



making our mark

NIAGARA

OFFICIAL PLAN

May 2024 Consolidation

Niagara  Region

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MAKING OUR MARK

NIAGARA OFFICIAL PLAN



MAKING OUR MARK



This is the Niagara Official Plan, the Regional Municipality of Niagara's long-term, strategic policy planning framework for managing growth coming to Niagara. The policies of this Plan will guide land use and *development* thereby influencing economic, environmental, and planning decisions until 2051 and beyond.

The Niagara Official Plan identifies: what we need to protect; how and where we will grow; and policy tools to manage the same. Resources such as the *natural environment system*, *agricultural system*,

source water, aggregates and petroleum, and cultural heritage and archaeology each are protected for specific reasons whether it be ecological, economic, cultural heritage or community health.

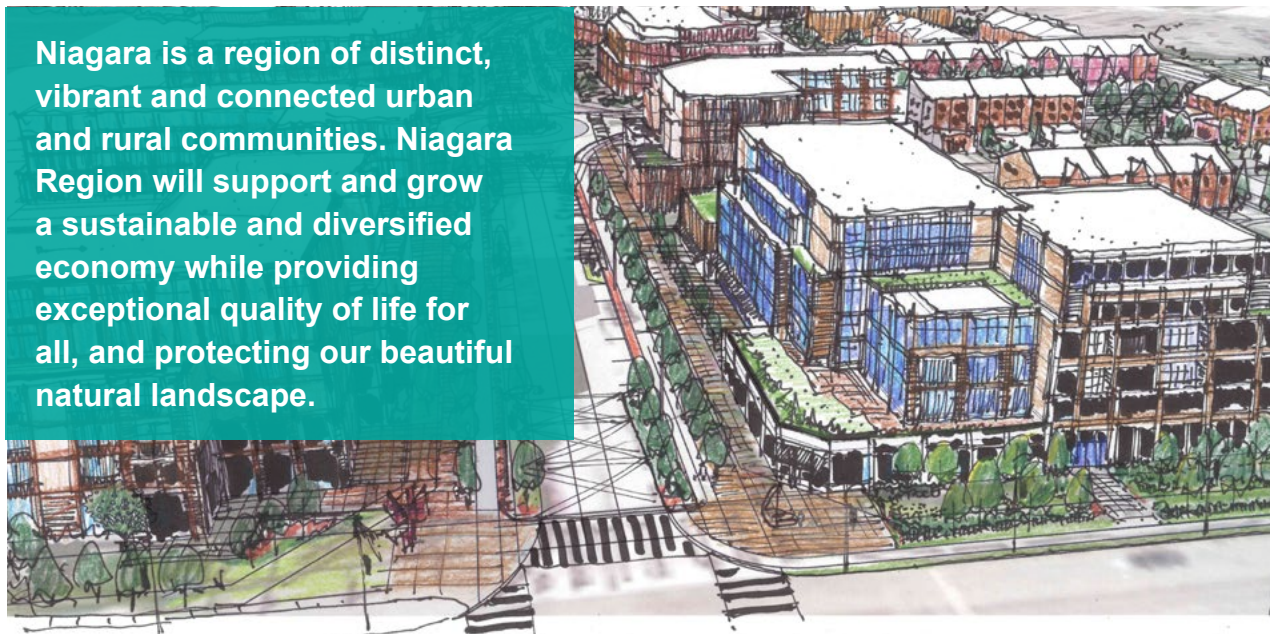
Properly protecting resources while planning for growth is critical. Policy tools such as district and secondary planning, *subwatershed planning* and urban design are important in managing growth to ensure relevant resources are protected. *Infrastructure* in terms of services and a *transportation system* must be sustainably provided for to support growth.

Niagara is on the threshold of significant growth. A Place to Grow: Growth Plan for the Greater Golden Horseshoe (2019, as amended) requires Niagara to effectively prepare for a significant increase in population and employment to the year 2051. Niagara is expected to accommodate a minimum population of 694,000 and 272,000 jobs which will be shaped by the proactive growth management, community building, and other forward-thinking policies of this Plan. Proactive growth management will require this Plan to integrate with and inform key engineering and finance programs, including the Development Charges, Water and Wastewater Master Plan and Transportation Master Plan in order to ensure the necessary *infrastructure* is in place to accommodate growth.

The strategic policy direction of this Plan balances the input provided by individuals, agencies, boards, governments, First Nations, Indigenous communities, and organized interest groups. This input also shaped the creation of a vision and pillar statements that form the foundations of policy development. The vision sets a high-level statement of intent and direction and the pillar statements provide insight into the relationship between community values and policies and expected outcomes over the life of this Plan. Both pillar statements and policies are interconnected and must be considered holistically.

2051 Vision

Niagara is a region of distinct, vibrant and connected urban and rural communities. Niagara Region will support and grow a sustainable and diversified economy while providing exceptional quality of life for all, and protecting our beautiful natural landscape.



Pillar Statements

EXCEPTIONAL Development and Communities

Well-planned, high quality development in appropriate locations that improves our communities, while protecting what is valuable.

DIVERSE Housing Types, Jobs and Population

A wide mix of housing types and employment opportunities that attract diverse populations to Niagara across all ages, incomes and backgrounds.

THRIVING Economy

A prosperous agricultural industry and *employment areas* that provide jobs and grow our economy.

RESILIENT Urban and Natural Areas

Areas rich in biodiversity that mitigate and adapt to *climate change* while strengthening Niagara's ability to recover from extreme weather events.

1.1 Overview – Niagara Past, Present, and Future



Formed in 1970¹, Niagara Region is composed of twelve Local Area Municipalities, comprising urban and rural communities, with a growing population of over 450,000 and a land base of about 1,854 square kilometres.

Niagara is a geographically distinct area of land bordered by Lake Ontario, Lake Erie, and the Niagara River. The Niagara Escarpment, a renowned UNESCO World Biosphere Reserve, is a prominent visual landmark and natural corridor transecting the region. The geographic areas of the region have an influence on climate, and, combined with the sand and silt soils of the Fonthill kame moraine and along the Lake Ontario plain, create unique areas for the growing of tender fruits and grapes.

¹ On June 26, 1969, the Province of Ontario enacted The Regional Municipality of Niagara Act. On January 1, 1970, twelve area municipal governments and one regional government replaced the two counties and twenty-six municipal structures.

Niagara's history spans more than 10,000 years, beginning with the Indigenous peoples who hunted, fished, foraged and lived sustainably on the lands. There remains evidence of the role the Loyalist migration resulting from the American Revolutionary War, the War of 1812, and Underground Railroad played in how Niagara developed. Evidence of Niagara's rich history can be seen in the considerable number of historic trails, sites, buildings, and monuments that are located throughout the region.

Today, Niagara is a region of contrasts where you can find quaint main streets and animated downtown cores, scenic parkways and busy highways, legendary waterfalls and reflective parks, historic pageantry, the glitz of an entertainment district, world-class wineries, breweries and distilleries, as well as beautiful natural areas and vineyards. These attributes, together with Niagara's diverse economic base with major employment in the hospitality industry, manufacturing, agriculture, construction, service businesses, educational and medical facilities, and governments as well as recent GO Transit train connection to the Greater Toronto and Hamilton Area, make Niagara a desirable destination for growth. The challenge is managing growth sustainably to maintain and enhance all these attributes.

1.2 Planning Context

1.2.1 Legislative Basis

This Plan supersedes the Region's previous official plan. In 1973 the Region adopted a Regional Policy Plan with amendments throughout the 1970's to solidify urban boundaries. Further core amendments to address natural heritage protection and growth management were approved. It was in 2014 that the Regional Policy Plan was reformatted into an official plan.

An official plan is not intended to be a static document. In accordance with the provisions of the Planning Act, the Region is required to prepare and regularly update its official plan.

In 2017, Regional Council determined that a new official plan was needed and directed Regional staff to commence a multi-year comprehensive review.

The Planning Act requires that all official plans contain goals, objectives, and policies to manage and direct physical (land use) change and its effects on the cultural, social, economic, and natural environment within legislated boundaries. It is required to have policies and measures as are practicable to ensure among other matters: sufficient lands to accommodate growth; *climate change* mitigation and adaptation; the adequate provision of *affordable* housing; protection of the environment; the development of *complete communities*; and protection of *employment areas*, agriculture and resources.

This Plan was adopted by Regional Council on June 23, 2022. The Province is the approval authority for this Plan.

1.2.2 Plan Conformity

This Plan is a legal document. The Planning Act requires that all Regional and Local *public works projects*, Local official plans, amendments, land-use related by-laws, and all future *development* must conform to the approved Plan.

The Planning Act requires that Local official plans must be updated to conform to this Plan within one year of Provincial approval.

Under the Planning Act, the Region is the approval authority for Local official plan conformity. To assist Local Area Municipalities in updating their official plans for conformity, the Region will develop guidelines. Within this framework, Local official plans are to provide the detailed community planning goals, objectives, and policies that implement this Plan in a manner that reflects unique local needs and circumstances.

Land use planning is a shared responsibility between the Region and Local Area Municipalities. This responsibility is grounded in the idea that citizens are best served by effective Regional and Local municipal partnerships and collaboration, including the development and review of their respective official plans.

This Plan is required to be consistent with the Provincial Policy Statement (2020), conform to the Growth Plan (2019, as amended) and Greenbelt Plan (2017), and not conflict with the Niagara Escarpment Plan (2017).

1.2.3 Plan Utilization

This Plan will be used by Regional Council and Local Area Municipalities relative to making planning decisions and updating Local official plans and zoning by-laws. This Plan will also be used by other government agencies, businesses, industry and private citizens in considering their own plans, investments, and programs.

1.3 How to Read the Plan

1.3.1 Relationship with Provincial Legislation

This Plan must be read in conjunction with the Provincial policy plans identified in Section 1.2.2.

This Plan builds upon the policy foundation provided by the Provincial legislation and provides additional and more specific land use planning policies to address issues facing Niagara.

The policies in Chapter 7 and Provincial policies and legislation will assist in interpreting this Plan.

1.3.2 Format

This Plan consists of policies, tables, comment boxes, maps, figures, schedules, appendices, and a Glossary of Terms. The schedules, tables and Glossary of Terms must be read in the context of the related policies. For the purpose of the Planning Act and the Municipal Act, Chapters 1 to 8 and the Glossary of Terms, inclusive of policies, schedules, and tables, shall be considered the Plan.

Comment boxes are included within this Plan to add context and clarification. Comment boxes are not part of the Plan and may be changed or updated from time to time by Regional Council without requiring an amendment to this Plan.



A leaf image can be found beside key policies located throughout chapters and sections of this Plan to highlight their relation to *climate change* adaptation and mitigation.

Changes to certain schedules may be made without an amendment to this Plan where permitted in policy. Appendices provide context for understanding policy application but are not part of this Plan and can be amended without an amendment.

Italicized terms contained in this Plan are included in the Glossary of Terms. Certain terms are used in this Plan for the purpose of achieving conformity with Provincial plans and policies. Defined terms are intended to capture both the singular and plural forms of these terms.

1.3.3 Horizon of this Plan

Where a specified planning horizon is required, this Plan uses the year 2051. However, in all planning decisions, it must be considered that land-use decisions may have an impact on the region beyond this 30-year horizon. The objectives of this Plan are intended to be achieved within the horizon of this Plan. However, this Plan does not limit the planning for *infrastructure* and *public service facilities* beyond the horizon of the Plan.

1.3.4 Interpretation

It is important to consider the specific language of the policies. The choice of language is intended to distinguish between the types of policies and the nature of implementation.

Where the term “Region” is used, it refers to the Corporation of the Regional Municipality of Niagara. Where the term “region” is used, it refers to the geographical area comprising the Niagara Region.

Auxiliary verbs, such as “shall”/“will”, “should”, and “may” are used throughout this Plan. “Shall” implies that the policy directive is mandatory and requires full compliance. For example, “*prime agricultural land* and *specialty crop areas* shall be protected for long-term use for agriculture.” The term “will” is similar and requires the policy direction to be carried out. The term “should” implies that the policy is intended to be applied unless there is a good planning rationale. Other policies use enabling or supportive language, such as “may”, “promote”, and “encourage”, which implies that the policy is permissive and not mandatory or obligatory. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation, or prohibition.

Enabling or supportive language in policies is not to be interpreted as committing Regional Council to any form of financial support or funding for their implementation.

1.3.5 Determining Applicability and Conformity

This Plan is intended to be read in its entirety. All policies must be considered together to determine applicability and conformity. Individual policies should not be read or interpreted in isolation. Relevant policies are to be applied to each situation. When more than one policy is relevant, a decision-maker should consider all of the relevant policies to understand how they work together. The language of each policy will assist in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Plan as a whole.

There is no implied priority in the order in which the policies appear, unless otherwise stated.

1.3.6 Policies Represent Minimum Standards

The policies of this Plan represent minimum standards. Decision-makers are encouraged to go beyond these minimum standards to address matters of importance, unless doing so would conflict with any policy of this Plan.

1.4 Organization of the Niagara Official Plan

The structure of the Plan includes eight chapters, a Glossary of Terms, schedules and appendices. Schedules of this Plan identify geographically where certain policies apply and are listed in the Table of Contents. Appendices, also listed in the Table of Contents, provide supplemental information to assist with policy understanding and implementation. Descriptions of the core chapters are as follows:

1.4.1 Chapter 1 – Making Our Mark

The introduction identifies Niagara's planning context, provides a vision, pillar statements and directives upon which the Plan is based, the legislative basis of the Plan, a guide to reading the Plan and an outline of the Plan's structure and organization.

1.4.2 Chapter 2 – Growing Region

Directive – Manage growth strategically and diversify the housing stock to accommodate all ages and incomes.

This chapter identifies how and where growth and *development* are to occur within Niagara. It identifies population and employment forecasts, land needs and the distribution of forecasted growth, as well as Niagara's growth strategy. This chapter contains general policies that support residential *intensification*, *redevelopment*, and other enhancements to the supply of housing to address affordability in Niagara. *Settlement area* boundaries and *fringe land* planning are also addressed. There are several schedules and tables that must be read in conjunction with the policies.

1.4.3 Chapter 3 – Sustainable Region

Directive – Enhance the sustainability and resilience of Niagara's built and natural environment.

This chapter outlines the policy framework that will enhance the sustainability and resilience of the Region's built and natural environment. Policies and schedules for the integrated *natural environment system* and *watershed planning* provide for the protection of environmental features and *ecological functions* from adverse impacts. The policies of this chapter also give direction for *climate change* mitigation and adaptation, although *climate change* is also addressed throughout the Plan. This chapter also provides policy direction on *source water* protection, *excess soil* management and planning within the Niagara Escarpment.

1.4.4 Chapter 4 – Competitive Region

Directive – Plan and manage growth to position Niagara for economic prosperity.

This chapter focuses on the importance of a vital, competitive, and diverse economy, and a sound tax base to position Niagara for economic prosperity. Agricultural policies direct the protection and enhancement of Niagara’s vital agri-food sector. Employment policies identify and protect *employment areas*, establish density targets for *employment areas* and provide evaluation processes for converting existing or establishing future *employment areas*. Policies in this chapter also protect *mineral aggregate resources* and *petroleum resources* from incompatible land uses and provide for extraction while minimizing environmental and social impacts. The economic prosperity section captures policy direction from other chapters and sections, which can directly or indirectly assist in improving economic prosperity.

1.4.5 Chapter 5 – Connected Region

Directive – Provide connections within and between communities, and outside the region.

This chapter addresses Niagara’s *infrastructure*, transportation, services and trails and open spaces for existing and future needs. Policies direct for integrated planning and *development* and ensure capacity to support forecasted population and employment growth, financial sustainability and *climate change* resiliency. Transportation policies prioritize investments in public transit, the design and construction of *complete streets*, and *active transportation*. *Infrastructure* policies address the Region’s *infrastructure* needs relating to drinking water, wastewater, waste, energy, and *utility* services. Trails and open space policies ensure active and healthy connections within and between communities.

1.4.6 Chapter 6 – Vibrant Region

Directive – Elevate the livability and engaging qualities of communities, facilities and attractions.

This chapter focuses on elevating the livability of Niagara’s communities and introduces policies related to creating vibrant urban and rural places. District plans and secondary plans are identified as important tools to effectively and proactively manage growth through coordinated and comprehensive growth management planning within these defined areas. Urban design policies assist the Region in achieving a high-quality built environment through the design of the *built form* and mobility networks. Healthy community policies support the development of healthy, vibrant and safe communities. Cultural and archaeological heritage are also addressed in this chapter with policies directing for conservation of *cultural heritage resources* and early screening for *significant archaeological resources* as part of Planning Act applications.

1.4.7 Chapter 7 – Implementation

This chapter provides implementation policies that identify how the Plan is intended to be carried out to achieve the key directives, and focuses on identifying consultation requirements, performance indicators, monitoring, coordination of roles, complete applications, phasing, transition, as well as consultation policies.

1.4.8 Chapter 8 – Site Specific Policies

This chapter contains policies for site specific permitted land uses and *infrastructure* across the Region. These policies provide additional permissions for specific properties in Niagara Region, such as land use designations, permitted uses and *infrastructure*.

1.4.9 Glossary of Terms

The Glossary of Terms provides definitions of terms that are italicized within the Plan.



GROWING REGION

NIAGARA OFFICIAL PLAN



GROWING REGION



2.1 Forecasted Growth

The Niagara Region is planning to accommodate a minimum population of 694,000 people and 272,000 jobs by 2051. This represents an increase of over 200,000 people and 85,000 jobs compared to 2021. Effective and proactive growth management is needed to ensure there is appropriate housing, employment, and *infrastructure* available to support Niagara's growth.

Land use, housing, and servicing is planned using the forecasts set out in Table 2-1. The Region will monitor these forecasts to ensure growth is planned for and managed based on reliable data.

The objective of this section is as follows:

- a. coordinate Regional growth forecasts with land use, transportation, *infrastructure* and financial planning.

2.1.1 Regional Growth Forecasts

- 2.1.1.1 Population and employment forecasts listed in Table 2-1 are the basis for land use planning decisions to 2051.
- 2.1.1.2 Forecasts in Table 2-1 are a minimum.
- 2.1.1.3 Forecasts in Table 2-1 are used to determine the location and capacity of *infrastructure*, *public service facilities*, and the delivery of related programs and services required to meet the needs of Niagara's current and future residents.
- 2.1.1.4 Local Area Municipalities shall plan to accommodate the population and employment allocations in Table 2-1 in Local official plans and use the allocations to determine the location and capacity of Local *infrastructure*, *public service facilities*, and related programs and services to 2051.

2.1.1.5 Local Area Municipalities may plan for *infrastructure* and employment uses in addition to what is set out in Table 2-1, but cannot designate lands for urban or rural *settlement areas* or *employment areas* except as set out in Schedule B and Schedule G.

2.1.1.6 The Region shall undertake a land needs assessment during a *municipal comprehensive review* to review Table 2-1 or implement new forecasts provided by the Province.

2.1.1.7 The Region, in consultation with Local Area Municipalities, will monitor and review the distribution of growth forecasts between municipalities in Table 2-1 every five years and revise the allocations, if necessary, through a *municipal comprehensive review*.

2.1.1.8 Nothing in this Plan limits planning for *infrastructure*, *public service facilities* and *employment areas* beyond 2051.

Population and Employment Forecasts

Forecasts in Table 2-1 shall be accommodated predominantly within *settlement areas* as shown on Schedule B. The forecasts in Table 2-1 were used to complete the Region's land needs assessment to determine the Region's community and employment land need.

Table 2-1 2051 Population and Employment Forecasts by Local Area Municipality

Municipality	Population	Employment
Fort Erie	48,050	18,430
Grimsby	37,000	14,960
Lincoln	45,660	15,220
Niagara Falls	141,650	58,110
Niagara-on-the-Lake	28,900	17,610
Pelham	28,830	7,140
Port Colborne	23,230	7,550
St. Catharines	171,890	79,350
Thorold	39,690	12,510
Wainfleet	7,730	1,830
Welland	83,000	28,790
West Lincoln	38,370	10,480
Niagara Region	694,000	272,000

2.2 Regional Structure

The policies in this section establish a regional structure that directs forecasted growth to *settlement areas*.

Settlement areas are comprised of both *urban areas*, which include *built-up areas*, *designated greenfield areas* and *strategic growth areas*, as well as *rural settlements*, otherwise known as hamlets.

Most *development* will occur in *urban areas*, where *municipal water and wastewater systems/services* exist or are planned and a range of transportation options can be provided. In particular, *strategic growth areas* are identified to accommodate a significant portion of the Region's population growth, higher density housing forms, and a greater mix of land uses.

Strategically directing growth can be achieved through a balanced mix of *built forms* in our communities. The policies in this section support principles of *complete communities*, which incorporate sustainable land use forms to make Niagara's communities more resilient and *infrastructure* adaptive to the impacts of *climate change*.

Established residential neighbourhoods have a unique scale and character. Local Area Municipalities may establish standards for appropriate infill *development* in these areas.

The objectives of this section are as follows:

- a. manage growth within *urban areas*;
- b. accommodate growth through strategic *intensification* and higher densities;
- c. protect and enhance the character of *rural settlements*;
- d. plan for the orderly implementation of *infrastructure* and *public service facilities*; and ensure *settlement area* expansions support Regional forecasts and growth management objectives; and
- e. promote *transit-supportive* development to increase transit usage, decrease greenhouse gas emissions, and support the overall health of the community.

2.2.1 Managing Urban Growth

2.2.1.1 *Development* in *urban areas* will integrate land use planning and *infrastructure* planning to responsibly manage forecasted growth and to support:

- Ø a. the *intensification* targets in Table 2-2 and density targets outlined in this Plan;
- Ø b. a *compact built form*, a vibrant *public realm*, and a mix of land uses, including residential uses, employment uses, recreational uses, and *public service facilities*, to support the creation of *complete communities*;
- c. a diverse range and mix of housing types, unit sizes, and densities to accommodate current and future market-based and *affordable* housing needs;
- Ø d. social equity, public health and safety, and the overall quality of life for people of all ages, abilities, and incomes by expanding convenient access to:
 - i. a range of transportation options, including public transit and *active transportation*;
 - ii. affordable, locally grown food and other sources of *urban agriculture*;
 - iii. co-located *public service facilities*; and
 - iv. the *public realm*, including open spaces, parks, trails, and other recreational facilities;
- Ø e. *built forms*, land use patterns, and street configurations that minimize land consumption, reduce costs of *municipal water and wastewater systems/services*, and optimize investments in *infrastructure* to support the financial well-being of the Region and Local Area Municipalities;
- Ø f. opportunities for *transit-supportive* development pursuant to Policies 2.2.2.17, 2.2.2.18 and 2.2.2.19;

Transit-Supportive Development

Transit-supportive development typically consists of mixed-use buildings, integrated transit facilities, and high-quality public spaces. It encourages *place-making* and fosters high-density planning to support public transit, protect green space and lower emissions to assist in addressing *climate change*.

-  g. opportunities for *intensification*, including infill *development*, and the *redevelopment* of *brownfields* and *greyfield sites*;
- h. opportunities for the integration of gentle density, and a mix and range of housing options that considers the character of established residential neighbourhoods;
- i. the development of a mix of residential *built forms* in appropriate locations, such as *local growth centres*, to ensure compatibility with established residential areas;
- j. conservation or reuse of *cultural heritage resources* pursuant to Section 6.5;
- k. orderly *development* in accordance with the availability and provision of *infrastructure* and *public service facilities*; and
-  l. mitigation and adaptation to the impacts of *climate change* by:
 - i. protecting *natural heritage features and areas*, *water resource systems*, and other components of the Region's *natural environment system* pursuant to Section 3.1;
 - ii. where possible, integrating *green infrastructure* and *low impact development* into the design and construction of *public service facilities* and private *development*; and
 - iii. promoting *built forms*, land use patterns, and street configurations that improve community resilience and sustainability, reduce greenhouse gas emissions, and conserve biodiversity.

2.2.2 Strategic Intensification and Higher Densities



- 2.2.2.1** Within *urban areas*, forecasted population growth will be accommodated primarily through *intensification* in *built-up areas* with particular focus on the following locations:
- a. *strategic growth areas*, including:
 - i. Downtown St. Catharines *urban growth centre*;
 - ii. *protected major transit station areas*;
 - iii. regional growth centres; and
 - iv. district plan areas identified in Section 6.1;

- b. areas with existing or planned *public service facilities*;
- c. other locations with existing or planned transit service, with a priority on areas with existing or planned *frequent transit service*; and
- d. *local growth centres and corridors*, as identified by Local Area Municipalities.

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

2.2.2.3 *Built-up areas* and *strategic growth areas* identified in Policy 2.2.2.1 are shown on Schedule B.

2.2.2.4 *Settlement area* boundaries, *built-up areas*, *strategic growth areas*, and *designated greenfield areas*, where applicable, shall be identified in Local official plans.



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

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

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

Municipality	Units	Rate
Fort Erie	3,680	50%
Grimsby	4,500	98%
Lincoln	8,895	90%
Niagara Falls	10,100	50%
Niagara-on-the-Lake	1,150	25%
Pelham	1,030	25%
Port Colborne	690	30%
St. Catharines	18,780	95%
Thorold	1,610	25%
Wainfleet	0	0%
Welland	10,440	75%
West Lincoln	1,130	13%
Niagara Region	62,005	60%

Note: Local Area Municipalities may plan for additional *intensification* units and higher *intensification* rates within *built-up areas* than those identified in Table 2-2 for *infrastructure* purposes as it reflects *development* trends and land use permissions at the time of Local conformity.



