including natural heritage enhancement, naturalized stormwater management features, use of native plant species and drought resistant vegetative features, incorporation of environmental education features and use of low maintenance and energy efficient facilities and landscapes.

E.7.6 Parkland Dedication and Acquisition

1. The Town will require conveyance of lands for park according to provisions of the Parkland Dedication By-Law as may be amended from time to time.
2. In preparing the parkland dedication by-law, the Town will consider applying the alternative conveyance rate of one hectare for each 600 net residential units proposed for development, as permitted by the Planning Act.
3. In accordance with Section 42 of the Planning Act, the Town will require the conveyance of land for park or other public recreational purposes, as a condition of development or redevelopment.
4. Parkland needs will be identified during the development application review process so that opportunities to incorporate new parkland, outdoor recreation facilities or potential connections to the open system are identified and planned for early in the development application review process.
5. For the calculation of required parkland dedication, stormwater management facilities and lands conveyed for public walkways and greenways will not form any part of the required parkland dedication, as they will be deemed to be public services and public rights of way, as permitted by the Planning Act.
6. The conveyance of land for park purposes is the Town's preferred option, however the Town may accept cash-in-lieu of all or part of the required parkland dedication in accordance with the provisions of the Planning Act. The amount paid will be equal to the value of the land to be conveyed and will be determined in accordance with the provisions of the Planning Act. Further:
 - i. Any monies acquired through cash in lieu of parkland dedication or the sale of surplus parkland will be placed in a park land development/acquisition fund to be directed to areas deficient in park land or park facilities.
7. Where the Planning Act authority is used to require the dedication of land, that land will be intended for park or trail purposes and be free from any encumbrances such as steep slopes, natural heritage features, cultural heritage features and municipal infrastructure, and will be fully accessible to the public.
8. When acquiring parkland, the Town will require that the park be developed by the developer to at least a basic level of landscaping including grassing, tree planting, irrigation and maintenance, including any necessary service connections for public amenities like washrooms, aligning with the policies in Section E.10 of this Plan, as demonstrated through site plan and development agreement.
9. Encourage the evaluation of public lands being disposed of for potential acquisition for recreation and open space uses in concert with other growth needs, including reuse of abandoned rail facilities and utility corridors for trail development.

10. Where new development is proposed on a site, part of which is identified as a Hazard Area, such lands will not necessarily be acceptable as part of the dedication for park purposes as required under the Planning Act. All lands dedicated to the Town will be conveyed in a physical condition satisfactory to the Town.
11. Where an open watercourse is involved, adequate space will be provided for maintenance and other similar operations.
12. Where any land identified as a Hazard Area is privately owned, it is not implied that such land is free and open to the general public or that the land will be purchased by a public agency.
13. Should development be proposed on lands appropriate for development outside of the Natural Hazard area, the lands within the Natural Hazard area will be dedicated to the Town including any water lots.
14. The Town may consider alternative means for establishing new parkland and parkland improvements, including, but not limited to:
 - i. Land purchases;
 - ii. The provisions of Section 37 of the Planning Act; or
 - iii. Seeking partnerships, conservation easements, and/or joint provision of land, for instance through the privately-owned publicly accessible spaces (POPs) model.

E.8 Community Design

Designing places for people, or enhancing those that currently exist, is a key element of celebrating the community while planning to meet the needs of a growing and changing population. The Town will continue to create new, vibrant, publicly accessible and public urban spaces through the approval of development applications, implementing Urban Design Guidelines, partnerships with public and private organizations, as well as consultation with the community.

E.8.1 General Policy

The community design policies of this Plan focus on excellence in urban design, enhancement of the public realm, promote active transportation, and to identify and establish tools for urban design implementation.

E.8.2 Community Design Objectives

1. Excellence and innovation will be promoted in architecture, landscape architecture, site planning, streetscape design, and overall community design to ensure built environments are attractive, walkable, accessible, diverse, and functional, as well as safe and desirable.
2. The collaboration and co-ordination of related disciplines, including land use planning, urban design, transportation planning, architecture, engineering, environmental planning, and landscape architecture will be encouraged.
3. Through this Plan, the Town will promote:

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

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

11. In considering medium density and high density residential uses, redevelopment and infill residential intensification on vacant land, regard will be given to the following:
 - i. The height, bulk and arrangement of buildings and structures to achieve a harmonious design, compatible integration with the surrounding area and not negatively impact on lower density residential uses;
 - ii. Appropriate open space, including landscaping and buffering to maximize privacy and minimize the impact on adjacent lower density uses;
 - iii. Parking areas that are sufficient size to satisfy the need of the development and are well designed and properly related to buildings and landscaped areas;
 - iv. The design and location of refuse pick-up and recycling service areas meets Regional Waste Collection design requirements;
 - v. Driveway access, internal roadways and pedestrian walkways that are safe and properly designed;
 - vi. Convenient access to a collector or arterial road;
 - vii. Location in regard to the elements of traditional neighbourhood design and within convenient walking distance of the central focus of the neighbourhood;
 - viii. Building designs that place windows and balconies to overlook pedestrian routes and parking areas to encourage “eyes on the street”; and
 - ix. Site planning considerations that facilitate walking and cycling activity such as secured bike storage, lighting and bikeways.

E.8.3 Implementing Community Design

1. Council may endorse Urban Design Guidelines that apply best practices in urban design, accessible design and Crime Prevention through Environmental Design (CPTED) principles to the design of development and the public realm.
2. At a minimum, Urban Design Guidelines will provide more detailed guidance on matters related to climate change, sustainability, enhancing the public realm, land use transition, such as between settlement areas and rural/agricultural areas, and design expectations for intensification with respect to compatibility with and transitions to the surrounding community context.

3. Collaborate with the Region, as necessary on both the Region’s Model Urban Design Guidelines and the Region’s Complete Streets Design Manual and Guidelines.
4. The Town, in collaboration with the local school boards, should consider and encourage innovative approaches in the design of schools and associated childcare facilities, such as schools integrated in high-rise developments, in strategic growth areas, and other areas with a compact built form.

E.9 Transportation and Mobility

E.9.1 Complete Streets

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

E.9.2 Functional Classification

For the purpose of this Plan, and to support the implementation of Complete Streets, a functional classification of roads is established. The classification of each road, including Provincial Highways, Arterial Roads, Collector Roads, and Local Roads is shown in Schedule H. Not all local roads are shown on Schedule H. The Town may develop a Transportation Master Plan to update functional classifications as necessary.

E.9.2.1. Provincial Highways

1. A Provincial Highway is a roadway under the jurisdiction of the Province which is designed to carry medium to high volumes of long distance and inter-regional traffic. Direct access from abutting properties is controlled, and most intersections are at grade.
2. The following policies apply to Provincial Highways:
 - i. The right-of-way width will be as required by the Ministry of Transportation.

- ii. Direct access from abutting properties will be strictly controlled to avoid interference with the highway’s primary function of carrying through traffic.
- iii. The comments of the Ministry of Transportation relating to traffic concerns and/or requirements will be obtained pertaining to large scale development applications up to 400 metres from Provincial Highways.

E.9.2.2. Arterial Roads

1. Arterial Roads are roadways mainly under the jurisdiction of the Region which are designed to carry moderate volumes of medium distance inter-regional and inter-municipal traffic as well as traffic enroute to or from the Provincial Highway system.
2. The following policies apply to Arterial Roads:
 - i. The design of Arterial Roads will consider all roadway transportation modes.
 - ii. Direct access from abutting properties will be strictly controlled and may be directed to a local road where practical and reasonable, as determined by the Region and/or Town.
 - iii. Building setbacks will be required which are sufficient to provide rights-of-way for future traffic needs while still providing acceptable pedestrian access and achieving the built form outcomes of this Plan.
 - iv. Intersections in developing areas will be spaced to provide optimum traffic movement. Right of way property requirements will include widenings and daylighting triangles for traffic signals, turning lanes and other roadway appurtenances.
 - v. In developing areas steps will be taken to minimize the number of access points.
 - vi. In developed areas, approved widenings will be designed in an attempt to minimize the impact on abutting properties and will occur only after consultation with affected property owners.
 - vii. Road widening dedication requirements for Regional Roads will be based on those identified by the Region.
 - viii. Road widening dedication requirements for Town arterial roads will be based on those identified in the Town’s Official Plan or as determined by Staff.
 - ix. Where deemed appropriate, the Town will advocate for the provision of sidewalks.
 - x. Developments fronting on Arterial Roads are encouraged to design sites such that access and egress is possible in a forward moving fashion.
 - xi. Direct access from abutting properties should be limited particularly near major intersections. Most intersections are at grade. The Region will be consulted through the Development Approval process (Subdivision, Site Plan, Building Permit, etc.) to provide proper protection to Regional Roads.

E.9.2.3. Collector Roads

1. Collector Roads are designed to carry moderate volumes of inter-neighbourhood and inter-district traffic and to function as links between Arterial Roads or Provincial

Highways and Local Roads. Intersections are at grade. Direct access from abutting properties is normally permitted unless deemed undesirable.

2. The following policies apply to Collector Roads:
 - i. The design of Collector Roads will consider all roadway transportation modes.
 - ii. Collector Road will accommodate the placement of sidewalks on both sides of the right-of-way, where feasible.
 - iii. The right-of-way width will be a minimum of 23 metres to a maximum of 26.2 metres; except for those Collector Roads under Regional jurisdiction which will be determined by the Region.
 - iv. Direct access from abutting properties may be permitted where practical and reasonable, as determined by the Director, Infrastructure Services.
 - v. Intersections will be spaced to provide optimum traffic movement, taking into account safety devices such as traffic signals and the objective of discouraging unnecessary through traffic onto Local Roads.

E.9.2.4. Niagara Parks Commission Roads

1. The Niagara River Parkway, Niagara Boulevard and other Niagara Parks Commission controlled roads are controlled access highways under the Niagara Parks Act and Public Transportation and Highway Improvement Act.
2. The Niagara River Parkway is a processional roadway that provides a north-south linkage from Lake Ontario to Lake Erie for tourists and local residents. Residential development outside the Settlement Area is located predominantly along the west side of the Parkway and is generally not permitted direct access to the Parkway but rather obtains access through a service road system which is also controlled by the Niagara Parks Commission.
3. The following policies applies to roads under the jurisdiction of the Niagara Parks Commission:
 - i. Approval of the Niagara Parks Commission is required for any development access onto the Niagara Boulevard.
 - ii. The comments of the Niagara Parks Commission relating to traffic concerns and/or requirements will be obtained pertaining to large scale development applications up to 800 metres from Niagara Parks Commission lands.
 - iii. The Town will advocate for the placement of sidewalks, paths and bicycle lanes, where appropriate.

E.9.2.5. Local Roads

1. Local Roads are designed to carry relatively low volumes of traffic travelling at low speeds from abutting properties to Collector Roads, Arterial Roads or Provincial Highways. Intersections are at grade. Direct access from abutting properties is permitted except near major intersections.
2. The following policies apply to Local Roads:

- i. The design of Local Roads will consider all roadway transportation modes.
- ii. Sidewalks should be provided on at least one side of the right-of-way.
- iii. The basic right-of-way width will be a minimum of 20 metres, however, some Local Road rights-of-way are presently less than 20 metres and widenings to the foregoing maximum might not be practical.
- iv. Direct access to a new local road from abutting properties may be required for low density residential uses abutting Provincial Highways or Arterial Roads.
- v. Intersections with Provincial Highways and Arterial Roads maybe discouraged.
- vi. Through traffic may be discouraged by means of low-speed design and road pattern, as well as the implementation of traffic calming features in line with the Town’s Neighbourhood Traffic Calming Policy.

E.9.2.6. Daylighting Triangles

1. Pursuant to the provisions of the Planning Act, the dedication of lands for road allowance widening purposes will be required within the designated future road allowance rights-of-way as specifically established by this Plan and the Region when such lands are proposed to be developed, redeveloped or subdivided, or where such lands are in a Site Plan Control area in a by-law passed under the Planning Act.
2. The dedication of lands for daylighting triangles and possible right-turn channelization abutting existing roads may be required when such lands are proposed to be developed or redeveloped or where such lands are in a site plan control area in a by-law passed under the Planning Act, or where a consent or subdivision approval is required.
3. Daylighting requirements will be based on the functional road classification of intersecting roadways in accordance with Table E-6: Daylighting Requirements.

Table E-6: Daylighting Requirements

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

4. The area of land required to be dedicated for daylighting requirements pursuant to site plan control will not exceed the amounts identified in Table E-6.

E.9.2.7. Right-of-Way Widths

1. As conditions of the approval of a development application under the Planning Act:
 - i. The Town may acquire land from the landowner required for the road allowance as identified in Table E-7: Road Allowance Preferred Widths, at no cost to the

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

Table E-7: Road Allowance Preferred Widths

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

Street	From	To	Road Allowance Preferred Width (metres)
Rebstock Road	Schooley Road	Ridge Road South	23
Ridge Road	Bowen Road	Brunswick Avenue	23
Rose Hill Road	Dominion Road	Highway No. 3	23
Schooley Road	Michener Road	Erie Road	23
Sunset Drive	Highway No. 3	Bowen Road	23
Washington Avenue	Dominion Road	Helena Street	26.2
Winger Road	Bowen Road	Netherby Road	23
Crescent	Dominion Road	Garrison Road	23
Buffalo	Dominion Road	Garrison Road	23
Burleigh	Thunder Bay	Highway No. 3	23
Thunder Bay Rd	Ridge Road	Stone Mill Road	23
Concession	Albany Street	Gilmore Road	23
Baker Rd	Netherby Road	River Trail	23

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

E.9.3 Accommodating Future Growth

1. The rights-of-way for the transportation system, active transportation and public transit facilities will be planned and protected to meet current and projected needs, while ensuring that development is not permitted in planned corridors that could preclude or negatively affect the purposes of the transportation system.
2. The Town may conduct a Transportation Master Plan to identify the transportation infrastructure and right-of-way widths required to accommodate growth and an order of priorities for improvements.
3. As conditions of the approval of a development application under the Planning Act:
 - i. The dedication of lands for road allowance widening purposes will be required within the designated future road allowance rights-of-way, as set out in E.9.2 or as updated by a Transportation Master Plan.
 - ii. The full costs of road improvements on a roadway established by the public road authority, deemed necessary because of proposed development, will be paid for by the developer unless otherwise identified in the Development Charges Background Study.
4. The Region will be consulted through the development approval process including site plan approval to provide proper protection to all Regional roadways.
5. No development or redevelopment will be permitted that does not front entirely on an improved public road of an acceptable municipal standard of construction, subject to the following exception:
 - i. Council may permit the development or redevelopment on lands fronting a private roadway that existed on the date of passing of the implementing zoning by-law, however, this will only be permitted through an amendment to the implementing zoning by-law.
6. In future subdivision plans, the number of intersections with major roads will be kept to a minimum.
7. Roads proposed in future subdivision plans will be aligned with existing roads where practical and reasonable.
8. The design, layout and orientation of local roads will be considered through the Secondary Plan and Urban Design process.

E.9.3.2. Parking

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

1. Off-street parking standards for all land uses and loading facilities standards for industrial and commercial uses will be established in the implementing zoning by-law, and appropriate off-street vehicular and bicycle parking will be provided for all development or redevelopment pursuant to such standards.

