

## **PART 2 - BODY OF THE AMENDMENT**

All of this part of the document entitled PART 2 - BODY OF THE AMENDMENT, consisting of the following text and attached maps, constitute Amendment No. 94 to the Official Plan of the City of Niagara Falls.

### **DETAILS OF THE AMENDMENT**

The Official Plan of the City of Niagara Falls is hereby amended as follows:

#### **1. MAP CHANGE**

- i) SCHEDULES "A-2", "A-2(a)", "A-2(b)", "A-2(c)" and "A-2(d)" are added to PART 6 - SCHEDULES of the Official Plan.
- ii) SCHEDULE "B" - PHASING OF DEVELOPMENT of the Official Plan is hereby deleted and replaced with SCHEDULE "B" - PHASING OF DEVELOPMENT attached hereto.

#### **2. TEXT CHANGE**

- i) PART 1, SECTIONS 1, 2, 3 and 4 are hereby deleted in their entirety and replaced with the following:

**"PART 1 - PLAN OVERVIEW AND STRATEGIC DIRECTION  
SECTION 1 - BASIS OF THE PLAN**

The Official Plan for the Niagara Falls Planning Area is a document outlining the long term objectives and policies of the City with respect to the growth and development of urban lands; the protection of agricultural lands and the conservation of natural heritage areas; and the provision of the necessary infrastructure.

The Official Plan is adopted under the provisions of the *Planning Act* and is required, through legislation which established the Regional Municipality of Niagara, to conform with the provisions of the Regional Policy Plan. Based upon the above, the Official Plan for the City of Niagara Falls is to be brought into conformity with the policies of the Regional Official Plan and is approved by the Regional Municipality of Niagara.

Changes to the *Planning Act* and the introduction of the Growth Plan for the Greater Golden Horseshoe Area (Growth Plan) as well as other Provincial Plans enables Council to effectively use all available planning tools when considering development and the protection of heritage within the City of Niagara Falls. This Plan reflects the changes in legislation and respects the growth targets of the Growth Plan and the Regional Policy Plan.

A series of public meetings of Council have been held to fulfill the public participation requirements of the *Planning Act*. Comments and input received have been carefully considered in the formulation of policies for this Plan.

The Official Plan will be regularly reviewed and a special meeting of Council, open to the general public, will be held at least once every five years from the date of Regional approval. Such a special meeting is required under the *Planning Act*, and will determine the need for any revisions to the Official Plan based upon changing conditions such as growth patterns, economic trends and Provincial Planning Policies.

## **INTERPRETATION**

Locations, boundaries or limits described in the text or indicated on Schedules "A", "B", "C", "D" or "E" are intended to be approximate only, except where they are bounded by roads, railway lines, or other clearly defined physical features. Where the general intent of the Plan is maintained, minor boundary adjustments will not require an amendment to this Plan. Nonetheless, urban area boundaries are considered to be precise. In any case, where the location of the Urban Area Boundary is in question, the precise boundary may be defined with the Region's concurrence.

Where any Act or portion of an Act is referred to in this Plan, such references shall be interpreted to refer to any subsequent renumbering of sections in the Act and/or changes in the date of the Act.

Where any of the policies of this Plan refer to an Ontario Ministry, the reference to such Ministry shall continue to apply regardless of any change in title to the Ministry and/or any successor Ministry that may become responsible for the subject policies.

## **FORMAT OF THE PLAN**

The Official Plan is organized as follows:

Part 1 entitled PLAN OVERVIEW AND STRATEGIC DIRECTION describes the purpose, legislative basis, format, and interpretation of boundaries of the Official Plan as well as the period during which the Plan is to apply. This part also outlines the Strategic Policy Direction of the Plan to accommodate future growth through land use and intensification.

Part 2 entitled LAND USE POLICIES establishes twelve (12) land use designations with preambles which highlight the intention of the land use designations and policies which describe permitted uses and various physical development guidelines. The land use designation for Section 10 prescribes that the policies of the Niagara Escarpment Plan, as amended from time to time, shall be applied to the Niagara Escarpment Plan Area. Unless otherwise specified, the policies of Parts 3, 4 and 5 of this Official Plan will not be applied to the lands within the Niagara Escarpment Plan Area. In addition there are certain special policy areas which because of unique character and/or circumstances will be subject to special policies.

Part 3 entitled ENVIRONMENTAL MANAGEMENT contains strategic type policies that are to be utilized in conjunction with the land use designation policies.

Part 4 entitled ADMINISTRATION AND IMPLEMENTATION highlights the various planning tools available to implement the Official Plan.

Part 5 entitled SECONDARY PLANS contains the policies and plans for specific areas of the City prepared through the secondary plan process and adopted as amendments to this Plan.

SCHEDULES to this Plan illustrate the land use designations, height strategies, roads, districts and special policy areas of this Plan and are to be read in conjunction with its text. There are additional Schedules "B", "C", "D" and "E" that form part of the Plan.

The APPENDICES contain supplementary and supporting information for the Policies of this Plan but do not form part of the Plan itself.

## **SECTION 2 - STRATEGIC POLICY DIRECTION**

The Official Plan for the City of Niagara Falls is intended to guide growth and development to the year 2031. The population during this planning period is expected to reach 106,800 with employment for 53,640 people. It is the intent of this Plan to focus new growth to accommodate these people and jobs in a sustainable fashion that makes for an orderly and effective use of land and infrastructure, creates compact, livable communities and protects the City's natural heritage and agricultural lands.

Schedule A-2 to this Plan illustrates the City as being divided into three areas: the Urban Area, the non-urban area and the Natural Heritage Areas. It is the intention of this Plan to balance efficient use of urban land with the protection of Natural Heritage Areas and direct development away from the non-urban area towards the urban area. To further guide development, the urban area is divided into two categories: the Built-Up Area, (the area within the Built Boundary defined by the Province within which growth is to be accommodated through intensification); and Greenfield Areas (undeveloped lands within the Urban Area Boundary) and outside of the Built Boundary where growth will be guided by proper design.

In order to provide for future employment opportunities within the City, areas most suited for such uses are to be protected from non-employment uses. The tourism industry is now the major employer with the decline of heavy manufacturing. Lands along the Queen Elizabeth Way are ideal for those employment opportunities dependant on cross-border trade and the movement of goods. Schedule A-2 identifies the Gateway Economic Zone which are lands within the Urban Area which, due to their proximity to major international border crossings, have unique economic importance to the City and Niagara Region. It is the intent of this Plan to identify these areas and protect them for future employment.

**Growth Objectives:**

1. To direct growth to the urban area and away from non-urban areas.
2. To protect Natural Heritage Areas and their functions.
3. To support increased densities, where appropriate, and the efficient use of infrastructure within the Built-Up section of the urban area.
4. To phase infrastructure and development within Greenfield Areas in an orderly and efficient manner.
5. To meet the targets as established by the Province through the Greater Golden Horseshoe Growth Plan and through the Region of Niagara Comprehensive Review.
6. To accommodate growth in accordance with the household, population and employment forecasts of the Region's Comprehensive Review:

Table 1. Forecast of Households, Population and Employment

Forecast Period	Total Households	Total Population	Household Size (ppu)	Total Employment
2011	34070	89100	2.62	45690
2016	36170	94000	2.6	48560
2021	38590	99100	2.57	50820
2026	40870	103100	2.52	52240
2031	42740	106800	2.5	53640

\*This table can be amended by Niagara Region without amendment to this Plan.

7. To achieve a minimum of 40% of all residential development occurring annually within the Built-Up Area shown on Schedule A-2 by the year 2015.
8. To develop the Greenfield Areas shown on Schedule A-2 as compact, complete communities with a range of housing types, employment and public transit.
9. To encourage alternative forms of transportation such as walking, cycling and public transit.
10. To plan for an urban land supply of 20 years and to maintain a minimum 10 year supply of land for residential growth through intensification or greenfield development.
11. To provide a supply of serviced land that is capable of providing three years of residential development through intensification and land in draft approved and registered plans of subdivision.

12. To protect prime employment lands for the long term supply of employment in the Tourist Commercial and Industrial designations and to identify the Gateway Economic Zone.
13. To develop a transit and pedestrian friendly, sustainable and livable City through urban design criteria and guidelines.

### **Policies**

- 2.1 The City shall protect agricultural uses in the non-urban area from urban pressures through the use of the Good General Agricultural Land Use designation and its related policies.
- 2.2 The City shall protect its Natural Heritage Areas, their features, quality and functions, through the Environmental land use designations and their related policies.
- 2.3 The City shall provide sufficient lands within the Urban Area Boundary to meet the projected housing, population and employment targets of Table 1.
- 2.4 The opportunity for increased densities within the Built Area Boundary shall be provided to make use of existing infrastructure, buildings and available transit through specific policies for the intensification nodes and corridors outlined in Part 2, Section 3.
- 2.5 Phasing policies shall guide growth across the urban area to make the most efficient use of existing and new infrastructure and to reduce the costs of providing new infrastructure.
- 2.6 The City shall utilize Secondary Plans wherever possible for development within its Greenfield areas to ensure the design of complete communities providing both employment and residential opportunities.
- 2.7 The City shall identify lands along the Queen Elizabeth Way to be protected for employment uses under the Gateway Economic Zone directive of the Province.
- 2.8 The City shall consider residential and employment growth in relation to Schedule "B" - Phasing of Development and the policies of Part 1, Section 3 of this Plan.
- 2.9 The City shall monitor growth within the urban area at 5 year intervals to measure compliance with targets of the Province's Growth Plan and the Regional Niagara Policy Plan.

- 2.10 Expansions to the urban boundary shall only be considered in accordance with the Regional Policy Plan. Notwithstanding this and the policies of PART 4, Section 2.8, the applications to amend this Plan and the Regional Policy Plan affecting the lands west of the QEW to Kalar Road and south of Mountain Road to the hydro transmission corridor, may be considered in accordance with the transition regulations of the Planning Act and Places to Grow Act for pre-existing applications.
- 2.11 No new urban areas shall be created.

### **SECTION 3 - INTENSIFICATION**

The opportunity for increased densities within the Built Area Boundary shall be provided to make use of existing infrastructure, buildings and available transit within the Residential land use designation. However, opportunities for residential intensification on lands not currently designated Residential may also be considered. The City has identified specific intensification areas which have the potential to accommodate higher density development over the long term as nodes and corridors on Schedule A-2. The nodes and corridors may contain a mix of land use designations and will be subject to the following policies.

#### **General Policies**

- 3.1 Unless otherwise permitted through the maps and policies of this Plan, residential intensification shall require an amendment to this Plan and proceed by way of site specific zoning by-law amendment whereby individual proposals can be publically assessed. Proposals of sufficient land area shall be developed through plans of subdivision.
- 3.2 The development or redevelopment of lands currently designated Tourist Commercial in accordance with Part 2, Section 4.2.9 shall conform with the height and design policies of Part 2, Section 4 and meet the minimum density requirements for a high density development as permitted in Part 2, Section 1.15.5(iii).
- 3.3 The extent of the Intensification Nodes and Corridors as shown on Schedule A-2 and the limits of the height strategies of Schedules A-2(a), A-2(b), A-2(c) and A-2(d) are not intended to be scaled but a guide whereby building heights shall be considered on each individual basis with regards to the character of surrounding development.
- 3.4 The intensification through redevelopment of lands designated Residential in this Plan shall comply with the policies of Section 2, 1.15.5 of this Plan.

## **Intensification Corridors**

- 3.5 Intensification Corridors contain lands that front onto arterial roads and have the attributes conducive to supporting medium or high density residential redevelopment over the long term. Lands with frontage directly onto these corridors may be considered for residential use.
- 3.6 Proposals for residential development shall comply with the policies of Part 2, Section 1.15.5 (ii) with respect to building height and density for the following intensification corridors, as shown on Schedule A-2:
1. Dunn Street
  2. Thorold Stone Road
  3. Victoria Avenue (notwithstanding the Minor Commercial designation)

Proposals within these intensification corridors may develop in accordance with the policies of PART 2, Section 1.15.5 (iii) should the subject lands have sufficient lot area, street frontage and other site attributes that allow for the development of increased densities.

- 3.7 The McLeod Road intensification corridor provides a connection between the major commercial node at its interchange with the QEW and the tourist district commencing at Stanley Avenue. The corridor is characterized by single detached dwellings, mid-rise apartment buildings, a Minor Commercial node at Drummond Road and vacant lands in the eastern part of the corridor. Long term development along this corridor is envisioned as a mix of local serving commercial uses at the intersection of Drummond Road, and mid-rise residential buildings. In addition to the built form policies of Part 2, Section 1.15.5 (iii), the following height and density provisions shall apply:
- building heights shall grade from a maximum of 8 storeys at the east end to a maximum of 4 storeys at the west end;
  - development density shall also have a gradation from a minimum net density of 65 units per hectare at the west end and not exceeding 150 units per hectare at the east end.
- 3.8 Lands within the Portage Road Intensification Corridor may develop to a maximum height of 10 storeys, and a maximum density of 150 units per net hectare, at the south end of the corridor grading to a maximum height of 4 storeys, and a maximum density of 75 units per net hectare, at the north end. Densities shall not be less than 100 units per net hectare at the south end grading to a minimum of 50 units per net hectare at the north end.
- 3.9 The portion of Lundy's Lane to the west of Montrose Road is identified as an intensification corridor on Schedule A-2 to this Plan as this section is characterized by large lots capable of supporting

intensification at varying levels. Intensification may take the form of:

- a) tourist commercial redevelopment that capitalizes on, and expands upon, the existing tourism infrastructure. Uses that serve as attractors, as well as indoor and outdoor recreational facilities, are encouraged;
- b) local-serving commercial uses which should be clustered in proximity to the intersections of Montrose Road and Kalar Road; and
- c) residential uses in accordance with the policies of Part 2, Section 4.2.30.