- 2.2.2.7** Local Area Municipalities shall prepare *intensification* strategies to set out where and how the minimum *intensification* targets in Table 2-2 will be accommodated.
- 2.2.2.8** Local *intensification* strategies will identify *strategic growth areas*, as shown on Schedule B, and *local growth centres* as a focus for *intensification*, as well as other areas appropriate for *intensification*.
- 2.2.2.9** Local Area Municipalities may apply different *intensification* targets throughout their *built-up area*, provided the overall minimum *intensification* target in Table 2-2 for their municipality is planned to be achieved.

- 2.2.2.10** Local *intensification* strategies shall be implemented through Local official plans, secondary plans, zoning by-laws, and other supporting documents that identify:
- a. *development* standards to support the achievement of *complete communities*, permit and facilitate a *compact built form* and all forms of *intensification* throughout the *built-up area*, and avoid or mitigate risks to public health and safety;
 - b. the location and boundaries of *local growth centres and corridors*, that:
 - i. are considered priority areas for *development*;
 - ii. achieve higher densities than what currently exist;
 - iii. identify an appropriate design and scale of *development* and the transition of *built forms* to adjacent areas pursuant to Section 6.2;
 - iv. provide a diverse mix of land uses at densities that support existing or planned public transit and *active transportation* infrastructure;
 - v. support the provision of *affordable* housing; and
 - vi. revitalize and, where appropriate, preserve *cultural heritage resources* within areas that reflect local heritage, character, and streetscapes pursuant to Section 6.5;
 - c. other major opportunities for *intensification*, such as infill, *redevelopment*, *brownfields*, and the expansion or conversion of existing buildings and *greyfield sites*; and
 - d. the timing and efficient provision of Regional and Local *municipal water and wastewater systems/services* and their fiscal impacts on the Region and Local Area Municipality.



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



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

Table 2-3 Minimum Density Targets for Identified Strategic Growth Areas

Strategic Growth Area	Density Target
Downtown St. Catharines Urban Growth Centre	150 people and jobs per hectare by 2031
Protected Major Transit Station Areas in St. Catharines, Lincoln, Niagara Falls, and Grimsby	125 people and jobs per hectare by 2051
Downtown Welland Regional Growth Centre	125 people and jobs per hectare by 2051
South Niagara Falls Hospital Regional Growth Centre	100 people and jobs per hectare by 2051
Brock and Glendale Niagara District Plans	100 people and jobs per hectare by 2051

2.2.2.13 The *strategic growth areas* identified in Policy 2.2.2.1 a) shall be planned by secondary plan, or equivalent work, in accordance with Section 6.1.

2.2.2.14 The Downtown St. Catharines *urban growth centre* will be planned:

- a. as the focal point for investment in *major office uses*, commercial, recreational, cultural, civic, and entertainment uses, *public service facilities*, and related programs and services;
- b. to serve as a high density employment centre that will attract employment uses;
- c. to accommodate and support opportunities for *transit-supportive* densities, including high density residential, mixed-use development, and *affordable* and *attainable housing*; and
- d. as a transit hub that supports investments in and improvements to public transit and *active transportation* infrastructure.

2.2.2.15 The use of a Community Planning Permit System should be considered within the Downtown St. Catharine's *Urban Growth Centre* to facilitate *development* within the area and the use of inclusionary zoning.

2.2.2.16 *Protected major transit station areas*, as shown on Schedule B, are the existing, planned and proposed *higher order transit* stations in St. Catharines, Lincoln, Niagara Falls and Grimsby.



2.2.2.17 *Protected major transit stations areas* will be required to achieve the minimum density targets outlined in Policy 2.2.2.12 and, in accordance with Policy 2.2.2.13 will be implemented through secondary plans or equivalent in official plan policy that:

- a. identify authorized land uses in the area;
- b. identify the minimum authorized densities;
- c. incorporate *transit-supportive* planning and design;
- d. provide for *multimodal* connections and access to Regional public transit service, and *major trip generators* where appropriate;
- e. provide for *infrastructure* to support *active transportation*, including sidewalks, bicycle lanes, and bicycle parking; and
- f. provide for commuter pick-up/drop-off areas.

2.2.2.18 Within *protected major transit station areas*, *development* will be supported by:

- a. planning for a diverse mix of land uses, including *additional residential units*, *affordable* and *attainable housing* that accommodates a population and employment base to support existing and planned public transit, including *higher order transit*;
- b. providing *multimodal* access to *higher order transit* and connections to nearby *major trip generators*;
- c. fostering collaboration between public and private sector, such as joint *development* projects;
- d. providing alternative *development* standards, such as reduced parking standards; and
- e. prohibiting land uses and *built form* that would adversely affect the achievement of *transit-supportive* densities.



2.2.2.19 The Region will develop *transit-supportive* development standards in consultation with relevant Local Area Municipalities, with consideration for Section 5.1 of this Plan, to guide *development* within *protected major transit station areas* or on sites adjacent to or near existing or planned public transit.

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

2.2.2.21 New *strategic growth areas* may be identified by the Region through a *municipal comprehensive review*. The boundary of the *strategic growth area* and its minimum density target shall be determined through a district plan or secondary plan process in accordance with Section 6.1, and incorporated through the next *municipal comprehensive review*.

2.2.2.22 New *strategic growth areas* shall, at a minimum, support the forecasts in Table 2-1, the minimum *intensification* targets in Table 2-2, and the established density targets in Local official plans that exceed the targets in this Plan.



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

2.2.2.24 Local official plans are required to achieve the minimum greenfield density target in Policy 2.2.2.23 across the entire municipality, and are encouraged to exceed this minimum.



2.2.2.25 *Designated greenfield areas* will be planned as *complete communities* by:

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

Density in Designated Greenfield Areas

Density in the *designated greenfield areas* is measured over the entire region and excludes areas constrained by environmental features, *utility* corridors, cemeteries, and *employment areas*.

2.2.3 Character of Rural Settlements

2.2.3.1 A limited amount of *development* will occur outside of *urban areas* to achieve the forecasts in Table 2-1.

2.2.3.2 *Rural settlements* identified on Schedule B shall be the focus of *development* outside of *urban area* boundaries.



2.2.3.3 *Development* in *rural settlements* should be planned to:

- a. encourage residential infill *development* that builds on the rural character and characteristics of the surrounding area;
- b. ensure there is adequate amenities to serve the needs of rural residents, area businesses and the surrounding nearby agricultural community;
- c. consider the inclusion of *active transportation* infrastructure;
- d. protect the Region's *natural environment system* in accordance with the policies in Section 3.1; and
- e. encourage reduced energy consumption, improved air quality, reduced greenhouse gas emissions, and increased resilience to *climate change* in accordance with the policies in Section 3.5.

2.2.3.4 A portion of rural employment is to be planned within *rural settlements* to support the surrounding agricultural community. Local Area Municipalities should ensure that adequate lands are available for rural employment within *rural settlement* boundaries to satisfy long-term needs and support the rural economy.

2.2.3.5 *Rural settlements* will be serviced by sustainable private water and wastewater treatment systems in accordance with Section 5.2.

2.2.4 Infrastructure and Public Service Facilities

2.2.4.1 Land use planning will be supported by *infrastructure* and *public service facilities* that:

- a. consider the full life-cycle costs of these assets and options to pay for these costs over the long-term;
- b. meet the requirements of forecasted growth within *settlement areas*; and
- c. is planned, built, and maintained in accordance with the applicable policies in Chapter 5.

2.2.4.2 *Public service facilities*, such as municipal works depots, police stations and fire halls, are strongly encouraged to locate within *settlement areas*. Where considered outside of *settlement areas*, such uses shall be compatible with and have minimal impacts on their surroundings.



2.2.4.3 *Infrastructure* and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management services and to ensure the protection of public health and safety.

2.2.4.4 The Region will work with the applicable governments on locating new Provincial or Federal *institutional uses* or facilities.

2.2.4.5 Priority will be given to maintaining and adapting existing *public service facilities* as *community hubs* by co-locating services.

2.2.4.6 *Public service facilities* and public services should be co-located in *community hubs* and integrated to promote cost-effectiveness. The preferred location for *community hubs* is in or near identified *strategic growth areas*.

2.2.4.7 The Region will coordinate with Local Area Municipalities, school boards and other public agencies to improve the delivery of *infrastructure*, *public service facilities*, and other related programs and services for the creation of *community hubs*.

2.2.4.8 The Region may develop a Smart City Strategy that identifies and assesses the use of existing and new technologies in order to manage Regional *infrastructure*, resources and services more efficiently and more sustainably.

2.2.5 Settlement Area Expansions



2.2.5.1 The establishment of new *settlement areas* is prohibited.

2.2.5.2 The Region is responsible for mapping *settlement area* boundaries. *Settlement area* boundaries cannot be expanded except as part of a Regional *municipal comprehensive review* where it is demonstrated that:

- a. based on the minimum *intensification* rates and density targets identified in this Plan and the Provincial land needs assessment methodology, sufficient opportunities to accommodate forecasted growth to the horizon of this Plan are not available through *intensification* or new *development* in *settlement areas*:
 - i. within the Niagara Region; and
 - ii. within the applicable Local Area Municipality;

- b. the proposed expansion will only make available sufficient lands needed to the horizon of this Plan based on the analysis required in Policy 2.2.5.2 a), while minimizing land consumption; and
- c. the timing of the proposed expansion and the phasing of *development* within *designated greenfield areas* will not adversely affect the achievement of the minimum *intensification* rates and density targets established in this Plan, and the comprehensive application of all of the policies in this Plan.

2.2.5.3 *Settlement area* boundaries may be adjusted through a Local official plan conformity exercise by amendment to this Plan outside of a *municipal comprehensive review*, provided:

- a. there would be no net increase in developable land within *settlement areas*;
- b. the adjustment would support the Local Area Municipality's ability to meet the *intensification* targets and density targets established in this Plan;
- c. the location of any lands added to the *settlement area* will satisfy Provincial policy and any applicable Regional policy and guidelines;
- d. the affected *settlement area* is not a *rural settlement* or in the Greenbelt Plan area; and
- e. the *settlement area* is serviced by *municipal water and wastewater systems/services* and there is sufficient reserve *infrastructure* capacity to service the lands.

2.2.5.4 Outside of a *municipal comprehensive review*, minor adjustments to the boundaries of *rural settlements* may be permitted through amendment to this Plan, in consultation with the Local Area Municipality, subject to the following criteria:

- a. the *rural settlement* is not in the Greenbelt Plan area;
- b. the change would constitute minor rounding out of existing development, in keeping with the rural character of the area;
- c. servicing through private water and wastewater treatment systems can be provided suitably over the long-term and in an appropriate manner with no *negative impacts* on water; and
- d. the change follows the applicable process and criteria as set out in the Region's minor rounding out guidance document.

- 2.2.5.5** The Region will develop criteria to guide the review of *settlement area* boundary adjustments in consultation with Local Area Municipalities.
- 2.2.5.6** Secondary plans shall be developed for the *urban area* expansions identified in Appendix 2, pursuant to Policies 6.1.4.2 and 6.1.4.4.

2.3 Housing

The provision of an adequate supply of housing is key to good quality of life.

Housing needs change throughout our lifetimes. A diverse housing stock with a range of tenures, sizes, types, and supports should be made available to meet the needs of our communities. As a priority, the Region must retain, protect, and increase the supply of *affordable* housing for *low and moderate income households*.

In alignment with the Region's Housing and Homelessness Action Plan, the policies in this section support the provision of a range and mix of housing options that are essential for the creation of *complete communities* and support the regional economy.

Land use tools and targets are identified to help improve access to housing and encourage innovation in housing design and construction that help adapt to and mitigate the impacts of *climate change*.

The objectives of this section are as follows:

- a. provide a mix of housing options to address current and future needs;
- b. provide more *affordable* and *attainable housing* options within our communities; and
- c. plan to achieve *affordable* housing targets through land use and financial incentive tools.

2.3.1 Provide a Mix of Housing Options

2.3.1.1 The development of a range and mix of densities, lot and unit sizes, and housing types, including *affordable* and *attainable housing*, will be planned for throughout *settlement areas* to meet housing needs at all stages of life.

2.3.1.2 Local Area Municipalities shall establish targets in Local official plans for an overall housing mix by density type and affordability based on consultation with the Region and the minimum *affordable* housing targets outlined in Policy 2.3.2.3.

2.3.1.3 The forecasts in Table 2-1 will be used to maintain, at all times:

- a. the ability to accommodate residential growth for a minimum of 15 years through residential *intensification*, and lands designated and available for residential development; and

- b. where new *development* is to occur, land with servicing capacity to provide at least a three-year supply of residential units through lands suitably zoned to facilitate residential *intensification*, and lands in draft approved or registered plans.



2.3.1.4 New residential development and residential *intensification* are encouraged to be planned and designed to mitigate and adapt to the impacts of *climate change* by:

- a. facilitating *compact built form*; and
- b. incorporating sustainable housing construction materials or practices, *green infrastructure*, energy conservation standards, water efficient technologies, and *low impact development*.

2.3.1.5 New residential development and residential *intensification* should incorporate *universal design* standards to meet housing needs at all stages of life.

2.3.1.6 Coordination with Provincial and Federal governments and agencies, including the Canada Mortgage and Housing Corporation, will be undertaken to advocate for sustained Provincial and Federal funding that:

- a. promotes the development of residential *intensification*, *brownfield redevelopment*, and *affordable* and *attainable housing* options, including *community housing* and purpose-built rental units; and
- b. supports energy efficiency and sustainable housing design for new and existing residential units.

2.3.2 Provide for Affordable and Attainable Housing

2.3.2.1 This Plan aligns with the Region's Housing and Homelessness Action Plan for the provision of housing that supports social, health, and economic well-being, including unmet demands for *community housing* and *specialized housing needs* within the region.

2.3.2.2 This Plan will be reviewed with any updates to the Region's Housing and Homelessness Action Plan.

Housing and Homelessness Action Plan

The Region's Housing and Homelessness Action Plan outlines goals and actions the Region will take over the next ten years to help end homelessness within Niagara, and address the need for *affordable* and *community housing*.

- 2.3.2.3** To encourage the development of *affordable* housing, the following minimum targets will be implemented to the horizon of this Plan, unless local targets are higher in which case those apply:
- 20 percent of all new rental housing is to be *affordable*; and
 - 10 percent of all new ownership housing is to be *affordable*.
- 2.3.2.4** The Region will consult with Local Area Municipalities, school boards, and Federal and Provincial agencies to:
- identify surplus government lands and/or buildings that may be suitable for *affordable* and *attainable housing* development;
 - prioritize the sale or lease of suitable surplus Regional property for the development of *affordable* and *attainable housing* in accordance with the Region's Disposal of Land By-law; and
 - identify *brownfield* and *greyfield sites*, including underutilized commercial sites or strip plazas, outside *employment areas* for mixed-use residential *intensification* and *affordable* housing development.
- 2.3.2.5** *Affordable* housing, *specialized housing needs*, and *community housing* should be located:
- in areas with existing or planned *municipal water and wastewater services/systems* and urban amenities;
 - near existing or planned transit, including *higher order transit* and *frequent transit service*, and *active transportation* facilities; and
 - near *public service facilities*, especially *community hubs*.
- 2.3.2.6** Local Area Municipalities shall include policies in Local official plans that only permit the demolition or conversion of rental housing to ownership tenure, where:
- the average rental vacancy rate within the Local Area Municipality is at or above three percent over the preceding three year period;
 - the conversion to ownership housing would result in the creation of *affordable* housing; or
 - the demolition or conversion is needed to address existing health and safety issues through retrofits and renovations, which would result in an increase in rental levels above the threshold for *affordability*.

Guidance material for the implementation of policies 2.3.2.6. b) and c) will be developed in collaboration with Local Area Municipalities.

2.3.3 Planning Tools to Achieve Affordable and Attainable Housing

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

- a. flexibility in the scale, form, and types of residential uses permitted as-of-right, including *additional residential units* and other alternative housing forms;
- b. streamlining of planning approvals for the development of *affordable* housing, *attainable housing*, and *community housing*, with a priority for developments receiving time-sensitive government funding;
- c. financial incentive programs, such as grants, development charge deferrals, and property tax reductions that promote *brownfield redevelopment* and *affordable* housing options, including purpose-built rental housing;
- d. the inclusion of a mix of unit sizes in multi-unit developments to accommodate a diverse range of household sizes and incomes;
- e. site standards that facilitate the development of *additional residential units*, such as reduced *setbacks*, narrower lot sizes, and reduced parking standards;
- f. inclusionary zoning provisions within *protected major transit station areas* and/or areas with an approved Community Planning Permit System, subject to the preparation of an assessment report as described in the Planning Act and Ontario Regulation 232/18; and
- g. demolition control and residential replacement by-laws that would prohibit the demolition of existing rental units without replacement of the same or higher number of rental units.

2.3.3.2 Local Area Municipalities shall permit up to two *additional residential units* as-of-right within new or existing residential development, subject to Provincial legislation and appropriate land use, size, and locational criteria.

2.3.3.3 Local Area Municipalities, in consultation with the Region, are encouraged to develop local housing strategies that:

- a. identify land use planning tools and other housing initiatives and programs, including those listed in Policy 2.3.3.1, that support housing need within the Local Area Municipality;
- b. establish *affordable* housing targets that contribute to achieving targets outlined in Policy 2.3.2.3; and
- c. identify performance indicators that monitor the achievement towards the strategy's targets and objectives.



SUSTAINABLE REGION

NIAGARA OFFICIAL PLAN



SUSTAINABLE REGION



3.1 The Natural Environment System

This section outlines the objectives and policies for a Regional *natural heritage system* and *water resource system*.

The *natural heritage system* is made up of features such as *wetlands*, *woodlands*, *valleylands*, and *wildlife habitat*, as well as components such as *linkages*, *buffers*, *supporting features and areas*, and *enhancement areas*. The intent of the *natural heritage system* is to preserve and enhance the biodiversity, *connectivity*, and long-term *ecological function* of the natural systems in the region.

The *water resource system* is made up of both *groundwater features* and *surface water features* and areas. The intent of the *water resource system* is to protect the *ecological* and *hydrological integrity* of water resources and the various *watersheds* in the region.

The *natural heritage* and *water resource systems* are ecologically linked, rely on and support each other, and have many overlapping components. The establishment of these natural systems is required by Provincial policy. These systems have been integrated in this Plan and are known together as the Region's *natural environment system*.

The objectives of this section are as follows:

- a. identify and protect a *natural heritage system* and *water resource system* which will form the *natural environment system*;
- b. maintain, restore, and enhance the biodiversity and *connectivity* of natural features and their associated *ecological* and *hydrological functions*;
-  c. recognize the important role the *natural environment system* plays in mitigating the impacts of *climate change* by protecting and enhancing natural features;
- d. implement the *Natural Heritage System for the Growth Plan* and *Greenbelt Plan Natural Heritage System* in accordance with the direction of the Province;
- e. identify and maintain *hydrologic functions* and connections among *groundwater features*, natural features, and *surface water features* including *shoreline areas*;

- f. maintain *wetland* area and the *hydrological* and *ecological functions* they provide, and to enhance *wetland* cover where possible;
- g. protect *woodlands* and their biodiversity, restore *ecological functions*, and enhance *woodland* cover through reforestation and restoration;
- h. protect provincially and regionally significant earth science and life science *areas of natural and scientific interest*;
- i. identify and protect *other woodlands* as a way to maintain treed area in the region;
- j. screen for, and evaluate *enhancement areas* as well as *supporting features and areas* to support the long-term *ecological integrity* of the *natural environment system*;
- k. identify *linkages* to protect ecological *connectivity* in the region;
- l. maintain protection for *woodlands* that have been disturbed in an effort to maintain tree cover in the region;
- m. protect *fish habitat* and the *habitat of endangered species and threatened species* in accordance with Provincial and Federal legislation;
- n. maintain and restore natural vegetation along *shoreline areas*;
-  o. protect and enhance water resources through proactive *watershed* and *subwatershed planning*;
- p. protect and restore the ecological health of the Great Lakes, consistent with the provisions of the Great Lakes Strategy, the targets and goals of the Great Lakes Protection Act, 2015, and any applicable Great Lakes agreements as part of *watershed planning* and coastal or waterfront planning initiatives;
- q. minimize risks to human health and safety and property associated with natural hazards;
- r. minimize the impacts of invasive species through the proper management and control, and the promotion of native species plantings in the region;
- s. recognize the role and value of compatible and complementary agricultural and rural uses within and adjacent to the *natural environment system*;
-  t. consider cumulative impacts through *watershed planning* and the *development* application process;
- u. recognize that flexible approaches to existing uses in the *natural environment system* are required; and
- v. outline the process for *environmental impact studies* and *hydrological evaluations* where they are required to support applications for *development* or *site alteration*.

There are Different Geographic Areas included in the Region's Natural Environment System

The Region's *natural environment system* includes the *Natural Heritage System for the Growth Plan* and *Greenbelt Plan Natural Heritage System* as components of the system. These two provincially mapped systems have been combined in this Plan and are referred to as the *Provincial natural heritage system*. The mapping and policies of the *Provincial natural heritage system* apply outside of *settlement areas* only in accordance with Provincial policy.

The Region's *natural environment system* however extends beyond the *Provincial natural heritage system* - into the Niagara Escarpment Plan area, *rural areas* that are not within the *Provincial natural heritage system*, and the Region's *settlement areas* (i.e. *urban areas* and *rural settlements*).

Included within, and outside of the *Provincial natural heritage system* are many individual natural features and other components - which are identified by the Region based on the criteria included in this Plan.

Although the Region's *natural environment system* is an integrated and region-wide system, different policies apply in different geographic areas of the region. The first step in applying the policies of this section of the Plan is to determine which geographic area of the region the site or property is in.

3.1.1 The Natural Environment System

- 3.1.1.1 The features and components of the *natural environment system* are listed in Schedule L. Schedule L also includes the definitions and criteria for each of the features and components.
- 3.1.1.2 In addition to the features and components listed in Schedule L, the following features and areas are also required components of the *natural environment system*:
 - a. *groundwater features*;
 - i. recharge/discharge areas;
 - ii. water tables; and
 - iii. aquifers and unsaturated zones.

- b. *surface water features*;
 - i. headwater drainage features;
 - ii. recharge/discharge areas; and
 - iii. associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics; and
- c. other *hydrologic functions*.

3.1.1.3 The features and areas identified in Policy 3.1.1.2 should be screened for during the completion of a *watershed plan* or *subwatershed study*. If identified, appropriate land use planning policies or other natural resource management tools should be put in place for their protection, enhancement, or restoration, as appropriate.

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

3.1.2 Individual Features and Components of the Natural Environment System

3.1.2.1 Individual *natural heritage features and areas*, *key natural heritage features*, *key hydrologic features*, and other individual components which are considered mapped features of the *natural environment system* are shown as an overlay on Schedule C2.

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

- a. *significant woodlands*;
- b. *other woodlands*;
- c. *provincially significant wetlands*;
- d. *other wetlands* and non-provincially significant wetlands;
- e. life science *areas of natural and scientific interest*;
- f. earth science *areas of natural and scientific interest*;
- g. *permanent* and *intermittent streams*;
- h. *inland lakes*; and
- i. *linkages*.

3.1.3 Only Certain Features and Components are Mapped

- 3.1.3.1** Not all of the features and components that make up the *natural environment system* can, or have been mapped as part of the schedules to this Plan. Where features or components of the *natural environment system* listed in Schedule L are not mapped, detailed area-specific or site-specific studies such as an *environmental impact study*, *hydrological evaluation*, or *subwatershed study* are required for their identification.
- 3.1.3.2** Where through the review of an application for *development* or *site alteration*, or through the completion of a *subwatershed study*, it is found that there are features or components of the *natural environment system* or related ecological and/or *hydrologic functions* that have not been adequately mapped, evaluated, or protected, the applicant shall have an evaluation prepared by a qualified professional in consultation with the Region, the Local Area Municipality and, where appropriate, the *Conservation Authority*. If the evaluation finds one or more *natural heritage features and areas*, *key natural heritage features*, or *key hydrologic features*, the policies of this Plan will be applied to the lands under application as appropriate.
- 3.1.3.3** Where lands are mapped or identified as two or more features or components of the *natural environment system*, the policies which provide the highest level of environmental protection shall apply in the event of any conflict.

3.1.4 Refinements to the Limits of the Natural Environment System

- 3.1.4.1** Changes to the limits or classification of individual features or components of the *natural environment system* identified through Regional criteria may be considered through the submission of an *environmental impact study* and/or *hydrological evaluation* based on a terms of reference approved by the Region, in accordance with the policies of this Plan, and in consultation with the *Conservation Authority* as appropriate.
- 3.1.4.2** If the change to the limit or classification of an individual feature or component of the *natural environment system* identified through Regional criteria can be justified to the satisfaction of the Region, an amendment to this Plan shall not be required. Further details on the scope of the study required to support a change to the limit or classification of the *natural environment system* will be included in the Region's Environmental Impact Study Guidelines and/or Hydrological Evaluation Guidelines.