2. Prior to removing or adding on-street parking, the Town will consider the context of the area including walkability and cycling opportunities.
3. The Town may conduct a future parking study to update parking standards in the implementing zoning by-law and other applicable by-laws, policies, and standards.

E.9.3.3. Connected Road Network

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

E.9.4 Goods Movement

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

1. The Town will work with the Region to develop and implement a Goods Movement Study to identify major goods movement facilities and corridors. This includes working with the Region and the Province to plan for and expedite improvements to major goods movement facilities and corridors and planned corridors to support freight-supportive employment development and redevelopment.
2. Major goods movement facilities and corridors will be protected.
3. Lands adjacent to or near major goods movement facilities and corridors will be protected for the expansion of infrastructure and uses ancillary to that of the principal major goods movement facility and corridor.
4. Truck access will be provided to commercial and industrial development with due regard for the need to protect residential neighbourhoods from truck noise, vapour emissions and traffic hazards.
5. Through truck movement will be discouraged on local roads within residential neighbourhoods, where there is an alternate route available on arterial or collector roadway or Provincial Highway.
6. Development generating substantial truck traffic will be encouraged to locate near or adjacent to major goods movement facilities and corridors.

7. Council may require appropriate building setbacks, screening and buffering along major goods movement facilities and corridors to alleviate excessive impacts of noise on adjacent land uses.
8. Trucking along the Niagara River Parkway or other roadways of the Niagara Parks Commission are restricted under the Niagara Parks Act.
9. Appropriate protection of rail facilities will be considered in the planning process and the Town will support strategic infrastructure improvements such as targeted grade separations.

E.9.5 Active Transportation

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

E.9.5.2. Active Transportation Network

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

- viii. Wherever possible, the Town and Region will work cooperatively in establishing linkages to broader regional active transportation infrastructure to further promote and extend the range and reach accessible by active transportation modes.

E.9.5.3. Public Realm and Active Transportation

1. Regional road allowances will be designed in accordance with the Region’s Complete Streets Design Manual and Guidelines. The Region’s Model Urban Design Guidelines, as amended, will be used to facilitate a continuous pedestrian experience where Regional and Local Road systems interface.
2. The mitigation of microclimate impacts, such as wind, shadowing and seasonal factors, should be considered regarding the impact of development on the public realm.
3. Alternative road designs that balance the needs of pedestrians, cyclists, public transit users, and motorists, and prioritize road safety will be considered to support complete streets.
4. The design of road networks should consider walking distances for public transit users, and the use of an interconnected transportation system with consideration for applicable standards and guidelines, to minimize travel distances for cyclists and pedestrians.
5. The Town will work with the Region to support the creation of an enriched urban design experience along Regional Roads will be encouraged by supporting:
 - i. Consistent wayfinding strategy;
 - ii. Pedestrian and transit-supportive facilities, such as street trees and street furniture; and
 - iii. Public art in key locations.
6. The Town will work with the Region to support the design of Regional Roads within downtowns and community cores to:
 - i. A function as flexible spaces to support place-making, temporary community events and initiatives to support complete communities;
 - ii. Encourage the creation of seasonal outdoor patios and seating areas;
 - iii. Improve accessibility;
 - iv. Include pedestrian and cycling infrastructure; and
 - v. Give priority to pedestrian and cycling infrastructure where sufficient street parking can be provided.
7. In partnership with the Region and/or private entities, the Town may develop and administer, capital projects that implement complete streets.
8. In collaboration with the Region, the innovative and sustainable design elements are encouraged in the design, construction, and refurbishment of Regional Roads.

E.9.6 Future Development

1. The policy objective of this Plan regarding the active transportation network will be partly implemented through the development approvals process, in accordance with the following policies:
 - i. When reviewing site plans, secondary plans and large development proposals, the Town will consider the active transportation network in Schedule I. Particular attention will be paid to efficient, safe and pleasant pedestrian movement through the development or neighbourhood.
 - ii. Pedestrian infrastructure, including sidewalks, will be designed and provided as part of all new development.
 - iii. Arterial and Collector roads will be planned to provide for sidewalks on both sides.
 - iv. Local roads will be planned to provide for sidewalks on, at a minimum, one side of the road, whereas Strategic growth Areas will have a sidewalk on both sides of the road.
 - v. Where a sidewalk is provided on only one side of the road within two adjacent developments, that sidewalk will be located on the same side of the road.
 - vi. Where sidewalks are currently not provided, the provision of sidewalks will be considered during major redevelopment or substantial reconstruction of the right-of-way.
 - vii. The Town may consider payment in lieu of sidewalk provision for small development proposals.
 - viii. Bike lanes and support facilities, where appropriate, will be designed and provided as a part of new development. Such bike lanes will be dedicated as public rights-of-way.
 - ix. The Town encourages the protection of abandoned rail corridors and other linear corridors for off-road trail use.

E.9.7 Public Transit

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

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

E.10 Infrastructure and Servicing

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

E.10.1 General Policies

1. Infrastructure planning, development, and asset management will be undertaken in support of the growth management policies of the Town and the Region to promote sustainability and the achievement of complete communities.
2. Adequate water and wastewater infrastructure will be provided to meet the existing and future development needs in alignment with the growth management policies of this Plan, the Water and Wastewater Master Servicing Plan and the Region’s capital budget process.
3. Planning for water and wastewater infrastructure will:
 - i. Accommodate forecasted growth in a manner that promotes the efficient use and optimization of existing municipal sewage services and municipal water services, where municipal sewage services and municipal water services are not available or feasible;
 - ii. Ensure that these systems are provided in a manner that can be sustained by the water resources upon which such services rely; and can help mitigate the impacts of a changing climate;
 - iii. Is feasible and financially viable over their lifecycle; and protects human health and safety, and the natural environment;
 - iv. Promote water conservation and water use efficiency; and
 - v. Integrate servicing and
4. Coordinate with the Region’s Water and Wastewater Servicing Plan on how to operate and plan the delivery of wastewater services throughout the Town.
5. Prior to approval of development, the municipality will ensure that required water and wastewater services and servicing capacity is available to support the development.
6. To implement the Town’s Assets Management Plans to ensure the sustainable delivery of water and wastewater systems and stormwater infrastructure.
7. Work with the Region in the development of a Smart City Strategy that identifies and assesses the use of existing and new technologies in order to manage Regional infrastructure, resources and services more efficiently and more sustainably.

8. Promote water conservation and water use efficiency.
 - i. land use considerations at all stages of the planning process.
9. Planning for water, wastewater, and stormwater infrastructure to ensure that decisions on infrastructure are integrated with decisions that are designed to protect the natural environment system.
10. The extension of municipal sewer and water services will be planned, designed and constructed in accordance with a comprehensive water or wastewater master plan or equivalent, informed by watershed planning, which:
 - i. Demonstrates that the effluent discharges and water takings associated with the system will not negatively impact the quality and quantity of water;
 - ii. Identifies the preferred option for servicing growth and development in accordance with the policies of this Plan, which must not exceed the assimilative capacity of the effluent receivers and sustainable water supply for servicing, ecological and other needs;
 - iii. Identifies the full life cycle costs of the system and develops options to pay for these costs over the long term; and
 - iv. Includes a servicing strategy for those lands which are designated for development in this Plan, but which are currently beyond the extent of municipal services.
11. All development applications will be evaluated to determine whether the water, wastewater and stormwater infrastructure are currently capable or will be capable of supporting the proposed development at acceptable levels of service as generally described in the appropriate Town and the Region. In this regard, the Town may require a peer review of any report or study, such as a functional services report, submitted in support of a development application, which will be conducted at the expense of the applicant.
12. The Town will further assign preliminary municipal water and sewer servicing allocation for draft plans of subdivision or condominium at the time of draft plan approval by the Town. If a draft plan of subdivision or condominium is not registered within three years from the date of draft plan approval, or the draft plan has not proceeded to the satisfaction of the Town within the term of draft plan approval, the Town, at the time of considering extension of the draft plan approval, may revoke the preliminary assignment of municipal servicing allocation, in whole or in part. Prior to revoking allocation, the Town will afford the developer an opportunity to address the Town on the matter. Servicing allocation will be formally assigned at the time of the execution of the subdivision agreement and/or condominium agreement.
13. Proposed plans of subdivision will not be granted draft plan approval unless adequate services exist or are planned for within the time frame of draft approval (3 years).
14. All lands within the Settlement Areas are to be serviced by municipal sanitary and water services. Existing private services within a Settlement Area are permitted to continue until such time as municipal services are available.

15. The provisions of the Local Improvement Requirements of the Municipal Act may be used where necessary to provide services to existing developed areas of the Town.
16. In order to minimize the cost of services provided by all public agencies, no new development in the Town will be permitted in any location where it would contribute to a demand for public services that are in the Town's opinion, not economically feasible to provide, improve or maintain. Where municipal services are to be extended, the Town may consider the phasing of development, or the use of front ending agreements as provided for in the Development Charges Act.
17. All future service installations will be required to comply with Town and Regional Niagara Municipal Servicing standards, as amended from time to time to address local, regional, and provincial circumstances, legislation and guidelines.
18. Planning for new or expanded infrastructure will occur in an integrated manner, including land use planning and the inclusion of lands within a Settlement Area. Lands for new development will not be considered without ensuring that required water and wastewater services and servicing capacity is available and supported by both Town and Regional servicing plans.
19. Extensions of municipal services outside of Settlement Area Boundaries will comply with the requirements of the Region.
20. The Town may prohibit development through a holding provision in a zoning by-law pursuant to the Planning Act until such time as municipal services are available.
21. The Town will require that all linear municipal services and public transmission or communication utilities be located underground within road allowances and/or easements, where appropriate. Outside of Settlement Areas the Town may require that such facilities be underground. Setbacks from all such services and utilities may be required. Easements for such services and utilities may be provided without amendment to this Plan.
22. New public water treatment and sewage treatment plants and their facilities will require an amendment to this Plan and may be subject to the requirements of the Environmental Assessment Act.
23. The comments of utility providers regarding the availability of utilities and infrastructure will be reviewed with respect to growth areas and major infill, redevelopment and intensification areas during the planning process.
24. Existing Regional or Town servicing properties associated with landfills, treatment plants, reservoirs and pumping stations will be permitted to operate for their intended service use. Should the use cease operation, future land uses on the property, or within 500 metres of lands used for waste disposal purposes, will be in accordance with the policies of the designation indicated subject to necessary environmental clearances.
25. Expansions of the existing sewage treatment and water treatment plants operated by the Niagara Region are subject to the Municipal Engineer's Municipal Class Environmental Assessment. No amendment to this Plan is required for expansions of either facility on their current property. However, compliance with policies in this Plan are required.

E.10.2 Municipal Water Supply

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

E.10.3 Municipal Sanitary Services

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

E.10.4 Lots on Private Sanitary and Water Services

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

2. Where municipal sewage services and municipal water services are not available, planned or feasible, private communal sewage services and private communal water services are the preferred form of servicing for multi-unit/lot development to support protection of the environment and minimize potential risks to human health and safety.
3. The Town will not consider nor accept to become a party to a default responsibility agreement for any private communal water supply or sewage treatment system as may be required pursuant to Ministry of Environment guidelines whether or not the existing or proposed development is permitted by this Plan or the implementing zoning by-law.
4. Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.
5. Coordinate with the Region to review, update and assess the long-term impacts of individual on-site sewage services and individual on-site water services on the environmental health and the desired character of rural settlement areas and the feasibility of other forms of servicing.
6. Partial services will only be permitted in the following circumstances:
 - i. Where they are necessary to address failed individual on-site sewage services and individual on-site water services in existing development; or
 - ii. Where partial services have been provided to address failed services in accordance with the policies of this Plan, infilling on existing lots of record in rural areas in municipalities may be permitted where this would represent a logical and financially viable connection to the existing partial service and provided that site conditions are suitable for the long-term provision of such services with no negative impacts. In accordance with this Plan, the extension of partial services into rural areas is only permitted to address failed individual on-site sewage and individual on-site water services for existing development.
7. All new development located outside Settlement Area Boundaries will provide sustainable private water and sewage services. The landowner is responsible for the maintenance, upkeep and repair of all private water supply and sewage disposal systems in accordance with applicable legislation.
8. All new development which is proposed to be connected to existing combined sewer facilities will be served with separated systems within the property limits of the development. The connection to the combined sewer will only be considered once a new separated storm outlet has been determined to be unachievable and the available capacity within the existing combined sewer services has been confirmed.

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

E.10.5 Stormwater Management

1. The Town will improve or restore both the quality and quantity of water by ensuring stormwater management practices minimize stormwater volumes and contaminant loads and maintain or increase the extent of vegetative and pervious surfaces.
2. Ensure stormwater management and green infrastructure is integrated into the planning and development process.
3. Planning for stormwater management in the Town will:
 - i. Conform with the watershed planning policies set out by the Region;
 - ii. Be integrated with planning for sewage and water services and ensure that systems are optimized, feasible and financially viable over the long term. Adhering to updates to the Regional Water and Wastewater Master Servicing Plan, the Water and Wastewater Master Servicing Plan that determine infrastructure needs for development over a 30-year or greater period.
 - iii. Minimize, or, where possible, prevent increases in contaminant loads;
 - iv. Minimize erosion and changes in water balance, and prepare for the impacts of climate change through the effective management of stormwater, including the use of green infrastructure;
 - v. Mitigate risks to human health, safety, property, and the environment;
 - vi. Maximize the extent and function of vegetative and pervious surfaces;
 - vii. Promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and low impact development; and
 - viii. Consider green infrastructure and other measures which address the impacts of climate change.
4. Develop a stormwater master plan or equivalent for serviced settlement areas that:

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

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

E.10.6 Green Infrastructure

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

1. Green infrastructure should be incorporated where appropriate, in a manner that recognizes climate change policy objectives of this Plan.
2. Encourage sustainable practices, such as green infrastructure and low impact development to address the impacts of climate change.
3. Ensure green infrastructure and stormwater management is integrated into the planning process.
4. The planning and design of water and wastewater infrastructure will consider the potential impacts of climate change.
5. Promote and provide leadership in sustainable forms of development, green building technologies and green infrastructure investment to: conserve and protect the quality of water resources;
 - i. Achieve greater energy efficiency and reduce greenhouse gas emissions;
 - ii. Improve access to local foods;
 - iii. Support walking, cycling, and public transportation; and
 - iv. Reduce and better manage waste.
6. Where possible, integrate both green infrastructure and low impact development, such as green roofs and permeable surfaces into the design and construction of infrastructure, public works projects, public service facilities, community facilities and amenities and private development.

7. Promote the use of green infrastructure and low impact development by considering green infrastructure in public works projects.
8. Encourage the use of green infrastructure through the review of development applications.
9. Consider through site plan control the development of green infrastructure, such as naturalized retention ponds and rain gardens to increase stormwater offset.
10. Minimize erosion and changes in water balance and prepare for the impacts of climate change through the effective management of stormwater, including the use of green infrastructure.
11. Consider green infrastructure and climate change when planning for parks, open space and trails.
12. Incorporate appropriate low impact development and green infrastructure in stormwater master plans for serviced settlement areas in the Town. This also includes when undertaking stormwater management planning to assess the impacts of extreme weather events, encouraging the use of landscape-based stormwater management.
13. Promote green infrastructure to complement infrastructure, including the requirement for innovative low impact development opportunities and best practices that minimize the risks associated with natural hazards.