### **Intensification Nodes**

3.10 Intensification nodes are geographic areas within which this Plan promotes and encourages residential intensification in order to regenerate and increase the vitality of existing commercial or industrial areas. Intensification nodes have been identified as having significant potential for medium and high residential intensification and are shown on Appendix A-2. It is not the intention of this Plan to promote the dislocation and re-designation of non-residential uses in order to achieve intensification but to provide guidance for long-term compatible co-existence of residential and non-residential uses within these nodes.

Where commercially designated lands are in excess of demand, zoning by-law amendments for medium and high density apartments as a form of residential intensification may be considered provided the following general criteria are satisfied together with the policies for each node.

- 3.10.1 Intensification is to be consistent with the height and density parameters for each node.
- 3.10.2 Development will be arranged in a gradation of building heights and densities.
- 3.10.3 The proposed development is designed to be compatible with commercial development in the surrounding area.
- 3.10.4 The development provides adequate landscaping and separation distances to ensure privacy and overall pleasant living environment.
- 3.10.5 The proposal does not hinder commercial traffic patterns.

### **Downtown and Drummondville Nodes**

- 3.11 Downtown and Drummondville have been identified through Community Improvement Plans as nodes for residential intensification and are shown on Appendix A-2.
- 3.12 Within the Downtown Node:
- a 4 storey height shall be permitted within the Zoning By-law as this respects the existing built form and also allows for a degree of intensification;
  - additional building height may be allocated in accordance with Schedule A-2(a);
  - residential uses may develop as part of a multiple use building or as stand-alone buildings; and
  - intensification and redevelopment in the eastern and western gateways is encouraged to be designed in an manner that creates a sense of arrival and also improves connections to the Downtown.
- 3.13 Within the Drummondville Node:
- residential uses may develop as part of a multiple use building or as stand-alone buildings;
  - new development and/or redevelopment shall respect the existing built form of 4 storeys while allowing for intensification.
  - additional building height may be allocated in accordance with Schedule A-2 (b);
  - increases in building height may be considered for lands outside those designated for additional height through an amendment to the Zoning By-law, subject to the following criteria:
    - the subject lands, whether a single lot or a consolidation of lots, having sufficient lot area and frontage to provide for the building, parking and landscaped open space;
    - setbacks and separation distances are provided that are in character with adjacent properties so as to avoid or reduce impacts;
    - the scale and massing of the proposed building respects the surrounding built form; and
    - parking areas are adequately screened.

### **General Policies for the Downtown and Drummondville Nodes**

- 3.14 In order to support the revitalization and redevelopment of Downtown and Drummondville nodes, Council shall:
- (a) facilitate development and improvement so that these nodes become a focus for retail and commercial re-development and residential intensification;

- (b) promote development that builds on the unique features and heritage aspects of the nodes; and
- (c) consider the provision of additional public facilities and infrastructure to serve as both a catalyst for re-development and to support those living, working and visiting these nodes.

### **Urban Design**

- 3.14.1 Both nodes have a mainstreet built form characterized by 2 to 3 storey buildings built to the sidewalk with little or no side yard setbacks. New development shall respect the existing built form. Urban Design Guidelines will be used as a guide to evaluating applications with respect to height and massing together with the following criteria:
- a) a built form that provides street frontage buildings with setbacks that are consistent with adjacent properties and parking located behind buildings is encouraged;
  - b) the minimum building height shall be two storeys in order to promote an intensification of use and to reflect the built heritage;
  - c) all new buildings and developments located:
    - in the Downtown: on Queen Street, Erie Avenue and River Road, and
    - within Drummondville: on Main Street and Ferry Street, shall provide active pedestrian-related uses at the street level;
  - d) all new buildings and developments shall be designed not to overwhelm:
    - buildings listed on the Municipal Register of Heritage Properties; and
    - open space areas;
  - e) all new buildings and developments shall be designed so as not to impede the views and vistas of natural or cultural heritage landscapes;
  - f) all new buildings and developments shall be oriented to, and located to frame, the abutting streets and create a continuous street edge;
  - g) buildings are not to create significant microclimatic effects on adjacent properties, open spaces or streets;

- h) the height and massing of mid-rise and high rise buildings must be carefully controlled to ensure that they complement the heritage character of these nodes and are sensitive to adjoining properties. In this regard, such buildings are to:
- be designed to provide a height transition to the street and adjacent developments by incorporating setbacks above 15 metres;
  - be designed so as to reduce and/or mitigate their mass with increasing height;
  - with respect to Downtown, tier downwards to the east from Cataract Avenue to provide a pedestrian scale along River Road and to respect the presence of the Niagara Gorge;
  - incorporate a distinctive roof feature as a skyline element; and
  - any vents, mechanical equipment, elevator penthouses and other similar building components located on the roof should be integrated with the architectural treatment of the roof and screened from view;
- i) parking is encouraged to be located on-site within parking structures, which shall be integrated with the principal development and have pedestrian-scale uses along any street frontage. Surface parking shall be located in the rear yard and appropriately buffered from the street; and
- j) shared parking arrangements and reductions to parking requirements may be considered on a site specific basis. Proposals for either may be required to be supported by a Parking Demand Analysis to the satisfaction of the Director of Transportation Services and the Director of Planning, Building and Development.

### **Street System**

- 3.14.2 The built form of these nodes supports pedestrian activity and the use of public transit. This Plan supports the maintenance of an active and safe pedestrian environment through the following policies and Urban Design Guidelines:
- a) Clearly defined pedestrian routes, including easily navigable, barrier free sidewalks, open spaces, walkways and cross walks, will be identified separately from vehicular traffic areas. All new development should maximize opportunities to create, define and enhance pedestrian routes. Alleyways and other mid-block connections should provide a safe and engaging route for pedestrians; and

- b) Improvements to streets and streetscapes to create attractive streetscapes through measures such as consistent street furniture and directional signage, a range of pavement materials, planting of street trees, and increased sidewalk widths.

## **Heritage**

- 3.14.3 These nodes exhibit a rich architectural heritage comprised of several architectural styles and periods including buildings designated under the Heritage Act, as well as buildings or properties listed on the Municipal Register of Heritage Properties. Development adjacent to and surrounding any significant heritage properties shall be designed so as not to adversely impact on the character, quality or amenity associated with the heritage resource.

New development shall be of original design which reflects the character of the heritage buildings through consideration of massing, scale and, to a lesser degree, elements and details. Particularly in infill situations, new development, should respect the height, street wall setback and massing of adjacent heritage buildings and/or reintegrate those aspects of heritage design which have been lost in a particular street segment.

## **Property Consolidation**

- 3.14.4 Section 28 of the Planning Act permits municipalities to acquire land for the purpose of community improvement. The Community Improvement Plan for each node provides for a general program for the City's involvement in property acquisition, investment and public/private partnerships. Council may also consider selling surplus City-owned land for redevelopment. In such cases, the City will also undertake a process that requires interested parties to submit a proposal for the development of the lands. These proposals shall be assessed on specific criteria established for the subject lands and the following policies:

- compliance with the policies of this Plan;
- consistency with the goals and objectives of the Community Improvement Plan;
- sensitivity of the proposal to the surrounding land uses and heritage character;
- the potential of the proposal to stimulate further regeneration and intensification; and
- the financial impacts of the proposal on the City.

## **STAMFORD NODE**

- 3.15 The boundaries of the Stamford Node are shown on Schedule A-2(c). The lands between O'Neill Street and Thorold Stone Road and that have frontage onto Portage Road, are identified as the Portage Road Intensification Corridor on Schedule A-2.
- 3.16 Within the Stamford Node:
- 3.16.1 Residential intensification may develop as either stand alone buildings or together with commercial uses as mixed use buildings.
  - 3.16.2 Residential uses within the Stamford Node may develop in accordance with the height and density strategy shown on Schedule A-2(c).
  - 3.16.3 Building heights shall respect surrounding building heights. Taller buildings shall increase separation distances from buildings of lower height. Building heights shall also decrease with proximity to the street.
  - 3.16.4 Development shall engage the street through the use of unit frontages, podiums, porte cocheres or landscaping. Within multiple use buildings, commercial uses shall fully occupy the whole of the ground floor, preferably with retail or service commercial uses located such that they provide a pedestrian presence along the street.
  - 3.16.5 Parking is encouraged to be provided within parking structures that are integrated with the development. Parking structures shall have retail or service commercial uses or residential units when abutting street frontages.
  - 3.16.6 Where surface parking is provided, the parking area should be located in the rear or interior side yard. The parking area shall also have a landscaped perimeter of a depth and intensity that at maturity effectively buffers the parking area from adjacent uses and streets.
  - 3.16.7 Reductions in the parking standard, and shared parking arrangements within multiple use buildings, may be considered through site specific amendments to the Zoning By-law when accompanied by a parking demand analysis that is satisfactory to the Director of Planning and Development in consultation with Transportation Services.
  - 3.16.8 Developments should provide pedestrian connections to the surrounding neighbourhood where possible.

- 3.16.9 Amenity space is to be provided for residential uses and may take the form of:
- private on-site green space;
  - balconies and roof-top green space; or
  - public open space, in proximity to the subject development, or cash-in-lieu, pursuant to the provisions of the Planning Act, that will assist in the creation of public open space in the District.
- 3.16.10 Developments on lands that do not have direct access to an arterial road shall be designed such that traffic movement on local streets is minimized. In such situations, optimum densities as envisaged by this Plan may not be achievable. High density developments that are 6 storeys or more in height or exceed 50 units per hectare shall have direct access onto an arterial road.
- 3.16.11 In order to comprehensively plan the re-development of the Brownfield and Greyfield lands located south of Thorold Stone Road, east of Carroll Avenue and Portage Road, a Neighbourhood Plan may be prepared pursuant to the policies of PART 4, Section 3, Community Secondary Plans and Neighbourhood Plans. In addition to these policies, the Neighbourhood Plan will consider appropriate amendments to the land use designations as shown on Schedule A to this Plan. Accordingly, notwithstanding PART 4, Section 3, any Neighbourhood Plan for this area shall be adopted as an amendment to this Plan.
- 3.16.12 The lands designated Industrial, which are located on the north side of Thorold Stone Road, abutting the west side of the CN Rail line, are of sufficient size and are of a configuration which could accommodate either a mixed employment/residential use or a solely residential redevelopment. Redevelopment shall be planned and undertaken comprehensively through a Plan of Subdivision and Amendments to this Plan and the Zoning By-law. Redevelopment Plans shall have regard to the following:
- 3.16.12.1 Mixed employment/residential uses may redevelop in accordance with the provisions of the zoning by-law and the following policies:
- a) Employment uses shall be located within the southern area of the lands;
  - b) Employment uses shall be accessed directly from Thorold Stone Road;
  - c) Landscaping shall be provided along the Thorold Stone Road frontage;

- d) Any property line that abuts residential land uses shall be appropriately screened and buffered;
- e) Outside storage is not permitted;
- f) Development of residential uses shall have regard to the policies of 3.16.12.2, below; and
- g) Acceptable variations of the zoning which may be deemed compatible with the surrounding area.

3.16.12.2 Residential uses, either as part of a mixed Employment/Residential or a sole Residential development, may redevelop having regard to the following policies:

- a) Development shall proceed by way of a Plan of Subdivision;
- b) A Record of Site Condition shall be required in accordance with PART 3, Section 6 of this Plan to verify that the lands have been appropriately remediated for residential use;
- c) A noise and vibration study shall be provided. Mitigating provisions are to be included in the design of development;
- d) A mix of housing types shall be provided;
- e) Lower density housing forms shall be located internally with access provided through the extension of local area roads;
- f) Lower density housing forms shall have a building height and massing that is consistent with the adjacent residential neighbourhood;
- g) Apartment dwellings up to 6 storeys high, may be developed in the southern area of the site and shall be accessed directly from Thorold Stone Road; and
- h) The overall minimum net density for residential development shall be 20 units per hectare.

### **MORRISON/DORCHESTER NODE - Deferred**

3.17 The Morrison/Dorchester Retail District is surrounded by three large areas suitable for intensification. Redevelopment for employment at higher densities should generally be located south of Morrison Street and west of Dorchester Road. Long term development within this node is envisioned as a mix of major commercial/institutional uses with a range of residential uses and densities.