- 3.1.4.3** Changes to the limit or classification of individual features or components of the *natural environment system* identified through Regional criteria may also be considered through the findings of a *subwatershed study* completed to the satisfaction of the Region, in consultation with the *Conservation Authority* as appropriate. If the change to the limit or classification of an individual feature or component of the *natural environment system* can be justified to the satisfaction of the Region, an amendment to this Plan shall not be required.
- 3.1.4.4** Changes to the limit or classification of individual features of the *natural environment system* identified through Provincial criteria requires approval from the Province. If the change to the limit or classification of an individual feature has been approved by the Province, an amendment to this Plan shall not be required.
- 3.1.4.5** Notwithstanding Policy 3.1.4.1 to Policy 3.1.4.4, the limits of the *Provincial natural heritage system* can only be refined through the completion of a *municipal comprehensive review*.
- 3.1.4.6** Where the limits of a feature or component of the *natural environment system* have been refined through an approved *environmental impact study*, *hydrological evaluation*, or *subwatershed study*, the lands that are no longer included as part of the *natural environment system* overlay shall continue to be designated based on the underlying land use, unless otherwise determined through a Planning Act application.
- 3.1.4.7** Updates to the appropriate schedules to this Plan shall be made on a regular basis by the Region to incorporate any approved refinements to the *natural environment system*.
- 3.1.4.8** Where *development* or *site alteration* is proposed within or adjacent to the *natural environment system*, new lots shall not be created which would fragment a *natural heritage feature or area*, *key natural heritage feature*, or *key hydrologic feature*. The lands to be retained in the *natural environment system* shall remain in a natural state. The natural feature and any required *buffer* or *vegetation protection zone* shall be maintained in a single block and zoned to protect the natural features and its *ecological functions*. The Region encourages the Local Area Municipalities, the *Conservation Authority*, and other appropriate public and private conservation organizations to assume ownership of these lands.
- 3.1.4.9** Applications for a lot boundary adjustment shall avoid the fragmentation of *provincially significant wetlands* and *significant woodlands*.
- 3.1.4.10** Applications for lot boundary adjustment should avoid the fragmentation of other *natural heritage features and areas*, *key natural heritage features* or *key hydrologic features* wherever possible and practical.

3.1.5 Lands within the Provincial Natural Heritage System

3.1.5.1 The policies of Section 3.1.5 apply to lands within the mapped *Provincial natural heritage system*.

3.1.5.2 Notwithstanding Policy 3.1.5.1, the policies of Section 3.1.5 that apply to *key hydrologic features* apply in all areas of the region outside of *settlement areas* whether or not they are in the mapped *Provincial natural heritage system* in accordance with Provincial policy.

3.1.5.3 Required within the *Provincial natural heritage system* is a 30 metre wide *vegetation protection zone* adjacent to *significant woodlands*, *wetlands*, as well as *permanent* and *intermittent streams* and *inland lakes*.

3.1.5.4 Notwithstanding Policy 3.1.5.3, a 15 metre wide *vegetation protection zone* applies to certain *key hydrologic features* in parts of the Greenbelt Plan area in accordance with the policies of the Greenbelt Plan.

3.1.5.5 *Development* or *site alteration* shall not be permitted in *key natural heritage features* that are within the *Provincial natural heritage system* or in any *key hydrologic features* outside of *settlement areas* except for:

- a. forest, *fish*, and wildlife management;
- b. conservation and flood or erosion control projects, subject to demonstrating the project is necessary in the public interest and after all alternatives have been considered;

There are Different Natural Environment System Policies in Different Geographic Areas of the Region

The intent of the *natural environment system* policies that apply across the region are similar. However, unique policies and terminology are used in different geographic areas of the region:

- section 3.1.5 applies to lands outside of *settlement areas* that are subject to the *Growth Plan Natural Heritage System* and the *Greenbelt Plan Natural Heritage System* (collectively referred to in this Plan as the *Provincial natural heritage system*);
- section 3.1.8 applies to lands that are the subject of the Niagara Escarpment Plan; and
- section 3.1.9 applies to lands in *settlement areas* (i.e. *urban areas* and hamlets) and other lands that are outside of *settlement areas* that are not subject to the policies of the *Provincial natural heritage system*.

- c. activities that create or maintain *infrastructure* authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the Environmental Assessment Act;

Vegetation Protection Zone

The term *vegetation protection zone* applies to *key natural heritage features* in a *Provincial natural heritage system* and to any *key hydrologic feature* outside of a *settlement area*. Elsewhere in the region the term *buffer* is used.

- d. all *existing uses* in the Greenbelt Plan Area;
- e. *mineral aggregate operations* and *wayside pits and quarries* except in accordance with Provincial policy and Section 4.3 of this Plan;
- f. recreational uses in the *Greenbelt Plan Natural Heritage System* in accordance with Section 3.1.7 of this Plan;
- g. expansions to existing buildings and structures, accessory structures and uses, and conversions of legally *existing uses* that have less of an environmental impact, subject to demonstration that the use does not expand into the *key hydrologic feature* or *key natural heritage feature* or *vegetation protection zone* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;
- h. expansions or alterations to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:
 - i. there is no alternative, and the expansion or alteration in the feature is minimized and, in the *vegetation protection zone*, is directed away from the feature to the maximum extent possible; and
 - ii. the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and
- i. small-scale structures for recreational uses, including but not limited to, boardwalks, footbridges, fences, docks, and picnic facilities, if measures are taken to minimize the number of such structures and their *negative impacts*.

3.1.5.6 Nothing in this Plan is intended to limit the ability of existing *agricultural uses* to continue on a site that has a *key natural heritage feature* or *key hydrologic feature*.

3.1.5.7 Development and Site Alteration in Adjacent Lands within a Provincial Natural Heritage System

- 3.1.5.7.1** A proposal for new *development* or *site alteration* within 120 metres of any *key natural heritage feature* within a *Provincial natural heritage system* or any *key hydrologic feature* outside of *settlement areas* will require an *environmental impact study* and/or *hydrological evaluation* that identifies a *vegetation protection zone*, which:
- protects the *key natural heritage feature* or *key hydrologic feature* and its functions from the impacts of the proposed change;
 - is established to achieve and be maintained as *natural self-sustaining vegetation*; and
 - for *wetlands, seepage areas and springs, fish habitat, permanent* and *intermittent streams, inland lakes* and *significant woodlands*, is no less than 30 metres measured from the outside boundary of the feature.
- 3.1.5.7.2** Studies and evaluations undertaken in accordance with Policy 3.1.5.7.1 will also identify any additional restrictions to be applied before, during, and after development to protect the *hydrologic functions* and *ecological functions* of the feature.
- 3.1.5.7.3** *Development* or *site alteration* shall not be permitted in the *vegetation protection zone*, with the exception of that described in Policy 3.1.5.5, shoreline *development* as permitted in accordance with Policy 4.1.10.4, or *infrastructure* serving the agricultural sector.
- 3.1.5.7.4** Notwithstanding Policies 3.1.5.7.1 and 3.1.5.7.3, an *environmental impact study* will not be required for a proposal for *development* or *site alteration* on a site where the only *key natural heritage feature* is the *habitat of endangered species and threatened species*.
- 3.1.5.7.5** Notwithstanding Policies 3.1.5.7.1 and 3.1.5.7.3 new buildings and structures for *agricultural uses, agriculture-related uses, or on-farm diversified uses* shall not be required to undertake an *environmental impact study* and/or hydrological evaluation if a minimum 30 metre *vegetation protection zone* is provided from a *key natural heritage feature* or *key hydrologic feature*.

- 3.1.5.7.6** Uses permitted in accordance with Policy 3.1.5.7.5:
- a. are exempt from the requirement of establishing a condition of *natural self-sustaining vegetation* if the land is, and will continue to be, used for agricultural purposes; and
 - b. will pursue best management practices to protect and restore *key natural heritage features*, *key hydrologic features*, and their functions.

- 3.1.5.7.7** Notwithstanding Policy 3.1.5.7.3, the following types of minor construction is permitted within a *vegetation protection zone* provided there is no alternative without an *environmental impact study* and/or *hydrological evaluation*:
- a. new buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 200 m²;
 - b. expansions to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 50 percent of the size of the original building, provided the expansion is less than 200 m²;
 - c. new accessory buildings to a residential use (garage, workshop, etc.) below 50 m²;
 - d. expansions to existing accessory buildings to a residential use below 50 percent of the size of the original building;
 - e. expansions to existing residential buildings below 50 percent of the size of the original building; and
 - f. reconstruction of an existing residential dwelling of the same size at the same location.

3.1.5.8 Development and Site Alteration within a Provincial Natural Heritage System

- 3.1.5.8.1** If a site is within the mapped *Provincial natural heritage system*, and if an application for *development* or *site alteration* is to be made, the policies of Section 3.1.5.8 apply, regardless if the site is in a *key natural heritage feature*, *key hydrologic feature*, *vegetation protection zone*, or in *adjacent lands*.

- 3.1.5.8.2** New *development* or *site alteration* within a *Provincial natural heritage system* shall demonstrate that:
- a. there are no *negative impacts* on *key natural heritage features* or *key hydrologic features* or their functions;
 - b. *connectivity* along the system and between *key natural heritage features* and *key hydrologic features* located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;
 - c. the removal of other natural features not identified as *key natural heritage features* and *key hydrologic features* is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;
 - d. except for uses described in and governed by the policies in Section 4.3.4 dealing with *mineral aggregate resources*, the disturbed area, including any buildings and structures, will not exceed 25 percent of the *total developable area*, and the impervious surface will not exceed 10 percent of the *total developable area*;
 - e. with respect to golf courses, the disturbed area will not exceed 40 percent of the *total developable area*; and
 - f. at least 30 percent of the *total developable area* will remain or be returned to *natural self-sustaining vegetation*, except where specified in accordance with the policies in Section 4.3.4 dealing with *mineral aggregate resources*.

- 3.1.5.8.3** Notwithstanding Policy 3.1.5.8.2 the full range of existing and new *agricultural uses*, *agriculture-related uses*, *on-farm diversified uses*, and *normal farm practices* are permitted. New buildings or structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* are not subject to Policy 3.1.5.8 but are subject to the policies in Sections 3.1.5.5 and 3.1.5.7.

- 3.1.5.8.4** Notwithstanding Policy 3.1.5.8.2 the following types of minor construction is permitted within the *Provincial natural heritage system* provided there is no alternative, outside of a *key natural heritage feature* or *key hydrologic feature*, without an *environmental impact study* and/or *hydrological evaluation*:
- a. new accessory buildings to a residential use (garage, workshop, etc.) below 50 m²;
 - b. expansions to existing accessory buildings to a residential use below 50 percent of the size of the original building;
 - c. expansions to existing residential buildings below 50 percent of the size of the original building; and
 - d. reconstruction of an existing residential dwelling of the same size in the same location.

3.1.6 Special Policy for Niagara Peninsula Tender Fruit and Grape Area in the Greenbelt Plan

- 3.1.6.1** Notwithstanding any other policies in this Plan, within the Niagara Peninsula Tender Fruit and Grape Area, new buildings or structures for *agricultural*, *agriculture-related* and *on-farm diversified uses* are permitted within 30 metres of *permanent* and *intermittent streams*, where:
- a. the *permanent* or *intermittent stream* also functions as an agricultural swale, roadside ditch or municipal drain as determined through provincially approved mapping;
 - b. a minimum 15 metre *vegetation protection zone* is established between the building or structure and the *permanent* or *intermittent stream*; however, this *vegetation protection zone* is not required to be maintained as *natural self-sustaining vegetation* if the land is and will continue to be used for agricultural purposes;
 - c. there is no alternative location for the building or structure on the property without impacting lands that are designated *specialty crop area*;
 - d. a new or replacement individual on-site sewage system will not be located within 30 metres of the stream; and
 - e. *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* shall pursue best management practices to protect or restore *key hydrologic features* and functions.

3.1.7 Special Policy for Recreational Uses on Lands Subject to Greenbelt Plan

- 3.1.7.1 Residential dwelling units, other than for an employee, shall not be permitted in association with recreational uses.
- 3.1.7.2 An application to establish or expand a *major recreational use* in the *Greenbelt Plan Natural Heritage System* shall be accompanied by a vegetation enhancement plan that incorporates planning, design, landscaping and construction measures that:
- a. maintain or, where possible, enhance the amount of *natural self-sustaining vegetation* on the site and the *connectivity* between adjacent *key natural heritage features* or *key hydrologic features*;
 - b. wherever possible, keep *intermittent stream* channels and drainage swales in a free-to-grow, low-maintenance condition;
 - c. minimize the application and use of pesticides and fertilizers; and
 - d. locate new *natural self-sustaining vegetation* in areas that maximize the *ecological functions* and *ecological value* of the area.
- 3.1.7.3 An application to expand or establish a *major recreational use* shall be accompanied by a conservation plan demonstrating how water, nutrient, and biocide use shall be kept to a minimum, including through the establishment and monitoring of targets.
- 3.1.7.4 Small-scale structures for recreational uses, including but not limited to, boardwalks, footbridges, fences, docks and picnic facilities are permitted within *key natural heritage features* and *key hydrologic features*; however, the number of such structures and the *negative impacts* on these features should be minimized. In order to determine potential impacts, the Region may require that an *environmental impact study* and/or *hydrological evaluation* be prepared.

3.1.8 Lands in the Niagara Escarpment Plan Area

- 3.1.8.1 *Development* and *site alteration* within and adjacent to *key natural heritage features* and *key hydrologic features* in the Niagara Escarpment Plan Area is subject to the policies of the Niagara Escarpment Plan.
- 3.1.8.2 Notwithstanding Policy 3.1.8.1, Policy 3.1.5.7.7 applies in the Niagara Escarpment Plan Area.
- 3.1.8.3 Notwithstanding Policy 3.1.8.1, Section 3.1.11 applies to *other woodlands* in the Niagara Escarpment Plan Area.

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

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

3.1.9.2 Required outside of a *Provincial natural heritage system* and outside of *settlement areas* is a 30 metre wide *vegetation protection zone* adjacent to all *wetlands*, *permanent* and *intermittent streams*, and *inland lakes and their littoral zones* which are *key hydrologic features*.

3.1.9.3 Notwithstanding Policy 3.1.9.2, a 15 metre wide *vegetation protection zone* applies to certain *key hydrologic features* in parts of the Greenbelt Plan area accordance with the policies of the Greenbelt Plan.

3.1.9.4 *Key hydrologic features* are subject to Policies 3.1.9.2 and 3.1.9.3. The balance of Section 3.1.9 does not apply to *key hydrologic features*.

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

3.1.9.5.1 *Development* and *site alteration* shall not be permitted in the following *natural heritage features and areas*:

- a. *provincially significant wetlands*;
- b. *significant coastal wetlands*; and
- c. *significant woodlands*.

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

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

3.1.9.5.3 Notwithstanding Policy 3.1.9.5.1 permitted uses in a *natural heritage feature and area* are limited to:

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

Other Wetlands

The Provincial Policy Statement and Growth Plan require *wetlands* to be identified as part of a *water resource system* (which has been integrated with the *natural heritage system* to form the *natural environment system*). *Other wetlands* in *settlement areas* which are not regulated by the *Conservation Authority* require further evaluation to determine the appropriate protection or management of the feature. In accordance with the policies of the Growth Plan, all *wetlands* outside of *settlement areas* are by definition *key hydrologic features* and are protected in accordance with the policies of that Plan.

- 3.1.9.5.4** Notwithstanding any other policies of this Plan, *development* and *site alteration* in, and adjacent to watercourses, *provincially significant wetlands*, and *other wetlands* that are regulated by the *Conservation Authority*, may also be subject to the regulations and land use planning policies of the *Conservation Authority*. When *development* or *site alteration* is proposed in or adjacent to any watercourse, *provincially significant wetland*, *significant valleyland*, or *other wetland* the applicant shall contact the *Conservation Authority*, at which time *Conservation Authority* staff will advise the applicant and the Region of the land use or regulatory policies that will apply.
- 3.1.9.5.5** Notwithstanding Policy 3.1.9.5.4, while the Niagara Peninsula Conservation Authority may permit offsetting of *wetlands* under its policies and in accordance with its regulatory role, the use of offsetting for any *natural heritage feature and areas*, *key natural heritage features*, or *key hydrologic features* is not supported by the policies of this Plan.
- 3.1.9.5.6** Where an *other wetland* in a *settlement area* has been identified, and it is determined that it is not regulated by the *Conservation Authority*:
- a. the Region shall require that an evaluation be undertaken through an *environmental impact study*, and if required, a wetland evaluation using the Ontario Wetland Evaluation System, and/or *hydrological evaluation* as part of an application for *development* or *site alteration*, or through a *subwatershed study* to determine the appropriate classification and protection or management of the feature;

- b. outcomes of the evaluation completed with Policy 3.1.9.5.6
 - a) could include the in-situ protection with appropriate *buffers* or incorporation of the *hydrologic function* into the design of the *development* in accordance with the following:
 - i. if the *other wetland* is a treed community with a canopy coverage greater than 25 percent, and the other criteria for *other woodlands* are met, the *other woodland* policies of this Plan shall apply;
 - ii. if the *other wetland* is a treed community with a canopy coverage greater than 60 percent, and the other criteria for *significant woodlands* are met, the *significant woodland* policies of this Plan shall apply;
 - iii. no *negative impact* on the *ecological function* of the *other wetland*; and
 - iv. maintain the *hydrologic function* of the *other wetland*;
 - c. if the evaluation finds one or more other *natural heritage features and areas*, the appropriate other policies of the Plan shall be applied to the lands and natural features that are subject to the application to *development* or *site alteration*.

3.1.9.6 Nothing in this Plan is intended to limit the ability of existing *agricultural uses* to continue in areas that are the site of a *natural heritage feature or area*.

3.1.9.7 Development and Site Alteration in Adjacent Lands outside of a Provincial Natural Heritage System

- 3.1.9.7.1** A proposal for new *development* or *site alteration* outside of a *Provincial natural heritage system* which is adjacent to a *natural heritage feature or area* shall require an *environmental impact study* and/or *hydrological evaluation* to determine that there will be no *negative impacts* on the feature, *ecological function*, or *hydrologic function* in accordance with the *adjacent lands* distances outlined in Table 3.1.
- 3.1.9.7.2** Notwithstanding Table 3-1, the requirement for an *environmental impact study* and/or *hydrological evaluation* may be waived if the proposed *development* or *site alteration* is minor and is not anticipated to have a *negative impact* on the *natural environment system* in accordance with the waiving requirements outlined in the Environmental Impact Study and/or Hydrological Evaluation Guidelines.

- 3.1.9.7.3** Notwithstanding Policy 3.1.9.7.1, an *environmental impact study* will not be required for a proposal for *development* or *site alteration* on a site where the only *natural heritage feature and area* is the *habitat of endangered species and threatened species*.
- 3.1.9.7.4** Notwithstanding Policy 3.1.9.7.1, new buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* will not be required to undertake an *environmental impact study* and/or *hydrological evaluation* if a minimum 30 metre *buffer* is provided from a *natural heritage feature and area*.

Lands Adjacent to Key Hydrologic Features

The policies of Section 3.1.9.7 do not apply to *key hydrologic features* outside of *settlement areas* - which include *wetlands*, *inland lakes and their littoral zones* and *permanent* and *intermittent streams*. Lands adjacent to *key hydrologic features* are addressed in the policies related to the *Provincial natural heritage system*.

Table 3-1 Adjacent Lands for Natural Heritage Features and Areas Outside of a Provincial Natural Heritage System

Natural Heritage Feature and Area	Adjacent Lands
Provincially Significant Wetland	120 metres
Significant Coastal Wetland	120 metres
Significant Woodland	120 metres
Other Woodland	50 metres
Significant Valleyland	50 metres
Significant Wildlife Habitat	50 metres
Habitat of Endangered Species and Threatened Species	50 metres
Life Science Areas of Natural and Scientific Interest	50 metres

3.1.9.8 Buffers Outside of Settlement Areas and Outside of a Provincial Natural Heritage System

3.1.9.8.1 Outside of *settlement areas* a minimum *buffer* on all *natural heritage features and areas* is required, as set out in Table 3-2.

3.1.9.8.2 Given the variability in the type, form, and function of *significant wildlife habitat* existing on the landscape, the width of the required minimum *buffer* is to be established through the completion of an *environmental impact study* or *subwatershed study*.

3.1.9.8.3 *Development* or *site alteration* shall not be permitted in the minimum *buffer* set out in Table 3-2, with the exception of that described in Policy 3.1.9.5.3 or infrastructure serving the agricultural sector, unless it has been demonstrated through the preparation of an *environmental impact study* that there will be no *negative impacts* and the *buffer* will continue to provide the *ecological function* for which it was intended.

3.1.9.8.4 Notwithstanding Policies 3.1.9.7.1 and 3.1.9.8.3, the following types of minor construction is permitted within *adjacent lands* set out in Table 3-1 and minimum *buffers* set out in Table 3-2 provided there is no alternative, without an *environmental impact study* and/or *hydrologic evaluation*:

- a. new buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 200 m²;
- b. expansions to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 50 percent of the size of the original building, provided the expansion is less than 200 m²;
- c. new accessory buildings to a residential use (garage, workshop, etc.) below 50 m²;
- d. expansions to existing accessory buildings for a residential use below 50 percent of the size of the original building;
- e. expansions to existing residential buildings below 50 percent of the size of the original building; and
- f. reconstruction of an existing residential dwelling of the same size in the same location.

Table 3-2 Minimum Prescribed Buffer to a Natural Heritage Feature and Area outside of Settlement Areas and Outside a Provincial Natural Heritage System

Natural Heritage Feature and Area	Minimum Buffer
Provincially Significant Wetland	30 metres
Significant Woodland	20 metres
Other Woodland	10 metres
Significant Valleyland	15 metres
Life Science Areas of Natural and Scientific Interest	20 metres

- 3.1.9.8.5** Notwithstanding Policy 3.1.9.8.3, outside of *settlement areas*, consideration can be given to including passive recreational uses such as trails in *buffers* if it has been demonstrated that the *buffer* will continue to provide the *ecological function* for which it was intended.

3.1.9.9 Buffers in Settlement Areas

-  **3.1.9.9.1** Within *settlement areas*, mandatory *buffers* from *natural heritage features and areas* are required. The width of an ecologically appropriate *buffer* would be determined through an *environmental impact study* and/or *hydrological evaluation* at the time an application for *development* or *site alteration* is made, or through the completion of a *subwatershed study* in support of a secondary plan or other large scale *development*. The width of the *buffer* would be based on the sensitivity of the *ecological functions* from the proposed *development* or *site alteration*, and the potential for impacts to the feature and *ecological functions* as a result of the proposed change in land use.

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

Minimum Buffer and Mandatory Buffers

For a minimum *buffer*, the policies of this Plan state what minimum *buffer* is required. The *buffer* width cannot be less than the required minimum, but may be larger as determined through an *environmental impact study*, *hydrological evaluation*, or *subwatershed study*.

For a mandatory *buffer*, the policies of this Plan state that a *buffer* is required, but would not state any minimum for the *buffer* width. That determination would be made through an *environmental impact study*, *hydrological evaluation*, or *subwatershed study*.

3.1.9.9.3 Notwithstanding any other policy in this Plan, the *Conservation Authority* has its own *buffer* requirements for watercourses which shall apply. Reductions in any *buffer* required by the *Conservation Authority* may be considered in *settlement areas* where supported by a site-specific study that is approved by the Local Area Municipality, the Region, and the *Conservation Authority*.

3.1.9.9.4 Notwithstanding Policy 3.1.9.9.2, within *settlement areas*, consideration can be given to including passive recreational uses such as trails in *buffers*, provided an appropriate *buffer* width is maintained, as determined through the *environmental impact study* and/or *hydrological evaluation*.

3.1.10 Key Hydrologic Areas, Key Hydrologic Features, and Other Important Water Resources

3.1.10.1 *Development* or *site alteration* shall not be permitted unless it can demonstrated that it will not have *negative impacts* on:

- a. the quantity and quality of water in *key hydrologic areas*, *key hydrologic features*, *sensitive surface water features*, and *sensitive ground water features*;
- b. the *hydrologic functions* of *key hydrologic areas*, *key hydrologic features*, *sensitive surface water features*, and *sensitive groundwater features*;
- c. the interaction and *linkage* between *key hydrologic areas*, *key hydrologic features*, *sensitive surface water features*, and *sensitive groundwater features* and other components of the *natural environment system*;
- d. the natural hydrologic characteristics of watercourses such as base flow, form and function, and headwater drainage areas;
- e. natural drainage systems and *shorelines areas*; and
- f. flooding or erosion.

3.1.10.2 Mitigative measures and/or alternative *development* approaches may be required in order to protect, improve, or enhance *key hydrologic areas*, *key hydrologic features*, *sensitive surface water features*, *sensitive groundwater features*, and their *hydrologic functions*. The Region, Local Area Municipality, or the *Conservation Authority* may require establishment of appropriate *development* conditions and monitoring programs through the *development* approval process.

3.1.10.3 The Region encourages the restoration of natural stream form and flow characteristics through the *development* approval process where appropriate.

Role of Vegetated Shorelines

Naturally vegetated shorelines play an important role buffering waterbodies from erosion, siltation, and nutrient migration and are critical to the protection of water quality in the region.