E.10.7 Utilities and Telecommunications

1. The Town will develop a telecommunications protocol to provide guidance on matters related to the location of telecommunications facilities, as well as the role of public participation. At a minimum, the protocol will:
 - i. Encourage coordination and consultation between telecommunications providers and the Town regarding the co-location of telecommunication infrastructure and optimal site-selection.
 - ii. Provide an opportunity for public participation in determining the location of telecommunication infrastructure.
 - iii. Promote awareness to telecommunications providers regarding the following matters that are of importance to the Town:
 - a. Compatibility with surrounding land uses;
 - b. Proximity to other public infrastructure;
 - c. Protection of the Natural Environment System; and
 - d. Priority locations for new telecommunication infrastructure.
 - iv. Consider opportunities to expedite the review and approval process for new telecommunication infrastructure where it can be demonstrated to the Town that the policies of the protocol are satisfied.
 - v. Establish the Town's expectations regarding required material, information, or studies to be prepared by a proponent in support of an application to develop new telecommunications infrastructure.

2. The Town will coordinate with both private and public utility providers to ensure that utilities are planned and managed in a manner that supports the objectives and policies of this Plan.
3. The joint use of rights-of-way and corridors is encouraged wherever feasible for various facilities in order to:
 - i. Lessen the impact on the environment of uncoordinated alignments of various single purpose authorities; and
 - ii. Avoid land use and development conflicts associated with such rights-of-way and alignments.
4. The construction of utilities will comply with the natural environment system policies of this Plan
5. Necessary public utilities will be provided in accordance with the servicing needs of existing and future development and with economic, safety and environmental considerations.
6. The Town will confirm, as part of the development review process, that utility providers are able to provide services to support the proposed development in a timely manner and that, if required, appropriate location.
7. Ensure that utilities are planned and managed in a manner that supports the objectives and policies of the Town.
8. The burial of overhead utilities and the co-location of utilities underground is encouraged in areas strategically identified for intensification including strategic growth areas, and local growth centres and corridors.
9. Through discussion with utility providers, consider the impact of existing utility infrastructure and opportunities for enhancement or replacement.
10. Necessary public utilities will be provided in accordance with the servicing needs of existing and future development and with economic, safety and environmental considerations.
11. Utility providers are encouraged to consult with the Town when new major plant locations or infrastructure is required, or existing infrastructure is identified for upgrade. The Town will work cooperatively with utility providers in effort to facilitate their needs while balancing the interests of the area residents.
12. Utility companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are compatible with existing and planned development, in effort to reduce or eliminate potential conflicts.
13. Utility providers will ensure their respective utility has been planned and located in accordance with any relevant safety regulations, separation requirements and/or municipal standards, either through individual utility plant location or as part of a combined installation.
14. The municipality will consult with the Region and relevant authority having jurisdiction prior to allowing any utility to locate in the Natural Environment System or Agriculture land use designation.

15. Work with the Region on Environmental Assessment Studies and the Environmental Assessment process for major utility related projects to ensure that potential impacts on matters of Regional and Provincial interest are addressed.
16. In all commercial, industrial and residential areas, both existing and proposed, and in other areas where visual quality is important, local utilities will be located underground where feasible.
17. Preference will be given to the location of utilities within public rights-of-way or existing easements, but consideration will be given to private property if public- rights-of-way or easements are not feasible.
18. The Town encourages the joint use of rights-of-way and corridors wherever feasible for various public utilities to lessen the impact on the environment, minimize visual impact and avoid possible land use and development problems. The joint use of rights-of-ways and corridors is wherever feasible in order to lessen the impact on the environment of uncoordinated alignments of various single purpose authorities and avoid land use and development conflicts associated with such rights-of-way and alignments.
19. Installation of new utilities in areas designated for new residential development will be subject to subdivision and/or site plan control provisions as contained in the Planning Act or successor legislation. The Town will confirm, as part of the development review process, that utility providers are able to provide services to support the proposed development in a timely manner and that, if required, appropriate locations for large utility equipment and utility cluster sites have been determined.

E.11 Community Facilities

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

E.11.1 General Policies

1. To provide community and public service facilities that meet the civic, cultural, educational, recreational, religious, social and emergency services needs of all residents, employees and visitors to the Town, including Indigenous Peoples and equity deserving groups. Community and public service facilities are to be responses to the Town's diversity with a range of cultural and age-friendly activities and services.
2. Land use planning objectives will be supported by infrastructure and public service facilities that:
 - i. Consider the full life-cycle costs of these assets and options to pay for these costs over the long-term;
 - ii. Meet the requirements of forecasted growth within settlement areas; and
 - iii. Is planned, built, and maintained in accordance with the applicable policies of the Regional and Town.
3. Priority will be given to maintaining and adapting existing public service facilities as community hubs by co-locating services.

4. The Town will work with the Region and other levels of government and private and public social services providers to plan for the provision of human and social services.
5. The Town will maintain and enhance its community and public service facilities and spaces for the benefit of all residents and as amenities for visitors to the Town. For example, measures can include promoting access to a range of recreational facilities, programs and services and public service facilities for all current and future residents.
6. The Town will coordinate with the Region, school boards and other public agencies to improve the delivery of infrastructure, public service facilities, and other related programs and services for the creation of community hubs.
7. Public service facilities and public services should be co-located in community hubs and integrated to promote cost-effectiveness. The preferred location for community hubs set out by the Region is in or near identified strategic growth areas.
8. Review existing community and public service facilities to determine the services that are available are appropriate and equitable to the community, supporting the improvement and addition of community and public service facilities in areas that are underserved to encourage the creation of a complete community.
9. The Town is to encourage the reuse of existing municipally owned facilities for new community serving uses, and to encourage the co-location of multiple activities and services, such as recreational buildings, libraries and arts and cultural facilities.
10. Support the development of joint and/or shared community and public service facilities, such as schools, community centres, libraries, day care centres or other appropriate facilities, on shared sites and, where appropriate, adjacent to public parks.
11. Support new and renovated community and public service facilities that are:
 - i. Appropriately designed;
 - ii. Conveniently accessible by transit, bicycle and on foot;
 - iii. Centrally located in the area in which they provide service;
 - iv. Supportive of active frontages;
 - v. In proximity to other community services and facilities and places of gathering, where possible; and
 - vi. Designed to support universal accessibility and include public art where appropriate.
12. Ensure that community and public service facilities are designed to a high standard for safety, size, location, orientation and comfort, including schools, as regulated by school boards, in addition to the specific standards in the zoning by-law to regulate the appropriate size, configuration, siting, sunlight exposure, landscaping, setbacks and buffering provisions for the associated open space and parkland areas.
13. Secondary and elementary schools and other uses pursuant to the Education Act will be coordinated with the Town and the Region, in accordance with the following policies:
 - i. Secondary and elementary school sites will be provided in accordance with the standards of the appropriate Board of Education, where applicable;

- ii. Applications for the development of a new secondary or elementary school will address the surrounding neighbourhood with particular regard to common elements such as access points, driveways, landscaping and parking areas;
 - iii. The development of secondary or elementary schools in conjunction with municipal parkland and other public service facilities may be considered, so that a complementary integration of lands and facilities may be achieved;
 - iv. The coordinated use of recreational facilities located within secondary or elementary schools, or on school properties will be encouraged; and
 - v. Adequate parking and other required facilities will be provided on site. However, schools may provide a portion of the parking and shared parking off-site with nearby parkland and other public service facilities, as determined by the School Board in consultation with the Town.
14. Infrastructure and public service facilities should be strategically located to support the effective and efficient delivery of emergency management services and to ensure the protection of public health and safety.
 15. Public service facilities, such as municipal works depots, police stations and fire halls, are strongly encouraged to locate within settlement areas. Where considered outside of settlement areas, such uses will be compatible with and have minimal impacts on their surroundings.
 16. The Town will work with the Region and the applicable governments on locating new Provincial or Federal institutional uses or facilities.

E.12 Contaminated Lands

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

E.12.1.1. Potentially Contaminated Properties

1. Potentially contaminated properties are properties where the environmental condition of the site (soil and/or groundwater) may have potential for adverse effects on human health, ecological health or the natural environment.
2. While the identification of potentially contaminated sites is important, the policies in this section should not be interpreted as a commitment on the part of the Town to identify all contaminated sites. Rather, these policies should be regarded as an effort on the part of the Town to responsibly utilize available information in the planning application review process.
3. The Town requires that development take place only on properties where the environmental conditions are suitable for the proposed use.

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

E.12.1.2. Waste Disposal Sites

1. No reuse of a property used as a waste disposal site may be approved within 25 years of closure, unless the reuse has been approved by the Province under applicable legislation, guidelines and regulations.

2. The satisfactory verification of suitable environmental site condition in accordance with this Plan will be required as a condition of approval for planning applications on lands containing or affected by former or current waste disposal sites.
3. Development proposals within 500 metres of existing or former landfill sites will be assessed by qualified professionals with respect to impacts on human health and safety.

E.12.1.3. Development in Proximity to Rail Facilities

1. It is important that sensitive land uses be adequately separated and/or buffered from railway yards, corridors and other facilities so as not to impede future railway operations and ensure the impacts of noise and vibration on sensitive land uses are appropriately mitigated.
2. New sensitive land uses will generally not be encouraged adjacent to rail facilities. Development adjacent to or in proximity to railway infrastructure will comply with the following policies:
 - i. There are existing established residential neighbourhoods within 300 metres of the CN Rail yard in Fort Erie. The 300 metre distance is a Ministry of the Environment (MOE) guideline for separation distances between heavy industrial uses and sensitive land uses which CN Rail has adopted as a standard distance separation for rail yards. There may be opportunities for limited infill development and areas of intensification as identified through the Bridgeburg Secondary Plan within a 300 metre distance, providing opportunities for the efficient use of urban lands. Given the Provincial guideline distance can often be reduced by appropriate studies that ensure reasonable standards of compatibility and public health and safety, and that the rail yard has operated at a reduced capacity for several years; residential development maybe permitted within 300 metres of the rail yard subject to the following;
 - a. Residential intensification areas will be identified through the Secondary Plan process which CN Rail will be provided the opportunity to participate in; and
 - b. Residential intensification areas within 300 metres will be subject to a noise study prepared to the satisfaction of the Region and/or the Province in consultation with CN Rail; and
 - c. Residential intensification areas within 100 metres of a rail yard will require a vibration study to the satisfaction of the Region and/or the Province in consultation with CN Rail.
 - ii. All proposed residential or other sensitive use development within 500 m. of a railway right-of-way or 1 km of a rail yard will be required to undertake noise studies to the satisfaction of the Town in consultation with the appropriate railway, and will undertake appropriate measures to mitigate any adverse effects from noise that were identified;
 - iii. All proposed residential or other sensitive use development within 75 metres of a railway right-of-way will be required to undertake vibration studies, to the satisfaction of the Town in consultation with the appropriate railway, and will

undertake appropriate measures to mitigate any adverse effects from vibration that were identified;

- iv. Where applicable, the Town will ensure that sightline requirements of Transport Canada are addressed;
- v. All proposed development adjacent to railways will ensure that appropriate safety measures such as setbacks, berms, and security fencing are provided to the satisfaction of the municipality in consultation with the appropriate railway; and,
- vi. Implementation and maintenance of any required rail noise, vibration and safety impact mitigation measures, along with any required notices on title such as warning clauses and/or environmental easements, will be secured through appropriate legal mechanisms, to the satisfaction of the Town in consultation with the appropriate railway.

F. Implementation and Interpretation

F.1 Introduction

Achieving the objectives of this Plan requires an ongoing commitment to implementing the policies of this Plan. The Planning Act affords Council, by means of the powers conferred upon the Town by the Planning Act, the Municipal Act and such other relevant Provincial statutes, enabling legislation, Plans, policies, guidelines and programs as may be applicable, the authority to enact by-laws and make decisions to do so that are in the public interest. The policies of this Plan provide direction to Council, staff, and members of the public regarding the means to achieve the goals and objective of this plan over the long-term.

F.2 Consultation and Public Participation

F.2.1 Duty to Consult

1. The Town is located on the traditional territories of the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, and also treaty lands, including Treaty #381, the Niagara Purchase (May 9, 1781) signed by representatives of the Crown and certain Anishinaabe peoples, and Treaty 3, the Between the Lakes Purchase, (December 7, 1792) signed by representatives of the Crown and certain Mississauga peoples.
2. In the spirit of reconciliation, in acknowledging the “free, prior and informed consent” as set out in the United Nations Declaration on the Right of Indigenous Peoples as applied and interpreted by Courts of competent jurisdiction, and the right to carry out traditional pursuits in a respectful and unrestricted manner, the Town will continue its work on building a new relationship with Indigenous Communities prior to development and gaining consent before moving forward, where appropriate.
3. The Town will consider the consultation of the First Nations that have traditional territory in this area, including the Anishinaabe, specifically the Mississaugas of the Credit First Nation, and the Haudenosaunee when engaging on planning matters or public works projects.
4. The Town will engage with First Nations and Indigenous communities and consider when identifying, protecting, and managing cultural heritage resources and archaeological resources, planning for sustainability and climate change, and the natural environment system. This may include circulating certain studies to First Nations.
5. Archaeological Assessments that identify sites and archaeologies resources of Indigenous interest will be provided to the community of closest cultural affiliation to the site and/or resources. The Town will:
 - i. Direct the proponent to the appropriate First Nations and Indigenous communities and facilitate communication by providing contact names and numbers, and a list of those agencies that can assist with the engagement process;

- ii. Require proponents to engage with First Nations and Indigenous communities at the earliest opportunity and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources;
 - iii. Require documentation that the licensed archaeologist has engaged with First Nations and Indigenous communities in accordance with the Standards and Guidelines for Consulting Archaeologists of the Region's Archaeological Management Plan (AMP); and
 - iv. Require documentation that the proponent has provided a copy of the Archaeological Assessment report to those communities with the closest cultural affiliation to identified archaeological resources and in whose traditional territories the archaeological resources were found.
6. Proponents are encouraged to engage with the First Nations and Indigenous communities with the closest cultural affiliation to the site and/or archaeological resources and in whose traditional territories the archaeological resources were found, to address their interest in the resource, when planning for sustainability and climate change, and relative to natural environment system. Proponents should confirm whether the First Nation or Indigenous community would like to repatriate the archaeological resources, and if not, define interpretive and commemorative opportunities related to the resource, where preservation of the resource is not possible in its current location.
7. The Town will seek to develop, in partnership with Indigenous communities, consultation and engagement protocols that:
- i. Identifies who will be responsible for consultation/engagement, including municipally initiated policy and development initiatives and for private developments,
 - ii. Indicates when consultation and engagement is warranted and in what scenarios;
 - iii. Determines how consultation and engagement will be undertaken;
 - iv. Outlines how often consultation/engagement is undertaken and how often the protocols are updated; and
 - v. If the protocols are developed with and agreed to by the partnered Indigenous community, they may take precedence over the other policies of this Plan, but only for matters related to that Indigenous community. For matters related to Indigenous communities without an agreed protocol, the policies of this Plan continue to apply until such time that alternative protocols are agreed upon.