Sections  
3.17 to  
3.19 ,  
inclusive,  
are  
deferred

- 3.18 Development proposals for residential intensification shall conform to the following:
- 3.18.1 Residential uses may develop as stand alone buildings or as a plan of subdivision or together with commercial uses as part of a mixed use development.
  - 3.18.2 Residential uses may develop in accordance with the height and density strategy shown on Schedule A-2(d).
  - 3.18.3 Development proposals for intensification shall comply with the following:
    - 3.18.3.1 Building heights shall respect surrounding building heights. Taller buildings shall increase separation distances from buildings of lower height. Building heights shall also decrease with proximity to the street.
    - 3.18.3.2 Development shall engage the street through the use of unit frontages, podiums, porte cocheres or landscaping. Within multiple use buildings, commercial uses shall fully occupy the whole of the ground floor, preferably with retail or service commercial uses located such that they provide a pedestrian presence along the street.
    - 3.18.3.3 Parking is encouraged to be provided within parking structures that are integrated with the development. Parking structures shall have retail or service commercial uses or residential units when abutting street frontages.
    - 3.18.3.4 Where surface parking is provided, the parking area should be located in the rear or interior side yard. The parking area shall also have a landscaped perimeter of a depth and intensity that at maturity effectively buffers the parking area from adjacent uses and streets.
    - 3.18.3.5 Reductions in the parking standard, and shared parking arrangements within multiple use buildings, may be considered through site specific amendments to the Zoning By-law when accompanied by a parking demand analysis that is satisfactory to the Director of Planning, Building and Development in consultation with Transportation Services.
    - 3.18.3.6 Developments should provide pedestrian connections to the surrounding neighbourhood where possible.

3.18.3.7 Amenity space is to be provided for residential uses and may take the form of:

- private on-site green space;
- balconies and roof-top green space; or
- public open space, in proximity to the subject development, or cash-in-lieu, pursuant to the provisions of the Planning Act, that will assist in the creation of public open space in the District.

3.18.3.8 Developments on lands that do not have direct access to an arterial road shall be designed such that traffic movement on local streets is minimized. In such situations, optimum densities as envisaged by this Plan may not be achievable. High density developments that are 6 storeys or more in height or exceed 50 units per hectare shall have direct access onto an arterial road.

3.19 Any intensification shall only proceed when servicing and traffic have been confirmed to be sufficient for both the existing and proposed land use. ”

ii) PART 2, SECTION 1 - RESIDENTIAL is hereby deleted in its entirety and replaced with the following:

**PART 2 - LAND USE POLICIES**  
**SECTION 1 - RESIDENTIAL**

Preamble

The policies of this section are intended to guide the provision of housing which is affordable, accessible, adequate and appropriate to the needs of a full range of households in the City and to guide the development and redevelopment of Residential lands shown on Schedule "A" of this Plan. The City will ensure that a sufficient supply of land is available, on a continuing basis, to accommodate all forms of housing and that appropriate opportunities are provided for residential intensification. Lands designated for residential use shall be sufficient to accommodate anticipated population growth and the need for various housing types and densities throughout the period of the Plan. Residential development should occur in a manner which is compatible with the surrounding neighbourhood. Various amenity features will be incorporated within developments to ensure pleasant living conditions and a high quality of life. While housing represents the main component within this land use designation, other compatible land uses serving area residents which contribute to and enhance the surrounding residential environment will be encouraged and permitted in order to achieve a complete community.

## GENERAL POLICIES

- 1.1 The predominant use of land in areas designated Residential shall be for dwelling units of all types catering to a wide range of households. Predominant uses shall include single detached and semi-detached dwellings, duplexes, triplexes, quadroplexes, townhouses, apartments, group homes and other forms of residential accommodation.
- 1.2 Opportunities for a choice of housing including type, tenure, cost and location shall be provided to meet the changing needs of households throughout the Built-up Area and Greenfield Area. In order to achieve this goal, the City shall support the following:
  - 1.2.1 Multiple unit developments, smaller lot sizes and innovative housing forms.
  - 1.2.2 Development of vacant land, and more efficient use of under-utilized parcels and existing housing stock.
  - 1.2.3 The full utilization and consolidation of properties to achieve larger scale and more comprehensive residential development.
  - 1.2.4 Development of housing in conjunction with commercial developments in order to create more walkable communities.
- 1.3 A variety of ancillary uses may also be permitted where they are compatible with the residential environment and contribute to a complete community. Ancillary uses shall include, but are not limited to schools, churches, nursing homes, open space, parks, recreational and community facilities, public utilities and neighbourhood commercial uses. In interpreting compatibility, ancillary uses will be assessed according to the following principles:
  - 1.3.1 Ancillary uses within the Built-up Area that have the potential of generating large volumes of traffic are generally encouraged to locate:
    - on an arterial or on a collector in proximity to an arterial road in order to minimize disturbances to area residents;
    - such that area residents can conveniently access the uses by means of walking, cycling, public transit or motor vehicle; and
    - in proximity to a transit stop.
  - 1.3.2 Ancillary uses within the Greenfield Area shall be provided for through design within secondary plans taking into consideration the above criteria.
- 1.4 Accessory uses to residential such as Bed and Breakfast accommodations and Home Industries within owner-occupied homes

may be permitted by zoning by-law amendments where they are considered to be compatible with the residential neighbourhood. The establishment of such facilities will be carefully regulated as to their location, size and traffic generation in order to minimize potential disturbances to adjacent properties and to protect the character and identity of the overall neighbourhood.

- 1.5 The development and redevelopment of residential lands in the City shall primarily be by plan of subdivision incorporating a mix and variety of dwellings and supporting uses to foster the development of a complete community. Consents to sever individual parcels of land shall only be permitted when it can be demonstrated that a plan of subdivision is not necessary to implement the policies of this Plan or applicable secondary plan.
- 1.6 Building heights referred to in this Plan through the text and schedules are intended as a general guide. Consideration may be given in specific situations to allow suitable, well designed developments that exceed these height guidelines through an implementing zoning bylaw amendment.
- 1.7 Minor increases in height and/or density may be allowed for individual multiple unit proposals in accordance with the Bonus Zoning provisions contained in Part 4, Section 4 of this Plan.
- 1.8 All residential development shall require proper and adequate municipal services. The municipality shall promote phased development to maintain logical, outward growth in residential areas in accordance with the policies of PART 3, Section 1.
- 1.9 Exposure of new residential development to less compatible land uses such as arterial roadways, highways or railway lines shall be minimized. In order to protect residential development from such uses, studies may be required and appropriate measures such as landscaping, berming or other buffering techniques may be required determine impacts and recommend mitigation measures.
- 1.10 Second units within single detached, semi-detached and townhouse dwellings may be permitted within residential areas subject to certain standards outlined in the Zoning By-law and other applicable regulations such as the Ontario Building Code. Council may consider the registration of second units through a Registration By-law pursuant to the Municipal Act.
  - 1.10.1 Zoning regulations related to second units in residential zones shall be based on the following:

Policies 1.10  
to 1.10.3 are  
deferred.

- (a) The lot size and configuration are sufficient to accommodate adequate parking, green space and amenity areas for both the principal dwelling and the second unit.

- (b) The property shall meet all zoning requirements with respect to lot frontage, area, depth, parking, landscaping and design.
  - (c) Areas within the City that have sanitary servicing constraints shall be zoned so as not to permit second units.
- 1.10.2 Second units requiring building additions or substantial alterations to the principal dwelling should be designed to maintain the overall character of the principal dwelling.
- 1.10.3 The minimum density requirements of section 1.1.15 (i) shall not apply to prevent the establishment of second dwelling units.
- 1.11 Affordable housing is to be provided within the Built-up Area and Greenfield Area.
  - 1.11.1 Applications for draft plan approval of subdivisions shall include, as part of a planning report, an assessment of how the proposal will contribute to meeting affordability and demographics through subdivision design and housing mix.
  - 1.11.2 The City, in its review of subdivision/rezoning applications, will encourage provision of varying lot sizes, housing form and unit size in order to contribute to affordability.
  - 1.11.3 In disposing of surplus lands that are suitable for residential use, Council shall consider offering the lands to not-for-profit organizations for affordable housing. Similarly, various boards, commissions and agencies shall be encouraged to dispose of surplus lands suitable for residential use for the purpose of affordable housing development.
  - 1.11.4 The City will participate with Regional Niagara and other agencies in the provision of affordable housing and the development of targets for affordable housing.
- 1.12 Rooming, boarding and lodging houses may be permitted by the Zoning By-law subject to the following policies:
  - 1.12.1 The site is suitably located with convenient access to public transit and commercial districts.
  - 1.12.2 The lot size and configuration are sufficient to accommodate adequate parking, green space and amenity areas.
  - 1.12.3 The Ontario Building Code, the Maintenance and Occupancy Standards By-law, as well as health and safety requirements can be satisfied.

- 1.12.4 The structure and use would be compatible with the surroundings or, satisfactory buffering measures can be introduced to achieve such compatibility.
- 1.13 Rental accommodation shall be protected throughout the municipality by such measures as the Residential Tenancies Act and the City's Condominium Conversion Policy, which discourages the conversion of rental accommodation when the vacancy rate is below 3 per cent.
- 1.14 The housing market within Niagara Falls shall be monitored on a Community Planning District basis, as well as Built-up Area and Greenfield Area, and the City shall initiate, when required, changes to municipal policy to satisfy local housing requirements. This annual monitoring program will include various housing-related information with particular emphasis on the following items.
  - 1.14.1 Residential land supply.
  - 1.14.2 The range of housing forms produced in new residential development.
  - 1.14.3 New housing prices relative to household income distribution.
  - 1.14.4 Intensification performance analysis.

#### BUILT-UP AREA

- 1.15 It is recognized that opportunities exist throughout the Built-Up Area as shown on Schedule A-2 to create new housing units. Intensification, while maximizing the density of a given land area, shall be designed to integrate into the surrounding neighbourhood. The following policies are to be considered in the design of residential development, intensification and infilling and read in conjunction with the policies of PART 1, Sections 2 and 3:
  - 1.15.1 The character of the existing neighbourhoods within the Built-up Area shall be retained. Accordingly, residential development, intensification and infilling shall blend into the lot fabric, streetscape and built form of a neighbourhood.
  - 1.15.2 A gradation of building heights and densities will be encouraged together with sufficient horizontal separation distances between taller buildings and low rise dwellings in order to ensure a complementary arrangement of residential uses.
  - 1.15.3 Generally, development within the Built-up Area should be at a higher density than what currently exists in the neighbourhood. A harmonious mix of single and multiple accommodation will be encouraged throughout the Built-up

Area so that at any one time a variety of housing types will be available suitable for different age groups, household sizes and incomes.

- 1.15.4 The conservation and renewal of the existing housing stock shall be encouraged as an important element in meeting future housing needs. In addition, the maintenance and rehabilitation of existing housing will be promoted by discouraging unnecessary demolition or conversion to non-residential uses through such mechanisms as demolition control and application of the Maintenance and Occupancy Standards By-law.
- 1.15.5 Single detached housing is the dominant housing form in existing residential neighbourhoods. Increasing the amount of various types of multiple residential accommodation is encouraged in order to provide for an overall mix of housing within the all communities. The inclusion of various housing forms through subdivisions, intensification and infilling shall not be mixed indiscriminately, but will be arranged in a gradation of building heights and densities according to the following policies:
- (i) Single detached, semi-detached, street townhouses, block townhouses and other compatible housing forms are to be developed to a maximum net density of 40 units per hectare with a minimum net density of 20 units per hectare and should generally be located on local or collector streets. Such housing forms are to be of a height, massing and provide setbacks that are in character with the surrounding neighbourhood.
  - (ii) Stacked townhouses, apartments and other similar multiple unit structures with building heights of not more than 4 storeys can be developed to a maximum net density of 75 units per hectare with a minimum net density of 50 units per hectare. Such development should be located on collector roadways and designed with a street presence that is in character with the surrounding neighbourhood. In addition, setbacks should be appropriate for the building height proposed and greater where abutting lands are zoned for single or semi-detached dwellings.
  - (iii) Apartments with building heights of not more than 6 storeys can be developed up to a maximum net density of 100 units per hectare with a minimum net density of 75 units per hectare. Such development shall be located on lands that front onto arterial roads. Moreover, development should be on current or planned public

transit routes and in proximity to commercial areas. In addition, development shall comply with the following:

- architectural treatments such as stepped or articulated built form, changes in exterior cladding and roof features should be employed to lessen impacts of taller buildings;
- rear yard setbacks should be equal to building height and interior side yards shall be appropriate for the building height proposed in relation to abutting land uses;
- street frontages shall be engaged through the use of porte cocheres, podiums or landscaping;
- parking is encouraged to be located within parking structures that are integrated with the development; and
- where surface parking is provided, the parking area should be located in the rear or interior side yard. The parking area shall also have a landscaped perimeter of a depth and intensity that at maturity effectively buffers it from adjacent uses and streets.

## **GREENFIELD AREA**

1.16 The Greenfield Area as shown on Schedule A-2 is to develop as complete communities at a small scale. Not more than 60% of new housing units are to be built in the Greenfield Area on an annual basis by the year 2015. Secondary planning shall be the primary implementation tool for the development of the Greenfield Area. The following policies shall apply to the preparation of secondary plans and to subdivision proposals where secondary plans do not currently exist.