3.1.10.4 As much of the area adjacent to the shorelines of watercourses and Lakes Erie and Ontario as possible shall be maintained as a naturally vegetated shoreline where new lots are being created, where vacant lots are being developed, and when *redevelopment* on existing lots is proposed. Specifically:

- a. the vegetated shoreline should span the entire water frontage and be at least 15 metres in depth from the normal high water mark;
- b. where *redevelopment* is proposed, the vegetated shoreline should be achieved through ecological enhancements and the regeneration of natural features to the extent feasible; and
- c. on waterfront lots, outside of the vegetated *shoreline area*, every effort shall be made to retain existing native vegetation where possible and to augment existing vegetation where needed.

3.1.10.5 Groundwater across the region is an important resource to all Niagara residents and specifically a source of potable drinking water to many rural residents.

A specific example is the South Niagara Aquifer, which is considered to be a *highly vulnerable aquifer*. It is an important, vital source of water to rural residents in Niagara from Wainfleet, through Port Colborne to Fort Erie.

- 3.1.10.6** *Key hydrologic areas* are part of the *natural environment system* and are mapped as a separate overlay on Schedule C3.
- 3.1.10.7** *Development* or *site alteration* shall not have *negative impacts* on *key hydrologic areas* or their *hydrologic functions*. In areas where *development* and *site alteration* could have *negative impacts* on groundwater quality or quantity the Region or Local Area Municipality shall require further review of potential impacts through the completion of a *subwatershed study* or through the completion of a *hydrological evaluation* during the review of an application for *development* or *site alteration*.
- 3.1.10.8** Outside of *settlement areas*, proposals for large-scale *development* proceeding by way of secondary plan, plan of subdivision, vacant land plan of condominium or site plan may be permitted within a *key hydrologic area* where it is demonstrated through a *hydrological evaluation* that the *hydrologic functions*, including the *quality and quantity of water*, of these areas will be protected and, where possible, enhanced or restored through:
- the identification of planning, design, and construction practices and techniques;
 - meeting other criteria and direction set out in a *watershed plan* or *subwatershed studies* if applicable; and
 - meeting any applicable Provincial standards, guidelines, and procedures.
- 3.1.10.9** Policy 3.1.10.8 does not apply to major *development* in the Greenbelt Plan area that is a new or expanding building or structure for *agricultural uses*, *agriculture-related uses* or *on-farm diversified uses* where the total impervious surface does not exceed 10 percent of the lot.
- 3.1.10.10** The Region encourages Local Area Municipalities to require site plan approval on all lots within *key hydrologic areas* where *individual on-site sewage services* are proposed.

3.1.11 Other Woodlands

- 3.1.11.1** *Other woodlands* are identified, and considered a *natural heritage feature and area* in all geographic areas of the region. The location of known *other woodlands* is shown on Schedule C2.
- 3.1.11.2** *Development* or *site alteration* shall not be permitted in *other woodlands* unless it has been demonstrated through the preparation of an *environmental impact study* that there will be no *negative impacts* on the *other woodland* or its *ecological functions*.

3.1.11.3 Outside of *settlement areas other woodlands* are subject to a 10 metre minimum *buffer* in accordance with Policy 3.1.9.8.1.

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

3.1.11.5 Notwithstanding Policies 3.1.11.1 to 3.1.11.4, policies related to *other woodlands* do not apply to new or expanding *mineral aggregate operations*.

3.1.11.6 Notwithstanding Policies 3.1.11.1 to 3.1.11.4, policies related to *other woodlands* do not apply to new or expanding buildings or structures for *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* if they are located, designed, and constructed to minimize impacts on the *natural environment system*.

Woodland By-Law

In addition to policies of this Plan, the Region also maintains and enforces a Woodland Conservation By-law (No. 2020-79) which governs the protection and preservation of *woodlands* in Niagara. The by-law was enacted in accordance with applicable Provincial legislation. The Woodland Conservation By-law applies to:

- *woodlands* that are 1.0 hectare or more in size;
- *woodlands* having an area of less than 1.0 hectare upon delegation of such authority to the Region by a Local Area Municipality in Niagara; and
- heritage and significant community trees identified and designated by the Council of a Local Area Municipality, but only upon delegation of such authority to the Region.

3.1.12 Fish Habitat

3.1.12.1 *Development* or *site alteration* shall not be permitted in *fish habitat* except in accordance with Federal and Provincial requirements. In order to determine whether *fish habitat* is present, proponents of *development* or *site alteration* shall be required to screen for the presence of *fish habitat* to the satisfaction of the Region.

3.1.12.2 If *fish habitat* is determined to be present, a fish habitat assessment undertaken by a qualified professional shall be required for *development* or *site alteration* within or adjacent to *fish habitat*. *Development* or *site alteration* may be exempt from this requirement provided that:

- a. the *development* satisfies Federal and Provincial requirements or has been specifically authorized by the appropriate approval authority; and
- b. the regulated *setback*, vegetated shoreline, stormwater management, and slope related policies of this Plan are met and the proposal is not for major *development*.

3.1.13 Habitat of Endangered Species and Threatened Species

3.1.13.1 *Development* or *site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *Provincial and Federal requirements*.

3.1.13.2 Where the potential for the *habitat of endangered species and threatened species* is identified, the Provincial Ministry with jurisdiction shall be contacted by the proponent for technical advice and to delineate and confirm the presence of habitat.

Habitat of Endangered Species and Threatened Species

The *habitat of endangered species and threatened species* is subject to the Endangered Species Act, 2007 (ESA). It is the responsibility of the Province to implement this Act. The protection of *habitat of endangered species and threatened species* is necessary to minimize and prevent their loss from Ontario and to preserve biodiversity. The *habitat of endangered species and threatened species* is an important component of the Region's *natural environment system* but is not a mapped feature. It is identified through the completion of either a *subwatershed study* or *environmental impact study* at the time there is an application for *development* or *site alteration*.

- 3.1.13.3** In order to determine the presence of, and to assess the impacts that proposed *development* and activities may have on the *habitat of endangered species and threatened species*, a site assessment by a qualified professional is generally required to be completed using accepted protocols. The assessment shall identify whether the habitat is present and whether the proposed activities will have any impact on *endangered species* and *threatened species* or their habitat. The site assessment may be combined with a broader *environmental impact study*. The Province should be contacted for further direction regarding site-specific proposals.
- 3.1.13.4** It is the responsibility of a proponent to work directly with the Province to determine that the Endangered Species Act has been, or will be, complied with as a condition of any permit received from the Provincial Ministry with jurisdiction.

3.1.14 Provincially and Regionally Significant Earth Science Areas of Natural and Scientific Interest

- 3.1.14.1** *Development* and *site alteration* shall not be permitted within a provincially or regionally significant earth science *area of natural and scientific interest* or within 50 metres of the feature unless it can be demonstrated that there will be no *negative impacts* on the geologically significant features, or the interpretative and scientific value for which the earth science *area of natural and scientific interest* was identified. Applications for *development* and *site alteration* which have the potential for *negative impacts* shall be accompanied by an earth science heritage evaluation which shall be reviewed in consultation with the Provincial Ministry with jurisdiction. The earth science heritage evaluation shall:
- a. identify planning, design and construction practices that will ensure protection of the geological or geomorphological attributes for which the earth science *area of natural and scientific interest* was identified; and
 - b. determine whether a *buffer* is required, and if so, specify the width of that *buffer*.
- 3.1.14.2** Notwithstanding Policy 3.1.14.1, policies related to regionally significant earth science *areas of natural and scientific interest* do not apply to new or expanding *mineral aggregate operations*.

3.1.15 Supporting Features and Areas

- 3.1.15.1** *Supporting features and areas* are lands that have been restored or have the potential of being restored, and include:
- a. grasslands, thickets, and meadows that support the *ecological functions* of adjacent *key natural heritage features*, *key hydrologic features*, and/or *natural heritage features and areas*;
 - b. *valleylands*, which includes lands that may have ecological and/or *hydrologic functions*, that are not *significant valleylands*, and are not the site of a *permanent* or *intermittent stream* that is regulated by the *Conservation Authority*;
 - c. *wildlife habitat* that is not considered to be *significant wildlife habitat*; and
 - d. *enhancement areas*, which are the subject of Section 3.1.16 of this Plan.
- 3.1.15.2** The presence of *supporting features and areas* shall be screened for by a proponent when an *environmental impact study* and/or *hydrological evaluation* is required to support a *development* or *site alteration* application both inside and outside of *settlement areas* or when an *subwatershed study* is being undertaken.
- 3.1.15.3** If *supporting features and areas* are identified through an *environmental impact study*, *hydrological evaluation*, or *subwatershed study* an evaluation shall determine:
- a. the extent of the *supporting feature or area* along with its *ecological functions* and relationship to nearby *key natural heritage features*, *key hydrologic features* and/or *natural heritage features and areas*;
 - b. whether the *supporting feature or area* should be protected because it supports the *ecological* and/or *hydrologic functions* of nearby *key natural heritage features*, *key hydrologic features* and/or *natural heritage features and areas*; and
 - c. conditions to be attached to the approval of the proposed *development* or *site alteration*.

3.1.16 Enhancement Areas

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

- a. increasing the size of *key natural heritage features*, *key hydrologic features* and/or *natural heritage features and areas*;
- b. connecting *key natural heritage features*, *key hydrologic features* and/or *natural heritage features and areas* to create larger contiguous natural areas;
- c. improving the shape of *key natural heritage features*, *key hydrologic features* and/or *natural heritage features and areas* to increase interior habitat conditions; or
- d. including critical function zones and important catchment areas for sustaining *ecological functions*.

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

3.1.16.3 When carrying out an *environmental impact study*, *hydrological evaluation*, or *subwatershed study* to determine whether *enhancement areas* should be identified within or adjacent to a feature, an evaluation shall be completed that:

- a. assesses the potential ecological benefit of an *enhancement area* to the nearby *key natural heritage feature*, *key hydrologic feature* and/or *natural heritage feature and area*. An example would be an *enhancement area* to fill in a gap, close in an indent, or connect two separate features;
- b. considers the most appropriate shape/extent of an *enhancement area* so that the *ecological functions* of the nearby *key natural heritage feature*, *key hydrologic feature* and/or *natural heritage feature and area* are enhanced;
- c. considers how the function and spatial extent of an *enhancement area* can be incorporated into the design and layout of the proposed *development*; and
- d. assesses the potential for *compatible* uses such as *stormwater management facilities* within the *enhancement area* to ensure that the intended *ecological function* of the *enhancement area* is achieved.

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

3.1.17 Linkages

3.1.17.1 Large, medium, and small *linkages* outside of *settlement areas* and outside of the *Provincial natural heritage system* and small *linkages* inside of *settlement areas* which are identified between *natural heritage features and areas*, *key natural heritage features*, and *key hydrologic features* are shown on Schedule C2.

3.1.17.2 Only *linkages* which have been mapped as part of the *natural environment system* are shown on Schedule C2. Opportunities for additional, ecologically appropriate, *linkages* shall be screened for when a *subwatershed study* is being completed in support of a secondary plan.

3.1.17.3 When a *subwatershed study* is being undertaken, or when *development* or *site alteration* is proposed in, or within 30 metres of a *linkage* shown on Schedule C2, an evaluation shall be completed that:

- a. assesses the ecological features and functions of a *linkage*, including its vegetative, wildlife, and/or landscape features or functions;
- b. identifies appropriate boundaries/widths that permit the movement of wildlife between nearby *key natural heritage features*, *key hydrologic features*, and/or *natural heritage features and areas*;
- c. describes the *ecological functions* the *linkage* is intended to provide and identifies how these *ecological functions* can be maintained or enhanced within a *development* proposal;
- d. assesses the potential for compatible uses including, but not limited to, stormwater management ponds, passive recreational uses, and trails within the *linkage* to determine how the intended *ecological functions* of the *linkage* can be maintained or enhanced;
- e. assesses potential impacts on the *linkage* as a result of the *development*; and
- f. makes recommendations on how to protect, enhance, or mitigate impacts on the *linkage* and its *ecological functions* through avoidance and planning, design, and construction practices.

3.1.17.4 Possible outcomes of an evaluation carried out in accordance with Policy 3.1.17.3 include:

- a. the incorporation of the *linkage* into the *development*, such that *development* would not occur on those lands;
- b. the incorporation of the *linkage* into the *development*, with linear *infrastructure*, and other *infrastructure* and associated small scale structures permitted in the *linkage* in such a manner that protects the long-term *ecological function* of the *linkage*;
- c. the refinement of the location, form, size, shape, or *ecological function* of the *linkage*; or
- d. the elimination of the *linkage* based on area or site-specific analysis. If a *linkage* is proposed to be eliminated it must be demonstrated to the satisfaction of the Region that:
 - i. maintaining a *linkage* is not necessary for ecological reasons;
 - ii. the loss of the *linkage* will not decrease the overall ecological *connectivity* in the area; and
 - iii. the *linkage* is not required to support the long-term sustainability of the overall *natural environment system*.

3.1.17.5 In a case where all or part of a *linkage* area is retained in accordance with Policy 3.1.17.4 a), b), or c), the lands within the *linkage* area shall be planted and left as *natural self-sustaining vegetation* (except for those lands used for *infrastructure* - if permitted) or remain in agricultural use. The *linkage* may also be designed to permit compatible uses as evaluated in Policy 3.1.17.3 so long as the *ecological function* of the *linkage* is maintained.

3.1.17.6 Notwithstanding Policy 3.1.17.3 the full range of existing and new *agricultural uses*, *agriculture-related uses*, *on-farm diversified uses*, and *normal farm practices* are permitted within a mapped *linkage* shown on Schedule C2.

3.1.17.7 Notwithstanding Policy 3.1.17.3, the following types of minor construction is permitted within a *linkage* shown on Schedule C2, provided there is no alternative, without a requiring an evaluation:

- a. new accessory buildings to a residential use (garage, workshop, etc.) below 50 m²;
- b. expansions to existing accessory buildings to a residential use below 50 percent of the size of the original building;
- c. expansions to existing residential buildings below 50 percent of the size of the original building; and
- d. reconstruction of an existing residential dwelling of the same size in the same location.

- 3.1.17.8 Notwithstanding the above, the policies of Section 3.1.17 do not apply to new or expanding *mineral aggregate operations*.

3.1.18 Natural Features that have been Disturbed

- 3.1.18.1 Where a feature was identified as a *significant woodland* or *other woodland* as of the date of approval of this Plan, and no longer meets the definition of *significant woodland* or *other woodland* because of either a natural or anthropogenic disturbance, the feature shall retain its status as either a *significant woodland* or *other woodland* and the policies of this plan shall continue to apply.
- 3.1.18.2 Where a *natural heritage feature and area*, *key natural heritage feature*, or *key hydrologic feature* has been removed without authorization in advance of making, or prior to approval of, an application for *development* or *site alteration*, Regional, Local, and/or *Conservation Authority* staff shall use all available information to determine the limit and classification of the feature that existed, and restoration of the feature shall be required through the approval of the application for *development* or *site alteration*.

3.1.19 Cultural and Regenerating Woodlands

- 3.1.19.1 The *ecological functions* of some *significant woodlands* or *other woodlands* in *settlement areas* may be substantially compromised as a result of prior land use activity and as a result would be difficult to restore and/or manage as a native *woodland* in an urban setting. In these circumstances, consideration can be given to reclassifying all or a portion of such a *significant woodland* or *other woodland* as a *cultural and regenerating woodland*.
- 3.1.19.2 If it has been determined, through the completion of an *environmental impact study*, that a *woodland* has met all of the criteria outlined in Schedule L to be reclassified as a *cultural and regenerating woodland* to the satisfaction of the Region, the removal of the treed area, or a portion thereof, may be permitted subject to preparing a *woodland enhancement plan* that demonstrates an enhancement in *woodland* area is achieved, either on the same property or in a reasonable proximity.
- 3.1.19.3 *Woodlands* (including plantations) established and/or managed for the purpose of restoring a native tree community cannot be classified as *cultural and regenerating woodlands*.

3.1.20 Enhancements to the Natural Environment

- 3.1.20.1 The Region supports enhancements to the *natural environment system* to support *ecological functions* and improve *ecological integrity* of the *natural environment system*. Enhancements can be as a result of a range of specific actions being undertaken by a landowner, developer, or public agency.
- 3.1.20.2. Where the preparation of a *subwatershed study* or an *environmental impact study* is required, the study shall demonstrate how enhancements to *ecological function*, *ecological integrity*, or biodiversity of the *natural environment system* can be achieved, and will be implemented, through for example:
- a. increases in the spatial extent of a feature or features;
 - b. increases in biological and habitat diversity;
 - c. enhancement of ecological system function;
 - d. enhancement of *wildlife habitat*;
 - e. enhancement or creation of *wetlands*, water systems or *woodlands*;
 - f. enhancement of riparian corridors;
 - g. enhancement of ecological services;
 - h. enhancement of groundwater recharge areas; and
 - i. establishment or enhancement of *linkages* or *connectivity* between key *natural heritage features*, and/or *natural heritage features and areas*.

3.1.21 Aquatic Species at Risk

- 3.1.21.1 In accordance with Federal requirements, where *development* or *site alteration* is proposed that could have an impact on aquatic species at risk an *environmental impact study* shall be required to demonstrate that:

Aquatic Species at Risk

Key natural heritage features, key hydrologic features, and natural heritage features and areas include waters supporting aquatic species at risk and their residences and critical habitats.

- a. all reasonable alternatives have been considered to reduce and minimize impacts to natural features and *ecological functions*, and the best solution has been adopted; and
- b. the proposed *development* or *site alteration* activities will not jeopardize the survival, recovery and conservation of species at risk protected in Schedule 1 of the Species at Risk Act, including their residences and critical habitat.

3.1.22 Cumulative Impacts

- 3.1.22.1 The consideration of cumulative impacts shall be required when an *environmental impact study*, *hydrological evaluation*, or *subwatershed study* is undertaken.
- 3.1.22.2 Where cumulative impacts are being considered, the proponent shall be required to provide an overview of previous studies as provided by the Region, Local Area Municipality, or the *Conservation Authority* (if available), related to *development* impacts on the same or adjacent feature as it relates to impacts on the *natural environment system*.

Considering Cumulative Impacts

Multiple environmental stressors can impact environmental, social and economic systems (i.e., climate change, invasive species, habitat fragmentation, etc.) and are often dynamic and varying. Cumulative impacts of *development* can combine with other stressors to have significant negative consequences for ecosystems and environmental resilience, noise, air quality and social and economic systems over time.

Considering cumulative impacts from *development* is critical for ensuring long-term environmental health and resiliency and more broadly speaking on the capacity of the *natural environment system* to accommodate *development* from both an environmental and social perspective.

3.1.23 Natural Hazards

- 3.1.23.1 *Development* shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:
- a. *hazardous lands* adjacent to the shorelines of Lake Erie and Lake Ontario which are impacted by *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*;
 - b. *hazardous lands* adjacent to river, stream, and small inland lake systems which are impacted by *flooding hazards* and/or *erosion hazards*; and
 - c. *hazardous sites*.
- 3.1.23.2 *Development* or *site alteration* shall not be permitted within:
- a. the *dynamic beach hazard*;
 - b. defined portions of the *flooding hazards* along the Niagara River;

- c. areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and
- d. a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

Primary Mandate for Natural Hazards

The Niagara Peninsula Conservation Authority is responsible for regulating *development* and *site alteration* in natural hazards, excluding within *hazardous forest types for wildland fire*. *Development* or *site alteration* proposed within or adjacent to a natural hazard (whether it requires Planning Act approval or not) requires approval of the Niagara Peninsula Conservation Authority.

3.1.23.3 Notwithstanding Policy 3.1.23.2, *development* or *site alteration* may be permitted in certain areas associated with the *flooding hazard* along *river, stream and small inland lake systems*:

- a. in those exceptional situations where a *Special Policy Area* has been approved. The designation of a *Special Policy Area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *Special Policy Area* lands, must be approved by the Ministers of the Provincial Ministries with jurisdiction prior to the approval authority approving such changes or modifications; or
- b. where the *development* is limited to uses that by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses that do not affect flood flows.

3.1.23.4 *Development* shall not be permitted in *hazardous lands* and *hazardous sites* where the use is:

- a. an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares, and schools;
- b. an *essential emergency service* such as that provided by fire, police, and ambulance stations and electrical substations; or
- c. uses associated with the disposal, manufacture, treatment, or storage of *hazardous substances*.

3.1.23.5 Where a *two-zone concept* for *floodplains* is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate flood proofing to the *floodings hazard* elevation or another *floodings hazard* standard approved by the Provincial Ministry with jurisdiction

3.1.23.6 Further to Policy 3.1.23.5, and except where prohibited in Policy 3.1.23.2 and 3.1.23.4, *development* and *site alteration* may be permitted in those portions of *hazardous lands* and *hazardous sites* where the effects and risk to public safety are minor and could be mitigated in accordance with Provincial standards, the following criteria will be demonstrated:

- a. *development* and *site alteration* are carried out in accordance with flood proofing, protection works, and access standards;
- b. vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies;
- c. new hazards are not created and existing hazards are not aggravated; and
- d. no adverse environmental impacts will result.

3.1.23.7 *Hazardous lands* shall be identified in mapping in Local official plans and included in appropriate zones in Local zoning by-laws to protect public health and safety in accordance with Provincial direction and the policies of this Plan. The extent of natural hazards may be refined by Local Area Municipality on their own initiative or in response to *development* applications, as appropriate, and as approved by the *Conservation Authority*.

Addressing the Desire to Protect and Enhance Woodland Wetland, and, Riparian Cover in the Region

Official plans are intended to be aspirational in their scope. The policies in this section establish protections and enhancements for *woodland*, *wetland* and riparian vegetation cover in the region. Implementation of these goals is primarily achieved through a range of programs that fall outside the Niagara Official Plan, such as a Regional Greening Initiative, and through private landowner stewardship.

Official plans contribute to protection and enhancement by informing the preparation of studies for new *development* and *site alteration* and providing policies for how existing natural areas must be protected through the *development* approval process.

3.1.24 Wildland Fires

- 3.1.24.1 *Development* shall generally be directed to areas outside of lands that are unsafe for *development* due to the presence of *hazardous forest types for wildland fire*.
- 3.1.24.2 *Development* may be permitted in lands with *hazardous forest types for wildland fire* where the risk is mitigated in accordance with *wildland fire assessment and mitigation standards*.
- 3.1.24.3 The Region and/or Local Area Municipalities may request an assessment undertaken by a qualified professional during the appropriate time of year and using accepted protocols to determine the wildland fire risk and required mitigation measures where *development* is proposed. The Region may prepare a map to identify areas of potential wildfire risk.
- 3.1.24.4 Mitigation measures required as per Policy 3.1.24.2 to support *development* in areas shall not negatively impact *key natural heritage features*, *key hydrologic features* and/or *natural heritage features and areas*.

3.1.25 Woodland Cover

- 3.1.25.1 *Woodland* cover shall be maintained or enhanced in the region by 2051.
- 3.1.25.2 The Region supports opportunities for enhancement of *woodland* cover, which may be achieved through a number of means including, but not limited to:
- the development and implementation of a Regional Greening Initiative;
 - regional and Local Area Municipal efforts of tree planting, as well as tree planting programs of the *Conservation Authority* and other public or private organizations;
 - private land stewardship that includes protection of existing tree cover and tree planting efforts;
 - land acquisition or dedication of private land to the Region, Local Area Municipalities, *Conservation Authority*, or other public or private organizations for tree planting and reforestation efforts;
 - identification of *woodland* enhancement areas through the completion of *watershed plans*, *subwatershed studies*, or similar plans;
 - required tree and *woodland* protection and planting through the application process for *development* or *site alteration*; and
 - the development of a region-wide strategy for land protection, preservation and securement.

3.1.26 Wetland Cover

- 3.1.26.1 *Wetland* cover shall be maintained or enhanced in the region by 2051.
- 3.1.26.2 The Region supports opportunities to maintain and restore *wetland* functions at a *watershed* and *subwatershed* scale based on historic reference conditions.

3.1.27 Riparian Vegetation Cover

- 3.1.27.1 Naturally vegetated riparian areas adjacent to *permanent* and *intermittent streams*, *wetlands*, and other waterbodies shall be maintained or enhanced in the region to support the protection and maintenance of aquatic functions.
- 3.1.27.2 The Region supports opportunities for enhancement of riparian vegetation cover which may be achieved through a number of means including:
- a. requiring a naturally vegetated shorelines along *permanent* and *intermittent streams* and adjacent to *wetlands* and waterbodies as part of an application for *development* or *site alteration*;
 - b. working with private landowners and the agricultural community to support stewardship efforts such as planting and maintaining riparian vegetation adjacent to watercourses;
 - c. land acquisition or dedication of private land to the Region, Local Area Municipalities, *Conservation Authority*, or other public or private organizations for planting and restoration efforts; and
 - d. the development of a Region-wide strategy for land protection, preservation and securement.

3.1.28 Native and Non-Native Species

- 3.1.28.1 The Region requires individuals and agencies to use native species appropriate to the locality when planting within the *natural environment system* or contiguous to elements of the *natural environment system*. To provide guidance, the Region may prepare a list of non-native species considered invasive and unsuitable for such use and/or a list of adequate native species.
- 3.1.28.2 Local Area Municipalities are encouraged to require the planting of appropriate native species as conditions of all other *development* and *site alteration* applications.

- 3.1.28.3** The Region encourages the use of native species plantings at Regional and Local Municipal facilities and along transportation and *utility* corridors which fall outside the *development* approval process.