F.2.2 Public Participation

1. Applications for Plans of Subdivision and/or condominium, consents, minor variances, zoning by-law amendments, and official plan amendments will follow the public consultation process for giving notice and holding meetings in accordance with the requirements of the Planning Act and associated regulations.
2. Council may consider and request additional public consultation measures, beyond the minimum requirements of the Planning Act as determined on a case-by-case basis. A

developer may be requested to conduct public engagement pre-application, and/or prepare a “Public Consultation Strategy” as part of a complete application. The strategy should outline a specific process for notifying and engaging the public regarding the specific application.

3. Public notice and public meeting will not be required for amendments to this Plan or the implementing zoning that are technical in nature which, in the opinion of Council, do not affect the intent or interpretations of policies and intent of the document they are amending.
4. Where amendments to this Plan or the implementing zoning by-law are for the correction of typing errors, technical errors, word changes or metric conversions, no public meeting is necessary.
5. Where there are changes to a proposed amendment as a result of a public meeting, Council may wish to hold another meeting to obtain further public input.
6. Council will encourage all people in the Town to participate in planning decisions which affect their lives, to achieve this, Council will:
 - i. Have regard to abilities, constraints, backgrounds of all people in each situation;
 - ii. Ensure that the time, place and notice of meetings are accessible to as many people as possible; and
 - iii. Ensure that planning policies and reports are made available to the public.
7. Council will engage in a timely and meaningful manner with the public, Indigenous communities, applicable agencies and key stakeholders on related planning issues.
8. Council will ensure the consultation and engagement process or procedures is accessible, inclusive, and follows the requirements under the Planning Act.
9. The Town will follow its engagement protocol for applications for telecommunications towers, as may be updated from time to time. The engagement protocol will be reviewed and updated from time to time.

F.2.3 Public Meetings

1. From time to time, it may be necessary to amend this Plan or the implementing zoning by-law in order to reflect changing conditions, priorities and needs of the community. Any amendments to either document will require that an opportunity be given to inform and obtain input from the public in order to ensure that the amendments reflect the goals and objectives of the community.

F.3 Legal Non-conforming Uses, Buildings, and Structures

1. Legally existing uses of land, which exist at the date of adoption of this Plan, may be deemed to conform with the extent of this Plan for the purposes of the implementing zoning by-law. Such uses may be zoned in accordance with their present use and performance standards, or a limited range of similar uses provided:
 - i. The zoning will not permit any significant change of use or performance standard that will aggravate any situation detrimental to adjacent complying uses;
 - ii. They do not constitute a danger to surrounding uses and persons by virtue of their hazardous nature or the traffic they generate;
 - iii. They do not pollute air and/or water to the extent of interfering with the ordinary enjoyment of property;
 - iv. There is no interference with the desirable development or enjoyment of the adjacent area;
 - v. The regulations of the Niagara Peninsula Conservation Authority under the Conservation Authorities Act and requirements of the Niagara Parks Commission are complied with; and
 - vi. The use of land does not conflict with any provincial legislation, regulation or policies.
2. The use of lands, buildings, or structures which do not comply with the implementing zoning by-law but which lawfully existed prior to the approval of the zoning by-law and which continue to be used for such purpose, will be recognized as legal non-conforming uses. If such legal non-conforming uses cease for a period of up to one year, then the rights derived from the legal non-conforming use will terminate, unless the landowner demonstrates an intention to continue the use.
3. It is the intention and expectation that legal non-conforming uses, buildings or structures will eventually cease to exist and be replaced by uses, buildings or structures that conform with the intent of this Plan and comply with the implementing zoning by-law.
4. Notwithstanding any other policy of this Plan, a legal non-conforming use(s) destroyed by fire or natural disaster may be rebuilt provided that the dimensions of the building and/or structure are not substantially increased, and the use of the building and/or structure is not substantially altered and all applicable approvals are obtained. Additionally, a legal non-conforming use may be rebuilt following voluntary removal or demolition, provided that the demolition was undertaken with the intent to continue the use, and provided that the dimensions of the building and/or structure are not substantially increased, and the use is not substantially altered and all applicable approvals are obtained.
5. The Town may recognize uses that exist at the time of the approval of this Plan and which do not have a negative impact on the environment and do not pose a significant threat to health and safety. This will be done by means of a site-specific zoning by-law.

Such zoning will not be considered to be in contravention of the policies of this Plan and will:

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

F.3.1.2. General Policies Relating to Expansion Or Enlargement Of Non-Conforming Uses

1. Subject to the policies of this Plan it is Council's intent that any land use existing at the date of approval of this Plan which does not conform with the land use designation shown on Schedule B, termed a 'non-conforming use', eventually should cease to exist so that the affected land may convert to a use in conformity with this Official Plan and the provisions of the implementing zoning by-law. In certain instances, however, enlargement or redevelopment of a non-conforming use to avoid unnecessary hardship may be permitted. Such proposed extension or enlargement will be dealt with pursuant to Section 34(10) or Section 45 of the Planning Act.
2. Council will determine the feasibility of acquiring the property concerned and of holding, selling, leasing or redeveloping it in accordance with the provisions of the Planning Act. Council will give special attention to the potential and merits for the relocation of such use to a different location where it would be in compliance with this Plan.
3. If municipal acquisition is not feasible and if the special merits of the individual case make it desirable to grant permission for the extension or enlargement of the non-conforming use, Council may consider the passing of a zoning by-law pursuant to Section 34 of the Planning Act.
4. Before passing such a by-law, Council will be satisfied that the following requirements which are relevant to each application are, or will be, fulfilled to ensure the protection of the wider interests of the general public:
 - i. That the proposed extension or enlargement of the established non-conforming use will not unduly aggravate the situation created by the existence of the use, especially in regard to the land use designation of this Plan and the requirements of the zoning by-law applying to the specific area;
 - ii. That the proposed extension or enlargement will be in an appropriate proportion to the size of the non-conforming use established prior to the passing of the original implementing zoning by-law;
 - iii. That an application which would affect the boundary between areas of different land use designations in this Plan will only be processed under these policies if it can be considered as a 'minor adjustment' under this Plan. Major intrusions will, however, require an amendment to this Plan;
 - iv. That the characteristics of the existing non-conforming use and the proposed extension or enlargement will be examined with regard to noise, vibration, fumes, smoke, dust, odour, lighting and traffic generation. No amendment to the implementing zoning by-law will be made if one or more of such nuisance factors

will be created or increased so as to add substantially to the incompatibility of the use with the surrounding area;

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

F.3.1.3. Existing Undersized Lots

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

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

F.3.1.4. Public Participation

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

F.4 Amendments to this Plan

F.4.1.1. Official Plan Amendment

1. The procedures to be followed in amending the Fort Erie Official Plan will include a minimum of 20 days advance notice for public meetings as required by the Planning Act and will include the following measures:
 - i. Adequate information will be made available to the public, including all boards, commissions and agencies having an interest in the matter as required by the *Planning Act*, including the Region and any affected municipality;
 - ii. At least one public meeting will be held by the Council (or Committee of Council) to inform and obtain comments from the public. If no written objections to the proposed amendment are received prior to the public meeting and no verbal objections to the proposed amendment are made at the public meeting, this will be interpreted as no public interest; and
 - iii. Notice of this public meeting will be placed in a local newspaper which, in the opinion of the Town Clerk, has a general circulation within the Town, or if in the opinion of the Town Clerk such a newspaper does not exist, notice of this public meeting will be posted on the Town's website. Notice may additionally be placed in other media. Any parties who have requested notification of any meetings on this particular matter will be notified by first class prepaid mail or personal service of the public meeting at least 20 days prior to the date of the meeting if the request is received prior to the date notices are issued. For any additional public

meetings regarding such proposed amendment, the same notification procedures will be used.

F.4.1.2. Amendments to Schedule B: Land Use Plan

1. An amendment to Schedule B is required to permit the establishment of areas for uses other than those shown on Schedule B: Land Use Plan.
2. In considering an amendment to Schedule B: Land Use Plan that would designate additional areas for a particular use or change the designated use of a particular area, or an amendment to the implementing zoning by-law that would zone additional areas for a particular use or change the zoning of a particular area, the Council will have due regard to the following criteria which are in addition to the policies and criteria specified elsewhere in this Plan:
 - i. The need for the proposed use;
 - ii. The extent to which the existing areas in the proposed categories are developed, and the nature and adequacy of such existing development;
 - iii. The physical suitability of the land for such proposed use, and in the case of lands exhibiting or abutting a Natural Heritage feature, demonstration of compliance with the Natural Heritage policies of this plan;
 - iv. The location of the area under consideration with respect to:
 - a. The adequacy of the existing and proposed transportation system in relation to the development of such proposed areas,
 - b. The convenience and accessibility of the site for vehicular and pedestrian traffic and the traffic safety in relation thereto, and
 - c. The adequacy of the potable water supply, sewage disposal facilities, and other municipal services in view of the policies contained in this Plan and in accordance with technical reports or recommendations of the Ministry of the Environment, Conservation and Parks and the Niagara Region Public Health Department and any other appropriate authority deemed advisable.
 - v. The compatibility of the proposed use with uses in adjoining areas;
 - vi. The effects of such proposed use on the surrounding area in respect of the minimizing of any possible deprecating or deteriorating effect upon adjoining properties;
 - vii. The potential effect of the proposed use on the financial position of the municipality; and
 - viii. The potential effect of the proposed use in relation to the intent and implementing regulations of the Environmental Protection Act.

F.4.1.3. Settlement Area Boundary Expansion

1. Settlement area boundaries may be expanded, or a new Settlement Area may be established in accordance with the policies of the PPS only if it has been demonstrated that:
 - i. The need to designate and plan for additional land to accommodate an appropriate range and mix of land uses;

- ii. If there is sufficient capacity in existing or planned infrastructure and public service facilities;
- iii. Whether the applicable lands comprise specialty crop areas;
- iv. The evaluation of alternative locations which avoid prime agricultural areas and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- v. Whether the new or expanded settlement area complies with the minimum distance separation formulae;
- vi. Whether impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible as determined through an agricultural impact assessment or equivalent analysis, based on provincial guidance; and
- vii. The new or expanded settlement area provides for the phased progression of urban development.

F.5 Secondary Plans

1. Secondary plans may be prepared to plan for future development and to accommodate growth on lands within the Town that are currently undeveloped, or in existing developed areas where it is determined that additional land use policies are needed.
2. The following policies will apply to the preparation of secondary plans:
 - i. Where it has been determined by the Town that additional lands are needed to accommodate projected growth and these lands are located outside of the Settlement Area as shown on Schedule A: Town Structure, a secondary plan will be required prior to development. For clarity, the Town may undertake a secondary plan process for lands not identified on Schedule E: Secondary Plans.
 - ii. When undertaking a secondary plan process for lands within an identified secondary plan boundary, as shown on Schedule E: Secondary Plans, the study area boundary may be reviewed and modified without amendment to this Plan.
 - iii. Secondary plans may be used to establish more detailed land use policies or land use designations than that of this Plan.
 - iv. Secondary plans will be adopted as amendments to this Plan and read in conjunction with this Plan in its entirety. The goals, objectives, and policies of this Plan will be maintained in the secondary plan, and the relevant schedules to this Plan will be amended or new schedules may be added by a decision of Council.
 - v. Where Council directs that a secondary plan be undertaken, the Town may either share in the costs of preparing the secondary plan with the landowner(s), or choose to assume the costs wholly without the landowner(s).
 - vi. A secondary plan may be undertaken simultaneously when undertaking a process pursuant to the Environmental Assessment Act to satisfy the Environmental Assessment requirements in a comprehensive and integrated process.

- vii. Prior to undertaking a secondary plan, the Town may consult with the Region, the Conservation Authority, other agencies or authorities have relevant jurisdiction, as deemed appropriate, and the proponent, to establish a terms of reference for the preparation of a secondary plan and any required supporting studies, to the satisfaction of the Town.

F.6 Implementation Tools

F.6.1 General

1. The designations shown on Schedule B to this Official Plan are to be interpreted in a general fashion and are not to be precisely scaled. Where roadway or natural features such as watercourses identify a distinct separation between designations such boundaries will be used to provide a distinct interpretation of the boundary of the designation. Minor refinements to the boundaries of the designations in association with development applications will not require an amendment to this Plan.
2. This Official Plan is required to conform to the Regional Niagara Official Plan and will be “consistent with” the Provincial Planning Statement.
3. This Official Plan will be implemented by means conferred upon Council by the Planning Act, the Municipal Act and such other statutes as may be applicable. In particular, this Plan will be implemented by secondary plans, the implementing zoning by-law, site plan control, plan of subdivision and part-lot control, consents to sever, property standards by-law, demolition control, provision of municipal services, public works, energy conservation and other legislation.
4. In order to ensure that the policies of the Official Plan are being implemented, the following controls will be regularly reviewed:
 - i. The zoning by-law;
 - ii. Subdivision and part-lot control;
 - iii. Site plan control and urban design guidelines; and
 - iv. All other practices and procedures involved in processing development applications that support implementation of this Plan.

F.6.2 Public Works

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

F.6.3 Implementation Tools

F.6.3.1. Implementing Zoning By-Law

1. The implementing zoning by-law prepared in accordance with the provisions of the *Planning Act*, will implement the policies of this Plan by regulating the use of land and the character, location and use of buildings and structures.
2. The implementing zoning by-law may be more restrictive than the provisions of this Plan. It is not intended that the full range of uses, built forms, or heights permitted by this Plan will be permitted by implementing zoning by-law in all cases.

3. Within three years of the adoption of this Plan, the existing zoning by-law will be reviewed and amended, or a new zoning by-law prepared and adopted, to conform to the policies of this Plan, in accordance with the Planning Act.
4. Until such time as the zoning by-law is amended, the existing zoning by-law will remain in effect. However, any Amendment to the existing zoning by-law is required to be in conformity with this Plan.

F.6.3.2. Community Planning Permit System

1. The Community Planning Permit System is an additional implementation tool that may be used by the Town to ensure the goals, objectives and policies of this Plan are implemented.
2. The Community Planning Permit System is intended to be a flexible planning tool that combines different applications under the Planning Act into a single development application process, such as amendments to the implementing zoning by-law, Site Plan Control, and minor variances.
3. Council may enact a by-law to establish a community planning permit system for any area within the Town, or the Town in its entirety, based on the following criteria:
 - i. There is an opportunity to establish a more streamlined and simplified process for Council, staff, landowners, applicants, and the public in regard to achieving the broad land use planning goals and objectives of this Plan;
 - ii. The housing objectives of this Plan, including creating a greater range and mix of housing options, are best advanced in consideration of the growth management objectives of this Plan;
 - iii. Encourages a more compact, mixed-use built form that contributes to a complete community that is of high quality design and contributes to an engaging and activated private realm and public realm; and
 - iv. Supports implementation of the Natural Environment System policies of this Plan, encourages sustainable design and low impact development practices, and safeguards against natural and human-made hazards.
4. A by-law enacted by Council to establish a Community Planning Permit System will:
 - i. Delineate the area to which the by-law applies;
 - ii. Contain more specific goals, objectives and policies for a Community Planning Permit System for the area to which it applies;
 - iii. Specify complete application requirements;
 - iv. Identify classes of development or redevelopment that may be exempt from the by-law;
 - v. Identify the statutory notice procedures, including notices of decision;
 - vi. Establish permitted land uses and discretionary land uses;
 - vii. Establish development standards;
 - viii. Establish the process through which applications are reviewed, and permit decisions are made;

- ix. Provide that a community planning permit may be amended as described in the by-law;
 - x. Provide that an agreement entered into under the by-law may be amended as described in the by-law;
 - xi. Outline the conditions, if any, that Council may choose to impose conditions in making a decision on an application under the by-law;
 - xii. Sets out the scope of the authority that may be delegated and any limitations on the delegation, where Council may intend to delegate any authority under the by-law; and
 - xiii. State that the placement of a portable classroom on a school site of a district school board is exempt from the requirement for a community planning permit if the school site was in existence on January 1, 2007, in accordance with section 16. O. Reg. 173/16, s. 4 (2); O. Reg. 234/18, s. 1 (1).
5. That the implementation of a Community Planning Permit System will be undertaken with input from Council and members of the public, as well as relevant agencies and authorities.