1.16.1 The density of development shall be no less than 53 people and jobs per hectare. The calculation shall be made over the gross developable land area at a secondary plan scale, which is defined as total land area net of natural heritage areas identified for protection under this Plan, the Regional Policy Plan, any provincial plan or Niagara Peninsula Conservation Authority regulation.

1.16.1.1 Greenfield densities and housing mix will be monitored by the City annually and reviewed every five years.

1.16.2 A diverse range of uses is to be provided including neighbourhood commercial facilities and community services and employment. These uses shall be located and designed such that they compatibly integrate with the built and natural environments.

1.16.3 It is the intent of this Plan that the Greenfield Area develop with a mix of housing types and at transit-supportive densities in order to utilize urban land efficiently and support public transit. To accomplish this, a range of housing types is to be provided in terms of both form and affordability. Multiple unit housing developments are to be integrated into the form of the neighbourhood in accordance with the following:

- (i) Steep gradients of building heights are to be avoided.
- (ii) High density housing should be located within 250 metres of an arterial road.
- (iii) High density housing should be designed to avoid undue microclimatic impacts on abutting lands.
- (iv) Structured parking is encouraged to be utilized in the development of high density housing.
- (v) Increases in height may be permitted, through site specific amendments to the Zoning By-law, pursuant to s.37 of the *Planning Act* in exchange for the provision of housing units that meet the criteria established for affordability within the Provincial Policy Statement.
- (vi) Appropriate separation distances shall be provided between residential and other sensitive land uses and industrial uses and, more specifically, shall not be located in close proximity to heavy industrial uses.

1.16.4 Within the Garner South Secondary Plan Area, as shown on Schedule A-2, the policies of PART 2, Section 13.56 of this Plan shall prevail. In addition, the Secondary Plan shall provide for a distribution and gradation of densities, heights and housing types where lower densities and heights are proximal to the 2km Cytec arc and higher densities are directed to the north and east quadrant of the Secondary Plan Area to assist in the strengthening of the Niagara Square Retail District.

1.16.5 Street configurations and urban design are to support walking, cycling and the early integration and sustained viability of public transit. Although detailed urban design guidelines may be developed through the secondary planning process, the following policies shall apply as a minimum:

- (i) All collector roads are to be designed to accommodate public transit.
- (ii) Transit routes should be designed such that potential users have no more than 300 metres to walk to a transit stop.
- (iii) Neighbourhoods should be designed on a modified or fused grid pattern with interconnected streets. Block

lengths should not exceed 250 metres. Along Natural Heritage Features which will be accommodating public trails local roads shall dead end at the feature thus providing a viewshed of the natural area as well as providing direct public access to the trail.

- (iv) Sidewalks are to be provided on at least one side of a local road and on both sides of a collector or arterial road.
  - (v) Culs-de-sac are discouraged. Abutting culs-de-sac should be connected by parkland or open space. Pedestrian connections are to be provided out of culs-de-sac.
  - (vi) Off-road trails should connect to the road network seamlessly in order to provide cyclists with on-road or off-road options.
  - (vii) Commercial and employment uses are encouraged to provide facilities for bicycle storage and cyclists.
  - (viii) Speed control programs should be utilized to reduce traffic impacts within residential neighbourhoods.
  - (ix) Pedestrian connectivity, in addition to a formal trail system, is encouraged to lessen walking distances to public facilities, such as schools, parks and neighbourhood commercial uses.
- iii) PART 2, SECTION 2 - PARKWAY RESIDENTIAL, POLICY 2.8 is hereby amended by adding the following phrase at the end of the sentence:
- “in compliance with the environmental policies of Part 2, Section 11 of this Plan.”
- iv) PART 2, SECTION 3 - COMMERCIAL is amended as follows:
- a) The following is added as the third paragraph to the PREAMBLE:

“Commercial areas can also be strengthened through the introduction or expansion of residential uses to create mixed use areas. This Plan promotes and encourages residential intensification in order to regenerate and increase the vitality of existing commercial areas. It is not, however, the intention of this Plan to promote the dislocation and re-designation of non-residential uses in order to achieve intensification. Rather, this Plan provides guidance for long-term compatible co-existence of residential and non-residential uses within these nodes.”
  - b) The following is added as a new Policy 3.1.2:

“3.1.2 Several commercial areas have been identified on Schedule A-2 as having significant potential for medium and high residential intensification so as to create mixed use areas. New development or redevelopment within these nodes shall be subject to the policies of Part 1, Section 3.”

- c) Policy 3.2.2 is deleted in its entirety and replaced with the following:

**“DOWNTOWN**

3.2.2 The Downtown was, historically, the centre of commerce in the City. While this function has subsided recently, this area has the potential for the re-development of substantial retail and commercial floor space. In addition, the Downtown CIP area is identified as a node for residential intensification on Schedule A-2. This Plan envisages the area as a mixed use commercial node.

3.2.2.1 A potential retail gross floor area of 40,000 square metres is envisaged. Uses that serve the Downtown, as well as City residents as a whole, such as a supermarket and a farmer’s market, are encouraged.

3.2.2.2 The development of 1,000 dwelling units is anticipated. Residential uses may develop as part of a multiple use building or as stand-alone buildings. Proposals for residential development shall comply with the policies of Part 1, Section 3.

3.2.2.3 Arts, entertainment and cultural facilities are encouraged to locate in the Downtown to provide day and evening activity year round and foster a lively and vibrant people place for residents and visitors.

3.2.2.4 Public transit will play a fundamental role in the development of Downtown. The VIA Rail Station, GO Transit and inter-City bus terminus, and Niagara Transit transfer area create a major public transit node. The area within a 500 metre radius is considered by the Growth Plan for the Greater Golden Horseshoe as a Major Transit Station Area and will be a focus of intensification with increased residential and employment densities that support and ensure the viability of existing and planned transit service levels.

- d) The phrases “Niagara Square Retail District”, “Northwest Retail District” and “Stamford Retail District” are inserted before Policies 3.2.3, 3.2.4 and 3.2.5 (respectively).
- e) Policy 3.2.3 is amended by deleting the phrase “anchored by the Niagara Square shopping centre including major and/or junior department stores” in the first sentence and replacing it with “comprising of three major commercial developments”.
- f) Policy 3.2.3.3ii) is amended by deleting the phrase “after January 1, 2011 if supported by a Market Impact Study” in the first sentence.

g) Policy 3.2.4.1 is deleted in its entirety and replaced with the following:

“3.2.4.1 A shopping centre on the east side of Montrose Road shall not exceed 24,154 square metres of gross leasable floor area.”

h) Policy 3.2.5 is deleted in its entirety and replaced with the following:

“3.2.5 The Stamford Retail District functions as a principal shopping district providing a full range of retail uses to meet the weekly shopping requirements of residents. The district contains a wide range of uses from local commercial, high density residential, and major commercial plazas, north of the intersection with Thorold Stone Road, all fronting onto Portage Road. Local serving commercial uses are located at the intersection and extend sporadically, intermixed with single detached dwellings, southward along both Portage and Drummond Road toward Gallinger St. Brownfield and greyfield sites are located east of Portage Road.

3.2.5.1 Council may consider zoning by-law amendments for residential projects subject to Part 1, Sections 3.1 to 3.4 inclusive, 3.15 and 3.16.”

i) The phrase “Morrison/Dorchester Retail District” is inserted before Policies 3.2.6.

j) Policy 3.2.6 is amended by:

i) deleting the last sentence in the first paragraph and replacing it with the following: “Notwithstanding any other policies of Section 3.2, commercial development within this district shall be permitted as set out below.”

ii) adding the following as paragraph 2 (**deferred**):

“In addition, the Morrison/Dorchester Retail District, together with abutting lands, has been designated on Schedule A-2 as a node for intensification. Significant intensification can be achieved through the redevelopment of lands. Long term development within this node is envisioned as a mix of major commercial/institutional uses with a range of residential uses and densities. Development proposals for intensification shall conform to policies 3.17 to 3.19 of PART 1. “

iii) deleting the second sentence of Policy 3.2.6.2 in its entirety and adding the phrase “and service commercial uses” to the end of the first sentence.

iv) deleting the last sentence of Policy 3.2.6.3 in its entirety and replacing it with the following: “The development of these lands shall not exceed a maximum gross leasable floor area of 18,786 square metres.”

- v) Policies 3.2.6.3 i) and 3.2.6.3 ii) are both deleted in their entirety and Policy 3.2.6.3 iii) is renumbered to 3.2.6.3 ii). The following policy is added:

3.2.6.3 i) The supermarket shall not exceed 16,460 square metres of gross leasable floor area. In addition the supermarket shall not exceed 7,432 square metres of FCTM floor space, 6,503 square metres of DSTM floor space and 2,525 square metres of non-DSTM services. A maximum of 2,326 square metres of gross leasable floor space may be provided in separate buildings, of which a maximum of 930 square metres may be DSTM floor space, with the balance as non-DSTM floor space.

- k) Policy 3.3.1.4 is deleted in its entirety and replaced with the following:

“3.3.1.4 The exceptions shall be the Drummondville Area, which is subject to the policies of Part 1, Section 3, and the lands fronting on Cummington Square where a compact building form, close to the sidewalk, shall be encouraged in order to maintain the existing pedestrian oriented environment.”

- l) A new Policy 3.3.1.5 is added as follows:

**“3.3.1.5 DRUMMONDVILLE**

Drummondville, like the Downtown was historically the centre of commerce in the City. While this function has subsided recently, this area has the potential for the re-development of substantial retail and commercial floor space. In addition, the Drummondville CIP area is identified as a node for residential intensification on Schedule A-2. This Plan envisages the area as a mixed use commercial node.

- i) Commercial re-development is encouraged that serves local residents and, notwithstanding policy 3.3.1, also attracts a broader population and tourists. In recognition of this, a section of the Lundy’s Lane and Main Street have been identified as Retail Street on Figure 2 of Part 2, Section 4 of this Plan and shall be subject to Policy 4.3.8 of Part 2.
- ii) Commercial redevelopment of Drummondville should capitalize on the heritage attributes of the area, specifically the Lundy’s Lane battlefield, the Niagara Falls Historical Museum, and an expanded and revitalized Sylvia Place Market. The Market and Museum should serve as a focal point for the area, attracting both residents and tourists. The Market is envisioned to have a presence and visibility on both Main Street and Ferry Street.

iii) The development of 1,000 dwelling units is anticipated. Residential uses may develop as part of a multiple use building or as stand-alone buildings. Proposals for residential development shall comply with the policies of Part 1, Section 3.”

m) Policy 3.4 is amended as follows:

i) The last sentence of Policy 3.4.1 is hereby deleted in its entirety.

ii) The phrase “3.4.2 Built Up Area” is inserted after Policy 3.4.1.

iii) Policy 3.4.1.1 is hereby renumbered 3.4.2.1.

iv) Policy 3.4.1.2 is hereby deleted in its entirety and replaced with the following:

“3.4.2.2 Neighbourhood commercial facilities shall be integrated into the neighbourhood into which they are to be located in terms of built form; the location of on-site parking and on-site delivery areas; and landscaping.”

v) A new policy is added:

“3.4.2.3 Neighbourhood commercial facilities may locate not less than 500 metres from any other commercial development.”

vi) Policy 3.4.1.3 is renumbered to 3.4.2.4.

n) The following new policies are added:

**“3.4.3 GREENFIELD AREA**

3.4.3.1 Neighbourhood commercial facilities within the Greenfield Area are to be limited to not more than 930 square metres of total floor area across an individual secondary plan area unless substantiated by appropriate studies in the preparation of the secondary plan.

3.4.3.2 Retail stores should be limited to a size that does not compete with community serving facilities.

3.4.3.3 Parking areas should be located in the interior side or rear yards and screened from adjacent uses by decorative fencing and landscaping.

3.4.3.4 Residential uses may be permitted in the Zoning By law in order to create mixed use buildings.

(i) Residential units are encouraged to be provided

where total gross leaseable floor area exceeds 370 square metres;

- (ii) Residential units should be located above the ground floor.
- (iii) Private amenity space should be created by the incorporation into the building of balconies and roof top patios.

3.4.3.5 Shared parking facilities may be permitted through an amendment to the Zoning By law, conditional upon the submission by the applicant of a parking demand analysis to the satisfaction of the Planning, Building and Development Division in consultation with Transportation Services.

o) Policy 3.5 GENERAL POLICIES is amended as follows:

- i) Policy 3.5.1 is deleted in its entirety.
- ii) Policies 3.5.2 to 3.5.4 (inclusive) shall be renumbered to 3.5.1 to 3.5.3 (inclusive).
- iii) Policy 3.5.5 is renumbered to 3.5.4 and modified to read as follows:

“3.5.4 Where commercially designated lands are in excess of demand, zoning by-law amendments for medium and high density apartments as a form of residential intensification may be considered provided the following general criteria are satisfied.

3.5.4.1 The policies of PART 1, Section 3.10 to 3.19 shall apply lands that are designated a Node on Schedule A-2 to this Plan.

3.5.4.2 Intensification is to be consistent with the height and density parameters for each node, should the lands be so designated. For lands not designated a node, height and density should be consistent with the policies of PART 2, Section 1.15.5.