3.1.29 Invasive Species

- 3.1.29.1** The Region acknowledges and supports the role of the Local Area Municipalities, *Conservation Authorities*, the Niagara Parks Commission, other Provincial agencies, and conservation organizations in carrying out invasive species management.

- 3.1.29.2** The Region also supports and encourages the Local Area Municipalities in consultation with the

Conservation Authority to develop policies and programs that require or promote measures to eliminate and/or manage invasive species and discourage the use of non-native invasive species plantings in new developments adjacent to the *natural environment system*.

- 3.1.29.3** The Region may endeavour to prepare an Invasive Species Strategy in conjunction with the Local Area Municipalities, *Conservation Authorities*, the Niagara Parks Commission, other Provincial agencies, and conservation organizations which would identify goals, objectives and a strategic direction to support the implementation of invasive species management throughout the Region.

Invasive Species

A major issue facing management of the natural environment within the region is the threat of non-native species invading *woodlands*, *wetlands* and other natural areas. If left unmanaged, invasive species pose a risk to the *ecological integrity* of the region's natural areas through the displacement of native species and the subsequent alteration to the genetic diversity and structure of local native species populations.

3.1.30 Transition and Implementation

- 3.1.30.1** Once the policies in this Plan on the *natural environment system* have been approved in accordance with the Planning Act, all subsequent Planning Act decisions shall conform to this Plan, unless this Plan explicitly states otherwise.

- 3.1.30.2** Where a site plan pursuant to Section 41 of the Planning Act has been approved, that approval can be implemented in accordance with the Local, Regional, and Provincial policies that existed when the site plan was approved.

3.1.30.3 Approved Studies and Existing Development Approvals

- 3.1.30.3.1 Where a formal pre-consultation meeting has been completed within one year prior to the approval of this Plan, and where the requirements for an *environmental impact study* or similar study has been established through a signed pre-consultation agreement that has not expired, the *environmental impact study* may be completed and evaluated in accordance with the Local, Regional, and Provincial policies that existed at the time pre-consultation meeting was completed, provided a complete application is submitted within 2 years of the approval of this plan.
- 3.1.30.3.2 Where an *environmental impact study* or similar study has been formally accepted by Local or Regional planning staff, but the application for *development* or *site alteration* has yet to be approved, the application may be approved in accordance with the approved study as long as the study remains valid in accordance with the Region's Environmental Impact Study Guidelines.
- 3.1.30.3.3 Where lands have been draft approved for *development* by way of plan of subdivision or plan of condominium in a *settlement area*, that approval can be implemented in accordance with the Local, Regional, and Provincial policies that existed when the lands were draft approved and any conditions that were established at the time of approval.
- 3.1.30.3.4 If a draft plan approval is proposed to be extended, the Region may review the findings and recommendations made in the studies that supported the initial draft plan approval and may request that the studies be updated to determine if changes to the layout of the draft plan and/or any of the conditions need to be made before the extension request is granted.
- 3.1.30.3.5 The Region encourages the Local Area Municipalities to review older, existing draft plan approvals to determine if updates are required.
- 3.1.30.3.6 If a draft plan approval lapses or is withdrawn, any subsequent application shall conform to this Plan.
- 3.1.30.3.7 Where major modifications to a draft plan are proposed, the revised draft plan shall be designed to reduce impacts on the *natural environment system*.

3.1.30.4 Ongoing and Approved Secondary Plans

- 3.1.30.4.1** Where a secondary plan has been approved after July 1, 2012, those portions that are not subject to a draft approved plan of subdivision or plan of condominium shall be approved in accordance with the approved mapping and policies of the secondary plan.
- 3.1.30.4.2** Where a secondary plan was approved prior to July 1, 2012, those portions that are not subject to a draft approved plan of subdivision or plan of condominium shall be subject to the mapping and policies of this plan. Conformance with the mapping and policies of this Plan be done through an update to the secondary plan or through the approval of individual plans of subdivision or plans of condominium, as determined appropriate by the Local Area Municipality.
- 3.1.30.4.3** For secondary plans in process, the mapping and policies of this Plan shall be considered in the work program and Local official plan amendment, to the satisfaction of the Region.

3.1.30.5 Previous Site-Specific Approvals in the Greenbelt Plan Area

- 3.1.30.5.1** Where the Regional Official Plan or a Local official plan was amended prior to December 16, 2004 to specifically designate land use(s), this approval may continue to be recognized through any further applications required under the Planning Act or the Condominium Act, 1998 to implement the official plan approval, and provided these additional approvals are required to implement the initial decision, these further approvals are not required to conform with the Greenbelt Plan.
- 3.1.30.5.2** Where a zoning by-law was amended prior to December 16, 2004 to specifically permit land use(s), this approval may continue to be recognized through any further applications required under the Planning Act or the Condominium Act, 1998 to implement the use permitted by the zoning by-law are not required to conform to the Greenbelt Plan.

3.1.30.6 Incorporating the Natural Environment System at the time of Local Official Plan Conformity

- 3.1.30.6.1** Local Area Municipalities shall incorporate the mapping and policies of the *natural environment system* into their Local official plans in a manner that implements this Plan.

3.1.30.6.2 While the limits of the *Provincial natural heritage system* shown on Schedule C1 to this Plan can only be modified through a *municipal comprehensive review*, through the process of conformity Local Area Municipalities may refine the limits of other features and components of the *natural environment system* within Regional jurisdiction in their Local official plans on the basis of updated information and/or detailed studies in consultation with the Region.

3.1.30.7 Incorporating the Natural Environment System into Local Zoning By-Laws

3.1.30.7.1 Local Area Municipalities shall incorporate the mapping and policies of the *natural environment system*, as determined through the Local official plan conformity in Section 3.1.30.6, into their Local zoning by-laws, in a manner that implements this Plan.

3.1.30.7.2 Where an individual feature or component of the *natural environment system* includes a *vegetation protection zone* or a minimum *buffer*, both shall also be zoned in a manner that implements this Plan.

3.1.30.7.3 Where a minimum *buffer* has not been prescribed in accordance with this Plan, a *buffer* is not required to be zoned in a Local zoning by-law at the time of initial implementation, and instead should be zoned at the time a site-specific zoning by-law amendment is proposed.

3.1.31 Land Securement Strategy

3.1.31.1 The Region may work with the Local Area Municipalities and other public agencies and/or non-profit land trust organizations to develop and implement a land securement strategy that would result in the transfer of private lands with natural heritage attributes into public ownership. This policy does not imply that *key natural heritage features*, *key hydrologic features* or *natural heritage features and areas* or other components of the *natural environment system* will be purchased by the Region or other public or non-profit agencies. In the event that lands are not transferred to public ownership, then the lands should remain under a single private ownership.

3.1.31.2 The Region and the Local Area Municipalities shall consider opportunities to obtain, through dedication, lands with natural heritage attributes through the *development* approval process.

3.1.31.3 Arrangements for the conveyance of components of the *natural environment system* into public ownership shall be undertaken before or concurrent with the approval of *development* applications through the *development* approval process.

3.1.32 Factors to be Considered when Reviewing Site Plan or Community Planning Permits in the Natural Environment System

- 3.1.32.1** Where site plan control or a community planning permit is required by the Local Area Municipality for *development* in the *natural environment system*, Local Area Municipalities are encouraged to address the following matters, as applicable:
- a. appropriate location of buildings, structures and sewage disposal systems;
 - b. retention or restoration of a natural vegetative *buffer* to prevent erosion, siltation and nutrient migration;
 - c. maintenance or establishment of native tree cover and vegetation on the lot as terrain and soil conditions permit;
 - d. appropriate location and construction of roads, driveways and pathways, including the use of permeable materials;
 - e. the use of appropriate soils for on-site sewage systems;
 - f. implementation of stormwater management and construction mitigation techniques with an emphasis on lot level controls, *low impact development* practices and a treatment train approach to promote filtration, infiltration and detention, which may include proper re-contouring, discharging of roof leaders, use of soak away pits, other measures to promote infiltration, and silt fencing for temporary sediment control;
 - g. the establishment of dark sky compliant lighting from all structures with full cut-off fixtures being required in order to minimize light spillage into the surrounding environs, while maintaining safety; and
 - h. securities and processes to ensure implementation and long-term monitoring and compliance with site plan agreements and/or other agreements if required.

3.1.33 Environmental Impact Studies and Hydrological evaluations

3.1.33.1 An *environmental impact study* and/or *hydrological evaluation* required under the policies of this Plan shall be submitted with the application for *development* or *site alteration*, and shall be prepared and signed by a qualified professional in accordance with the Region's Environmental Impact Study Guidelines and/or Hydrological evaluation Guidelines in addition to the relevant policies of this Plan.

3.1.33.2 The *environmental impact study* and/or *hydrological evaluation* shall be prepared to the satisfaction of the appropriate approval authority in accordance with the following:

- a. within *settlement areas* it is the responsibility of the Local Area Municipality to ensure that:

- i. an *environmental impact study* and/or *hydrological*

evaluation is prepared in accordance with an approved terms of reference and the policies of this Plan; and

- ii. the conclusions of the *environmental impact study* and/or *hydrological evaluation* are considered through the *development* approval process and appropriate conditions are established to implement the recommendations of the study and/or evaluation.

In carrying out this responsibility, the Local Area Municipality shall work in consultation with the Region and the *Conservation Authority*. The Region shall provide technical support as required.

- b. outside of *settlement areas*, regardless of who is the approval authority for an application for *development*, it is the responsibility of the Region to ensure that:

- i. an *environmental impact study* and/or *hydrological evaluation* is prepared in accordance with an approved terms of reference and the policies of this Plan; and

Studies Required as Part of a Development Application

As the region continues to grow, *development* may be proposed that may have an impact on the *natural environment system*. The intent of this section is to set out the Region's requirements for environmental impact studies and hydrologic evaluations which may be requested in support of *development* applications in accordance with the policies of the Plan.

- ii. the conclusions of the *environmental impact study* and/or *hydrological evaluation* are considered through the *development* approval process and appropriate conditions are established to implement the recommendations of the study and/or evaluation.

In carrying out this responsibility, the Region shall work in consultation with the Local Area Municipality and the *Conservation Authority*.

3.1.33.3 Waiving and Scoping of an Environmental Impact Study and/or Hydrological Evaluation

- 3.1.33.3.1** The Region, in consultation with the other commenting bodies, shall review the proposed *development* in accordance with policies of this Plan, Provincial policies, and the waiving requirements of the Environmental Impact Study Guidelines and/or Hydrological Evaluation Guidelines to determine whether an *environmental impact study* and/or *hydrological evaluation* is required or whether requirements can be waived.
- 3.1.33.3.2** Waving the requirement for an *environmental impact study* and/or *hydrological evaluation* may be subject to conditions.
- 3.1.33.3.3** The Region, in consultation with the other commenting bodies, shall scope the contents of the *environmental impact study* and/or *hydrological evaluation* in accordance with the Environmental Impact Study Guidelines and/or Hydrological Evaluation Guidelines.
- 3.1.33.3.4** The Region, at its discretion, may delegate the waiving and/or scoping of an *environmental impact study* and/or *hydrological evaluation* to the Local Area Municipality if the proposed *development* or *site alteration* is minor, and if the lands affected are within a *settlement area*.
- 3.1.33.3.5** An *environmental impact study* and/or *hydrological evaluation* is not required for uses authorized under an environmental assessment process, including Class Environmental Assessment, carried out in accordance with Provincial or Federal legislation.

3.1.33.4 Terms of Reference for an Environmental Impact Study and/or Hydrological evaluation

- 3.1.33.4.1** A draft terms of reference for the *environmental impact study* and/or *hydrological evaluation* shall be prepared in accordance the Environmental Impact Study Guidelines and/or Hydrological Evaluation Guidelines.

- 3.1.33.4.2** The terms of reference shall be prepared by a qualified professional retained by the proponent and reviewed by the approval authority and other commenting bodies. It shall be the responsibility of the Region to approve the terms of reference.
- 3.1.33.4.3** The approval authority shall not accept an *environmental impact study* and/or *hydrological evaluation* unless the terms of reference has been approved.
- 3.1.33.5** The approval authority may require an independent peer review of an *environmental impact study* and/or *hydrological evaluation*, with the costs to be borne by the applicant.

3.2 Watershed Planning

The Region recognizes the *watershed* as the ecologically meaningful scale for integrated and long-term planning. *Watershed planning* is a proactive process for assessing and documenting existing conditions, and establishing values, objectives, and targets to support the protection, enhancement, or restoration of the natural resources within a *watershed*, with an emphasis on water resources. Carrying out *watershed planning* involves a cross-jurisdictional coordination of efforts in order to best assess cumulative and cross-watershed impacts. Essential to the entire process are the principles of monitoring and adaptive management.

In general the *watershed planning* framework is a phased process that is typically undertaken to:

- inform land use, growth, and *infrastructure* planning;
- provide direction for resource planning;
- prepare management plans and policies; and
- assist in the protection of water quantity and quality.

Within Provincial planning documents, there is an increased emphasis on the need for *watershed planning* to inform land-use planning. There are Provincial policies and policies of this Plan that require that certain land use planning decisions be informed by *watershed* or *subwatershed planning*. *Watershed planning* is also required to inform municipal decisions regarding growth and *infrastructure*.

The term 'informed by' means that planning must be guided by the findings and recommendations of the *watershed plan* or *subwatershed study*. The *watershed plan* or *subwatershed study* shall be used as the basis of planning decisions as it relates to protecting, improving, or restoring water quality and quantity, and other resource management activities.

Additionally, through the *watershed planning* process, several Provincial obligations are fulfilled including assisting in addressing water quality in the Great Lakes, *climate change* planning, as well as the need to consider cumulative impacts.

The objectives of this section are as follows:

- a. ensure *watershed planning* is informing land-use planning in accordance with Provincial direction;
- b. establish a program to ensure *watershed planning* is carried out at the scale suitable for decision making;
- c. clarify the roles and responsibilities in *watershed planning* in the Region; and
- d. provide direction to Local Area Municipalities for undertaking *subwatershed planning*.

3.2.1 Informing Land Use Planning

3.2.1.1 *Watershed planning*, *subwatershed planning*, or their equivalent shall inform:

- a. the identification and refinement of the *natural environment system* through the preparation of *subwatershed studies*;
- b. the protection, enhancement, or restoration of the *quality and quantity of water* by making careful decisions on where *development* should be located;
- c. the consideration of cross-jurisdictional and cross-watershed impacts;
- d. decisions on allocation of growth to ensure that large-scale *development* is directed to the most appropriate locations;
- e. the location and feasibility of *settlement area* boundary expansions;
- f. proposals for large-scale *development*; and
- g. planning for water, wastewater, and stormwater *infrastructure* to ensure that decisions on *infrastructure* are integrated with decisions that are designed to protect the *natural environment system*.

3.2.2 Roles and Responsibilities

3.2.2.1 *Tertiary watersheds* and *quaternary watersheds* are shown on Schedule D to this Plan.

3.2.2.2 The Region is responsible for preparing tertiary *watershed plans*. Tertiary *watershed plans* are required to support new Regional Official Plans and may be required to support other regional-scale planning initiatives. Tertiary *watershed plans* shall be prepared or updated in accordance with currently accepted practices and Provincial guidance as appropriate. Tertiary *watershed plans* will provide guidance for the preparation of more detailed quaternary *watershed plans*.

3.2.2.3 The Region is responsible for preparing quaternary *watershed plans*. Quaternary *watershed plans* are prepared as needed, and may be prepared when there is benefit from *watershed planning* beyond a *subwatershed* scale. Quaternary *watershed plans* may be prepared based on *development* pressure, ecosystem degradation, resource management requirements, and fiscal constraints. Quaternary *watershed plans* will be prepared or updated in accordance with currently accepted practices and Provincial guidance as appropriate.

- 3.2.2.4** The priorities, phasing, and process for undertaking and updating quaternary *watershed plans* shall be determined by the Region in consultation with the affected Local Area Municipalities and the *Conservation Authority*.
- 3.2.2.5** Local Area Municipalities are responsible for the preparation of *subwatershed studies*. The Region may prepare guidelines to assist Local Area Municipalities with the preparation of *subwatershed studies*. *Subwatershed studies* may proceed in advance of the completion of a quaternary *watershed plan*.
- 3.2.2.6** Tertiary *watershed plans*, quaternary *watershed plans*, and *subwatershed studies* shall be scoped in accordance with the purpose and scale in which they are being completed.
- 3.2.2.7** The Region, in co-operation with the Local Area Municipalities, shall ensure that the appropriate policies to implement individual *watershed plans* and *subwatershed studies* are incorporated into this Plan and Local official plans as appropriate.
- 3.2.2.8** Local Area Municipalities, in co-operation with the Region and *Conservation Authority*, shall implement the recommendations of *watershed plans* and *subwatershed studies* as part of the *development* review process.

3.2.3 Subwatershed Planning

- 3.2.3.1** A *subwatershed study* is required to inform the identification and refinement of the *natural environment system* and the development of policies to protect the *natural environment system* when secondary plans are prepared for *designated greenfield areas* and other large undeveloped areas in accordance with Section 6.1.4.
- 3.2.3.2** A *subwatershed study* should generally include, but is not limited to:
- an inventory of existing ecological and hydrological data and conditions;
 - the identification of existing and proposed land uses, and the modelling of potential development impacts;
 - water quality targets in accordance with the *watershed plan*, Provincial guidelines, or other industry standards and best practices;
 - procedures for monitoring water quality and quantity before, during, and after *development*;
 - completion of a water balance;
 - consideration of all elements of the *natural environment system* as described in Section 3.1 of this Plan;
 - refinement to the boundaries of the *natural environment system*;

- h. identification of opportunities for, and constraints to *development*;
- i. guidelines and best management practices for development design, environmental design, construction management, etc.;
- j. the recommendation of appropriate stormwater management techniques in accordance with Provincial, Regional and Local guidelines and industry best practices;
- k. an analysis the cumulative impact of *development*; and
- l. implementation and adaptive monitoring plans.

3.2.3.3 Proposed *development* in *designated greenfield areas*, including the associated water, wastewater and stormwater servicing, shall be planned to avoid, or if avoidance is not possible, minimize and mitigate any potential *negative impacts* on *watershed* conditions and the *water resource system*, including the *quality and quantity of water*.

3.2.3.4 The Local Area Municipality, in consultation with the Region, the *Conservation Authority*, and affected landowners if appropriate, shall determine the terms of reference for the *subwatershed study*.

3.3 Source Water Protection

The *Source Protection Plan* for the Niagara Peninsula Source Protection Area protects existing and future sources of drinking water in Niagara by ensuring activities identified as drinking water threats under the Clean Water Act and associated regulations either never become a *significant threat*, or cease to be a *significant threat* to drinking water. The *Source Protection Plan* evaluated six water treatment plants and determined there are *significant threats* related to land uses associated with the DeCew Falls water treatment plant in the City of Thorold, Port Colborne water treatment plant in the City of Port Colborne, and the Niagara Falls water treatment plant in the City of Niagara Falls.

The following *source water* protection policies are organized according to the water treatment plant *intake protection zones* for which *significant drinking water threats* have been identified in the *Source Protection Plan*. These water treatment plants and associated *intake protection zones* are identified as an overlay on Schedule E to this Plan. The underlying land use designations on Schedule E continue to apply.

The policies of Section 3.3 must be read with this Plan in its entirety and in conjunction with the Niagara Peninsula Source Protection Plan, the Niagara Peninsula Source Protection Area Assessment Report and the Explanatory Document which provides the context and rationale for the land use policies and in identifying *significant threats* and eliminating these drinking water threats for the DeCew Falls, Port Colborne and Niagara Falls water treatment plant *intake protection zones*. The policies of this section must also be read in conjunction with other applicable plans and legislation.

The objectives of this section are as follows:

- a. protect the water source for the Decew Falls Water Treatment Plant;
- b. protect the water source for the Port Colborne Water Treatment Plant; and
- c. protect the water source for the Niagara Falls Water Treatment Plant.

3.3.1 Decew Falls Water Treatment Plant

- 3.3.1.1 New *waste disposal sites* for the application of untreated septage to land shall not be permitted within the DeCew Falls *Intake Protection Zone* 1 as shown on Schedule E.

- 3.3.1.2** New industrial or commercial land uses where the storm sewer drainage area is at least 100 ha in size, are not permitted within the DeCew Falls *Intake Protection Zone 1* as shown on Schedule E. For the purposes of this policy, new industrial or commercial land uses include industrial or commercial uses which are not currently designated as such in the Local municipal official plan.
- 3.3.1.3** New *combined sewers, wastewater treatment facilities, and industrial effluent systems*, as defined in Appendix C of the Niagara Peninsula Source Protection Area Assessment Report (2013), are not permitted where they would be a *significant threat* within the DeCew Falls *Intake Protection Zone 1* as shown on Schedule E.
- 3.3.1.4** Any planning or building application made for a land use other than Residential in the DeCew Falls *Intake Protection Zone 1*, as shown on Schedule E, may require a Section 59 notice from the *Risk Management Official*. The requirements of the notice will be determined through the application screening process.

3.3.2 Port Colborne Water Treatment Plant

- 3.3.2.1** New *waste disposal sites* for the application of untreated septage to land shall not be permitted within the Port Colborne *Intake Protection Zone 1* and *Intake Protection Zone 2* as shown on Schedule E.
- 3.3.2.2** Any planning or building application made for a land use other than Residential in the Port Colborne *Intake Protection Zone 1* and *2*, as shown on Schedule E, may require a Section 59 notice from the *Risk Management Official*. The requirements of the notice will be determined through the application screening process.
- 3.3.2.3** Future open storage of road salt greater than 5,000 tonnes is not permitted within the Port Colborne *Intake Protection Zone 1* as shown on Schedule E.
- 3.3.2.4** Future storage of snow greater than one hectare in area is not permitted within the Port Colborne *Intake Protection Zone 1* as shown on Schedule E.
- 3.3.2.5** New *combined sewers, wastewater treatment facilities, and industrial effluent systems*, as defined in Appendix C of the Niagara Peninsula Source Protection Area Assessment Report (2013), are not permitted where they would be a *significant threat* within the Port Colborne *Intake Protection Zone 1* and *Intake Protection Zone 2* which are shown on Schedule E.

- 3.3.2.6** An application for, or expansion, extension or alteration of commercial or industrial development or storm water management facilities, may be deemed to pose a *significant threat* to municipal drinking water, within the Port Colborne *Intake Protection Zone* 1 and *Intake Protection Zone* 2, as shown on Schedule E, by the *Risk Management Official* and Region's Commissioner of Planning and Development. In such cases the *development* application shall be accompanied by a stormwater management plan that demonstrates the *development* does not pose a *significant threat* to municipal drinking water to the satisfaction of the Region's Commissioner of Planning and Development Services and City of Port Colborne in consultation with the *Risk Management Official*.
- 3.3.2.7** The storage, and application to land of *agricultural source material*, and the lands used for, are considered *significant threats* in the Port Colborne *Intake Protection Zone* 1 and *Intake Protection Zone* 2. New agricultural land uses, such as livestock grazing/pasturing, farm animal yards and outdoor confinement areas, are not permitted within the Port Colborne *Intake Protection Zone* 1 and *Intake Protection Zone* 2 which are shown on Schedule E.

3.3.3 Niagara Falls Water Treatment Plant

- 3.3.3.1** New *waste disposal sites* for the application of untreated septage to land shall not be permitted within the Niagara Falls *Intake Protection Zone* 1 as shown on Schedule E.
- 3.3.3.2** New industrial or commercial land uses where the storm sewer drainage area is at least 100 ha in size, are not permitted within the Niagara Falls *Intake Protection Zone* 1 as shown on Schedule E. For the purposes of this policy, new industrial or commercial land uses only includes industrial or commercial uses which are not currently designated as such in the Local municipal official plan.
- 3.3.3.3** New *combined sewers*, *wastewater treatment facilities*, and *industrial effluent systems*, as defined in Appendix C of the Niagara Peninsula Source Protection Area Assessment Report (2013), are not permitted where they would be a *significant threat* within the Niagara Falls *Intake Protection Zone* 1 as shown on Schedule E.
- 3.3.3.4** The storage, handling, and application to land of *agricultural source material*, and the lands used for livestock grazing/pasturing, farm animal yards and outdoor confinement areas, are considered *significant threats* in the Niagara Falls *Intake Protection Zone* 1. New agricultural land uses are not permitted within the Niagara Falls *Intake Protection Zone* 1 as shown on Schedule E.

3.3.4 Monitoring Significant Threats

3.3.4.1 The Region will monitor and report on the measures taken to implement the *significant threat* policies annually in accordance with the Niagara Peninsula Source Protection Plan, which shall address the following:

- a. total number and type of *development* applications in *Intake Protection Zones*;
- b. pre-consultation meetings related to the Niagara Peninsula Source Protection Plan;
- c. number of Risk Management Plans reviewed and approved;
- d. the number and type of *development* applications in *Intake Protection Zones* with the potential for the creation or modification of a *transport pathway*; and
- e. steps taken to improve education and research.

3.4 Stewardship

This Region recognizes that private landowners have a detailed understanding of their properties and play a key role in restoration and promoting biodiversity in the region. Private landowner stewardship is about individuals and organizations caring for their land in a way that preserves its environmental, economic and cultural values, keeping it healthy for generations to come.

The Region encourages private landowner stewardship at all times, and not just when there is an application for *development* or *site alteration*.

The objectives of this section are as follows:

- a. encourage landowners to practice good stewardship; and
- b. support donation or transfer of lands in the *natural environment system*.