F.6.3.3. Site Plan Control

- 1. All lands within the municipal jurisdiction of the Town is designated as a Site Plan Control area, pursuant to Section 41 of the Planning Act.
- 2. The following uses will not be subject to Site Plan Control unless such control will assist in managing grading and drainage impacts and locating development:
 - i. Single detached or semi-detached dwellings, additions thereto, and buildings and structures accessory thereto in a Registered Plan of subdivision with an agreement;
 - ii. Small scale agricultural buildings and structures except greenhouses, medical marijuana grow and production facilities, mushroom farms, and larger livestock operations; and
 - iii. The development of a residential dwelling or dwellings on a parcel of land that will contain no more than ten (10) residential units, except where such development meets any of the following criteria, in which case it is subject to site plan control:
 - a. Any area that is within 300 metres of a railway line;
 - b. Any area that is within 120 metres of:
 - 1. A wetland;
 - 2. The shoreline of a Great Lakes-St. Lawrence River System;
 - 3. An inland lake; or
 - 4. A river or stream valley that has depressional features associated with a river or stream, whether or not it contains a watercourse.
- 3. The following matters relating to buildings will not subject to Site Plan Control:

- i. Interior design;
 - ii. Exterior design, except to the extent that it is a matter relating to exterior access to a building that will contain affordable housing units or to any part of such a building;
 - iii. The layout of interior areas, excluding interior walkways, stairs, elevators, and escalators; and
 - iv. The manner of construction and standards for construction.
4. The implementation of Site Plan Control will ensure that a safe and attractive site environment is provided, by ensuring that Town and Regional standards are implemented and ensuring that any project is developed and maintained as approved.
 5. It will be the policy of the Town to establish uniform Site Plan Control policies which will be applied to the development and redevelopment of land within the established site plan control area.

F.6.3.4. Community Improvement Planning

It is the intent of Council to maintain and promote an attractive and safe living and working environment through community improvement.

F.6.3.4.1. General

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

F.6.3.4.2. Community Improvement Project Areas

1. Community Improvement Project Areas will be designated based on one or more of the following conditions being present:
 - i. Buildings and/or property in need of repair, rehabilitation, or redevelopment;
 - ii. Brownfields, underutilized lands or an abundance of unused or abandoned buildings;

- iii. Non-conforming, conflicting, encroaching or incompatible land uses or activities;
- iv. Deficiencies in physical infrastructure including but not limited to, the sanitary sewer system, storm sewer system, and/or watermain system, roads, parking facilities, sidewalks, curbs, streetscapes and/or street lighting;
- v. Poor road access and/or traffic circulation;
- vi. Deficiencies in community and social services including but not limited to, public open space, municipal parks, neighbourhood parks, indoor/outdoor recreational facilities, and public social facilities;
- vii. Inadequate mix of housing types;
- viii. Buildings, structures and lands of heritage and/or architectural significance;
- ix. Known or perceived environmental contamination;
- x. Poor overall visual quality, including but not limited to, streetscapes and urban design;
- xi. Existing designated Business Improvement Areas, potential for inclusion in a designated Business Improvement Area, and/or existing designated commercial area;
- xii. High commercial vacancy rates;
- xiii. Shortage of land to accommodate building expansion, parking and/or loading facilities;
- xiv. Other barriers to the repair, rehabilitation or redevelopment of underutilized land and/or buildings; and
- xv. Provisions for energy efficiency and any other environmental, social or community economic development reasons.

F.6.3.5. Community Improvement Plans

1. Community Improvement Plans (CIP) will be prepared to provide direction regarding one or more of the following activities:
 - i. The provision of public funds such as grants, loans and other financial instruments designed to encourage and promote:
 - ii. Physical remediation, repair, rehabilitation, redevelopment or improvement of lands and/or buildings;
 - iii. Residential and other types of infill and intensification;
 - iv. A range of housing types;
 - v. Affordable housing;
 - vi. Heritage and architectural preservation, restoration and improvement;
 - vii. Ongoing viability and revitalization of commercial areas and commercial uses.
2. Municipal acquisition of land and/or buildings for the purposes of community improvement, and subsequent:
 - i. Clearance, grading, or environmental remediation of these properties;

- ii. Repair, rehabilitation, construction or improvement of these properties;
- iii. Sale, lease, or other disposition of these properties to any person or governmental authority;
- iv. Other preparation of land or buildings for community improvement other municipal activities, programs or investments for the purpose of:
 - a. Improving community quality, safety and stability;
 - b. Improving environmental conditions and energy efficiency;
 - c. Improving social condition;
 - d. Facilitating and promoting local economic development and growth; and
 - e. Promoting cultural development.
3. Coordination of any of the community improvement works with other public and/or private community improvement activities.

F.6.3.6. Implementation

1. Council will determine the priorities and order in which designated Community Improvement Project Areas will have Community Improvement Plans prepared and adopted.
2. All developments participating in programs and activities contained within Community Improvement Plans will conform with the policies contained in this Plan, the Zoning-By-law, Maintenance and Occupancy By-laws, and all other related Town policies and by-laws.
3. Council will apply for grants and other financial assistance through federal, provincial and regional programs and encourage community organizations to provide financial assistance to the Town for the purposes of community improvement.
4. Council will participate in regional, provincial, federal programs that provide assistance to private landowners for the purposes of community improvement.
5. Council will be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town.

F.6.4 Plans of Subdivision and Condominium

F.6.4.1. Plans of Subdivision

1. The Subdivision Plan approval process and Subdivision Agreements pursuant to the *Planning Act*, will be used by Council to ensure that the policies and land uses of the Official Plan and Secondary Plan are complied with and that a high standard of design is maintained in new development areas.
2. The plan of subdivision process is required for lot creation where four or more new lots result from the application or where a service extension is required except where lot frontages for the new lots currently exist on a public road. Notwithstanding, in existing registered plans of subdivision, relotting can occur through the use of deeming by-laws in conjunction with the consent process.
3. Council may approves Plans of Subdivision which satisfy the following:

- i. The Plan of Subdivision conforms with the policies of this Plan;
- ii. The plan will not impose an unacceptable financial burden on the Town;
- iii. The plan of Subdivision can be supplied with adequate services and public service facilities such as water supply, sewage disposal facilities, stormwater drainage, solid waste collection and disposal, roads, pedestrian facilities and fire and police protection;
- iv. The plan will not adversely impact upon the transportation system and will support public transit, cycling and walking;
- v. The plan will not adversely impact the natural environment;
- vi. The plan will be integrated with surrounding lands, subdivisions and streets; and
- vii. The plan meets the urban design criteria contained in this Plan and any current or future Urban Design Guidelines.

F.6.4.2. Plans of Condominium

1. Only those development proposals submitted under the Condominium Act that conform to the policies of this Plan will be considered for approval.
2. The Town, when considering applications for plans of condominium, will have regard for the provisions of the Planning Act and related Provincial policies and plans, along with applicable Conservation Authority policies and procedures. In addition, the Town will approve only those plans of condominium that meet the following criteria:
 - i. The plan conforms to the policies of this Plan;
 - ii. The plan will not impose an unacceptable financial burden on the Town;
 - iii. The plan of condominium can be supplied with adequate services and public service facilities;
 - iv. The plan will not adversely impact upon the transportation system and will support public transit, cycling and walking;
 - v. The plan will not adversely impact the natural environment;
 - vi. The plan will be integrated with surrounding lands, subdivisions and streets; and
 - vii. The plan meets the urban design criteria contained in this Plan and any current or future Urban Design Guidelines.
3. The Condominium Act allows the approval authority to exempt a plan of condominium from the relevant provisions of the Planning Act, which deal with the draft plan approval with conditions and parkland dedication. The Town may consider granting an exemption for plans of condominium where:
 - i. Site Plan Approval has been granted; and
 - ii. All municipal issues are addressed.

F.6.5 Consents to Sever

1. Consents in Settlement Areas will only be granted where it can be satisfactorily demonstrated that registering a plan of subdivision is not in the public interest. If a plan of subdivision is not deemed necessary, regard will be had to other policies of the

Official Plan, to the matters set out in the Planning Act and to the following criteria when considering an application for consent:

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

F.6.6 Other Land Use Planning Tools

F.6.6.1. Community Benefits Charges

1. Community benefits charges are a tool available to municipalities under Section 37 of the Planning Act to fund the capital costs of certain public services related to growth, such as community facilities and public art. Community benefits charges are used in hand with development charges and parkland acquisition policies to ensure that growth occurs in a financially sustainable way and that new development is properly served by infrastructure, open space and parkland, and community services.
2. It is the policy of Council:
 - i. To use community benefits charges as a tool for creating complete communities where new development is appropriately serviced by community services. A Community Benefits Charge will be payable against land to pay for the capital costs of facilities, services, and matters required for Development or Redevelopment of all lands within the jurisdiction of the Town unless section 2.2. of the Community Benefits By-law No. 131-2023 applies.

- ii. The following facilities have been identified as being required, in whole or in part, to meet the increased need for service arising from CBC eligible Development or Redevelopment:
 - a. Public Realm and Urban Amenities;
 - b. Active Transportation;
 - c. Affordable Housing;
 - d. Administration;
 - e. Parking; and
 - f. CBC By-law Reviews and Strategy Updates.
3. The amount of the Community Benefits Charge payable is 4% of the value of the land that is the subject of the Development or Redevelopment on the day before the first building permit is issued in respect of the development or redevelopment, multiplied by the ratio of “A” to “B” where:
 - i. “A” is the gross floor area of any part of a building or structure, which part is proposed to be erected or located as part of the Development or Redevelopment, and
 - ii. “B” is the gross floor area of all buildings and structures that will be on the land after the Development or Redevelopment.
4. The value of the gross floor area for the types of Development or Redevelopment set out in section 1 of Ontario Regulation 509/20 to the Act will be deducted from the Community Benefits Charge otherwise payable.
5. In determining the amount of the Community Benefits Charge for a particular Development or Redevelopment the Town will require the owner of the land in question to provide an appraisal of the Value of the Land to the Town. The appraisal will be prepared by an appraiser identified on the list of appraisers maintained according to Section 37(42) of the Planning Act and accredited by the Appraisal Institute of Canada and at no expense to the Town.
6. The Community Benefits Charge is payable prior to the issuance of the first building permit issued for the Development or Redevelopment.
7. If a Development or Redevelopment is to be constructed in phases, each phase of the development is deemed to be a separate Development or Redevelopment for the purposes of this by-law and the amount of the Community Benefits Charge for each phase is 4% of the value of the land of that phase on the day before the first building permit for the Development or Redevelopment of that phase is issued as required in accordance with section 37(32) of the Planning Act.
8. Refer to the Community Benefits By-law No. 131-2023 for matters relating to applications of the by-law, exemptions, in kind contributions, payment under protest and dispute resolution, review, and modifications, corrections or omissions.

F.6.6.2. Zoning By-law Amendments

1. The procedure to amend a zoning by-law enacted by Council will include a minimum of 20 days notice for public meetings as required by the Planning Act and will include the following measures:
 - i. Adequate information will be made available to the public, including all boards, commissions and agencies having an interest in the matter as required by the Planning Act;
 - ii. At least one public meeting will be held by the Council or Committee of Council to inform and obtain input from the public regarding an application to amend the implementing zoning by-law;
 - iii. In the case of site specific amendments every person or owner assessed in respect of land within 120 metres of the subject area will be notified by first class prepaid mail or personal service; and
 - iv. In the case of an application to amend the implementing zoning by-law which is generally applicable Town-wide or to multiple sites in various locations within the Town, a notice of the public meeting will be placed in a local newspaper which, in the opinion of the Town Clerk, has a general circulation within the Town, or if in the opinion of the Town Clerk such a newspaper does not exist, notice of this public meeting will be posted on the Town's website.
 - v. Notice may additionally be placed in other media. In addition, any person who has requested notification of any meetings on a particular application to amend the implementing zoning by-law will be notified of the public meeting by first class prepaid mail or personal service if the request is received prior to the date notices are issued. For any additional public meetings regarding such proposed amendment, the same notification procedures will be used.

F.6.6.3. Minor Zoning By-law Amendments

1. Council may, by by-law, delegate the authority to enact an amendment to the implementing zoning by-law that are of a minor nature to either a committee of Council, or an individual who is an officer, employee, or agent of the Town. Such a by-law can identify any or all of the following types of zoning by-law amendment applications as minor with delegated authority:
 - i. Removing a holding symbol where the provision has been met;
 - ii. To amend an existing Holding Provision or establish a new Holding Provision;
 - iii. Correcting of minor errors and omissions;
 - iv. Housekeeping updates to reflect changes to job titles, Town departments, external agencies and organizations, or other policy documents and legislation;
 - v. To prohibit development of a single detached dwelling and a residential care facility on a retained agricultural parcel of land as a result of a surplus farm dwelling identified through a condition of Consent;
 - vi. To recognize a reduced lot area as part of a surplus farm dwelling approved through a Consent application;

- vii. To amend an existing Holding Provision;
 - viii. To establish a new Holding Provision;
 - ix. To add a use permitted by the Official Plan;
 - x. To remove an Environmental Conservation Overlay as per the findings of an Environmental Impact Study; and,
 - xi. To remove an existing Site Specific Zoning Bylaw where the effect would be to revert to the parent zoning in force and effect.
2. A public meeting is not required for a minor zoning by-law amendment application described above unless concerns have been identified by written submission during the commenting period identified in the Notice of Application, if required.

F.6.6.4. Holding Zones

1. The Town may enact holding by-laws in accordance with the Planning Act in order to limit or prevent the use of certain lands until such time as the Town is satisfied that development is feasible within the ability of the Region and the Town to provide the necessary services and such development satisfies the provisions of this Plan.
2. Generally, holding by-laws will be applied to lands which are unserviced or undeveloped at the date of adoption of this Plan. Holding by-laws will identify the ultimate use of these lands in accordance with this Plan and will identify the holding restriction by affixing an “H” prefix to the land use zone applicable to the lands.
3. The “Holding H” symbol can be applied to ensure that specific criteria or conditions are met before allowing development, subject to the policies of this Plan and the implementing zoning by-law.
4. Council will place certain lands in holding zones in order that lands may be released for development when appropriate, by amendment to the implementing zoning by-law.
5. By-laws may use specific or general holding provisions to offer direction on applicable criteria. The criteria for removing the “H” Holding should be clearly stated in the zoning by-law provisions used to apply the “H” holding.
6. Holding by-laws will specify uses (and any additional regulations applicable thereto) which will be permitted while the by-law is in effect, provided that such interim uses do not conflict with the ultimate designated use of the lands. Interim uses may include agricultural uses, one single-detached dwelling per lot, and uses existing at the date of adoption of this Plan.
7. Prior to enacting a by-law to delete the holding symbol in accordance with the *Planning Act*, the Town will be satisfied that:
 - i. Servicing capacity is available to, and servicing systems are adequate for the servicing of the subject lands;
 - ii. All necessary financial and servicing requirements have been satisfied;
 - iii. All necessary subdivision or development agreements have been entered into and the conditions of these agreements have been or will be met;
 - iv. Proposed development of the subject lands satisfies all other applicable policies of this Plan; and

- v. Other appropriate uses as identified by the Council, as long as they do not conflict with or limit the future development potential of the land, or cause land disturbance that may negatively impact archaeological resources or the natural environment, where applicable, and are compatible with neighboring land uses.
8. If in the opinion of the Council the criteria for removing the holding have been met, the holding may be removed by amendment to the zoning by-law.