3.5.4.3 Development will be arranged in a gradation of building heights and densities.

3.5.4.4 The proposed development is designed to be compatible with commercial development in the surrounding area.

3.5.4.5 The development provides adequate landscaping and separation distances to ensure privacy and

overall pleasant living environment.

3.5.4.6 The proposal does not hinder commercial traffic patterns.”

iv) New Policy 3.5.5 is added:

“3.5.5 While this Plan promotes and encourages residential intensification of lands designated major and Minor Commercial, it also recognizes that there is the potential for land use conflicts with intensification. Accordingly, an applicant may be required to undertake studies to determine impacts and provide mitigation measures.”

v) PART 2, SECTION 4 - TOURIST COMMERCIAL is amended as follows:

a) Policy 4.1.4 is deleted in its entirety and replaced with:

“4.1.4 This Plan also recognizes that the tourism and accommodation sector is a major source of employment for residents of the City and the Region. As such, lands designated Tourist Commercial are considered to be employment lands and the policies regarding conversion of employment lands to non-employment uses contained in PART 4, SECTIONS 2.9 and 2.10 apply except as provided for in this Plan.”

b) Policy 4.2.9 is deleted in its entirety and replaced with the following:

“4.2.9 Residential uses may be permitted throughout lands designated Tourist Commercial either as stand alone or mixed use buildings in order to assist in creating a complete community in accordance with the policies of this section and PART 1, Section 3.

c) Policy 4.2.26 is deleted in its entirety and replaced with:

“4.2.26 The Lundy’s Lane District is envisioned over the long term as a primarily tourist commercial corridor existing compatibly with local-serving commercial facilities and residential uses.”

d) Policy 4.2.27 is deleted in its entirety and replaced with the following:

“4.2.26 The portion of Lundy’s Lane to the east of Montrose Road is intended to function primarily as a community serving and tourist commercial corridor. Residential intensification within this corridor shall be in accordance with Part 1, Section 3.9.”

e) Policies 4.2.30 and 4.2.31 are renumbered to 4.2.32 and 4.2.33, respectively.

f) The following Policies are added:

“4.2.30 The Lundy’s Lane Satellite District interfaces primarily with residential lands north and south. To lessen potential land use conflicts with the residential lands, commercial development shall be designed in accordance with the following:

- a) screening and buffering is to be provided adjacent to residential lands through a combination of fencing and landscaping;
- b) loading areas should be located within interior side yards;
- c) garbage and recycling materials should be stored within fully enclosed structures;
- d) access ramps onto intersecting roads should be located as far from the residential interface as possible; and
- e) any signage should not be illuminated when facing residential lands.

4.2.31 The following policies shall apply to development proposals for residential intensification within the intensification corridor:

- a) Residential uses may be in the form of stand alone buildings, located and designed such that they do not interrupt the continuity of the existing tourist commercial development, or as part of multiple use buildings. Within multiple use buildings, commercial uses shall be designed to avoid conflict with residential uses in the building and oriented such that they provide a pedestrian presence along the street.
- b) Developments shall engage the street through the use of unit frontages, podiums, porte cocheres, landscaping or by locating amenity space within the building close to the street.
- c) Residential uses may develop to a maximum building height of 6 storeys, with a maximum net density of 100 units per hectare and a minimum net density target of 50 units per hectare.
- d) Building heights shall respect surrounding building heights site specifically by increasing separation distances from buildings of lower height and from public open spaces.
- e) Buildings should be sited such that rear yard setbacks are equal to building height and interior side yards are appropriate for the building height proposed in relation to abutting land uses;
- f) Parking is encouraged to be provided within parking structures that are integrated with the development. Parking structures shall have active pedestrian uses

- or residential units when abutting street frontages.
- g) Where surface parking is provided, the parking area should be located in the rear or interior side yard. The parking area shall also have a landscaped perimeter of a depth and intensity that at maturity effectively buffers it from adjacent uses and streets.
  - h) Reductions in the parking standard, and shared parking arrangements within multiple use buildings, may be considered through site specific amendments to the Zoning By-law when accompanied by a parking demand analysis that is satisfactory to the Director of Planning, Building and Development in consultation with Transportation Services.
  - i) Developments shall provide pedestrian connections to the surrounding neighbourhood where possible.
  - j) Amenity space is to be provided for residential uses and may take the form of:
    - private on-site green space;
    - balconies and roof-top green space; or
    - public open space, in proximity to the subject development, or cash-in-lieu, pursuant to the provisions of the Planning Act, that will assist in the creation of public open space in the District.”
- vi) PART 2, SECTION 9 - INDUSTRIAL is renumbered to PART 2, SECTION 8 - INDUSTRIAL and is amended as follows:
- a) The PREAMBLE is amended by:
    - i) deleting the second sentence of the first paragraph and replacing it with the following:

“To this end, the Plan promotes infilling and redevelopment within established industrial districts in the Built-up Area, as well as the progressive development of lands within the Greenfield Area for new industry and employment uses.”
    - ii) adding the sentence “The proximity of employment uses to residential and other uses is, however, critical in the future growth of the City as a complete community. ” to the end of the second paragraph.
    - iii) adding the words “and diversity’ after the words ‘economic growth’ in the first sentence of the third paragraph.
  - b) Policies 9.1 is renumbered to 8.2 and reference to ‘Subsection 9.4’ in the fifth sentence is replaced with ‘Subsection 8.8’ .
  - c) A new Policy 8.1 is added:

## **“BUILT-UP AREA**

8.1 The City has a substantial supply of land available for industrial development within the Built-up Area. The redevelopment and intensification of this land supply for industrial and employment uses that are compatible with surrounding land uses is encouraged.

8.1.1 Conversion of brownfield sites to non-employment uses, where the removal of the industrial land is consistent with a Municipal Comprehensive Review, may be considered through an amendment to this Plan where at least one of the following criteria are met:

- the reduction or elimination of any long-standing land use compatibility issues with surrounding conforming uses;
- provision of affordable housing;
- contributing to a mix of housing types and densities in the planning area; or
- the provision of facilities that assist in the development of a complete community.”

d) Policy 9.2 is renumbered to Policy 8.3 and is amended by:

i) adding the following in between the first and second sentence:  
“Moreover, industrial zones will be arranged in a gradation with the lighter, more prestige type industries located near residential areas and other sensitive land uses.”

ii) adding the following:

“8.3.5 General Industrial or Heavy Industrial zones will be separated from residential areas, wherever possible, in order to protect such areas from the effects of noise, heavy traffic and other offensive characteristics.”

e) Policies 9.3 and 9.5 are deleted in their entirety.

f) Policy 9.4 is renumbered to Policy 8.4.

g) Policies 9.6 and 9.7 are renumbered to 8.9 and 8.10 and the title “GENERAL POLICIES” is inserted before Policy 8.9.

h) New Policies 8.5 to 8.8 (inclusive) are added as follows:

## **“GREENFIELD AREA**

8.5 Secondary planning within the Greenfield Area shall provide for

employment and industrial uses within the individual plan areas so as to assist in the creation of a complete community at the secondary plan scale and ensure an adequate separation distance is provided between residential and other sensitive land uses and heavy industrial uses.

8.6 Employment uses are to be integrated with the overall neighbourhood design and shall be located consistent with the Ministry of Environment D6 Guidelines. The following uses are permitted within secondary plan areas that contain residential and other sensitive land uses:

8.6.1 offices;

8.6.2 government services, research and, training facilities;

8.6.3 facilities for the production of alternate energy sources;

8.6.4 prestige industrial uses, including research and development facilities, communications facilities, and manufacturing and processing of fully processed materials deemed not to be obnoxious by reason of dust, odour, fumes, particulate matter, noise and/or excessive vibrations;

8.6.5 commercial facilities such as, but not limited to, restaurants, material suppliers, which are incidental to the employment designation industries and their personnel; and

8.6.6 ancillary retail and service uses which shall not exceed 450 square metres in gross floor area and only where internally integrated as a component of an employment use.

8.7 While urban design guidelines and architectural guidelines may be developed for individual secondary plan areas, the following general design principles should apply to employment lands:

8.7.1 Building facades that face the street should utilize architectural treatments. Blank walls are to be avoided in favour of windows, articulations and changes in building materials.

8.7.2 Buildings should have a consistent setback from the street.

8.7.3 Outside storage, where permitted by the secondary plan, should be located in rear or interior side yards only. Storage areas are to be screened from views from the street.

- 8.7.4 Parking areas will be limited in size and proportion. Parking areas shall be generously landscaped along any street.
- 8.7.5 Loading and service areas are to be located in the rear or interior side yards.
- 8.7.6 Access driveways to the street should be minimized. Where possible, abutting lots should use combined driveways.

#### QEW Employment Corridor

- 8.8 The QEW is the major highway transportation corridor through the Niagara Region. It conveys goods and people within, to and from the Golden Horseshoe area and western New York State. Development of lands adjacent to the QEW has played a significant role in the economy of the Niagara Region and such lands within the City's urban area can be capitalized on for future employment growth.

Policies 8.8 to 8.8.3 inclusive are deferred with respect to 6690 Montrose Road.

The corridor, located along the QEW as shown on Schedule A-2 extending from south of Lundy's Lane to the interchange at Lyon's Creek Road, includes a substantial amount of vacant Greenfield land and under-utilized parcels within the Built-up Area. This corridor, given its exposure and accessibility to the QEW, is well suited to the development of employment uses that require highway frontage. The lands that extend south of the Welland River have recently been serviced with municipal water and sanitary facilities, which have opened up these lands for the development of employment uses.

This corridor also marks the southern gateway into the urban area of the City. Given its locational advantages, this corridor can play a major role in implementation of the *Gateway Economic Zone* as envisaged by the *Growth Plan of the Greater Golden Horseshoe*. The urban areas of Niagara Falls and Fort Erie are identified as the *Gateway Economic Zone* which is to be developed to support economic diversity and the promotion of cross-border trade, the movement of goods and tourism. Due to the proximity to the U.S. border, the *Gateway Economic Zone* has a unique economic importance to the region and the province. The intent of the QEW Employment Corridor policies is to assist in the capitalization of trade and the movement of goods and to protect these lands from conversion to non-employment uses. Moreover, the overarching goal of the policies is the establishment of employment uses on these lands that add to the overall diversity of employment in the City.

It is not the intent of these policies to preclude or limit this designation being applied to other gateway lands that have proximity and exposure to the QEW. Accordingly, other lands may be added to this designation as warranted, from time to time.

- 8.8.1 The lands within the QEW Employment Corridor are intended to provide a long term base for the future

development of uses that require access and exposure to the QEW.

- 8.8.2 The QEW Employment Corridor shall be protected from conversion to, and encroachment from, non-employment uses.
  - 8.8.3 These lands are to be targeted for manufacturing, warehousing, wholesaling and logistics uses. In addition, offices and large scale institutional uses that require QEW access are also to be permitted.
  - 8.8.4 Retail that is ancillary to the principal use, is permitted to a maximum of 25% of the gross floor area of the principal use but shall not exceed 465 square metres.
  - 8.8.5 Automotive uses, service commercial including restaurants, printing shops, fitness and recreation and convenience stores and other uses that do not require QEW exposure and access are not to be permitted.
  - 8.8.6 Development of lands within the QEW Employment Corridor should be designed in accordance with the design principles in the PART 2, Section 8.7 of this Plan and provide an architectural and landscape design that promotes the gateway character of the Corridor.
  - 8.8.7 The lands on the east side of the QEW, south of the Welland River, designated Resort Commercial can provide for the development of employment uses, and as such, are included within the QEW Employment Corridor. These lands require further planning assessment regarding such issues as the appropriate uses to be permitted including land use designation, road pattern, impacts on residential uses and natural heritage preservation. ”
- i) Policy 9.8 is hereby deleted and replaced with the following:
    - “8.11 In order to ensure that obsolete industrial buildings and formerly occupied industrial sites are suitable for redevelopment, compliance with Provincial guidelines and Part 3, Section 6 will be sought prior to any new development.”
  - j) Policies 9.9 to 9.17 (inclusive) are renumbered as 8.12 to 8.20 (respectively).
- vii) PART 2, SECTION 10 - EXTRACTIVE INDUSTRIAL is renumbered to PART 2, SECTION 9 - EXTRACTIVE INDUSTRIAL and all subsections adjusted accordingly.

- viii) PART 2, SECTION 11 - NIAGARA ESCARPMENT PLAN is renumbered to PART 2, SECTION 10 - NIAGARA ESCARPMENT PLAN and all subsections adjusted accordingly.
  
- ix) PART 2, SECTION 12 - ENVIRONMENTAL PROTECTION AREAS is renumbered to PART 2, SECTION 11 - ENVIRONMENTAL PROTECTION AREAS and all subsections adjusted accordingly, and is amended by adding the following policies:

“NATURAL RESOURCES

- 11.17 The City shall encourage and support the efforts of the Ministry of Natural Resources, the Niagara Peninsula Conservation Authority and the Region of Niagara to protect, maintain, rehabilitate or improve the quality of the natural resources within the municipality in accordance with environmental and natural resource management legislation. Natural resources include the categories of Forest Resources, Fisheries Resources, Wildlife Resources, Water Resources, Mineral Resources and Areas of Natural and Scientific Interest.
  