3.4.1 Stewardship Policies

- 3.4.1.1** The Region encourages landowners to maintain, enhance or, wherever feasible, restore natural features on their property through a range of measures including, but not limited to, plantings, riparian restoration, conservation easements, vegetative *buffers*, invasive species identification and removal, citizen science projects, and wherever appropriate, fencing.
- 3.4.1.2** The Region, in collaboration with the Province, Local Area Municipalities, the *Conservation Authority*, and organized interest groups, will provide advice and information on other land stewardship programs to landowners wishing to exercise good stewardship of lands within the *natural environment system*.
- 3.4.1.3** In addition to the above, the Region supports community outreach programs related to natural environment enhancement and *climate change* initiatives.
- 3.4.1.4** The Region promotes, in conjunction with other public agencies and through stewardship programs, the donation of privately owned lands in the *natural environment system* to public agencies or charitable organizations, or the transfer of the protection of the *ecological functions* and features on such lands to a public agency or charitable organization through a conservation easement agreement.

3.5 Climate Change

Niagara is projected to become warmer and wetter with more extreme weather events, such as extreme heat days and precipitation events due to *climate change*. Rising temperatures and extreme weather events have significant human and environmental costs, which disproportionately impact vulnerable populations, and increase financial risks to households, businesses and governments.

Land use planning is an important driver for mitigating and adapting to *climate change* to reduce human, environmental and financial risks. Mitigation refers to reducing sources of greenhouse gas emissions, such as burning fossil fuels for electricity, or enhancing carbon ‘sinks’ that store these gases. Adaptation refers to preparing for the impacts of *climate change* to reduce vulnerability, and building resiliency to recover from extreme weather events. Addressing *climate change* requires actions from all levels of government, the business community, households and individuals.

This section includes specific actions the Region will take on *climate change* which impact community sectors, as well as opportunities for the Region to lead by example through its corporate operations in support of broader community-wide efforts. This section also recognizes how policy direction across this Plan supports the transition to *net-zero*, climate-resilient communities that mitigate and adapt to *climate change* and recover from extreme weather events. The consolidated policy direction in this section must be read together with other policies of this Plan, which establish direction that is more detailed.

The objectives of this section are as follows:

- a. commit to establishing targets and strategies to reduce greenhouse gas emissions and monitor progress towards the achievement of targets;
- b. reduce emissions from the Region’s corporate operations to lead by example and support achievement of community-wide efforts;
- c. develop *climate change* adaptation strategies to reduce vulnerabilities and improve resilience to extreme weather events and increased climate variability; and
- d. identify land use planning policy direction that support the transition to *net-zero*, climate-resilient communities.

Climate Projections for Niagara Region under a Business-as-Usual Scenario

Climate Parameter	2020	2050	2080	Difference from Baseline to Long Term
Mean Annual Temperature (°C)	8.7	10.7	12.3	+3.6
Days Above 30°C	10.4	23.9	39.4	+29.0
Total Annual Precipitation (mm)	1080.6	1135.0	1192.0	+111.4

3.5.1 Emissions Reduction and Resilience Planning

- 3.5.1.1 The Region will maintain its community-wide greenhouse gas inventory to monitor progress in emissions reduction planning.
- 3.5.1.2 The Region will establish new community-wide greenhouse gas reduction targets to work toward the long-term goal of *net-zero* emissions.
- 3.5.1.3 The Region will develop a municipal energy plan in consultation with the Local Area Municipalities, *utility* companies and organized interest groups to reduce energy consumption and greenhouse gas emissions, complement land use and *infrastructure* master planning, and support economic development opportunities in the region.
- 3.5.1.4 The Region, in consultation with the *Conservation Authority*, Local Area Municipalities, First Nations, Indigenous communities and other partners and organized interest groups, will develop and implement a Regional Greening Initiative to restore and enhance vegetative cover that sequesters carbon to mitigate *climate change*.
- 3.5.1.5 The Region, in collaboration with the Local Area Municipalities, building and development industry, *utility* companies and organized interest groups will explore opportunities to elevate standards of green building development across the region.
- 3.5.1.6 Opportunities will be considered to include electric vehicle charging infrastructure in new *development*, parking areas for public use, on-street parking, workplaces and multi-unit residential buildings to promote uptake of zero emissions vehicles, including battery-electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

- 3.5.1.7** The Region will explore additional opportunities to support emissions reduction planning in collaboration with the Local Area Municipalities, *Conservation Authority*, First Nations, Indigenous communities and other partners and organized interest groups.
- 3.5.1.8** Climate modeling and projections will be maintained by the Region to inform *climate change* adaptation initiatives using the best available science.
- 3.5.1.9** The Region will assess anticipated *climate change* risks and vulnerabilities across systems, and develop and implement a Climate Change Adaptation Strategy, informed by Regional climate projections, to prepare for the impacts of *climate change*.
- 3.5.1.10** Climate projections will be considered by the Region and Local Area Municipalities in land use policies, strategies and guidance.
- 3.5.1.11** Local Area Municipalities are encouraged to:
- a. develop and maintain greenhouse gas inventories, establish emissions reduction targets, develop strategies to reduce emissions and monitor progress; and
 - b. assess local *climate change* risks and vulnerabilities and develop *climate change* adaptation strategies, informed by Regional or Local climate projections.

3.5.2 Corporate Climate Change Measures

- 3.5.2.1** Energy conservation measures will be applied to the Region's corporate facilities and operations in accordance with the Region's Energy Conservation and Demand Management Plan, as amended.
- 3.5.2.2** New Regional *corporate facilities* will achieve minimum Silver Level certification in the Leadership in Energy and Environmental Design (LEED) green building rating system.
- 3.5.2.3** Public charging infrastructure should be provided at Regional and Local municipal facilities, where feasible, to promote uptake of zero emissions vehicles.
- 3.5.2.4** The Region will explore opportunities to transition to a zero-emissions vehicle fleet.

3.5.3 Support the Transition to Net-Zero Communities

3.5.3.1 This section consolidates policy direction integrated throughout this Plan that supports the transition to *net-zero* communities that mitigate *climate change*.

The Region will endeavor to:

- a. support *built form* and land use patterns that use land efficiently and reduce transportation emissions by:
 - i. requiring *compact built form* to minimize land consumption and increase the densities required to support transit ridership;
 - ii. promoting a mix of land uses to shorten commute journeys and support the creation of *complete communities*;
 - iii. planning to achieve minimum *intensification* and density targets which meet or exceed provincial requirements;
 - iv. prioritizing *strategic growth areas*, including *protected major transit station areas*, for accommodating *intensification* and higher-density, mixed-use, *transit-supportive* development;
 - v. planning for employment uses to facilitate efficient goods movement and reduce transportation congestion;
 - vi. prioritizing transit and supporting *active transportation* to reduce single-occupant vehicle trips; and
 - vii. supporting transportation demand management measures to influence travel behaviour.
- b. support conservation and energy reduction by:
 - i. designing *infrastructure* and *public works projects* to reduce energy consumption and use recycled construction materials, where feasible;
 - ii. promoting opportunities for district energy, *renewable energy systems* and *alternative energy systems* in accordance with the municipal energy plan in Policy 3.5.1.3;
 - iii. encouraging design and orientation to optimize passive solar energy gains;
 - iv. encouraging opportunities for conservation, energy efficiency and demand management within existing and planned *development*;
 - v. encouraging water conservation techniques, including water-efficient landscaping and collection and reuse of clean water and stormwater; and

- vi. promoting reduction, reuse and recycling objectives, diversion techniques, including reuse and recycling of construction materials, and opportunities for energy generation from waste.
- c. enhance carbon sinks that store and sequester carbon by:
 - i. protecting and enhancing the *ecological integrity* and biodiversity of the *natural environment system*;
 - ii. maximizing vegetation and promoting tree planting to improve air quality, provide shade, and store carbon;
 - iii. Integrating *climate change* considerations into planning for parks, open space and trails, including opportunities for tree planting and *low impact development*;
 - iv. protecting the agricultural land base, including orchards and vineyards that provide long-term benefits of carbon storage; and
 - v. encouraging local food, food security and soil management practices that sustain and enhance soil health, including no-till or reduced tillage practices, diverse crop rotation and planting cover crops.

3.5.4 Support the Transition to Climate-Resilient Communities

- 3.5.4.1** This section consolidates policy direction integrated throughout this Plan that supports the transition to climate-resilient communities that adapt to, and recover from, the impacts of *climate change*.

The Region will endeavor to:

- a. enhance the adaptive capacity of *infrastructure* by:
 - i. ensuring that *watershed planning* informs the protection of *water resource systems* and decisions relating to planning for growth;
 - ii. assessing *infrastructure* risks and vulnerabilities caused by *climate change* at the *watershed* scale, and identifying actions and investments to address these challenges;
 - iii. requiring new urban *development* to be designed with separate storm drainage systems or connections to reduce wet weather overflows;
 - iv. requiring the separation of existing municipal *combined sewers*, where feasible;
 - v. promoting stormwater attenuation and reuse, water conservation and efficiency and *low impact development*, where possible;

- vi. integrating *green infrastructure* and *low-impact development* such as green roofs and permeable surfaces into the design of *infrastructure*, *public works projects*, *public service facilities* and private *development*, where possible;
 - vii. encouraging the burial of overhead *utilities* for improved protection against extreme weather events; and
 - viii. encouraging the continued operation and expansion of agricultural infrastructure, including irrigation systems, to adapt to *climate change* impacts.
- b. mitigate hazards and coordinate with emergency management by:
- i. directing *development* away from lands impacted by natural hazards and applying mitigation techniques to reduce risks;
 - ii. preventing and managing activities identified as *significant drinking water threats* including impacts from *climate change*; and
 - iii. encouraging the strategic location of *infrastructure* and *public service facilities* to support the delivery of emergency management services.

3.6 Niagara Escarpment Plan Area

In Niagara, the Niagara Escarpment traverses the municipalities of Niagara Falls, St. Catharines, Thorold, Niagara-on-the-Lake, Pelham, Lincoln and Grimsby. This impressive geologic formation has waterfalls, fossil-filled rock dating back 450 million years and forest areas. The Escarpment is a key component to the Niagara micro-climate for growing grapes and tender fruit.

The Niagara Escarpment Commission is an agency of the Government of Ontario. It is responsible for administering the Niagara Escarpment Plan, a Provincial land use plan which includes evaluating applications to amend the Niagara Escarpment Plan and applications for development permits within the Area of Development Control.

The Niagara Escarpment Plan, as amended from time to time, prescribes designations, policies and development criteria to regulate the use of land within the Niagara Escarpment Plan Area within the Region of Niagara.

The Niagara Escarpment Biosphere Reserve

The Niagara Escarpment Biosphere Reserve is a United Nations Educational, Scientific and Cultural Organization (UNESCO) Biosphere Reserve located in Ontario, Canada. The reserve stretches 725 kilometres along the Niagara Escarpment from Lake Ontario to the tip of the Bruce Peninsula.

Pursuant to the Niagara Escarpment Planning and Development Act, the Niagara Escarpment Plan prevails over any Local official plan or zoning by-law where conflicts occur between them. Policies that are more rigorous or restrictive than the Niagara Escarpment Plan policies are not interpreted to be in conflict with the Niagara Escarpment Plan based on this circumstance alone.

The objectives of this section are as follows:

- a. provide for the maintenance of the Niagara Escarpment as a continuous natural environment; and
- b. ensure that all new development is *compatible* with the natural environment.

3.6.1 The Niagara Escarpment as a Continuous Natural Environment



- 3.6.1.1 The outer boundary of the Niagara Escarpment Plan Area (NEPA) is fixed and inflexible and shall only be changed by an amendment to the Niagara Escarpment Plan. The outer boundary of the NEPA within the Region of Niagara is shown on Schedules A – K of this Plan. Should the NEPA be amended by the Niagara Escarpment Commission, the NEPA on said schedules of this Plan shall be revised to comply without an amendment to this Plan.
- 3.6.1.2 Within the Niagara Escarpment Plan Area, development includes a change in the use of any land, building or structure.
- 3.6.1.3 When commenting on a Development Permit Application for a proposed development, the Region shall apply the policies of the Niagara Escarpment Plan except for when there are more specific or restrictive policies in this Plan that do not conflict with the Niagara Escarpment Plan; in which case staff will request the Niagara Escarpment Commission to apply the more specific or restrictive policies when rendering a decision on an application, specifically respecting: agricultural policies; *infrastructure* policies regarding servicing outside of *settlement areas*; archaeological policies; and *natural environment system* policies where noted below.

3.6.2 Compatibility of New Development with the Natural Environment



- 3.6.2.1 Section 3.1 and Schedule L of this Plan identifies natural features within the *natural environment system* that are included within the Niagara Escarpment Plan Area.
- 3.6.2.2 The Niagara Escarpment Plan Area is identified on Schedule C1 to C3 of this Plan for reference.
- 3.6.2.3 The policies of this Plan defer to the Niagara Escarpment Plan, which contains its own policy framework. The only exceptions to this are the permissions in Section 3.1 for minor construction within and adjacent to key features and the restrictions on *development* and *site alteration* within and adjacent to *other woodlands*.

3.6.2.4 Policies in Section 3.1 of this Plan provide guidance on when an *environmental impact study* and/or *hydrological evaluation* is required to evaluate the potential impact of a proposed *development* or *site alteration* on the *natural environment system*. The Region's technical review of a required *environmental impact study* and/or *hydrological evaluation* may be used by the Commission in rendering a decision on a Development Permit Application.

3.7 Excess Soil Management

The proper management of *excess soil* is critical to protect human health and the environment as our communities continue to grow. *Excess soil* is soil that is not required at a construction or *development* site and must be moved to a new location. In some cases, *excess soil* may be temporarily stored at another location before being brought to a final receiving site. The Provincial policy framework for *excess soil* management provides a life-cycle management approach, which includes placing greater responsibility on source sites where soil is excavated, and recognizing opportunities for *excess soil* re-use.

The manner for which *excess soil* is managed and disposed of has implications for greenhouse gas emissions, with trucks moving *excess soil* across communities. Other issues include the quality of *excess soil*, and the need to protect the environment, water, and agriculture. The beneficial re-use of *excess soil* locally can contribute to *climate change* mitigation goals and overall sustainability of soil.

The policies of Section 3.7 are intended to implement best management practices of *excess soil* for a beneficial re-use purpose where appropriate.

The objective of this section is to:

- a. recognize and manage *excess soil* for new *development*, *site alteration* and *infrastructure*.

3.7.1. Recognize and Manage Excess Soil

3.7.1.1 *Excess soil* shall be managed in accordance with Ontario Regulation 406/19 under the Environmental Protection Act.

3.7.1.2 Best management practices for *excess soil* generated and fill received during *development*, *site alteration*, including *infrastructure* development, shall be implemented to ensure that:

- a. *excess soil* generated is to be reused on-site or locally to the maximum extent possible;
- b. *temporary storage sites* are encouraged to be permitted close to soil reuse sites to reduce transportation and environmental impacts such as greenhouse gas emissions; and
- c. *excess soil* placement at receiving sites are required to demonstrate that the activity will not have a negative impact on existing land uses, the natural environment, surrounding land uses and *cultural heritage resources*.

- 3.7.1.3** A *soil management plan*, meeting Provincial best practices is to be prepared as part of the Planning Act application process for new *development*.
- 3.7.1.4** Local Area Municipalities shall incorporate best management practices for the management of *excess soil* generated and fill received during *development* or *site alteration*, including *infrastructure* development, to ensure that:
- a. local official plans and zoning by-laws identify appropriate sites for *excess soil* storage and processing; and
 - b. site plan approval is utilized for new or expanding soil storage or processing sites.
- 3.7.1.5** Local Area Municipalities are encouraged to develop or update *site alteration* and fill by-laws in accordance with the Municipal Act.



COMPETITIVE REGION

NIAGARA OFFICIAL PLAN



COMPETITIVE REGION



4.1 The Agricultural System

The *agricultural system* contains a structure for the agricultural land base and the *agri-food network* that enables the agri-food sector to thrive.

The agricultural land base is comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands*. The *agri-food network* includes *infrastructure*,

services and assets important to the viability of the agri-food sector. Farm stewardship facilitates agricultural protection and the environmental benefits of *natural heritage features* located throughout the *agricultural system*.

Together, the Region's *agricultural system* and *natural environment system* provide a significant contribution to Niagara's resilience and ability to adapt to *climate change*. The agricultural land base will be protected for the provision of healthy, local food for present and future generations. Farming will be productive, diverse, and sustainable.

The objectives of this section are as follows:

- a. facilitate a strong, diverse, and resilient agricultural economy;
- b. protect the region's agricultural land base;
- c. ensure agriculture is the predominant land use in *specialty crop areas* and *prime agricultural areas*;
- d. restrict and control non-agricultural uses to minimize potential conflicts;
- e. ensure the long-term sustainability and function of uses within the *agricultural system*;

Niagara's Agricultural Economy

Niagara region is home to an active and vibrant farming sector, which includes a wide range of farming types including grape and tender fruit; greenhouse, nursery, floriculture operations; oilseeds and grain operations; livestock operations, and more. In Niagara, farmland generates over \$1.4 billion GDP from agriculture and has a high employment impact for the region.

- f. protect *specialty crop areas* from fragmentation;
- g. protect *prime agricultural areas* from fragmentation;
- h. protect and recognize *rural lands* as part of the *agricultural system*;
- i. provide for a limited amount of non-agricultural residential development on *rural lands*; and
- j. recognize and control changes to *existing uses* to ensure a viable *agricultural system*.

4.1.1 Region's Agricultural Land Base

4.1.1.1 The geographic continuity of the agricultural land base, as shown in Schedule F, and the functional and economic connections to the *agri-food network* will be maintained and enhanced in accordance with the policies of this section.

 4.1.1.2 *Prime agricultural areas* and *specialty crop areas*, as shown on Schedule F, shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through seven lands within the *prime agricultural area*, in this order of priority.

4.1.1.3 *Settlement areas* are not permitted to expand into *specialty crop areas*.

4.1.1.4 An *agricultural system* has been identified in which all types, sizes, and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with Provincial standards. Removal of land from *prime agricultural areas* may only occur for expansions or identification of *settlement areas* in accordance with Section 2.2.5 of this Plan. Revisions to the Greenbelt Plan and Niagara Escarpment Plan boundaries and redesignation of *specialty crop areas* are prohibited.

4.1.1.5 The removal of topsoil in *specialty crop areas*, *prime agricultural areas*, and *rural lands* is discouraged. Further, the placement of fill in *specialty crop areas* and *prime agricultural areas* is prohibited. Local Area Municipalities are encouraged to enact by-laws to regulate the placement of fill in accordance with Section 3.7 of this Plan.

4.1.2 Specialty Crop Areas and Prime Agricultural Areas

- 4.1.2.1 *Specialty crop areas* shall not be redesignated in official plans for non-agricultural uses. Non-agricultural uses may be permitted subject to Policies 4.2 to 4.6 of the Greenbelt Plan and Section 4.1.3 of this Plan.
- 4.1.2.2 In *specialty crop areas*, all *existing uses* lawfully used for such purpose prior to December 16, 2004 are permitted. In *specialty crop areas*, single detached dwellings and accessory structures are permitted on existing lots of record, provided they were zoned for such or permitted through other regulation as of December 16, 2004.
- 4.1.2.3 In *specialty crop areas* and *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected and a full range of *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* are permitted.
- 4.1.2.4 *Prime agricultural areas* within the Greenbelt Plan as identified on Schedule F are subject to the *prime agricultural area* policies of this Plan.

4.1.3 Minimize Conflicts of Non-Agricultural Uses

- 4.1.3.1 Non-agricultural uses should not be located in *specialty crop areas* or *prime agricultural areas*.
- 4.1.3.2 Non-agricultural uses must address Greenbelt Plan policies for non-agricultural uses in *specialty crop areas* and *prime agricultural areas*.
- 4.1.3.3 Applications for non-agricultural uses shall require completion of an *agricultural impact assessment*.
- 4.1.3.4 In *specialty crop areas* lands shall not be redesignated in official plans for non-agricultural uses.
- 4.1.3.5 In *prime agricultural areas* lands shall not be redesignated in official plans for non-agricultural uses except for:
 - a. refinements to the *prime agricultural area* and *rural lands* designations, subject to the policies of Section 5.3 of the Greenbelt Plan; or
 - b. *settlement area* boundary expansions, subject to Policies 3.4.1 to 3.4.5 of the Greenbelt Plan.
- 4.1.3.6 New land uses in *specialty crop areas* and *prime agricultural areas*, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

- 4.1.3.7 Where *agricultural uses* and non-agricultural uses *interface*, land use compatibility shall be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating adverse impacts on the *agricultural system*, by incorporating measures as part of new or expanding non-agricultural uses, as appropriate, within the area being developed.

4.1.4 Lot Creation and Related Development Within the Agricultural System

- 4.1.4.1 Within the *prime agricultural area*, including the protected countryside of the Greenbelt Plan which also includes *specialty crop area*, lot creation is discouraged and may only be permitted in accordance with the policies in Sections 4.1.4, 4.1.5 and 4.1.6 of this Plan.
- 4.1.4.2 Proposed residential lots being considered under Sections 4.1.5 and 4.1.6 for a consent within the agricultural land base must meet the following conditions:
- a. the size of any new lot shall be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and long-term operation of a private sewage disposal system as determined by Provincial and Regional requirements;
 - b. any new lot has an adequate groundwater or other water supply, in compliance with Provincial requirements;
 - c. any new lot has sufficient frontage on an existing publicly-maintained road;
 - d. where possible, joint use should be made of the existing road access to the farm operation;
 - e. road access to any new lot does not create a traffic hazard because of limited sight lines on curves or grades or proximity to intersections; and
 - f. proposed lots shall be located and configured to minimize impacts on surrounding farming operations.
- 4.1.4.3 All proposed *development* and uses will include sustainable on-site private water supply and private sewage disposal systems subject to applicable Provincial and Regional regulations and associated approvals.

4.1.5 Lot Creation in Specialty Crop Areas

- 4.1.5.1** In the *specialty crop areas*, consents to convey may be permitted only in accordance with the following provisions and the general consent provisions in Policy 4.1.4.2. Within the Niagara Escarpment Plan Area, the policies of the Niagara Escarpment Plan, as amended from time to time, shall prevail unless the following policies are more restrictive, then the more restrictive policies shall prevail.
- a. the consent is supported through a planning justification report;
 - b. the consent is for an *agricultural use* where the severed and retained lots are intended for *agricultural uses* and provided the minimum lot size is 16 hectares for both the severed and retained lots;
 - c. the consent is for an *agriculture-related use*, provided that any new lot shall be limited to the minimum size needed to accommodate the use and appropriate sewage and water services;
 - d. the consent is for acquiring land for public *infrastructure* purposes, where the facility or corridor cannot be accommodated through the use of easements or rights of way, provided that:
 - i. the need has been demonstrated and it has been established that there is no reasonable alternative; and
 - ii. an *agricultural impact assessment* has been completed by a qualified professional;
 - e. the consent is for facilitating conveyances to public bodies or non-profit entities for natural heritage conservation, provided it does not create a separate lot for a residential dwelling;
 - f. the consent is for *legal or technical reasons* as determined by Local Area Municipalities, provided they do not create a separate lot for a residential dwelling, there is no increased fragmentation of a *key natural heritage feature* or *key hydrologic feature*, and complies with other policies in this Plan; and
 - g. the consent is for a *residence surplus to a farming operation* as outlined in Policy 4.1.5.2.
- 4.1.5.2** The severance of a *residence surplus to a farming operation* may be permitted under the following circumstances:
- a. the proposed lot contains a habitable residence, which existed as of December 16, 2004, that is rendered surplus as a result of farm consolidation;

- b. the size of any new lot shall be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and private sewage disposal system as determined by Provincial and Regional requirements to a maximum of one hectare;
 - i. proposals that exceed one hectare may be considered subject to an amendment to this Plan; and
- c. to reduce fragmentation of the agricultural land base, the retained lot shall be merged with an abutting parcel. Where merging of two lots is not possible, the retained farm parcel shall be zoned to preclude its use for residential purposes.

4.1.6 Lot Creation in Prime Agricultural Areas

- 4.1.6.1 In *prime agricultural areas* outside of *specialty crop areas*, consents to convey may be permitted only in those circumstances set out in the following provisions and the general consent provisions of Policy 4.1.4.2:
- a. the consent is for *agricultural uses*, subject to the following criteria:
 - i. the resulting parcels are both for *agricultural uses*;
 - ii. the minimum lot size for the severed and retained lot is 40 ha, the resulting parcels meet the Local official plan and agriculture zoning provisions, and:
 - 1. is appropriate for the farming activities proposed;
 - 2. is suited to the particular location and common in the area; and
 - 3. provides some flexibility for changes in the agricultural operation.
 - b. the consent is for *agriculture-related use* subject to the following criteria:
 - i. any new lot shall be limited to a minimum size needed to accommodate the proposed use and appropriate sewage and water services; and
 - ii. any new lot shall be zoned to preclude residential uses in perpetuity.
 - c. the consent is for a *residence surplus to a farming operation* as outlined in Policy 4.1.6.2;
 - d. the consent is for a lot adjustment for *legal or technical reasons*; or
 - e. the consent is for public *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

4.1.6.2 The severance of a *residence surplus to a farming operation* may be permitted under the following circumstances:

- a. the lot contains a habitable residence, which existed as of June 16, 2006, that is rendered surplus as a result of farm consolidation;
- b. the size of any new lot shall be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and private sewage disposal system as determined by Provincial and Regional requirements to a maximum of one hectare;
 - i. proposals that exceed one hectare may be considered subject to an amendment to this plan; and
- c. to reduce fragmentation of the agricultural land base, the retained lot shall be merged with an abutting parcel. Where merging of two lots is not possible, the retained farm parcel shall be zoned to preclude its use for residential purposes.