F.6.6.5. Interim Control By-law

1. When Council has directed that a study or review of land use policies be undertaken for a defined area, Council may pass an interim control by-law in accordance with the *Planning Act*, to restrict the use of land, buildings or structures to those established in such a by-law.
2. The effective period of an interim control by-law will not exceed one year except that Council may amend the by-law to extend the period provided the total effective period of the by-law does not exceed two years from the date of passing of the original interim control by-law.
3. When an interim control by-law ceases to be in effect, Council may not pass a further interim control by-law on the subject lands for a minimum period of three years.

F.6.6.6. Temporary Use By-law

1. Council may enact temporary use by-laws in accordance with the *Planning Act*, to allow land and buildings to be zoned for uses which are allowed by the Official Plan. Such by-law will describe the specific area affected and establish an expiry date for the by-law which will not be later than three years from the date of passing thereof.
2. Council may enact a temporary use by-law to permit a garden suite in accordance with Section 39.1 of the *Planning Act*, which will authorize the use for a period not exceeding 20 years from the day of the passing of the by-law. Council may by by-law grant permission for periods of not more than three years beyond the original twenty (20) year period.
3. In general, temporary uses, buildings and structures that are not farm-related will not be permitted in Agricultural areas. Temporary uses will be compatible with existing and future agricultural uses, will not compromise the properties intended agricultural use and no non-farm buildings or structures are proposed.
4. Notwithstanding F.3.7.5.1, Council may pass further temporary use by-laws to grant further three year periods.
5. Subsequent to the expiration of a temporary use by-law, the use permitted by that by-law will cease with respect to the implementing zoning by-law.
6. In considering a temporary use by-law, Council will be satisfied that:
 - i. The proposed development or redevelopment is consistent with the temporary nature of the use;
 - ii. The proposed use is compatible with adjacent uses and, where necessary, buffering is provided to ensure visual separation and compatibility between uses;
 - iii. The size of the lot and/or building is appropriate for the proposed use; and

- iv. Adequate services are available.
- 7. The temporary use by-law will establish all necessary site regulations within the by-law, or by reference to the implementing zoning by-law.
- 8. Before passing a by-law under this section Council will hold a public meeting as prescribed in the Planning Act.
- 9. Council may, by by-law, delegate the authority to pass a by-law to authorize the temporary use of land, buildings, or structures to a committee of Council or an individual who is an officer, employee or agent of the Town.

F.6.6.7. Minor Variance

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

F.6.6.8. Demolition Control

- 1. Demolition Control enables the Town to:
 - i. Support the development and conservation of affordable and attainable housing;
 - ii. Prevent the premature loss of housing stock;
 - iii. Avoid the creation of vacant parcels of land in stable neighbourhoods; and
 - iv. Retain existing residential units until new uses have been considered and redevelopment plans have been approved.
- 2. The Town may, by By-law, designate all lands within the Town as a Demolition Control Area.
- 3. A Demolition Control By-law may be used as a tool to:
 - i. Preserve and enhance the character of an area;
 - ii. Protect existing housing stock;
 - iii. Protect and support the affordable and attainable housing; or
 - iv. Preserve other buildings, structures or features which the Town deems appropriate.
- 4. No person will demolish or otherwise remove the whole or any part of a residential property in a Demolition Control Area, unless that person is the holder of a demolition permit for that residential property issued by the Town.
- 5. The By-law will not apply where:

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

F.6.6.9. Property Maintenance and Occupancy

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

F.6.6.10. Content of the By-law

1. The Town's Maintenance and Occupancy Standards By-law, should have regard to the following matters and set the appropriate standards:
 - i. The physical condition of yards and passageways, including the accumulation of debris and rubbish;
 - ii. The adequacy of sanitation, including drainage and garbage;
 - iii. The physical condition of accessory buildings; and
 - iv. The physical condition of the dwellings or dwelling units with particular regard to the following:
 - a. Insects and vermin,
 - b. Structural standards,
 - c. Water-tight conditions,
 - d. Adequacy of light and ventilation,
 - e. Condition of stairs,

- f. Interior walls, ceilings and floors,
- g. Toilet facilities,
- h. Condition of chimneys,
- i. General cleanliness,
- j. Heating system,
- k. Adequacy of electrical services,
- l. Adequacy of food-preparation facilities,
- m. Adequacy of access,
- n. Maintenance of heritage attributes,
- o. Standards dealing with minimum areas, heights, etc., and;
- p. Standards of occupancy.

F.6.6.11. Property Standards Officer and Committee

1. The Council of the Town will appoint a Property Standards Committee and will name a Property Standards Officer. The Committee will hear and decide on appeals pursuant to orders issued under the By-law by a Property Standards Officer. The Property Standards Officer will be assigned the responsibility of administering the Maintenance and Occupancy By-law passed pursuant to Section 15.1(3) of the Building Code Act. Information concerning substandard property conditions, over-use of existing buildings, neglected yards or social problems will be collected by inspectors and other personnel of the municipal departments including the Fire Department, Building Department, the Regional Niagara Public Health Department and other agencies.
2. It is intended that a close liaison will be maintained between the Property Standards Officer and aforementioned Departments to ensure that the administration of the By-law is accomplished effectively.

F.6.6.12. Brownfield Remediation

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

F.6.6.13. Land Acquisition

1. In accordance with the *Planning Act*, and the *Municipal Act*, it is deemed that this Plan contains provisions relating to the acquisition of land for the purpose of developing any feature of this Plan, and in particular the Council may acquire and hold such land, or sell, lease or otherwise dispose of such land when it is no longer required, as follows:

- i. Land comprising a lot that is substandard in lot frontage and/or area according to the regulations in the implementing zoning by-law;
- ii. Land within a Community Improvement Project area in accordance with the provisions of the Planning Act;
- iii. Land proposed for industrial development; and
- iv. Land for open space, parks, or other public recreational purposes, or conservation purposes.

F.6.6.14. Land Use Compatibility

1. Major facilities and sensitive land uses will be planned and developed to avoid, or if avoidance is not possible, to minimize and mitigate any potential adverse effects from odour, noise, and other contaminants, minimize risk to public health and safety and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.
2. To minimize risk to public health and safety, it is important for sensitive land uses to be appropriately separated and buffered from major facilities. When considering amendments to this Plan and the implementing zoning by-law to establish either a new sensitive land use or industrial operation in proximity to the other, Council will have regard to the Ministry of the Environment D6 Guidelines, as amended or other applicable guidelines in determining appropriate separation distances and necessity of more detailed compatibility studies.
3. It is important that cannabis production facilities, licensed and operated in accordance with the Cannabis for Medical Purposes Regulations and permitted as an agricultural or industrial use be appropriately distanced from sensitive land uses, including but not limited to residences, schools, churches, for example.

F.6.6.15. Development Charges

1. The Town will prepare a background study and enact a By-law under the *Development Charges Act*, to ensure that the capital cost of growth-related services does not place a financial burden upon the Town's existing taxpayers and that new taxpayers bear no more than the growth-related net capital cost attributable to providing the current level of services.
2. The Town may enact a Development Charges By-law that applies to the Town as a whole and/or that applies to specific geographic areas within the Town.
3. The Town may exempt some or all of the Development Charge or exempt certain development or redevelopment from the Development Charge as a means to promote specific development, redevelopment or revitalization objectives in accordance with this plan.
4. The Town will apply, calculate and collect Development Charges in accordance with the provisions of the Development Charges By-law and the Development Charges Act.

F.6.6.16. Parkland Dedication

1. Public Open Space will generally be acquired through dedication, grants or the use of funds for park or other public recreational purposes pursuant to the Planning Act based on the following criteria:

- i. As a condition of residential development or redevelopment, conveyance of land to the Town for park purposes will be required at a rate of:
 - a. 5 percent of the land proposed for development; or
 - b. One hectare of land for each 600 dwelling units proposed.
2. With respect to development that will include affordable or attainable housing, as defined in the *Development Charges Act*, the amount of land required to be dedicated will be multiplied by the ratio of the number of residential units that are not affordable or attainable residential units divided by the total number of residential units.
3. As a condition of industrial or commercial development or redevelopment or recommended condition of approval of a plan of subdivision, the conveyance of land to the Town for park purposes may be required at a rate of 2 percent of the land proposed for development or redevelopment.
4. In lieu of requiring the conveyance of land required by Part 2 of this by-law, the Town may require the payment of the value of the lands otherwise required to be conveyed, calculated in accordance with the Town's Parkland Dedication By-law, as follows:
 - i. For all other Development or Redevelopment, the payment-in-lieu will be calculated as the equivalent value of the land required based on a property appraisal provided by the applicant, as follows:
 - a. In the case of lands proposed for a residential use, the greater of the following:
 1. If the density of the Development is 50 units per hectare or less, at a rate of five per cent (5%) of the value of land being developed or redeveloped, or
 2. If the density of the Development is greater than 50 units per hectares, at a rate of the value of one (1) hectare of land for each one thousand (1,000) net residential units proposed.
5. Land to be dedicated for park purposes will only be accepted when minimum site and location standards and site preparation are deemed acceptable by the Town.
6. Council will use the lands conveyed to the Town for public park or recreational uses but may sell such lands at any time.
7. All monies received under provisions of policies this Section will be used for the sole purpose of public park or recreational uses in accordance with the Planning Act.
8. Council may utilize any monies identified to acquire or develop public park or recreational uses in any area of the Town it considers necessary.
9. The Town will endeavor to encourage the availability of land and facilities of other agencies and groups for the general use of all residents.
10. The Town may also acquire lands which are of particular value either because of their physical, or if appropriate social or environmental character, or because their location provides a link with other portions of the open space system.

11. Public Recreational areas and parkland are deemed essential for the welfare of the residents, and the policy of this Plan is therefore to provide such areas at the rate of 4 hectares per 1,000 population.
12. The Parks and Open Space Master Plan, prepared by the Town and as updated from time to time, will be used as a guide to Council in its decisions regarding parks and recreational facilities.
13. Land uses will be exempt from the obligations to convey parkland or make a payment in lieu in accordance with the Town's Parkland Dedication By-law. Exempt uses are identified in the Parkland Dedication By-law, which may be updated from time to time.

F.6.6.17. Cash-in-Lieu of Parking

F.6.6.17.1. Cash In-lieu of Parking

1. In accordance with the *Planning Act*, such an agreement may contain provisions requiring the landowner to make one or more payments to the municipality and establishing a schedule for such payment.
2. The agreement will be registered in the Registry Office.
3. When all monies agreed upon have been paid to the Town, the landowner may request that the Town Clerk provide a certificate, in registerable form, certifying that all monies have been paid or that the agreement has been terminated.

F.6.6.17.2. Off-Site Parking

The parking requirements for residential dwellings located in the Strategic Growth Areas can be achieved through the provision of dedicated parking spaces or permit parking in a public parking lot or dedicated spaces in private parking lots located within a reasonable walking distance of the residential dwelling. Long term access to the parking spaces on private property must be secured through an easement in favour of the residential property owner.

F.6.7 Complete Application Requirements

1. Pre-consultation between the applicant and the Town are strongly encouraged prior to the submission of application for an amendment to this Plan, the implementing zoning by-law, draft plan of subdivision/condominium, consent or site plan control unless the Director, Planning, Building and By-law Services or their designate determines that pre-consultation is not necessary based on the scale of development or the complexity of planning issues associated with the proposed application.
2. Pre-consultation will determine what is required to be submitted for a complete application and will provide the opportunity to discuss the nature of the application; development and planning issues; the need for additional information and/or reports to be submitted with the application; and the planning and approval process including the appropriateness of concurrent applications, where applicable. Pre-consultation may also involve the Region, the Niagara Peninsula Conservation Authority or other agencies that may have an interest in the application as determined by the Town.
3. A by-law will be approved by Council requesting pre-consultation. Pre-consultation is not a requirement for the submission of a complete application.

4. In order to ensure that all possible information is available to the Town, the public and agencies involved in reviewing an application under the Planning Act, the prescribed information required under the Planning Act will be provided along with additional information and/or reports that may be required, as determined through pre-consultation, such as but not limited to the matters identified in this Plan.
5. Information and/or reports will be prepared by a qualified professional and submitted in an electronic format that complies with accessibility requirements to the Town to make this information readily available to the public, internal departments and outside commenting agencies. Where the Town, the Region, the Niagara Peninsula Conservation Authority has requested additional information and/or reports, there may be a request for peer review of any information and/or report. The applicant will be responsible for costs for a peer review which will be payable upon submission of an invoice from the Town, the Region or the Niagara Peninsula Conservation Authority.
6. The Director, Planning, Building and By-law Services or their designate will be responsible for determining whether a planning application is complete. If an application is submitted without pre-consultation, adequate supporting information and/or reports, and any application review fees required by the Town, the Region, the Niagara Peninsula Conservation Authority or any other public agency, the application may be deemed to be incomplete.
7. The list below identifies the other information and materials which may be required to deem Planning Act applications for official plan amendment, zoning by-law amendment, draft plan of subdivision and site plan control complete:
 - i. Affordable Housing Report/Rental Conversion Assessment
 - ii. Aggregate Resource Assessment
 - iii. Aggregate/Mineral Resource Analysis
 - iv. Agricultural Impact Assessment
 - v. Air Quality Study
 - vi. Archaeological Assessment
 - vii. Channel Design And Geofluvial Assessment
 - viii. Chloride Impact Study
 - ix. Concept Plan
 - x. Construction Management Plan
 - xi. Contaminant Management Plan
 - xii. Cost Recover Agreement
 - xiii. Cultural Heritage Assessment – Documentation And Salvage Plan
 - xiv. Cultural Heritage Impact Assessment
 - xv. Cut And Fill Analysis
 - xvi. Cycling Route Analysis
 - xvii. Draft Official Plan Amendment/Draft Zoning By-Law Amendment