- 11.18 Land owners shall be encouraged to consult with the Ministry of Natural Resources, Niagara Peninsula Conservation Authority and the Region of Niagara prior to commencing work of any kind on or adjacent to an area containing natural resources in order to determine the means by which to minimize potential adverse impacts.
  
- 11.19 Council will support and encourage the use of conservation agreements to maintain, enhance or restore land or wildlife; to protect and manage water quality and quantity, including drinking water sources; and the protection and management of watersheds.
  
- 11.20 Prior to undertaking major public work projects on or adjacent to an area containing natural resources, the City shall consult the Ministry of Natural Resources in order to determine what design requirements or modifications may be necessary to eliminate or minimize any potential adverse impacts.
  
- 11.21 Development within areas containing significant habitat of endangered or threatened species and significant wetlands shall be prohibited. Development within areas containing other natural resources shall generally be prohibited. However, in considering development applications on or adjacent to such natural resources, or on lands adjacent to significant habitat of endangered or threatened species and significant wetlands, the City shall consult with the Ministry of Natural Resources, the Niagara Peninsula Conservation Authority and the Region of Niagara. These agencies shall be consulted in regard to the following matters.
  - 11.21.1 The potential impact of the development proposal on the natural resources of the area.

- 11.21.2 Proposed methods by which to eliminate, minimize and/or reduce possible adverse impacts.
  - 11.21.3 The feasibility of maximizing the benefits of the natural resource to the community, such as by providing or maintaining public access.
  - 11.21.4 Determining alternative locations for the proposal.
  - 11.21.5 The need for additional studies, including environmental special engineering designs and development controls, to ensure that the proposed development does not have a negative impact on the natural resources of the area or their ecological function. These studies shall be prepared by a qualified environmental specialist and should identify and assess all possible environmental impacts, detail proposed measures to protect the natural resources, and discuss the advantages and disadvantages of the development and its need in the natural resource location.
  - 11.21.6 Compliance with all other policies in this Plan.
- 11.22 The City supports the natural heritage system approach which recognizes the importance of individual areas and features as well as the ties between them to the overall health of the natural environment. Linkages and natural corridors that connect the individual features can include valleylands, creeks, hedgerows, and service corridors. New development should not interfere with the function of these linkages and corridors and all efforts should be made through design for the enhancement or rehabilitation of natural resource connections.
- 11.23 The values and benefits of forest resources should be incorporated positively into the design of any development proposal occurring within the urban boundary. In such resource areas, development is to be designed in a sensitive manner and having regard to the following.
- 11.23.1 The retention and protection, to the greatest extent possible, of the existing tree cover, recognizing its environmental and aesthetic importance. A tree study may be required as a condition of development approval.
  - 11.23.2 Ensuring efficient harvesting and use of trees that must be removed to accommodate the placement of buildings, structures and roads.
  - 11.23.3 The incorporation of land with existing tree cover into the urban area park system, if appropriate.
  - 11.23.4 The maintenance and possible enhancement of tree cover along watercourses and on steep slopes, in order to reduce soil erosion and improve water quality.

- 11.23.5 Permitting the continued management and selective harvesting of forest resources, where appropriate.
- 11.24 The stewardship of urban woodlots and forested areas shall be promoted. Where such lands are under private ownership and are contemplated for development, the preservation and maintenance of natural environment conditions will be encouraged to the fullest extent possible. Where deemed appropriate, the City will consider such measures as bonusing, land purchase, transfer of development rights or land exchanges to safeguard important natural areas.
- 11.25 The City supports the protection of woodlands greater than 0.2 hectares in size and individual trees or small stands of trees on private lands that are deemed by Council to be of significance to the City because of species, quality, age or cultural association from injury and destruction through such means as the Region's Tree and Forest Conservation By-law or any similar municipal by-law.
- 11.26 Land owners in Good General Agricultural areas as well as Niagara Escarpment Area shall be encouraged to recognize the forest resource as both a source of income from various forest products and as an important element in providing essential soil and water conservation benefits. In this respect, land owners shall be encouraged to carry out the following.
  - 11.26.1 Employ proper forest management practices in consultation with the Ministry of Natural Resources and within the Niagara Escarpment Plan Area in accordance with Ontario Regulation 685/80 as amended.
  - 11.26.2 Retain existing tree cover wherever possible.
  - 11.26.3 Discourage the grazing of livestock within woodlots.
  - 11.26.4 Provide for the reforestation of non-productive or abandoned farmland.
  - 11.26.5 Apply for tax reduction programs and other benefits associated with the protection and management of woodlots.
  - 11.26.6 Maintain or establish tree and shrub cover on low agriculture capability soils and in hazardous areas such as steep slopes and flood prone areas, in order to reduce water runoff and minimize soil erosion.
- 11.27 The City recognizes the importance of ensuring the availability of an adequate supply of mineral aggregate for future use. Potential mineral resources, as identified in the Regional Niagara Policy Plan and the Ministry of Natural Resources Niagara District Land Use Guidelines, shall be protected by restricting land uses in these areas to those which do not preclude the option of future aggregate extraction.

- 11.28 The management of fisheries and wildlife resources shall be promoted in a manner that protects habitat and sustains species populations. In this regard, such resources shall be protected, maintained and improved by the appropriate agencies, groups and/or individuals and potential negative impacts from development and surrounding land uses shall be minimized. Any development affecting fisheries resources or site alteration affecting fisheries resource will not be permitted except in accordance with the Federal Fisheries Act as regulated by the Department of Fisheries and Oceans.
- 11.29 The City shall work with various provincial agencies and other groups in the protection of identified areas of natural and scientific interest. The educational, interpretive and recreational values of these resources shall be preserved by limiting development and surrounding land uses to those of a compatible nature.
- 11.30 The City shall prohibit the removal of topsoil as regulated by the City's Fill, Topsoil Removal or Site Alteration By-law and consider the approval of additional regulatory measures, as specified under the Topsoil Preservation Act.
- 11.31 The City shall promote the utilization of water conservation measures in an effort to reduce water consumption. The City will further investigate the use of water meters as a method of encouraging reduced water usage.
- 11.32 Any works adjacent to or within a waterway will require prior written authorization from the Niagara Peninsula Conservation Authority or the Ministry of Natural Resources.
- 11.33 A permit from the Niagara Peninsula Conservation Authority may be required for any works within areas regulated by the Conservation Authority's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 155/06).
- 11.34 The City shall consult with the Ministry of Natural Resources, the Niagara Peninsula Conservation Authority, the Niagara Region and the Niagara Parks Commission for any development proposal along the Niagara River that may have an adverse impact on the watercourse.
- 11.35 The City shall promote the function of valleylands or stream corridors as natural resource linkages and encourages the protection, naturalization and, wherever possible, the rehabilitation of valleylands or stream corridors in accordance with the Niagara Peninsula Conservation Authority's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 155/06).
- 11.36 Development along all valleylands and stream corridors, regardless of their designation in this plan, will be subject to a minimum setback of 7.5 metres from the top of slope or up to 30 metres for Type 1 fish

habitat, whichever is greater, for all buildings or structures in accordance with the Niagara Peninsula Conservation Authority's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 155/06).

11.37 Where, as a result of a planning application, new floodline, valleyland, or stream corridor mapping has been generated to the approval of the Niagara Peninsula Conservation Authority, amendments to this Plan may not be required. However, where the planning application involves a site specific Zoning By-law amendment, the City's Zoning By-law will be amended accordingly.

11.38 Any development adjacent to natural valleys as identified on the Niagara Peninsula Conservation Authority's regulation mapping must obtain approval from the Niagara Peninsula Conservation Authority. This should occur during the review of planning applications. The City's Zoning By-law may recognize all valleylands and stream corridors through an appropriate zoning which incorporates minimum structural setbacks in accordance with the Niagara Peninsula Conservation Authority's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 155/06)."

- x) PART 2, SECTION 13 - OPEN SPACE is renumbered to PART 2, SECTION 12 - OPEN SPACE and all subsections adjusted accordingly.
- xi) PART 2, SECTION 14 - SPECIAL POLICY AREAS is renumbered to PART 2, SECTION 13 - SPECIAL POLICY AREAS, all subsections adjusted accordingly, and amended as follows:
  - a) Policy 13.48 SPECIAL POLICY AREA "48" is amended by deleting the fourth and fifth sentences in their entirety.
- xii) PART 3, SECTION 1 - MUNICIPAL INFRASTRUCTURE is amended as follows:
  - a) the PREAMBLE is amended by deleting the second paragraph in its entirety and by adding the phrase "(in accordance with the provisions of the Accessibility for Ontarians with Disabilities Act)" after the phrase "those with disabilities" in the third sentence of the last paragraph.
  - b) Policy 1.1 is deleted in its entirety and replaced with the following:

"1.1 PHASING OF GROWTH

    - 1.1.1 Schedule B illustrates the Phasing Plan for the City. Lands shall be brought into the development stream in accordance with Schedule B and the policies of this section. Moreover, plans for expansion of, or for new services are to serve growth in a manner that supports the achievement of the greenfield density target and the intensification target of this Plan.

### 1.1.2 Greenfield Area

- 1.1.2.1 The development of lands in the Greenfield Area shall proceed in an orderly and efficient manner.
- 1.1.2.2 New development should occur as a logical extension of preceding development.
- 1.1.2.3 Land that is considered to be in-phase is that for which servicing has been included in the Five-Year Capital Works Program.
- 1.1.2.4 The determination of which lands may be brought into the development stream shall be based on land use, servicing and financial assessments that address the following criteria:
  - the supply of short term lands;
  - the extent of land that will benefit from servicing;
  - the use and the density at which the lands will be developed;
  - financing for the public works necessary for development to proceed; and
  - an assessment of the potential financial risk to the City.
- 1.1.2.5 Secondary plans shall provide details on the staging of development within the plan areas with respect to uses, residential densities, the extension of services and roads.
- 1.1.2.6 Proposals to bring out-of-phase lands into the development stream shall be assessed based on the following criteria:
  - compliance with the policies of this Plan;
  - the extent of the inventory of in-phase lands and their availability;
  - the benefit to the City such as revenue generation, employment growth and contributions to the strategic goals of Council;
  - the financial risk to the City's taxpayers;
  - the impacts on approved development; and
  - whether infrastructure is planned for the lands.
- 1.1.2.7 An out-of-phase development may be the subject of a front-ending agreement, pursuant to section 44 of the Development Charges Act, or similar type of development agreement which shall be a condition of any application to amend this Plan and/or the Zoning By-law, or any site plan or subdivision or condominium agreement.

### **1.1.3 Built-up Area**

- 1.1.3.1 Capital works expenditures shall be directed to the Intensification Areas shown on Schedule A-2 in order to resolve any servicing constraints that exist which may hinder the achievement of intensification.
- 1.1.3.2 Capital works expenditures within greenfields are not to jeopardize servicing improvements within the Built-up Area that will allow for the achievement of intensification.”

c) Policy 1.2 is deleted in its entirety and replaced with the following:

### **“1.2 WATER AND SANITARY SEWAGE**

- 1.2.1 The City shall implement a strategy for the systematic reduction or mitigation of combined sewer overflows in order to improve the effectiveness of the sanitary sewage system and to eliminate or reduce the negative impacts on the City’s natural heritage system. The City will also continue its programs of sewer separation, extraneous flow reduction and waste water reduction with priority being given to intensification areas, nodes and corridors so as to allow for the realization of the intensification targets in this Plan.
- 1.2.2 Municipal sanitary sewers and/or watermains shall not be extended beyond the urban area, except where required to correct a health problem as identified by the Regional Public Health Department and/or the Ministry of the Environment.
- 1.2.3 Council shall every five years, in accordance with the Development Charges Act, 1997, undertake a background study, including public consultations, and pass by-laws to implement Development Charges within the City that will be imposed to recover the costs of public services related to growth. The background study will consider the phasing of Greenfield lands, the realization of intensification targets as well as future land use in the determination of a Development Charge that is appropriate.
- 1.2.4 In general, development within the urban area shall be accommodated on the basis of full municipal services including sewers, storm sewers, water services and improved roadways. Uses within the urban area shall connect to municipal water and sanitary services, if available. Outside of the urban area, Council shall cooperate with the Niagara Region in promoting individual sewage disposal systems which incorporate proven new technology achieving reduced volumes and/or improved quality of effluents.”

d) Policy 1.3 is deleted in its entirety and replaced with the following:

“1.3 STORM DRAINAGE

- 1.3.1 It is required that all new development or redevelopment within the City be connected to and serviced by a suitable storm drainage system. Appropriate systems may include underground pipes, ditches, culverts, swales, man-made and natural watercourses, detention storage areas or any other storm water management system acceptable to Council, the Niagara Region, the Niagara Peninsula Conservation Authority, and other agencies.
- 1.3.2 Council shall not permit any new development or redevelopment where it would interfere with, or reduce, the drainage capacity of any natural watercourse or agricultural field drainage system, result in any erosion, pollution or drainage problems along watercourses and their tributaries.
- 1.3.3 Master storm water management plans shall be developed for watershed areas in advance major development or redevelopment in conjunction with the Niagara Peninsula Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, and other agencies. Council may adopt such plans as part of a secondary plan or Environmental Assessment. Where applicable, developers may be required to undertake storm water management studies for specific sites.
- 1.3.4 Storm water management plans shall incorporate the use and creation of naturalized overland systems. Naturalized off-stream ponds and wetlands are encouraged to properly regulate and control water quantity and quality flows going into natural watercourses. In addition to controlling water quality and quantity, such systems shall be as natural as possible to create habitat areas and where applicable, will be used to provide linkages to other natural features.
- 1.3.5 In the review of development or redevelopment proposals, Council shall cooperate, where practicable, with the Niagara Peninsula Conservation Authority, Ministry of Natural Resources, Ministry of the Environment, and other agencies in any flood management study or engineering work that may be undertaken to improve or maintain the drainage capacity of natural watercourses. All existing storm drainage systems shall be maintained and improved in order to ensure their efficient operation and to minimize the potential for flooding.
- 1.3.6 The City will continue to implement sewer rehabilitation programs, including ongoing storm sewer and sanitary sewer separation, detention ponds, in-line storage and other improvement works.