4.1.7 A Resilient Agricultural Economy

 **4.1.7.1** The Region encourages the continued operation and expansion of agricultural infrastructure including irrigation and drainage systems as shown in Appendix 1.

4.1.7.2 Temporary accommodation for seasonal or full-time farm labour may be permitted where:

- a. the size and/or nature of the agricultural operations makes the employment of such help necessary;
- b. such temporary accommodation does not have a significant effect on the tillable area of the agricultural operation or its viability; and
- c. the severance of a temporary accommodation for seasonal or full-time farm labour is not permitted.

Agri-Food Strategy

Agri-food is a term that refers to all forms of commercial agricultural activity and all stages of food and beverage processing. The Niagara region agri-food sector contributes significantly to the economic prosperity and quality of life of residents. The strategy looks to support agri-food prosperity and sustainability.

4.1.7.3 *Agricultural uses, agriculture-related uses* and *on-farm diversified uses* are permitted in the following areas:

- a. *specialty crop areas*;
- b. *prime agricultural areas*; and
- c. *rural lands*.

Table 4-1 Agricultural Uses, Agricultural-Related Uses and On-Farm Diversified Uses

Type of Use	Agricultural Uses	Agriculture-Related Uses	On-Farm Diversified Uses
Description	Growing of crops or raising of livestock; raising of other animals for food, fur or fibre; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures	May or may not be on a farm; farm-related commercial or industrial use; compatible with surrounding agricultural operations; directly related to farms in the area; supports agriculture, provides products or services to farms; benefits from proximity to farms	On a farm; secondary use; limited in area; includes, but is not limited to, home occupations, home industries, <i>agri-tourism uses</i> and value-added uses; compatible with surrounding agricultural operations
Examples include, but are not limited to	a. cropland b. pastureland c. barns and other associated buildings and structures	a. processing of agricultural products b. farm equipment repair shop c. agriculture research centre	a. <i>agri-tourism uses</i> b. pick-your-own operation c. home occupations

4.1.7.4 Proposed *agriculture-related uses* and *on-farm diversified uses* shall be *compatible* with, and shall not hinder, surrounding agricultural operations.

4.1.7.5 *Agriculture-related uses* and *on-farm diversified uses* shall be consistent with the provisions of the Provincial Policy Statement, and conform to the Growth Plan, Greenbelt Plan, and Niagara Escarpment Plan.

4.1.7.6 *On-farm diversified uses* shall be:

- a. located on a farm;
- b. secondary to the principal agricultural use of the property;
- c. limited in area; and
- d. *compatible* with, and shall not hinder, surrounding agricultural operations.

4.1.7.7 The appropriate scale for *on-farm diversified uses* may vary depending on the type of use and whether the activities are located in the *specialty crop area* or in other *prime agricultural areas*. The following criteria shall be considered when reviewing applications for proposed *agriculture-related uses*:

- a. whether the proposed activity is more appropriately located in a nearby *settlement area* or on *rural lands*;
- b. whether the use is required for or in close proximity to the agricultural operation for it to support and complement the agricultural activity;
- c. the extent to which the use is *compatible* with the existing farming operation and surrounding farming operations;
- d. whether the scale of the activity is appropriate to the site and farming operation;
- e. whether the use is consistent with and maintains the character of the agricultural area;
- f. the use does not generate potentially conflicting off-site impacts;
- g. the activity does not include a new residential use;
- h. the use is limited to low water and low effluent producing uses and the site is capable of accommodating the use on private water and private sewage treatment systems;
- i. the use does not require significant improvements to *infrastructure*; and
- j. the use complies with all other applicable provisions of this Plan.

4.1.7.8 Within the Niagara Escarpment Plan Area, the policies contained in the Niagara Escarpment Plan apply. *Agriculture-related uses* and *on-farm diversified uses* must meet the permitted uses, development criteria and policies of the Niagara Escarpment Plan.

- 4.1.7.9** Local Area Municipalities are encouraged to utilize site plan control to regulate the impact of *agriculture-related uses* and *on-farm diversified uses*, in relation to entrances, parking and loading facilities, signage, grading and storm water drainage, buffering and landscaping, and landscape protection.

4.1.8 Rural Lands as Part of the Agricultural System

- 4.1.8.1** The predominant use of *rural lands* will continue to be agriculture, but some non-agricultural related development may be permitted subject to the policies in Sections 4.1.8 and 4.1.9.
- 4.1.8.2** Permitted uses on *rural lands* include:
- a. management or use of resources in accordance with all other applicable provisions of this Plan;
 - b. limited residential development in accordance with Section 4.1.9;
 - c. *agricultural uses, agriculture-related uses, on-farm diversified uses, normal farm practices*, in accordance with this section;
 - d. home occupations and home industries in accordance with Local official plan and zoning by-law provisions;
 - e. cemeteries; and
 - f. other uses not described in this chapter may be permitted, subject to an amendment to this Plan.
- 4.1.8.3** The *rural lands* along the Lake Erie shoreline contain historic patterns of seasonal and permanent residential development. These uses and expansions thereof continue to be permitted in accordance with Local official plans and zoning by-law provisions.

4.1.9 Non-Agricultural Uses on Rural Lands

- 4.1.9.1** Limited non-agricultural residential development may be permitted on *rural lands* in accordance with the policies of this section.
- 4.1.9.2** Proposals for non-agricultural residential development on *rural lands* must meet the following criteria and the general consent provisions in Policy 4.1.4.2, in addition to the other requirements of this Plan, the Niagara Escarpment Plan and the Local official plan:
- a. maximum of three new lots (in addition to the retained lot) may be permitted on each lot in existence as of June 16, 2006;

- b. the minimum size of the proposed and retained lots shall each be one hectare unless it is determined through a hydrogeological study, that considers potential cumulative impacts, that a smaller size lot will adequately accommodate private water and sewage treatment facilities for long-term operation but not be less than 0.4 hectares;
- c. the *development* will be at a scale and density suitable to the physical characteristics of the site;
- d. soil and drainage conditions are suitable and permit the proper siting of buildings, the supply of potable water and the installation and long-term operation of an adequate means of waste disposal;
- e. the proposed *development* will be consistent with Section 3.1; and
- f. proposed *developments* must be appropriately separated and protected from:
 - i. incompatible land uses such as existing pits and quarries;
 - ii. *mineral aggregate resources* recognized in this Plan;
 - iii. livestock operations and anaerobic digesters, in accordance with the *minimum distance separation formulae*;
 - iv. existing and former solid waste sites;
 - v. major existing and proposed transportation facilities; and
 - vi. employment uses.

4.1.10 Non-Conforming Uses in the Agricultural System

- 4.1.10.1 This Plan shall not prohibit the continued operation of legally established uses, such as residential, commercial, employment, *agricultural*, and *institutional uses*.
- 4.1.10.2 Expansions to existing buildings and structures, accessory structures and *existing uses*, as well as conversions or *redevelopment* of legally *existing uses* that bring the use more into conformity with this Plan, are permitted subject to demonstration of the following:
 - a. new municipal services are not required;
 - b. the proposal does not expand into *key natural heritage features* and *key hydrologic features*, unless there is no other alternative in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure;
 - c. if applicable, the proposed new use complies with the *Specialty Crop Guidelines*, as amended from time to time;
 - d. for conversions or *redevelopments* only, the completion of an *agricultural impact assessment* by a qualified professional;

- e. the proposal does not result in the intrusion of new incompatible uses; and
- f. the proposed use is in accordance with the *minimum distance separation formulae*.

4.1.10.3 Within the Niagara Escarpment Plan area, the Niagara Escarpment Plan Policies also apply to *existing uses*.

4.1.10.4 In accordance with the developed *shoreline area* policies of the Greenbelt Plan and Growth Plan, notwithstanding Sections 4.1.1, 4.1.2, 4.1.5, 4.1.6, 4.1.8, and 4.1.9 of this Plan, infill *development*, *redevelopment*, and resort development is permitted in developed *shoreline areas* of Lake Ontario, Lake Erie, and the Niagara River that are designated or zoned for concentrations of *development* as of July 1, 2017, subject to the following requirements. The *development* will:

- a. enhance or be integrated with existing or proposed parks and trails, such as the Great Lakes Waterfront Trail, and will enhance ongoing or planned stewardship and remediation efforts;
- b. restore, to the maximum extent possible, the ecological features and functions in developed *shoreline areas*; and
- c. in the case of *redevelopment* and resort development:
 - i. establish, or increase the extent and width of, a *vegetation protection zone* along the shoreline to a minimum of 30 metres;
 - ii. increase the extent of *fish habitat* in the littoral zone;
 - iii. be planned, designed, and constructed to protect *hydrologic functions*, minimize erosion, and avoid or mitigate sedimentation and the introduction of nutrient or other pollutants into the lake;
 - iv. exclude shoreline structures that will impede the natural flow of water or exacerbate algae concerns along the shoreline;
 - v. enhance the ability of native plants and animals to use the shoreline as both *wildlife habitat* and a movement corridor;
 - vi. use lot-level stormwater controls to reduce stormwater runoff volumes and pollutant loadings;
 - vii. use natural shoreline treatments, where practical, for shoreline stabilization, erosion control, or protection;
 - viii. meet other criteria and direction set out in applicable *watershed planning* and *subwatershed plans*;
 - ix. be serviced by *sewage works* which reduce nutrient inputs to groundwater and the receiving water body from baseline levels; and
 - x. demonstrate available capacity in the receiving water body based on inputs from existing and approved *development*.

4.2 Planning for Employment

The Region is required to plan for and protect lands to accommodate the Province's forecasted employment growth coming to Niagara. These lands will play a critical role in the ability to retain and attract employment investment that contributes to Niagara's economic competitiveness on provincial, national, and global scales. The provision of lands for employment is an important component of *complete communities*.

The policies encourage employment development in *urban areas* and recognizes the contribution of rural employment in the agricultural community toward Niagara's prosperity. Emphasis is on fostering communities that attract people, jobs, and investment, while protecting employment uses for the long-term.

Employment Lands and Employment Areas

The Region maps and develops policies for *employment areas*. Local Area Municipalities map and develop policies for *employment lands*.

The objectives of this section are as follows:

- a. designate *employment areas* for long-term protection and plan for forecasted employment growth within *employment areas*;
- b. maximize the economic development potential of the *Niagara Economic Centre* and *Niagara Economic Zone*;
- c. identify and consider future *employment areas* in long-term planning for *settlement area* expansion;
- d. plan *employment lands* to enhance economic resilience through a diversified economy;
- e. guide future *redevelopment* of *employment lands*;
- f. protect *airport* and *aerodrome* lands short-term and long-term operational needs;
- g. enhance rural *employment lands* within *rural settlements* and recognize rural *employment lands* outside of *rural settlements*; and
- h. identify opportunities for strategic investments that further economic prosperity.

4.2.1 Employment Area Types and Densities

- 4.2.1.1 Niagara's *employment areas* are shown on Schedules B and G.
- 4.2.1.2 The following are prohibited in all *employment areas*:
- residential uses;
 - major retail / major commercial uses*; and
 - major office uses*, except *major office uses* are permitted on *employment area* lands within a *strategic growth area*.
- 4.2.1.3 *Sensitive land uses* that are not ancillary to the primary employment use shall be limited in *employment areas* and only permitted if such use can comply with D-6 Guidelines.
- 4.2.1.4 *Employment areas* are classified in three types, as identified on Schedule G and Table 4-2.
- 4.2.1.5 Core *employment areas* are clusters of traditional employment uses, such as industrial, manufacturing, construction, transportation and warehousing. Core *employment areas* shall be protected and planned for similar employment uses, *major facilities*, and *freight-supportive* forms of *development* and *redevelopment*. *Major institutional uses* are prohibited in core *employment areas*.
- 4.2.1.6 Dynamic *employment areas* are clusters of traditional and lighter industrial uses with a broader mix of employment uses including *office parks* and *institutional uses* that can function without limiting the viability of one another. A mix of complementary employment uses will be encouraged through *development* or *redevelopment* within dynamic *employment areas* that do not limit the ability for other employment uses within the *employment area* to grow or expand.
- 4.2.1.7 Knowledge and Innovation *employment areas* are clusters of higher density employment uses, including *office parks*, and *major institutional uses*. Knowledge and Innovation *employment areas* will:
- contain a mix of complementary land uses to facilitate partnerships and promote the sharing of ideas and information;
 - accommodate *built form* that supports nearby *major institutional uses* and *major office uses* where permitted;
 - attain high-quality urban design;
 - encourage densities that are *transit-supportive*; and
 - incorporate *active transportation* facilities along *active transportation* networks.

4.2.1.8 Local Area Municipalities shall map *employment areas* shown on Schedule G in Local official plans.

 **4.2.1.9** The Region and Local Area Municipalities shall plan for existing *employment areas* to achieve the minimum density targets to 2051 identified in Table 4-2.

Table 4-2 Employment Area Minimum Density Targets to 2051

Employment Area Sub-Grouping	Local Area Municipality	Employment Area (see Schedule G)	Minimum Overall Density Target (jobs per hectare)
Core	Fort Erie	FE-1 Stevensville Industrial Cell	15 jobs/ha
Dynamic	Fort Erie	FE-2 International Peace Bridge Trade Hub	15 jobs/ha
Core	Fort Erie	FE-3 Bridgeburg Rail Zone	10 jobs/ha
Core	Grimsby	GRM-1 West Niagara QEW Corridor	45 jobs/ha
Dynamic	Grimsby	GRM-2 Casablanca-East QEW Corridor	45 jobs/ha
Dynamic	Grimsby	GRM-3 Main Street East Employment District	40 jobs/ha
Core	Lincoln	LIN-1 Beamsville GO Precinct	30 jobs/ha
Core	Lincoln	LIN-2 King Street at Bartlett Junction	10 jobs/ha
Core	Niagara Falls	NF-1 Highway 405 Employment Area	15 jobs/ha

Employment Area Sub-Grouping	Local Area Municipality	Employment Area (see Schedule G)	Minimum Overall Density Target (jobs per hectare)
Core	Niagara Falls	NF-2 North Niagara Falls Secure Storage Employment Area	15 jobs/ha
Dynamic	Niagara Falls	NF-3 QEW / 420 Employment Area	25 jobs/ha
Dynamic	Niagara Falls	NF-4 QEW Centre Employment Area	50 jobs/ha
Dynamic	Niagara Falls	NF-5 Montrose Road Industrial Area	20 jobs/ha
Core	Niagara Falls	NF-6 Dorchester Road Employment Area	45 jobs/ha
Dynamic	Niagara Falls	NF-7 Stanley Avenue Business Park	15 jobs/ha
Dynamic	Niagara-on-the-Lake	NOTL-1 Virgil Business Park	35 jobs/ha
Knowledge and Innovation	Niagara-on-the-Lake	NOTL-2 Glendale Momentum District	60 jobs/ha
Core	Port Colborne	PC-1 Port Colborne West Transshipment Terminal	10 jobs/ha
Core	Port Colborne	PC-2 Port Colborne East Transshipment Terminal	25 jobs/ha
Core	St. Catharines	STC-1 Port Weller Employment Area	25 jobs/ha
Knowledge and Innovation	St. Catharines	STC-2 Hannover Employment Area	145 jobs/ha

Employment Area Sub-Grouping	Local Area Municipality	Employment Area (see Schedule G)	Minimum Overall Density Target (jobs per hectare)
Dynamic	St. Catharines	STC-3 Hiscott Employment Area	95 jobs/ha
Dynamic	St. Catharines	STC-4 Bunting / Welland / Eastchester / Cushman Road Employment Area	35 jobs/ha
Dynamic	St. Catharines	STC-5 West End Employment Area	45 jobs/ha
Core	St. Catharines	STC-6 Glendale Avenue East Employment Area	30 jobs/ha
Knowledge and Innovation	Thorold	THO-1 Brock District University Innovation Park	80 jobs/ha
Dynamic	Thorold	THO-2 McCleary Highway 58 Industrial Park	40 jobs/ha
Core	Thorold	THO-3 Thorold Tunnel Crossing	40 jobs/ha
Core	Thorold	THO-4 Thorold South Allanburg Industrial Park	10 jobs/ha
Dynamic	Welland	WEL-1 North Woodlawn Hospitality Node	40 jobs/ha
Core	Welland	WEL-2 South Woodlawn Industrial Niche	10 jobs/ha

Employment Area Sub-Grouping	Local Area Municipality	Employment Area (see Schedule G)	Minimum Overall Density Target (jobs per hectare)
Core	Welland	WEL-3 Highway 140 Canalside Artery	15 jobs/ha
Dynamic	Welland	WEL-4 Flatwater Rally Employment Area	20 jobs/ha
Core	West Lincoln	WL-1 Smithville Industrial District	20 jobs/ha

4.2.1.10 *Employment area* minimum density targets established in this Plan shall be implemented in Local official plans and zoning-by-laws, and used to promote employment *development* and *redevelopment* that supports achievement of the target.

4.2.1.11 Conversion of lands within *employment areas* shall not be permitted except during the Region's *municipal comprehensive review*. The Region will work with Local Area Municipalities to review and update *employment area* minimum density targets through the Region's *municipal comprehensive review*.

4.2.1.12 Local Area Municipalities shall use planning tools identified in policies 4.2.4.2 and 4.2.4.3 to achieve land use compatibility between *employment areas* and non-employment lands.

4.2.1.13 *Employment areas* will be promoted by aligning land use planning and economic development strategies to retain and attract investment.

 **4.2.1.14** *Employment areas* near *major goods movement facilities and corridors* associated with the movement of goods, such as international border crossings, the Welland Canal, *rail* and *marine facilities*, and Provincial highways, shall be protected and planned for employment uses.

- 4.2.1.15** The Region and Local Area Municipalities may support employment *development* and *redevelopment* serviced through sustainable private services, including dry industrial development, within *employment areas* where there are constraints to *municipal water and wastewater systems/services*.
- 4.2.1.16** Land use permissions approved through a secondary plan or equivalent process prior to the approval of this Plan shall continue to apply within *employment areas*.

4.2.2 Niagara Economic Centre and Zone

- 4.2.2.1** The *Niagara Economic Gateway* is comprised of the total geographic area of the Local Area Municipalities that are a part of the *Niagara Economic Centre* or *Niagara Economic Zone*, including all *major goods movement facilities and corridors* as shown in Schedule G.
- 4.2.2.2** The Region will work with the other levels of government to prioritize improvements to *major goods movement facilities and corridors* and *planned corridors* within the *Niagara Economic Gateway* to focus on *development* and *redevelopment* of *major facilities*, manufacturing, manufacturing-related and supply chain facilities, as well as support economic diversity and promote increased opportunities for cross-border trade, movement of goods, and tourism.
- 4.2.2.3** Lands within the *Niagara Economic Gateway* are preferred for the identification of future *employment areas* and *provincially significant employment zones*.
- 4.2.2.4** Within the *Niagara Economic Centre*, *employment lands* and *employment areas* should be planned to support the concept of a *multimodal* hub along the Welland Canal.

4.2.3 Future Employment Areas

- 4.2.3.1** Future *employment areas* as set out in Appendix 2 have been identified due to their location within the *Niagara Economic Gateway* and proximity to *major goods movement facilities and corridors*, and/or near *planned corridors*.
- 4.2.3.2** Future *employment areas* are outside of existing *settlement areas* and shall be identified for long-term planning beyond 2051.
- 4.2.3.3** Future *employment areas* may be considered for inclusion within the *urban area* through a *municipal comprehensive review*.

- 4.2.3.4** The Region will determine, in consultation with the Local Area Municipalities, the boundary, land uses and minimum density target of future *employment areas* as part of a district plan or secondary plan process, or equivalent, per Section 6.1 and provide urban design guidelines per Section 6.2.
- 4.2.3.5** The Region will work with Local Area Municipalities to review and evaluate any proposal to identify future *employment areas* using the following considerations:
- a. proposed lands are adjacent to the *urban areas*;
 - b. proposed lands are located within the *Niagara Economic Gateway*;
 - c. proposed lands are not located within the Greenbelt Plan Area and/or Niagara Escarpment Plan Area;
 - d. proposed lands consist of large contiguous parcels conducive for large-scale employment uses;
 - e. proposed lands can be or have the ability to be serviced by *municipal water and wastewater systems/services* and *public service facilities*;
 - f. proposed lands have no major restrictions by *natural heritage systems*, *water resource systems*, or other undevelopable and human-made features;
 - g. proposed lands will not adversely impact the *agricultural system* and/or *agri-food network*;
 - h. proposed lands may be a *brownfield* site, have known contamination, or have other hazardous conditions;
 - i. proposed lands have advantageous access to *major goods movement facilities and corridors* and/or *planned corridors*; and
 - j. proposed lands are not located near other land uses that may limit employment viability, growth, or expansion, including *minimum distance separation formulae* and D-6 Guideline requirements.

4.2.4 Employment Lands

-  **4.2.4.1** The Region will support Locally identified *employment lands* by:
- a. improving *connectivity* with transit and *active transportation* networks;
 - b. providing for an appropriate mix of amenities and open space to serve the workforce;
 - c. planning for the *intensification* of employment uses;

- d. ensuring that the introduction of non-employment uses, if permitted by other policies in this Plan, would be limited and not negatively impact the primary function of the area; and
- e. encouraging approaches to transportation demand management that reduce reliance on single-occupancy vehicle use.

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

4.2.4.3 Where avoidance is not possible in accordance with Policy 4.2.4.2, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and *development* of proposed adjacent *sensitive land uses* are only permitted if the following are demonstrated in accordance with Provincial guidelines, standards and procedures:

- a. there is an identified need for the proposed use;
- b. alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;
- c. adverse effects to the proposed *sensitive land use* are minimized and mitigated; and
- d. potential impacts to industrial, manufacturing or other uses are minimized and mitigated.

 **4.2.4.4** Within *employment lands*, retail and office uses will be directed to locations that support *active transportation* and have existing or planned transit.

 **4.2.4.5** The retail sector will be supported by promoting *compact built form* and *intensification* of retail and service uses and areas and encouraging the integration of those uses with other land uses to support the achievement of *complete communities*.

 **4.2.4.6** *Major office* and appropriate *major institutional* development will be directed to the Downtown St. Catharines *Urban Growth Centre*, *protected major transit station areas* or other *strategic growth areas* with existing or planned *frequent transit service*.

 **4.2.4.7** Sustainable practices will be encouraged, such as *green infrastructure* and *low impact development*, to address the impacts of *climate change*.

- 4.2.4.8** *Employment lands* planned for industrial or manufacturing uses should include an appropriate transition to adjacent non-employment lands in accordance with Section 6.2.
- 4.2.4.9** Local Area Municipalities should encourage *intensification* on designated *employment lands*, where appropriate, through zoning and economic development initiatives, including:
- a. expansion to employment uses and/or land operations; and
 - b. reuse of buildings and *infrastructure* for new employment uses.
- 4.2.4.10** Notwithstanding Policy 7.12.2.5, *development* applications within a two kilometer radius of the Cytec Canada Inc. facility in Niagara Falls shall be subject to Policy 4.2.1.11 of this Plan, except for the lands currently designated Neighbourhood Commercial in the local official plan.

4.2.5 Redevelopment of Employment Lands

- 4.2.5.1** Any proposed *redevelopment* of non-employment uses on *employment land*, outside of *employment areas*, shall retain space for a similar number of jobs to remain accommodated on site.
- 4.2.5.2** Local official plans may contain criteria for *employment land redevelopment* to non-employment uses outside of an *employment area*. If Local criteria are unavailable, the Region and Local Area Municipalities may use the Region's Employment Land Redevelopment Criteria Guideline identified in Appendix 3.
- 4.2.5.3** The Region and Local Area Municipalities shall discourage any *redevelopment* of *employment land* that may restrict the ability for nearby existing or planned employment uses to operate or expand.

4.2.6 Airport and Aerodrome Lands

- 4.2.6.1** Niagara's *airport* and *aerodrome* lands are shown on Schedule G.
- 4.2.6.2** The Region and Local Area Municipalities shall consult with applicable *airport* or *aerodrome* authorities at the time any planning matter arises that may impact the ability for the facilities to operate and expand.
- 4.2.6.3** The Region recognizes the Niagara District Airport as a non-curfew *airport* of entry. The *airport* and its associated lands as mapped in accordance with Federally approved Airport Zoning Regulation (SOR/84-901), as amended, on Schedule G will be supported as an economic contributor to the *regional market area* and is a valued component of Niagara's *transportation system*.