- xviii. Dust Impact Analysis
- xix. Energy And Environmental Assessment Report
- xx. Environmental Impact Statement (EIS) And Summary Of Environmentally Significant Areas Impact Evaluation Group Comments (Where Applicable)
- xxi. Environmental Site Assessment and/or Record Of Site Condition
- xxii. Erosion And Sediment Control Plan
- xxiii. Erosion Hazard Assessment
- xxiv. Farm Economics Report
- xxv. Financial Impact Analysis
- xxvi. Fish Habitat Assessment
- xxvii. Floodline Delineation Study/Hydraulic Analysis
- xxviii. Full Disclosure Report
- xxix. Functional Servicing Feasibility Report
- xxx. General Vegetation Inventory
- xxxi. Grading Plan
- xxxii. Housing Report
- xxxiii. Hydrogeological Study
- xxxiv. Impact Assessment For New Private Waste Disposal Sites
- xxxv. Karst Assessment/Karst Contingency Plan
- xxxvi. Land Use Compatibility Study
- xxxvii. Land Use In The Vicinity Of Existing Pipelines Study
- xxxviii. Land Use/Commercial Needs And Impact Assessment
- xxxix. Landfill Impact Assessment
- xl. Landscape Plan
- xli. Limit Of Environmentally Significant Area, Or Limit Of Conservation Authority Regulated Area
- xlii. Linkage Assessment
- xliii. Market Impact Study
- xliv. Master Drainage Plan
- xlv. Materials Palette Or Imagery
- xlvi. Meander Belt Assessment
- xlvii. Minimum Distance Separation Calculation
- xlviii. Ministry Of The Environment Conservation And Park – Environmental Compliance Approval

- xlix. Modern Roundabout And Neighbourhood Roundabout Analysis
 - I. Neighbourhood Traffic Calming Options Report
 - II. Noise Impact Studies (Noise Feasibility And/Or Detailed Noise Study)
 - III. Nutrient Management Study
 - IIII. Odour Impact Assessment
 - IV. Odour, Dust And/Or Light Impact Assessment
 - V. Parking Analysis/Study
 - VI. Pedestrian Route And Sidewalk Analysis
 - VII. Planning Justification Report
 - VIII. Pre-Technical Conservation Authority Review
 - IX. Public Consultation Summary And Comment Response Report
 - X. Recreation Feasibility Study
 - XI. Recreation Needs Assessment
 - XII. Restoration Plan
 - XIII. Right Of Way Impact Assessment
 - XIV. Roadway/Development Safety Audit
 - XV. School Accommodation Issues Assessment
 - XVI. School And City Recreation Facility And Outdoor Recreation/Parks Issues Assessment
 - XVII. Servicing Options Report
 - XVIII. Shoreline Assessment Study/Coastal Engineer's Study
 - XIX. Site Lighting Plan
 - XX. Site Plan And Building Elevations
 - XXI. Slope Stability Study And Report
 - XXII. Soil Management Plan
 - XXIII. Soils/Geotechnical Study
 - XXIV. Species Habitat Assessment
 - XXV. Storm Water Management Report/Plan And/Or Update To An Existing Storm Water Management Plan
 - XXVI. Sub-Watershed Plan And/Or Update To An Existing Sub-Watershed Plan
 - XXVII. Summary Response To Formal Consultation Comments
 - XXVIII. Sun/Shady Study
 - XXIX. Survey Plan
 - XXX. Traffic Impact Assessment

- lxxxi. Transit Assessment
- lxxxii. Transportation Demand Management Options Report
- lxxxiii. Transportation Impact Study
- lxxxiv. Tree Management Plan/Study
- lxxxv. Tree Protection Plan
- lxxxvi. Urban Design And Architectural Guidelines
- lxxxvii. Urban Design Report And Design Review Panel Summary Of Advice And Response (Where Applicable)
- lxxxviii. Vibration Study
- lxxxix. Visual Impact Assessment
- xc. Water And Wastewater Servicing Study
- xc. Watermain Hydraulic Analysis
- xcii. Water Well Survey And Contingency Plan
- xciii. Wildland Fire Assessment
- xciv. Wind Study
- xcv. Zoning Compliance Review
- xcvi. 3D Model

F.6.8 Official Plan Review

1. Council will determine the need to carry out a comprehensive review of this Plan by the holding of a special public meeting and through agency consultation not less frequently than every five years. The purpose of this review will be to measure the performance of the Plan's policies against its goals, and to revise goals, policies or means of implementation where deemed necessary. In addition, during this review, this Plan will be amended to conform to the Regional Official Plan, Provincial Planning Statement and Planning Act. As a result of this review process, this Plan may be amended from time to time.
2. Council will revise the Plan no less frequently than 10 years after it comes into effect as a new official plan and every five (5) years thereafter, unless the plan has been replaced by another new official plan.
3. Housekeeping amendments will be carried out as required to address changes in legislation or where there is a demonstrated need for policy revisions on certain issues. These revisions will be processed as amendments under the Planning Act.
4. Amendments to this Plan will not be required for Office Consolidations of the Plan, changes such as typographical, editorial, or formatting corrections to text or Schedules, which do not change the intent of the Plan.
5. Council will amend the implementing zoning by-law within three years of a revision to the official plan to ensure they conform with the official plan.

F.7 Sustainable Finance

1. The implementation of this Plan must be financially responsible and sustainable, by ensuring that the required capital expenditures to provide services for development and infrastructure improvements are paid for in an equitable and appropriate manner. The Town will strive to maintain financial sustainability and integrity by managing its financial resources, assessing the fiscal impact of planning decisions and by undertaking development in a fiscally responsible manner.
2. Where possible, the Town will use financial mechanisms available to it under any legislative authority, including the Municipal Act, Development Charges Act, Planning Act and any other applicable legislation, for the purposes of land use planning and the provision of infrastructure and public service facilities.
3. The Town may request a Municipal Financial Impact Assessment from the owner/applicant of any development application, including a review of capital costs, the degree to which development charges finances these costs and potential mitigation that could reduce the magnitude of any negative impacts. The terms of reference of such a study will be determined by the Town.
4. A Municipal Financial Impact Assessment will be prepared and may be peer reviewed at the owner/applicant's expense. Development proposals may be refused or deferred on the basis of financial impact and burden on the Town, if suitable mitigation measures are not available.

F.8 Interpretation

F.8.1 Land Use Boundaries

1. The boundaries between land use areas designated as shown in Schedule B will be considered as general only and are not intended to define the exact limits of such areas. Except in the case of the Settlement Area Boundaries and Rural and Agricultural areas identified in the Regional Plan, roads, railways and other definite physical barriers, minor boundary adjustments may be made for the purpose of any Zoning By-law without necessitating an amendment to this Plan. Other than such minor adjustments, no areas or zones will be created that do not conform with this Plan in respect to Land Use.
 - i. When determining the boundary of any designation as shown on any schedule forming part of this Official Plan, the following provisions will apply:
 - a. A boundary indicated as following a highway, street or lane will be the centre line of such highway, street or lane. In the event that a street or lane which forms the boundary between such designations is closed, the boundary between such designations will be construed as the former centre line of the said closed street or lane;
 - b. A boundary indicated as following a right-of-way of a railway or any electrical, gas or oil transmission line will be the centre line of such right-of-way;
 - c. A boundary associated with a feature within the Natural Environment System can be more accurately identified in the field through an Environmental Impact Study and/or through confirmation by the appropriate agency.

Provided the general intent of the Plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan. Where boundaries are reduced, the corresponding adjacent designation will apply unless there is no other natural heritage feature present. The relevant policies will apply based on the significance of the natural heritage feature as identified by the Town's Natural Areas Inventories;

- d. A boundary indicated as approximately following lot lines shown on a registered plan of subdivision or lot and concession lines will follow such lines;
- e. A boundary indicated as following a closed road, lane or railway will imply that the property formerly in the said road, lane or railway will be included within the designation of the adjoining property on either side of the said closed road, land or railway. In the event that the said road, lane or railway was a designation between two or more different designations, the new boundary will be the former centre line of the said closed road, lane or railway;
- f. Where a boundary is indicated as approximately parallel to a street line or other similar feature indicated, and the distance from such street line or other feature is not indicated, and policies (d) or (e) above is not applicable, such boundary will be construed as being parallel to such street line or other feature and the distance there from will be determined according to the scale shown on Schedule B; and
- g. A boundary indicated as following the limits of the Municipality will follow such limits.

F.8.2 Road Location

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

F.8.3 Secondary Plan Boundaries

The Secondary Plan Boundaries shown in Schedule E will be considered as approximate only, and amendments to this Plan will not be required in order to permit minor adjustments to such boundaries.

F.8.4 Plan Intent

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

F.8.5 Office Consolidation

This Plan, its Schedules and Appendices may be updated from time to time to reflect and consolidate amendments approved under the *Planning Act*, including updated natural heritage mapping.

F.8.6 Policy Interpretation

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

F.9 Glossary of Defined Terms

A

Active Transportation

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

Additional Residential Units

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

Adjacent Lands

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

Adverse Effects

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

- a. Impairment of the quality of the natural environment for any use that can be made of it;
- b. Injury or damage to property or plant or animal life;
- c. Harm or material discomfort to any person;
- d. An adverse effect on the health of any person;

- e. Impairment of the safety of any person;
- f. Rendering any property or plant or animal life unfit for human use;
- g. Loss of enjoyment of normal use of property; and
- h. Interference with normal conduct of business.

Affordable

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

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

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

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

Agricultural Impact Assessment

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

Agricultural System

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

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

Agricultural Uses

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

Agriculture-Related Uses

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

Agri-food Network

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

Agri-Tourism Uses

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

Alternative Energy Systems

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

Archaeological Resources

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

Archaeological Site

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

Areas of Archaeological Potential

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

Areas of Natural and Scientific Interest (ANSI)

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

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

Artifact

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

Attainable Housing

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

B

Bicycle Infrastructure

All infrastructure and facilities used for cycling, including bicycle routes (dedicated, buffered, and separated bike lanes, multi-use paths, and off-road trails), and trip end facilities such as bicycle parking and storage (e.g. bicycle racks and lockers).

Brownfields

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

Buffer

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

Built Form

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

C

Centreline

The centre of a right-of-way based on the original survey of the right-of-way.

Climate Change

Long-term changes in weather patterns at local and regional levels, including extreme weather events and increased climate variability.

Coastal Wetland

- a. Any wetland that is located on one of the Great Lakes or their connecting channels; or
- b. Any other wetland that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 km upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected.

Combined Sewers

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

Community Housing

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

Community Hubs

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

Community Infrastructure

Lands, buildings, and structures that support the quality of life for people and communities by providing public services for health, education, recreation, socio-cultural activities, security and safety, and affordable housing.

Compact Built Form

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

Compatible

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

Complete Communities

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

Complete Streets

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

Comprehensive Rehabilitation

Rehabilitation of land from which mineral aggregate resources have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of mineral aggregate operations.

Connectivity

The degree to which key natural heritage features, natural heritage features and areas and/or key hydrologic features are connected to one another by links such as plant and

animal movement corridors, hydrologic and nutrient cycling, genetic transfer and energy flow through food webs.

Conservation Authority

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

Conserved

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

Core Areas

An individual natural features and areas, or a group of features and areas in close proximity to each other (i.e., less than or equal to 30 m distance in settlement areas, less than or equal to 60 m distance outside of settlement areas) that have functional ecological connectivity (i.e., their proximity to each other supports ecological functions, such as wildlife habitat, exchange of genetic material, etc.).

Cultural and Regenerating Woodland

Woodlands where the ecological functions of the site are substantially compromised as a result of prior land use activity and would be difficult to restore and/or manage as a native woodland and which provide limited ecological function and ecosystem services.

Cultural Heritage Landscapes

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

Cultural Heritage Resources

Built heritage resources, cultural heritage landscapes and archaeological resources that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people.

While some cultural heritage resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

D

Demand-Responsive Transit Service

Door-to-door transportation service which has flexible routing and scheduling and can operate either as an “on-demand” service or a “fixed-schedule” service, such as airport shuttles or paratransit services for people with disabilities and older adults.

Deposits of Mineral Aggregate Resources

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

Designated Growth Areas

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

Development

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

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

Dynamic Beach Hazard

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

E

Ecological Function

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

Ecological Integrity

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

Ecological Value

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

Employment Areas

Areas designated in an official plan for clusters of business and economic activities including, but not limited to manufacturing, warehousing, offices, and associated retail and ancillary facilities.

Employment Land

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

Endangered Species

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

Enhancement Areas

Ecologically supporting areas adjacent to natural heritage features and areas, key natural heritage features, and key hydrologic features. Enhancement areas can also be measures internal to features that increase the ecological resilience and function of individual features or groups of natural features and areas. Enhancements areas are identified where they:

- a. Connect natural features and areas to create larger contiguous natural areas;
- b. Reduce edge habitat and increase proportion of interior conditions (greater than 100 m from edge); and
- c. Include critical function zones and important catchment areas critical to sustaining ecological functions.

Environmental Impact Study

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

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

Erosion Hazard

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

Essential Emergency Services

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

Excess Lands

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

Excess Soil

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

Existing Uses

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

F

Fish

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

Fish Habitat

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

Flood Fringe

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

Flooding Hazards

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

- a. Along the shorelines of the Great Lakes - St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards;
- b. Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:
- c. The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
- d. The one hundred year flood; and
- e. A flood which is greater than one or two. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry; except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources and

Forestry as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Floodplains

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

Floodproofing Standard

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

Floodway

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

Freight-Supportive

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

Frequent Transit Service

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

Fringe Lands

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

G

Garden Suite

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

Green Infrastructure

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

Greyfield Sites

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

Groundwater Feature

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

H

Habitat of Endangered Species and Threatened Species

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

Hazardous Forest Types for Wildland Fire

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

Hazardous Lands

Property or lands that could be unsafe for development due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the flooding hazard, erosion hazard or dynamic beach hazard limits. Along river, stream and small inland lake systems, this means the land, including that covered by water, to the furthest landward limit of the flooding hazard or erosion hazard limits.

Hazardous Sites

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

Hazardous Substances

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

Heritage Attributes

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

Higher Order Transit

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

Highly Vulnerable Aquifers

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

Hydrological Evaluation

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

- a. Collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes of permanent and intermittent streams, inland lakes and their littoral zones, seepage areas and springs, wetlands, groundwater features, surface water features, floodplains, flooding hazards, floodways, shoreline areas, and related hydrologic functions;
- b. Determine whether there are any additional hydrologic features and areas;
- c. Assess the significance and sensitivity of hydrologic features and their hydrologic functions;
- d. Undertake a comprehensive impact analysis;
- e. Propose appropriate mitigation measures;

- f. Identify planning, design and construction practices that will maintain and, where possible, enhance or restore the health, diversity and size of the hydrologic feature and functions and its connectivity with other hydrologic features, natural heritage features and areas and key natural heritage features;
- g. Clearly articulate any impacts that cannot be avoided or mitigated;
- h. Where appropriate, recommend monitoring provisions to evaluate the long-term effectiveness of the identified mitigation measures; and
- i. Consider climate change, cumulative and/or watershed impacts where possible

Hydrologic Functions

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

Individual On-Site Sewage Service

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

Individual On-Site Water Service

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

Industrial Effluent System

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

Infrastructure

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

Inland Lakes and their Littoral Zones

Any inland body of permanently standing water larger than a pool or pond or a body of water filling a depression in the earth’s surface, where their water levels and hydrologic functions are not directly influenced by either Lake Erie or Lake Ontario. Inland lakes do not include

stormwater management ponds, ponds constructed for irrigation purposes, such as those on a golf course or used for agriculture, lakes that have been constructed and managed with the sole purpose of supporting essential infrastructure, and where their ecological function is not a consideration in their management.

Institutional Use

Include uses such as government buildings, hospital, schools, churches, cemetery uses. For the purposes of this Plan, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intake Protection Zone

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

Intensification

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

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

Interface

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

Intermittent Stream

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

K

Key Hydrologic Areas

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

Key Hydrologic Features

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

Key Natural Heritage Features

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

L

Lake

Any inland body of standing water, usually fresh water, larger than a pool or pond or a body of water filling a depression in the earth's surface.