## 1.4 WASTE DISPOSAL

- 1.4.1 It is recognized that the management of solid waste is the responsibility of the Niagara Region. Proposals for new, or expansions to existing, waste disposal sites will require amendments to the Official Plan and Zoning By-law.
- 1.4.2 In the selection and approval of sites for landfill use, the City will require that certain items be examined and reported on such as the social, economic and environmental effects of the creation of such landfill sites, assessment of alternatives to landfill uses and views of affected citizens. These items will be in keeping with the Environmental Assessment Act and requirements of the City.

## 1.5 TRANSPORTATION

The City's transportation system is made up of the following elements:

- Transportation corridors
- Public transit
- Active transportation facilities
- Collector and local road network

One of the goals of this Plan is to reduce the dependency passenger vehicles and increase the modal share of public transit and active transportation. It is also a goal of this Plan that the transportation system work seamlessly and efficiently convey people and goods safely.

This Plan may be amended as the result of recommendations from a Transportation Master Plan regarding matters such as, but not limited to, route prioritization for moving goods and people into and out of employments areas, transportation demand management, modal share targets, active transportation facilities and multi-modal use.

### **Transportation Corridors**

- 1.5.1 As shown on Schedule A-2, the City's transportation corridors consist of rail corridors, provincial highways and the arterial road system. These corridors are the primary conveyors of goods and people within, into and out of the City.
- 1.5.2 The corridors within the City's jurisdiction shall be of the width provided for in this Plan and should contain sidewalks and bicycle lanes of sufficient width to safely accommodate users.
- 1.5.3 The streetscape of corridors within the City's jurisdiction should be designed to increase the comfort level of pedestrians through the use of street trees, benches and bus shelters.
- 1.5.4 Access ramps from private developments should be minimized

and amalgamated with adjoining properties where possible.

### **Rail and Public Transit**

- 1.5.5 The City will provide a public transit system to service the transit needs of residents and tourists. This system includes inner-City buses, inter-city bus rapid transit and a tourist peplemover. This Plan envisages a modal share of public transit increase to 3.2%.
- 1.5.6 Public transit routes shall be designed to service employment areas, intensification areas, nodes and intensification corridors. It is desirable for public transit services to be encouraged in proximity to higher density residential developments, areas of high employment concentration, major medical and social service centres, housing developments for people with special needs and social amenity areas such as the Niagara Parks and other attractions. Transit stops should be located within hubs and major public facilities. The development of inner-City bus rapid transit lines into high density employment areas is encouraged.
- 1.5.7 Transit service planning shall be connected with the City and Regional Bicycling Network and co-ordinated with the planning of bicycle routes and pedestrian paths to enhance the convenience, safety and usability of these modes of transportation.
- 1.5.8 Collector roads within Greenfield secondary plan areas shall be designed to accommodate transit.
- 1.5.9 This Plan envisages the expansion of commuter GO Transit rail service to the City in the long term. The City will participate with Regional and Provincial agencies in the establishment of this service.
- 1.5.10 Council recognizes the capability of rail lines to provide an alternative to road traffic for transporting tourists, residents and goods in and out of the City. To minimize the interference of rail service with vehicular and pedestrian traffic, Council shall seek to eliminate grade crossings on a priority basis and with the financial assistance of the appropriate authorities. Where the elimination of such grade crossings is not feasible, Council shall petition the appropriate authority to provide and maintain appropriate level crossing control devices.
- 1.5.11 Where residential or institutional development is proposed in proximity to operational railway lines, Council shall

require the preparation of a noise and vibration impact assessment. If necessary, the assessment shall include measures necessary to achieve acceptable attenuation levels in accordance with Ministry of the Environment, and Railway criteria. The measures may take the form of fencing, increased setbacks, earthberms, tree planting, acoustical insulation, site plans or combinations thereof in order to minimize potential safety hazards and visual, noise and vibration impacts to the satisfaction of the City and the Ministry of the Environment, and in consultation with the appropriate Railway.

### **Active Transportation Facilities**

- 1.5.12 In an effort to achieve an increase in the modal share of bicycle and pedestrian trips, the City will provide public facilities for active transportation in the form of bicycle or shared use lanes, paved shoulders of rural roads, off-road recreational trails, bicycle parking facilities and sidewalks to the extent that is financially feasible.
  - 1.5.13 The City will endeavour to achieve connectivity of off-road trails with the goal of creating an inner-City trail system that links residential, employment and recreational areas.
  - 1.5.14 Sidewalks on certain roadways will be provided where required for the safety and convenience of pedestrians. In this regard, Council may undertake and continually update a detailed sidewalk construction and maintenance programs.
  - 1.5.15 The City may require the dedication of trails, in accordance with the provisions of the *Planning Act*, as a condition of development approval.
  - 1.5.16 New development will be encouraged to provide bicycle parking and other facilities to accommodate active transportation. In this regard, the City will provide bicycle facilities within its own buildings.”
- e) Policy 1.4 ROAD NETWORK is relabelled “COLLECTOR AND LOCAL ROAD NETWORK”.
  - f) Policy 1.4.1 is deleted and replaced with the following:  
“1.5.17 The collector and local road network functions primarily to convey traffic and pedestrians to transportation corridors. “
  - g) Policy 1.4.2 is renumbered 1.5.18 and the first sentence is replaced with the following:

“1.5.18 A hierarchy of roads is contained within the transportation system.”

- h) Policies 1.4.3 to 1.4.6 (inclusive) are renumbered 1.5.19 to 1.5.22 (respectively); Policy 1.4.7 is deleted in its entirety; and Policies 1.4.8 to 1.4.20 (inclusive) are renumbered 1.5.23 to 1.5.35 (respectively).
- i) Reference to the term “Region’s Bikeway Master Plan” in Policy 1.5.21 and Policy 1.5.24 is replaced with “Regional Bicycling Network.”
- j) The phrase “Local Roads, All local roads allowances are to be 20metres in width. There may be cases when local roads will be less than 20 metres under special circumstances approved by Council” is amended by deleting the words “Local Roads” and numbering the remainder of the phrase 1.5.36 as follows:

“1.5.36 All local road allowances are to be 20 metres in width. There may be cases when local roads will be less than 20 metres under special circumstances approved by Council.”

- k) Policies 1.5 to 1.8 (inclusive) are deleted.
- l) Policies 1.9.1 to 1.9.6 (inclusive) are renumbered to 1.5.37 to 1.5.42 (respectively) and reference to Policy 1.9 shall be deleted.

xiii) PART 3, SECTION 2 - PARKLAND STRATEGY is amended as follows:

- a) The second sentence of the PREAMBLE is deleted and replaced with the following:

“Parklands, trails and public open space form an critical part of the urban environment. Such spaces not only serve a recreational function but serve neighbourhoods and the community as a whole in terms of social interaction and active transportation. It is the intent of this Plan to provide public open space within both the Greenfield Area and Built-up Area to the extent that is appropriate for that neighbourhood or community.”

- b) Policies 2.4.1 and 2.4.2 are deleted, Policies 2.4.3 - 2.4.4 are renumbered 2.4.4 - 2.4.5 (respectively), and the following new policies are added:

“2.4.1 Open space shall be designed to respect and integrate with protected natural heritage features. The minimum prescribed buffers shall be provided and maintained as a naturalized area. Playgrounds, sports fields and other forms of active recreational uses shall be setback from buffers and the intervening area planted with vegetation that hinders human traffic.

2.4.2 Active parkland should be designed to accommodate various forms of recreational activities.

2.4.3 Within secondary plan areas, a system of trails and open space should be provided that is integrated with the built environment, with connections to schools and other forms of community infrastructure in order to create a liveable community.”

- xiv) PART 3, SECTION 3 - CONSERVATION STRATEGY is renamed PART 3, SECTION 3 - ENERGY CONSERVATION and is further amended as follows:
  - a) Policy 3.1.2 is deleted in its entirety.
  - b) Policies 3.1.3 to 3.1.6 (inclusive) are renumbered 3.1.2 to 3.1.5 (respectively).
- xv) PART 3, SECTION 3.2 - HERITAGE RESOURCES is renumbered and renamed to PART 3, SECTION 4 - CULTURAL HERITAGE CONSERVATION and PART 4, SECTION 4 - HOUSING STRATEGY is deleted in its entirety.
- xvi) PART 3, SECTION 3.3 - NATURAL RESOURCES is deleted in its entirety and moved to PART 2, SECTIONS 11.7-11.38.
- xvii) PART 3, SECTION 5 - AMENITY AND DESIGN STRATEGY is renamed PART 3, SECTION 5 - URBAN DESIGN STRATEGY and is amended as follows:
  - a) The PREAMBLE and Policy 5.1 are deleted and replaced with the following:

“Urban design is the shaping of the built environment. It plays an important role in the upgrading and maintenance of the City’s civic image and economic potential and is critical to the quality of life for its citizens. It is the intent of this Plan to create a compact and interconnected, pedestrian-oriented and transit-supportive community. The built environment consists of the public realm and private properties, both of which have to be designed to work harmoniously together. The policies of this section are to provide guidance to both the public and private sectors.

## **POLICIES**

5.1 New development, redevelopment and public works projects shall utilize building, streetscaping and landscaping designs to

improve the built and social environment of the City and to enhance quality of life. Development should integrate and be compatible with the surrounding area including natural and cultural heritage features.

- 5.1.1 The design of new development and redevelopment shall specifically address height, setbacks, massing, siting and architecture of existing buildings in order to provide a compatible relationship with development in an area.
- 5.1.2 Development shall be designed and oriented to the pedestrian. As such buildings shall be set as close to the street as possible. Moreover, where development includes multiple buildings, the buildings should be deployed in such a manner that allows pedestrians to move between buildings with a minimum of interference from vehicular traffic. To this end, designated walkways through parking areas and to other buildings are to be provided.
- 5.1.3 Development and redevelopment shall be designed to minimize microclimatic impacts on adjacent lands. Mitigation measures may be secured through provisions of a site specific zoning by-law, conditions of a minor variance, or within the terms of an agreement pursuant to sections 37 or 41 of the *Planning Act*.
- 5.1.4 In prominent landmark locations such as gateway entrances to the City or along important roadway corridors, special attention to high quality design and landscaping shall be encouraged. Furthermore, new development and redevelopment should be designed and sited to minimize the obstruction of scenic views and vistas.
- 5.1.5 Parking areas are to be minimized within the front yard of development sites. Parking shall primarily be located in the rear or sideyards of development sites with sufficient landscaping utilized to create an effective buffer to abutting lands.
- 5.1.6 Appropriately designed and scaled parking structures or underground parking shall be encouraged for large tourist commercial and high density residential developments.
- 5.1.7 The number of access points onto arterial roads shall be minimized. Linked parking and driveway areas shall be encouraged. Access points shall be oriented toward major roadways.”

- b) Policy 5.2 is amended by:
  - i) replacing the first and second sentence with “Streets are a public space that, while conveying motorized traffic, are to be designed as a safe, comfortable and convenient environment for the pedestrian and cyclist.” and by deleting the phrase “and soft landscaping features” at the end of sentence three and replacing it with “tree planting and other landscaping features”.
  - ii) deleting Policy 5.2.1 and replacing it with:

“5.2.1 The provision of adequate and accessible space for pedestrians, cyclists and transit are to be considered in the design of streets.”
  - iii) adding the following phrase to the end of the first sentence of Policy 5.2.2: “through the development of facilities and amenities such as sidewalk cafes, plazas, piazzas and other spaces.”.
- c) Policy 5.3 is amended by:
  - i) deleting the first sentence of Policy 5.3.4 and replacing it with: “Landscaping, together with other design measures, can assist in mitigating the impacts of development on surrounding lands. Landscaping, where adjacent to buffer areas of natural heritage features, shall be designed to incorporate native species.”.
  - ii) deleting the second sentence of Policy 5.3.5 and replacing it with: “Tree Preservation Plans may be required prior to any site alteration in compliance with PART 2, Section 11.”.
- d) Policy 5.6 is deleted and Policy 5.5 is renumbered to Policy 5.6 and is further amended by:
  - i) replacing the phrase “of a plan of subdivision” at the end of Policy 5.6.2 (formerly 5.5.2) with “ within secondary plans and plans of subdivisions”
  - ii) deleting former Policy 5.5.3.
- e) A new Policy 5.5 is added as follows:

“5.5 Signs within the City are regulated by the comprehensive sign by-law. The by-law implements the following amenity and design principles:

5.5.1 The city is organized into sign districts in order to

establish the appropriate sign types and regulations for each district.