Landform Features

Distinctive physical attributes of land such as slope, shape, elevation and relief.

Large Inland Lakes

Those waterbodies having a surface area of equal to or greater than 100 square kilometres where there is not a measurable or predictable response to a single runoff event.

Lateral Connection

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

Legal or Technical Reasons

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

Linkages

An area, that may or may not be associated with the presence of existing natural features and areas, that provides and maintains ecological connectivity between core areas consisting of natural features and areas, and supports a range of community and ecosystem processes enabling plants and animals to move among natural heritage features, in some

cases over multiple generations, thereby supporting the long-term sustainability of the overall natural environment system.

Local Growth Centres and Corridors

Established areas, outside of strategic growth areas, that will be the focus for growth within the Town and the preferred location for public and private investment. Local growth centres and corridors will vary in size, nature and character, and may include traditional downtown cores and key mixed-use areas and areas of intensification along transit corridors.

Low and Moderate Income Households

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

Low Impact Development

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

M

Major Facilities

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

Major Goods Movement Facilities and Corridors

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

Major Institutional Uses

Major trip generators that provide essential services for every stage of life and benefit from being close to urban services and amenities. Generally, major institutional uses are considered post-secondary institutions (i.e., colleges, universities, and trade schools), health care facilities and research centres (i.e., hospitals); and corporate government headquarters.

Major Office Use

Freestanding office buildings of approximately 4,000 square metres of floor space or greater, or with 200 jobs or more.

Major Recreational Use

(Greenbelt Plan area only): a recreational use that requires large-scale modification of terrain, vegetation or both and usually also requires large-scale buildings or structures, including but not limited to the following: golf courses; serviced playing fields; serviced campgrounds; and ski hills.

Major Retail / Major Commercial Uses

Large-scale or large-format stand-alone retail stores or retail centres that have the primary purpose of commercial activities.

Major Transit Station Areas

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

Major Trip Generators

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

Marine Facilities

Ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future marine facilities.

Mine Hazards

Any feature of a mine as defined under the *Mining Act*, or any related disturbance of the ground that has not been rehabilitated.

Minerals

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

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

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

Mineral Aggregate Operation

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

Mineral Aggregate Resources

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

Mineral Deposits

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

Mineral Extraction

Mineral Mining Operation

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

Minimum Distance Separation Formulae

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

Multimodal

The availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine.

Multimodal Transportation

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

Municipal Water and Wastewater Systems/Services

Municipal water systems/services are all or part of a drinking-water system:

- a. That is owned by a municipality or by a municipal service board established under section 195 of the Municipal Act;
- b. That is owned by a corporation established under section 203 of the Municipal Act;
- c. From which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or
- d. That is in a prescribed class of municipal drinking-water systems as defined in regulation under the Safe Drinking Water Act.

And, municipal wastewater systems/services are any sewage works owned or operated by a municipality.

N

Natural Environment System

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

Natural Heritage Features and Areas

Features and areas, including significant wetlands, significant coastal wetlands, other coastal wetlands, fish habitat, significant woodlands, significant valleylands, habitat of

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

Natural Heritage System

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

Negative Impacts

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

Normal Farm Practices

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

O

Office Parks

Employment areas or areas where there are significant concentrations of offices with high employment densities.

Oil, Gas, and Salt Hazards

Any feature of a well or work as defined under the *Oil, Gas and Salt Resources Act*, or any related disturbance of the ground that has not been rehabilitated.

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

One Hundred Year Flood Level

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

On-Farm Diversified Uses

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

Other Water-Related Hazards

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

Other Wetlands

Lands that meet the definition of a wetland, and which have not been evaluated as a provincially significant wetland.

Other Woodlands

Woodlands determined to be ecologically important in terms of features, functions, representation, or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. Other woodlands include all terrestrial treed vegetation communities where the percent tree cover is greater than 25 per cent. Other woodlands would not include woodlands meeting the criteria as significant woodlands.

P

Permanent Streams

Watercourses that contain water during all times of the year.

Petroleum Resource Operation

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

Petroleum Resources

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

Place-Making

The purposeful planning, and design of buildings, public realm, and transportation systems to achieve attachment to a place.

Planned Corridors

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

Portable Asphalt Plant

A facility:

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

Portable Concrete Plant

A building or structure:

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

Prime Agricultural Area

Areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through seven lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.

Prime Agricultural Land

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

Protected Heritage Property

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

Provincial and Federal Requirements

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

Provincial Natural Heritage System

Collectively the Natural Heritage System for the Growth Plan and the Greenbelt Plan Natural Heritage system.

Provincially Significant Employment Zones

Areas defined by the Minister of Municipal Affairs and Housing in consultation with affected municipalities for the purpose of long-term planning for job creation and economic

development. Provincially significant employment zones can consist of employment areas as well as mixed-use areas that contain a significant number of jobs.

Provincially Significant Wetlands

Those wetlands identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.

Public Realm

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

Public Service Facilities

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

Public Works Projects

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

Q

Quality and Quantity of Water

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

Quaternary Watershed

A watershed with a drainage area that is between 62 km² and 870 km² that drains into a tertiary watershed. There are 12 quaternary watersheds in Niagara:

- a. Fifteen and Sixteen Mile Creeks;
- b. Four Mile Creek and NOTL;
- c. Jordan Harbour -Twenty Mile Creek;
- d. Twelve Mile Creek;
- e. Welland Canal North;
- f. Welland Canal South;

- g. West Lake Ontario Shoreline;
- h. Niagara River North;
- i. Niagara River South;
- j. Welland River East;
- k. Welland River West; and
- l. Northeast Lake Erie Shoreline.

R

Rail Facilities

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

Redevelopment

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

Regional Market Area

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

Renewable Energy System

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

Residence Surplus to a Farming Operation

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

Resilience

The ability to withstand, adapt to, or efficiently recover from, exposure to the negative effects of exogenous and endogenous shocks.

Risk Management Official

A person appointed under Part IV of the *Clean Water Act*, 2006, by the Council of a municipality that has authority to pass by-laws respecting water production, treatment, and

storage under the Municipal Act, 2001 (Source Protection Plan for the Niagara Source Protection Area).

River, Stream and Small Inland Lake Systems

All watercourses, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event. Rural Areas A system of lands within local municipalities that may include rural settlements, rural lands, prime agricultural areas, natural heritage features and areas, and resource areas.

Rural Lands

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

Rural Settlements

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

S

Seepage Areas and Springs

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

Sense of Place

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

Sensitive

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

Sensitive Land Uses

Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby major facility. Sensitive land uses may be a part of the

natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities.

Setback

A physical separation that forms a boundary by establishing an exact distance from a fixed point, such as a property line, an adjacent structure, or a natural feature, within which development and/or site alteration is prohibited in accordance with the policies of the Conservation Authority.

Settlement Areas

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

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

Sewage Works

Any works for the collection, transmission, treatment and disposal of sewage or any part of such works but does not include plumbing to which the *Building Code Act*, 1992 applies. For the purposes of this definition: Sewage includes, but is not limited to drainage, stormwater, residential wastes, commercial wastes and industrial wastes.

Shoreline Areas

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

Significant

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

Significant Areas of Natural and Scientific Interest

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

Significant Coastal Wetlands

Those coastal wetlands identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.

Significant Groundwater Recharge Area

An area that has been identified as:

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

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

Significant Surface Water Contribution Areas

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

Significant Valleylands

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

Significant Wildlife Habitat

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

Significant Woodlands

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

Site Alteration

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

Soil Management Plan

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

Source Protection Plan

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

Source Water

Water in its natural or raw state, prior to being drawn into a municipal drinking water system (Source Protection Plan for the Niagara Source Protection Area).

Special Policy Area

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

Specialized Housing Needs

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

Specialty Crop Area

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

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

Specialty Crop Guidelines

Guidelines developed by the Region or Province, as amended from time to time.

Standards and Guidelines for Consulting Archaeologists

The 2011 Standards and Guidelines for Consultants Archaeologists, or as superseded, and any bulletins that clarify and expand on the requirements in the Standards and Guidelines, compliance to which is mandatory for all consultant archaeologists who carry out archaeology in Ontario.

Stormwater Management Facility

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

Stormwater Master Plan

A long-range plan that assesses existing and planned stormwater facilities and systems and outlines stormwater infrastructure requirements for new and existing development within a settlement area. Stormwater master plans are informed by watershed planning and are completed in accordance with the environmental assessment processes under the *Environmental Assessment Act*, 1990, as amended.

Strategic Growth Areas

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

Subwatershed

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

Subwatershed Planning

Planning that reflects and refines the goals, objectives, targets, and assessments of watershed planning, as available at the time subwatershed planning is completed, for smaller drainage areas, is tailored to subwatershed needs and addresses local issues.

Subwatershed planning typically includes: the consideration of existing development and the evaluation of the impacts of any potential or proposed land uses and development; the identification hydrologic features, areas, linkages, and functions; the identification of natural features, areas, and related hydrologic functions; and a plan for protecting, improving, or restoring the quality and quantity of water within a subwatershed.

Subwatershed planning is based on pre-development monitoring and evaluation; is integrated with natural heritage protection; and identifies specific criteria, objectives, actions, thresholds, targets, and best management practices for development, for water and wastewater servicing, for stormwater management, for managing and minimizing impacts related to severe weather events, and to support ecological needs.

Subwatershed Study

The plan or outcome from a subwatershed planning exercise.

Supporting Features and Areas

Lands that have been restored or have the potential of being restored. Supporting features and areas include grasslands, meadows, and thickets (defined in accordance with Ecological Land Classification for Southern Ontario); other valleylands; and other wildlife habitat; and enhancement areas where they are determined to contribute to the biodiversity and ecological function of the natural environment system.

Surface Water Feature

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

Sustainable

Meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Sustainable Design

The design of the urban environment that mitigates and adapts to climate change and reduces or eliminates other negative environmental impacts.

T

Tallgrass Prairie

Land (not including land that is being used for agricultural purposes or no longer exhibits tallgrass prairie characteristics) that:

- a. Has vegetation dominated by non-woody plants, including tallgrass prairie species that are maintained by seasonal drought, periodic disturbances such as fire, or both;
- b. Has less than 25 per cent tree cover;
- c. Has mineral soils; and
- d. Has been further identified, by the Minister of Natural Resources and Forestry or by any other person, according to evaluation procedures established by the Ministry of Natural Resources and Forestry, as amended from time to time.

Temporary Storage Site

Sites owned or controlled by the owner/operator of a source site or receiving site, at which excess soil is temporarily stored for two years or less. Includes sites to treat, remediate and transfer excess soil to other sites for final placement or disposal (Best Management Practices for Excess Soil and modified for this Plan).

Tertiary Watershed

A watershed that drains and discharges into a large water body. There are three tertiary watersheds in Niagara, Lake Ontario, Lake Erie and Niagara River.

Threatened Species

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

Transit-Supportive

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

Transportation System

A system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, rail facilities, parking facilities, park-and-ride lots, service centres, rest stops, vehicle inspection stations, inter-

modal facilities, harbours, airports, marine facilities, ferries, canals and associated facilities such as storage and maintenance.

Two Zone Concept

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

U

Universal Design

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

Urban Agriculture

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

Utility

Any system, works, plant, pipeline, or equipment providing a service necessary to the public interest including but not limited to electric power generation and transmission, stormwater management, water supply, sewage treatment and disposal, waste management, communications and telecommunications, and oil and gas pipelines and associated facilities.

V

Valleylands

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

Vegetation Protection Zone

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

Vulnerable

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

W

Waste Disposal Sites

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

Waste Management

The activities and actions required to manage waste from its inception to its final disposal. This includes the collection, transport, treatment, and disposal of waste, together with monitoring and regulation of the waste management process.

Wastewater Services

Any works provided by the municipality for the collection, lateral connection, transmission, and treatment of sewage that are connected to a centralized wastewater treatment facility.

Water Budget

An accounting of the inflow to, outflow from, and storage changes of water in a hydrologic unit.

Water Resource System

A system consisting of groundwater features and areas and surface water features (including shoreline areas), and hydrologic functions, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption. The water resource system comprises of key hydrologic features and key hydrologic areas.

Water Services

Any works provided by the municipality for the distribution, lateral connection, transmission, and treatment of drinking water.

Watershed

An area that is drained by a river and its tributaries.

Watershed Planning

Planning that provides a framework for establishing goals, objectives, and direction for the protection of water resources, the management of human activities, land, water, aquatic life, and resources within a watershed and for the assessment of cumulative, cross-jurisdictional, and cross-watershed impacts. Watershed planning typically includes: watershed characterization, a water budget, and conservation plan; nutrient loading assessments; consideration of the impacts of a changing climate and severe weather events; land and water use management objectives and strategies; scenario modelling to evaluate the impacts of forecasted growth and servicing options, and mitigation measures; an environmental monitoring plan; requirements for the use of environmental best management practices, programs, and performance measures; criteria for evaluating the protection of

quality and quantity of water; the identification and protection of hydrologic features, areas, and functions and the inter-relationships between or among them; and targets for the protection and restoration of riparian areas.

Wave Uprush

The rush of water up onto a shoreline or structure following the breaking of a wave; the limit of wave uprush is the point of furthest landward rush of water onto the shoreline.

Wayside Pits and Quarries

A temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way.

Wellhead Protection Areas

The surface and subsurface area surrounding a water well or well field that supplies a public water system and through which contaminants are reasonably likely to move so as eventually to reach the water well or well field.

Wetlands

Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildland Fire Assessment and Mitigation Standards

The combination of risk assessment tools and environmentally appropriate mitigation measures identified by the Ontario Ministry of Natural Resources and Forestry to be incorporated into the design, construction and/or modification of buildings, structures, properties and/or communities to reduce the risk to public safety, infrastructure and property from wildland fire.

Wildlife Habitat

Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands

Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. Woodlands will be delineated according to the Province's Ecological Land Classification system definition for forest. For the purposes of this definition, forests include terrestrial vegetation communities as defined in accordance with the Ecological Land Classification (ELC) system, where the tree cover is greater than 60 per cent.

Woodland Enhancement Plan

A study that is carried out when a proponent proposes to remove a woodland or portion of a woodland, including cultural and regenerating woodlands where the purpose of the woodland enhancement is to increase woodland cover in the region as part of a longer-term perspective. The woodland enhancement plan must be prepared to the satisfaction of the Region, in consultation with other agencies as the Region sees fit. As part of requirement for a woodland enhancement plan the following should be taken into consideration:

- a. If the removal occurs within the Urban Area that the enhancement also be provided in the Urban Area;
- b. If that the enhancement be in the form of a woodland and not just the planting of individual trees, i.e., street planting or ornamental tree planting in a park setting is not considered woodland enhancement;
- c. The goal of the woodland enhancement is it so create a native woodland of equal or greater size;
- d. Landscape ecology principles including size, patch shape, connectivity, edge to area ratio should be considered;
- e. Responsibilities will be determined for who will undertake the restoration of the woodland and the schedule for implementing the plan;
- f. The woodland enhancement plan includes a program for the long-term maintenance and management of the restoration woodland until such time as it is deemed to be self-sufficient or when a public agency assumes responsibility for it; and
- g. The plan includes a monitoring plan and periodic reporting to determine if the woodland is progressing toward the approved goal(s) and objectives of the plan.