- 5.5.2 Proposed signs should be designed so as not to compete for visual attention and airspace with streetscape elements, existing signage and buildings.
- 5.5.3 Signs are a part of the streetscape and are to be designed to complement the built form and character of the surrounding area. Signs are not to be intrusive nor add to visual clutter. Separation distance between signs and residential uses, designated heritage properties and open space should be such that these uses are not impacted negatively.
- 5.5.4 Signs should be designed to integrate with building architecture and the development in general.
- 5.5.5 Electronic signage should be carefully sited. Due to its illumination and display characteristics, electronic signage should be located such that impacts on vehicular and pedestrian traffic are minimized.
- 5.5.6 Signs located in the Downtown and Drummondville Districts shall be designed to respect the historic character or heritage theme for these areas. As such, signs are to be at a scale and size that is appropriate for each district and in compliance with the specific design guidelines are to be developed for the Downtown and Drummondville Districts.
- 5.5.7 Applications for minor variances from the comprehensive sign by-law may be considered by Council or its designated staff member provided that:
  - the general intent and purpose of the Official Plan is maintained;
  - the general intent of the Sign By-law is maintained;
  - the request is minor in nature; and
  - is desirable for the appropriate development of the land.
- 5.5.8 Any major deviations will require Council approval as an amendment to the by-law and will be subject to the submission of an application accompanied by studies and /or reports, to demonstrate the reasons why the by-law regulations cannot be complied with and to address issues of aesthetics and design as well as impacts on the surrounding area, traffic safety and public property.

5.5.9 Approvals of by-law amendment applications may be subject to conditions including, but not limited to, submission of Letters of Credit, agreements registered on title to safeguard the City's interests in the regulation of signs and their content as Council considers appropriate."

f) A new Policy 5.7 is added as follows:

"5.7 The City may prepare urban design plans or neighbourhood plans to implement the Urban Design Policies on specific areas. In the absence of such plans, reference should be made to Niagara Region's Model Urban Design Guidelines."

xviii) PART 4, SECTION 2 - OFFICIAL PLAN REVIEW AND AMENDMENTS is amended as follows:

a) Policy 2.1 is amended by replacing the date "2011" with "2031".

b) Policy 2.3 is amended by renumbering subsections 2.3.2 to 2.3.14 (inclusive) to 2.3.3 to 2.2.15 (respectively) and by adding a new Policy 2.3.2:

"2.3.2 Intensification and Density Targets"

c) The following policies are added after Policy 2.7:

#### **Urban Boundary Expansion**

2.8 An Urban area boundary expansion shall only occur where the Regionally led and subsequent Local Growth Management Studies have demonstrated that:

2.8.1 Sufficient opportunities to accommodate forecasted growth through intensification and greenfield development, using the intensification target and density targets of this Plan, are not available.

2.8.2 The expansion makes available sufficient lands for a time horizon not exceeding 20 years. The timing of the expansion and phasing of development within the greenfield area will not adversely affect the achievement of the intensification target, density targets or any other policies of this Plan.

2.8.3 Where applicable, the proposed expansion will meet the requirements of the Greenbelt and Niagara Escarpment Plans.

- 2.8.4 The existing or planned infrastructure required to accommodate the proposed expansion can be provided in a financially and environmentally sustainable manner.
- 2.8.5 In prime agricultural areas:
- a) The lands do not comprise specialty crop areas.
  - b) There are no reasonable alternatives that avoid prime agricultural areas.
  - c) There are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.
- 2.8.6 Impacts from expanding urban areas on agricultural operations that are adjacent or close to the urban area are mitigated to the extent feasible.
- 2.8.7 In determining the most appropriate location for expansions to the boundaries of an urban area, the policies of Sections 2 and 3 of the PPS and Sections 6 and 7 of the Regional Policy Plan or corresponding policies of this Plan are applied.
- 2.8.8 The expansion will plan to maintain or move significantly towards a minimum of one full time job per three residents within the municipality.

### **Employment Land Conversions**

- 2.9 The City may permit the conversion of lands within employment areas to non-employment uses but only through a municipal comprehensive review where it has been demonstrated that the conversion meets each of the tests identified in Policy 2.10 where it meets at least one of the following strategic objectives:
- 2.9.1 promotes brownfield redevelopment;
  - 2.9.2 addresses issues related to land use incompatibility;
  - 2.9.3 provides affordable housing; or,
  - 2.9.4 meets any of the other strategic policies of this Plan.
- 2.10 Conversion of employment lands to non-employment uses must demonstrate that:
- 2.10.1 there is a need for the conversion;
  - 2.10.2 the City will meet employment targets allocated to the Municipality as documented in this Plan;
  - 2.10.3 the conversion will not adversely affect the overall viability of the employment area and the

- achievement of the intensification target, density targets and other policies of this Plan;
- 2.10.4 there is existing or planned infrastructure in place to accommodate the proposed use;
- 2.10.5 the lands are not required over the long term for the employment purposes for which they are designated; and,
- 2.10.6 Cross jurisdictional issues, including but not limited to infrastructure, the environment and land supply have been considered. “
- xix) PART 4, SECTION 3 - COMMUNITY SECONDARY PLANS AND NEIGHBOURHOOD PLANS is amended as follows:
- a) Policy 3.1 is amended by deleting the phrase “major growth areas, such as the Westlane, Grassybrook and Chippawa areas” and replacing it with “greenfield areas in accordance with Part 2.”.
- b) Policy 3.2 is amended by replacing the word “may” with the word “will” in both the first and second sentences and by inserting the words “land use” between the words “any” and “change” in the second sentence.
- c) Policy 3.4 is amended by deleting the first sentence and replacing it with “Neighbourhood plans may be prepared as a guide to localized development where secondary plans are not warranted and may be incorporated into the Official Plan.” and by deleting the last sentence in its entirety.
- xx) PART 4, SECTION 4 - BY-LAWS is amended by deleting Policy 4.5.1 in its entirety and replacing it with the following:
- “4.5.1 Council may grant, pursuant to Section 37 of the Planning Act, bonuses in height and/or density of a development beyond that permitted by this Plan and/or the Zoning By-law in exchange for facilities, services or matters. Development proposals shall be consistent with the objectives and policies of this Plan. The facilities, services or matters include, but are not limited to:
- public capital facilities;
  - remediation of a brownfield site;
  - provision of parkland or public open space, beyond that required by this Plan;
  - preservation of natural heritage resources, beyond that required by this Plan;
  - provision of on-site and/or off-site pedestrian, cycling or transit facilities;
  - additional road or servicing improvements;
  - preservation of cultural heritage resources, including restoration of buildings, conservation of heritage landscapes and protection of archaeological sites; and

- provision of on-site and off-site sustainable design elements.
- 4.5.2 In the consideration of the facilities, services or matters to be provided, regard shall be had for the relationship of the facilities, services or matters to the proposed development, or the neighbourhood in which the proposed development is located.
- 4.5.3 In all cases, the increase in height and/or density will be based on a site specific review. In reviewing the proposed increase in height and/or density, Council will ensure that:
- the proposed development is compatible with the scale and character of the surrounding neighbourhood and does not constitute an undue concentration of density;
  - there is adequate infrastructure and community facilities available, or can be made available, to support the proposed development;
  - the transportation system can accommodate the proposed increased density; and
  - the site is of a size and configuration that can accommodate the necessary on-site functions, parking and landscaping.
- 4.5.4 Any agreements required to secure the services, facilities or matters shall be executed by the applicant prior to Council passing any by-laws to amend the Zoning By-law.
- xxi) PART 4, SECTION 8 - CONSENT POLICIES, Policy 8.2.5 is amended by inserting the phrase “where supported through a farm business plan and” between the words “permitted” and “provided” in the first sentence.
- xxii) PART 5, APPENDICES, is relabelled “PART 5, SECONDARY PLANS”, “PART 6 - SCHEDULES” is added and the APPENDICES are moved to “APPENDICES”.
- xxiii) APPENDIX 1 - DEFINITIONS is amended by:
- a) moving and renaming definition 1.4 “Area of Employment” to 1.15 “Employment Lands” and by renumbering definitions 1.5 to 1.15 (inclusive) to 1.4 to 1.14 (respectively); and
  - b) deleting 1.7 “Comprehensive Review” in its entirety and replacing it with the following:  
“1.7 “Comprehensive Review” -
    - a) an official plan review or amendment which is initiated or adopted by a planning authority for the purposes employment land conversions within a regeneration area or Downtown, or
    - b) for the purposes of urban boundary expansions and conversions of employment lands, not within regeneration areas or Downtown, means an official plan review, or an official plan amendment,

initiated by a municipality that comprehensively applies the policies of the Growth Plan for the Greater Golden Horseshoe; which:

1. is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans, where applicable; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
2. utilizes opportunities to accommodate projected growth through intensification and redevelopment;
3. confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2 (of the Provincial Policy Statement, 2005);
4. is integrated with planning for infrastructure and public service facilities; and
5. considers cross-jurisdictional issues.”

xix) Cross references of policies that have been changed as a result of this proposed amendment are applied as follows:

Current OP Policy	Proposed OP Policy	Current Reference	Updated Reference
Part 2,			
Part 2, S. 12.4	Part 2, S. 11.4	Part 3, S. 3.3.4	Part 2, S. 11.20
Part 2, S. 14.7.1	Part 2, S. 13.7.1	Part 2, S. 9	Part 2, S. 8
Part 2, S. 14.7.2	Part 2, S. 13.7.1.2	Part 2, S. 14.7.1.1	Part 2, S. 13.7.1.1
Part 2, S. 14.7.1.3	Part 2, S. 13.7.1.3	Part 2, S. 14.7.1.2	Part 2, S. 13.7.1.2
Part 2, S. 14.32	Part 2, S. 13.32	Part 2 S.1.2.3 and 4.2.35	Part 2, S. 1.3.3 and 4.2.36
Part 2, S. 14.34	Part 2, S. 13.34	Section 9	Section 8
Part 2, S. 14.34.6	Part 2, S. 13.34.6	Policy 13.7	Policy 12.7
Part 2, S. 14.35.1	Part 2, S. 13.35.1	Policy 14.35.3.2	Policy 13.35.3.2
Part 2, S. 14.35.3	Part 2, S. 13.35.3	Part 2, Section 9	Part 2, Section 8
Part 2, S. 14.37.1.2	Part 2, S. 13.37.1.2	Policy 14.37.1.2(i) (a),(b),(c),(d)	Policy 13.37.1.2(i) (a),(b),(c),(d)
Part 2, S. 14.42.4	Part 2, S. 13.42.4	Policy 14.49.1	Policy 13.49.1
Part 2, S. 14.44.2	Part 2, S. 13.44.2	Part 2, Section 12	Part 2, Section 11
Part 2, S. 14.44.3	Part 2, S. 13.44.3	14.44.2	14.33.2
Part 2, S. 14.50	Part 2, S. 13.50	Part 2, Section 10	Part 2, Section 9
Part 2, S. 14.51	Part 2, S. 13.51	Part 2, Section 1.7.5	Part 2, Section 1.13.5
Part 2, S. 14.51.3	Part 2, S. 13.51.3	S. 14.51.4	S. 13.51.4
Part 2, S. 14.54	Part 2, S. 13.54	Part 2, Section 1.7.5	Part 2, Section 1.13.5
Part 2, S. 14.55	Part 2, S. 13.55	Part 2, Section 1.2	Part 2, Section 1.3
Part 2, S. 14.57.2.2(b)	Part 2, S. 13.57.2.2(b)	Policy 12.57.4	Policy 11.57.4

<b>Part 2, S. 14.58</b>	<b>Part 2, S. 13.58</b>	<b>Part 2, S. 1.2</b>	<b>Part 2, S. 1.3</b>
<b>Part 2, S. 14.59</b>	<b>Part 2, S. 13.59</b>	<b>Part 2, S. 3.5.2</b>	<b>Part 2, S. 3.5.1</b>
<b>Part 2, S. 14.60</b>	<b>Part 2, S. 13.60</b>	<b>Part 2, S. 1.7.5</b>	<b>Part 2, S. 1.13.5</b>
<b>Part 3, S. 1.4.8</b>	<b>Part 3, 1.5.24</b>	<b>Policy 1.4.19</b>	<b>Policy 1.5.35</b>
<b>Part 3, S. 3.2.8</b>	<b>Part 3, S. 4.8</b>	<b>Policy 3.2.6</b>	<b>Policy 4.6</b>
<b>Part 4, S.4 Preamble</b>	<b>Part 4, Section 4 Preamble</b>	<b>Part 2, Section 11</b>	<b>Part 2, Section 10</b>