- 4.2.6.4** Expansions to *airport* and *aerodrome* lands may be serviced by *municipal water and wastewater systems/services* or sustainable private services, where appropriate.
- 4.2.6.5** Land use permissions and zoning for lands within the *airport's* area of influence shall maintain the Federal Government's recommended Noise Exposure Forecast (NEF) contours where applicable and be *compatible* with the operations of the *airport*.
- 4.2.6.6** Federal, Provincial, and Municipal policies and guidelines apply where *sensitive land uses* are proposed near existing or planned *airports* and *aerodromes*.
- 4.2.6.7** Conflict between *airport* lands and surrounding land uses shall be minimized to ensure:
- a. there will be no negative impact on *airport* operations and viability;
 - b. an expansion of *airport* operations will not be limited;
 - c. land uses in the *airport's* area of influence, as shown in Local official plans, in conformity with this Plan, will not cause a potential aviation hazard; and
 - d. land uses in the *airport's* area of influence, as shown in Local official plans, in conformity with this Plan, will not limit existing and/or the expansion of *airport* operations.
- 4.2.6.8** The Region and Local Area Municipalities will work with the Federal Government to expedite the construction of *airport* related uses on *airport* lands and improve *transportation system* connections to *airports*.

4.2.7 Rural Employment Lands within Rural Settlements

- 4.2.7.1** The Region and Local Area Municipalities should support rural employment within *rural settlements* by:
- a. ensuring sufficient rural *employment land* is available to accommodate forecasted employment within *rural settlements*;
 - b. providing opportunities for rural employment clusters and more intensive rural employment uses within *rural settlements* to build synergies;
 - c. supporting rural character and community, and leveraging rural amenities and assets; and
 - d. using rural *infrastructure* and *public service facilities* efficiently.

- 4.2.7.2 In directing *development* to *rural settlements*, Local Area Municipalities shall consider rural characteristics, the scale of *development*, and provision of appropriate service levels.

4.2.8 Existing Rural Employment Areas

- 4.2.8.1 Existing rural *employment areas* are shown on Schedule G. These rural *employment areas* are located outside of *settlement areas*, on *rural lands* and are designated for employment uses within a Local official plan.
- 4.2.8.2 Uses within rural *employment areas* shall be serviced by private water and wastewater systems or have minimal water and wastewater requirements.
- 4.2.8.3 Any new *development* within a rural *employment area* shall be subject to the land use permissions of the Local official plan and site plan control. Applications will require submission of required studies identified at the time of pre-consultation. The Region shall be circulated on all site plan control applications for *development* identified within the rural *employment area*.
- 4.2.8.4 Expansion to uses in rural *employment areas*, permitted in the Local official plan, may be permitted to support the immediate needs of the existing business and if *compatible* with surrounding uses.
- 4.2.8.5 Rural *employment areas* may be subject to Policies 4.2.3.1 - 4.2.3.5 for consideration as future *employment areas*.

4.2.9 Strategic Investments for Economic Prosperity

- 4.2.9.1 Planning for employment will align with the Region's Master Servicing and Transportation Master Plans.
- 4.2.9.2 *Municipal water and wastewater systems/services* and *infrastructure* to *employment areas* will be prioritized by the Region and Local Area Municipalities.
- 4.2.9.3 The Region and Local Area Municipalities will work with the Province to plan for and expedite improvements to major goods movement facilities and corridors and *planned corridors* to support *freight-supportive* employment *development* and *redevelopment*.

4.3 Mineral Aggregate Resources

Mineral aggregate resources, such as sand, gravel, stone, and shale, are located throughout Niagara Region. These resources are finite and must be protected from incompatible land uses or uses that would limit their extraction in the future.

The Province provides direction to municipalities that as much of the *mineral aggregate resource* as is realistically possible, shall be made available as close to market as possible.

The extraction, processing, and transportation of *mineral aggregate resources* must take place in a manner that minimizes social, economic, and environmental impacts. This includes defining haul routes and managing truck traffic, conserving and recycling *mineral aggregate resources*, and rehabilitating pits and quarries.

The objectives of this section are as follows:

- a. protect *mineral aggregate resources*;
- b. protect existing *mineral aggregate operations*;
- c. provide for efficient extraction of *mineral aggregate resources*;
- d. minimize negative impacts of proposed *mineral aggregate operations*;
- e. define haul routes and manage aggregate truck traffic;
- f. ensure compatible and sustainable rehabilitation;
- g. conserve and recycle aggregates and manage *excess soil*;
- h. facilitate temporary *mineral aggregate operations*;
- i. locate *mineral aggregate operations* to minimize impacts on other significant resources and features;
- j. coordinate with the Niagara Escarpment Commission on applications within the Niagara Escarpment Plan Area; and
- k. provide an efficient, comprehensive planning review.

Importance of Mineral Aggregate Resources

Mineral aggregate resources are used in the construction of homes, roads, highways, railways, bridges, and airports. They are also used to manufacture products like glass, coated paper, paint, fertilizers, health care products, and pharmaceuticals.

4.3.1 Mineral Aggregate Resources

- 4.3.1.1 Schedule H of this Plan identifies where known *deposits of mineral aggregate resources* are located in the Region based on Provincial mapping.
- 4.3.1.2 Updates to Schedule H based on new *mineral aggregate resource* mapping from the Province will not require an amendment to this Plan.
- 4.3.1.3 Proposed new *development* in areas located on, or within 300 metres (sand and gravel) or 500 metres (bedrock) of known *deposits of mineral aggregate resources*, which would preclude or hinder the establishment of new *mineral aggregate operations* or access to the resources, is not permitted, except where it can be demonstrated by the applicant that:
- resource use would not be feasible;
 - the proposed land use or *development* serves a greater long-term public interest; and
 - issues of public health, public safety and environmental impacts are addressed.

Aggregate Resources Act vs. Planning Act

In Ontario, two major pieces of Provincial legislation inform decisions related to *mineral aggregate resources* and *mineral aggregate operations*:

- the Aggregate Resources Act (ARA) is implemented by the Province and provides the framework for licensing *mineral aggregate operations*. The operational aspects and rehabilitation of a *mineral aggregate operation* are addressed through the licensing process. Where the ARA applies, only processes under the ARA shall address the depth of extraction of new or existing *mineral aggregate operations*.
- the Planning Act is implemented by municipalities and provides the framework for municipal land use approvals through official plans and zoning by-laws. The ARA requires appropriate municipal land use designations to be in place prior to granting a license.

In addition, the Niagara Escarpment Planning and Development Act applies to land within the Niagara Escarpment Plan (NEP) Area. Different policies or processes may apply. The Niagara Escarpment Commission should be consulted regarding lands within the NEP area.

4.3.2 Mineral Aggregate Operations

- 4.3.2.1 Existing *mineral aggregate operations* are identified on Schedule H of this Plan.
- 4.3.2.2 Proposed new *development* or other activities in areas located within 500 metres (sand and gravel) and 1000 metres (bedrock) of existing *mineral aggregate operations* is not permitted, unless it can be demonstrated by the applicant that satisfactory mitigation measures can be put in place to ensure that the ongoing operation or expansion of the existing *mineral aggregate operation* will not be hindered. The cost and responsibility for any required mitigation measures shall be borne by the applicant.
- 4.3.2.3 Existing licensed *mineral aggregate operations*, as identified on Schedule H, shall be permitted to continue without the need for an official plan amendment, zoning by-law amendment or other approval under the Planning Act. When a license for a *mineral aggregate operation* ceases to exist, policies which protect *deposits of mineral aggregate resources* will continue to apply where deposits are still present.
- 4.3.2.4 All of the licenses shown on Schedule H pre-date the policies of this Plan. Accordingly, the majority of the licensed areas do not include site specific policies (except for site specific policies for existing *mineral aggregate operations* within the municipalities of Niagara Falls and Wainfleet referenced in Chapter 8). Additional site specific policies may be included where a *mineral aggregate operation* is approved through amendment to this Plan. Site specific policies and their associated licensed area shown on Schedule H shall be removed once the *mineral aggregate operation* land is rehabilitated and the license is surrendered to the Provincial Ministry with jurisdiction.
- 4.3.2.5 An amendment to this Plan is required for expansions of existing *mineral aggregate operations* beyond the limits of the site identified on Schedule H.
- 4.3.2.6 Asphalt plants, concrete plants, brick manufacturing plants and other similar manufacturing uses shall not be permitted in the Niagara Escarpment Plan Area.

Pits and Quarries in Niagara

Mineral aggregate operations include pits and quarries as well as facilities to transport, process and, recycle *mineral aggregate resources*.

Loose material, such as sand and gravel, is extracted from pits, whereas solid bedrock, such as limestone and granite, is extracted from quarries.

4.3.3 Extraction of Mineral Aggregate Resources

- 4.3.3.1 An application to permit a *mineral aggregate operation* shall not be required to demonstrate the need for the resource.
- 4.3.3.2 The Region will consider applications for a *mineral aggregate operation* within the *deposits of mineral aggregate resources*, which are identified on Schedule H, and outside known *deposits of mineral aggregate resources* where the applicant has demonstrated that there is a sufficient quantity and quality of resources to warrant extraction.
- 4.3.3.3 Where two or more *mineral aggregate operations* are separated by a Regional Road, the Region will work with the aggregate producers to maximize the extraction in the vicinity of Regional Roads.
- 4.3.3.4 In the case of adjacent *mineral aggregate operations*, the Region will, wherever practical, encourage the removal of all economically viable material between the operations, and require continuous and *comprehensive rehabilitation*.

4.3.4 Proposed Mineral Aggregate Operations

- 4.3.4.1 New *mineral aggregate operations* are not permitted within *settlement areas*. The removal of economically viable material on site within a *settlement area* in advance of other approved *development* shall be considered on a site-specific basis.
- 4.3.4.2 An application to permit a *mineral aggregate operation* shall require a site specific amendment to this Plan.
- 4.3.4.3 Applications to permit a *mineral aggregate operation* shall:

- a. be consistent with the Provincial Policy Statement;
- b. conform to the Provincial Plans, Regional and Local official plans;
- c. consider policies of the *Conservation Authority*; and

Aggregate Operations

Aggregates are a finite resource. While most operations will be active for decades, they are temporary uses. The site specific approach used in this Plan recognizes the underlying land use is intended to continue once the *mineral aggregate operation* is closed and lands are rehabilitated.

- d. give due regard for other policies or guidelines that are consistent with the Provincial Policy Statement and in conformity with Provincial Plan policies and the requirements under the Aggregate Resources Act and its regulations.

4.3.4.4 Applications to permit a *mineral aggregate operation* shall consider the following:

- a. potential for negative impacts on existing and future adjacent and surrounding land uses;
- b. potential for negative impact on views and vistas;
- c. potential for negative air quality, noise, vibration, social, and health impacts;
- d. potential for negative impacts on *significant* built heritage resources, *significant cultural heritage landscapes*, and *archaeological resources* or *areas of archaeological potential*;
- e. potential for *negative impacts* on the *natural environment system*;
- f. proposed manner of operation and rehabilitation;
- g. proposed haulage routes and the potential negative impacts on roads and other users of the *infrastructure*;
- h. potential for impacts on Regional *infrastructure* and services;
- i. potential economic and financial impacts/benefits;
- j. potential for negative impacts on agricultural operations in *prime agricultural areas*;
- k. potential geotechnical considerations as appropriate; and
- l. other potential impacts which may be specific to a proposed operation or site.

4.3.4.5 The establishment of new *mineral aggregate operations* and new *wayside pits and quarries*, or any ancillary or accessory use within a *Provincial natural heritage system* is not permitted in the following *key natural heritage features* and *key hydrologic features*:

- a. *provincially significant wetlands*;
- b. *habitat of endangered species and threatened species*; and
- c. *significant woodlands* unless the woodland is occupied by young plantation or early successional habitat, as defined by the Province, in which case, the application must demonstrate to the satisfaction of the approval authority that Provincial policies have been addressed.

- 4.3.4.6** Any application for a new *mineral aggregate operation* within a *Provincial natural heritage system* will be required to demonstrate how:
- a. *connectivity* between *key natural heritage features* and *key hydrologic features* will be maintained before, during, and after the extraction of *mineral aggregate resources*;
 - b. the operator could replace *key natural heritage features* and *key hydrologic features* that would be lost from the site with equivalent features on another part of the site or on *adjacent lands*;
 - c. the *water resource system* will be protected or enhanced; and
 - d. any *key natural heritage features* and *key hydrologic features* and their associated *vegetation protection zones* not identified in Policy 4.3.4.5 will be addressed in accordance with Provincial policy and the policies of this Plan.

4.3.4.7 An application to permit the expansion of an existing *mineral aggregate operation* within a *Provincial natural heritage system* may be permitted, including in *key natural heritage features*, *key hydrologic features* and any associated *vegetation protection zones*, if the related decision and rehabilitation is consistent with the policies of this Plan, Provincial, and Local Municipal policies.

4.3.4.8 Applications to permit a *mineral aggregate operation* shall implement the Provincial guidelines and industry best practices in regards to managing and mitigating potential impacts related to noise, dust, and vibration.

What is the difference between a new or expanding mineral aggregate operation?

Under the Aggregate Resource Act there is no difference between establishing a new aggregate operation and expanding an existing operation - where a licence is required.

However, the policies of this Plan recognize that there can be differences in evaluating the impact of a new operation in comparison to an expansion based on the policies of Provincial plans.

Unless specific clarification is provided, all policies should be assumed to apply to both a new and expanding *mineral aggregate operation*.

- 4.3.4.9** Applications to permit a *mineral aggregate operation* shall demonstrate how potential *negative impacts* to ground and surface water resources will be minimized. Where extraction is proposed below the water table, applicants shall demonstrate how impacts on both water quality and quantity are avoided first and mitigated where avoidance is not possible.
- 4.3.4.10** In *prime agricultural areas*, applications to permit a new *mineral aggregate operation* shall be supported by an *Agricultural Impact Assessment* in accordance with Provincial guidance. The *Agricultural Impact Assessment* shall provide guidance on how to maintain or improve connectivity of the *agricultural system* and be completed by a qualified professional.
- 4.3.4.11** Applications to permit a *mineral aggregate operation* within *source water intake protection zones* (IPZ) shall demonstrate how potential threats to *source water* are avoided first and mitigated where avoidance is not possible. Applications within IPZs shall be considered in the context of the following conditions:
- a. impact on *source water* features;
 - b. proposed *source water* mitigation and monitoring; and
 - c. proposed type of licence, ARA site plan conditions, rehabilitation, and proposed after use of the site.

4.3.5 Haul Routes and Aggregate Truck Traffic

- 4.3.5.1** Mineral aggregate truck traffic shall be directed away from *settlement areas* to the maximum extent feasible and make use of existing Provincial and Regional road networks. Local road networks should be used as local access routes only. In general, each *mineral aggregate operation* should have a defined haul route.
- 4.3.5.2** Applications to permit a *mineral aggregate operation* shall demonstrate how adverse impacts associated with mineral aggregate truck traffic will be mitigated and shall consider:
- a. options for delivery of resources to the market, including alternative modes of transportation and alternative routes;
 - b. impacts on the road network and potential mitigation measures;
 - c. safety mitigation measures in all circumstances, with particular attention required where mineral aggregate truck traffic has the potential to mix with residential traffic, school buses, agricultural vehicles, pedestrian, cyclists, and other sensitive road users; and
 - d. social and environmental impacts and any mitigation measures.

- 4.3.5.3** The Region may require applicants to enter into Haul Route Agreements as part of the process to permit a *mineral aggregate operation* to ensure haul routes are defined and utilized; to secure for improvements and additional maintenance in accordance with the ARA; and to outline the formula for the method of payment by a licence-holder, where required. Improvements required to a Regional or Local road due to a new or expanded *mineral aggregate operation* shall not be at the public expense.
- 4.3.5.4** Haul routes for existing *mineral aggregate operations* are not currently strictly defined. As haul routes for new *mineral aggregate operations* are established, the Region will prepare and maintain a map indicating approved haul routes as an Appendix to this Plan.
- 4.3.5.5** Over time there may be changes that provide opportunities for more suitable haul routes, such as haulage patterns, highway and road improvements, measures to manage dust, and changes in municipal development patterns. Changes to defined haul routes may be permitted through a formal amendment to Haul Route Agreements and shall not require an amendment to this Plan.
- 4.3.5.6** *Mineral aggregate resources* are generally transported using trucks to access the market. The Region also encourages and supports opportunities for alternative ways to transport *mineral aggregate resources* to the market, including the use of railways and shipping routes.

4.3.6 Compatible and Sustainable Rehabilitation

- 4.3.6.1** Applications to permit a *mineral aggregate operation* shall include a rehabilitation plan to satisfy the requirements of the Province, the Region, *Conservation Authority*, and the Local Area Municipality.
- 4.3.6.2** Progressive and final rehabilitation for *mineral aggregate operations* is required. Rehabilitation plans must achieve the following:
- accommodate subsequent land uses;
 - promote compatibility with surrounding land uses and approved land use designations;
 - recognize the interim nature of extraction; and
 - mitigate *negative impacts* to the extent possible.
- 4.3.6.3** *Comprehensive rehabilitation* planning is required where there is a concentration of *mineral aggregate operations*.

4.3.6.4 For rehabilitation of new *mineral aggregate operation* sites, the following apply:

- a. the disturbed area of a site shall be rehabilitated to a state of equal or greater *ecological value* and, for the entire site, long-term *ecological integrity* shall be maintained or enhanced;
- b. if there are *natural heritage features and areas*, *key natural heritage features* or *key hydrologic features* on the site, or if such features existed on the site at the time of an application:
 - i. the health, diversity and size of these *natural heritage features and areas*, *key natural heritage features* and *key hydrologic features* shall be maintained or enhanced; and
 - ii. any areas where extraction of mineral aggregates was permitted within a natural heritage feature and area, key natural heritage feature or key hydrologic feature shall be rehabilitated as early as possible in the life of the operation.
- c. aquatic areas remaining after extraction shall be rehabilitated to an aquatic environment representative of the natural ecosystem in that particular setting or ecodistrict, and the combined terrestrial and aquatic rehabilitation will meet the intent of Policy 4.3.6.4 b); and
- d. outside a *Provincial natural heritage system*, final rehabilitation shall appropriately reflect the long-term land use of the general area and the policies of this Plan. In *prime agricultural areas*, the site shall be rehabilitated in accordance with Provincial policy and the requirements of this Plan.

4.3.6.5 Final rehabilitation for new and expanding *mineral aggregate operations* in a *Provincial natural heritage system* shall meet the following additional criteria:

- a. where there is no extraction below the water table, an amount of land equal to that under natural vegetated cover prior to extraction, and no less than 35 percent of the land subject to each licence in the *Provincial natural heritage system*, shall be rehabilitated to forest cover, which will be representative of the natural ecosystem in that particular setting or ecodistrict. If the site is also in a *prime agricultural area*, the remainder of the land subject to the licence shall be rehabilitated back to an *agricultural condition*;
- b. where there is extraction below the water table, no less than 35 percent of the non-aquatic portion of the land subject to each licence in the *Provincial natural heritage system* shall be rehabilitated to forest cover, which will be representative of the natural ecosystem in that particular setting or ecodistrict. If the site is also in a *prime agricultural area*, the remainder of the land subject to the licence shall be rehabilitated in accordance with Provincial policy and the policies of this Plan; and

- c. rehabilitation shall maintain or enhance *connectivity* of *key natural heritage features* and *key hydrologic features* on the site and on *adjacent lands*.

4.3.6.6 In *prime agricultural areas* on *prime agricultural lands*, extraction of *mineral aggregate resources* is permitted as an interim use provided that the site will be rehabilitated back to an *agricultural condition*. Complete rehabilitation to an *agricultural condition* is not required if:

- a. outside of a *specialty crop area*, there is a substantial quantity of *mineral aggregate resources* below the water table warranting extraction, or the depth of planned extraction in a quarry makes restoration of pre-extraction agricultural capability unfeasible;
- b. in a *specialty crop area*, there is a substantial quantity of high quality *mineral aggregate resources* below the water table warranting extraction, and the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible;
- c. other alternatives have been considered by the applicant and found unsuitable to the satisfaction of the Region. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through seven lands, resources on lands identified as *designated growth areas*, and resources on *prime agricultural lands* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural lands* shall be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Class 1, 2 and 3 lands; and
- d. agricultural rehabilitation in remaining areas is maximized.

4.3.6.7 Where the after-use of a *mineral aggregate operation* is proposed to be recreation, natural area, or an open space use, the Region supports opportunities for public access and/or ownership.

4.3.6.8 Post extraction land uses after rehabilitation of a *mineral aggregate operation* shall be consistent with the Niagara Source Protection Plan, any relevant *watershed* or *subwatershed plan*, relevant Provincial plans, and other applicable plans and policies.

4.3.7 Recycle Aggregates and Manage Excess Soil

4.3.7.1 The Region supports conservation through the use of recycled aggregates on Regional *infrastructure* projects, where performance and life expectancy of Regional assets can be maintained or enhanced while utilizing recycled products.

4.3.7.2 The Region supports the wise use of *mineral aggregate resources* including utilization or extraction of on-site *mineral aggregate resources* prior to other *development* occurring.

Aggregate Recycling Facilities

Aggregate recycling facilities are permitted within a *mineral aggregate operation* in accordance with Provincial policy, and are licenced through the Aggregate Resource Act (ARA).

The Region and Local Area Municipalities will provide comments through the ARA site plan process, to ensure the siting and use of aggregate recycling facilities includes appropriate mitigation measures to minimize any potential *adverse effects* on surrounding land uses and the natural environment.

4.3.7.3 *Excess soil* from a *mineral aggregate operation* should be reused on-site or locally to the maximum extent possible. A plan for the reuse of *excess soil*, meeting Provincial requirements shall be prepared as part of the Planning Act application process.

4.3.8 Temporary Mineral Aggregate Operations

4.3.8.1 The use of *wayside pits and quarries*, *portable asphalt plants* and *portable concrete plants* on public authority contracts shall be permitted temporarily without the need for an amendment to this Plan. Such use shall not be permitted in areas of existing development or *natural heritage features and areas*, *key natural heritage features*, and *key hydrologic features* and areas as shown in this Plan which have been determined to be incompatible with extraction and associated activities.

4.3.9 Applications in the Greenbelt Plan Area

- 4.3.9.1 Extraction of *mineral aggregate resources* is permitted within the Protected Countryside area in the Provincial Greenbelt Plan, subject to all other applicable legislation, regulations and the policies of this Plan. Policies for the extraction of *mineral aggregate resources* within the Greenbelt Plan apply together with other policies of this Plan.
- 4.3.9.2 An application to permit a *mineral aggregate operation* or *wayside pit and quarry* within the Protected Countryside shall be required to ensure that:
- a. the rehabilitated area will be maximized and disturbed area minimized on an ongoing basis during the life cycle of an operation;
 - b. progressive and final rehabilitation efforts will contribute to the goals of the Provincial Greenbelt Plan;
 - c. any excess disturbed area above the maximum allowable disturbed area, as determined by the Ministry of Northern Development, Mining, Natural Resources and Forestry, will be rehabilitated. For new operations, the total disturbed area shall not exceed an established maximum allowable disturbed area; and
 - d. the applicant demonstrates to the satisfaction of the approval authority that the quantity and quality of groundwater and surface water will be maintained as per Provincial standards under the Aggregate Resources Act.
- 4.3.9.3 Notwithstanding any provisions of this section to the contrary, within the *specialty crop area*, *mineral aggregate operations* are subject to the following requirements:
- a. no new *mineral aggregate operation*, *wayside pits and quarries* or any ancillary or accessory use thereto shall be permitted between Lake Ontario and the Niagara Escarpment Plan Area;
 - b. a new *mineral aggregate operation* or *wayside pits and quarries* may only be considered on primary and secondary selected sand and gravel resources on the Fonthill Kame, in the Town of Pelham, as identified by Aggregate Resource Inventory Paper #4, if the applicant demonstrates that:
 - i. substantially the same land area shall be rehabilitated back to an *agricultural condition* which allows for the same range and productivity of specialty crops common in the area; and
 - ii. the microclimate on which the site and the surrounding area may be dependent for specialty crop production shall be maintained or restored;

- c. a new *mineral aggregate operation* or *wayside pits and quarries* shall only be permitted in *specialty crop areas* not identified under Policies 4.3.9.3 a) and 4.3.9.3 b) where the applicant demonstrates the following:
 - i. the physical characteristics of the proposed site allow for the rehabilitation of the property back to an *agricultural condition*; or
 - ii. if the physical characteristics of the proposed site will not allow for the rehabilitation of the property back to an *agricultural condition*, the applicant has considered alternative locations; and
 - iii. where other alternatives have been considered by the applicant and found unsuitable, and in situations where complete agricultural rehabilitation in the *specialty crop area* is not possible due to the depth of planned extraction or a substantial aggregate deposit below the water table warranting extraction, agricultural rehabilitation in the remaining licensed area shall be maximized as a first priority to allow production of specialty crops.

4.3.10 Applications within the Niagara Escarpment Plan

- 4.3.10.1** The Niagara Escarpment Commission (NEC) is an agency of the Government of Ontario. It is responsible for administering the Niagara Escarpment Plan (NEP), a Provincial land use plan which includes evaluating applications to amend the NEP and applications for development permits within the Area of Development Control. The NEP has detailed policies relating to the land use approvals required to permit new *mineral aggregate operations* within the NEP Area. The NEC should be consulted with respect to the application process to seek an Amendment to the NEP which is required for any new or expanded *mineral aggregate operation*. In the event of a conflict with NEP policy in the NEP area, the NEP shall prevail over any policy of this Plan.

4.3.11 Comprehensive Planning Review

- 4.3.11.1** The Region requires applicants to complete a pre-consultation meeting under the terms of Section 7.8.1 of this Plan prior to the submission of an application to permit a *mineral aggregate operation*.
- 4.3.11.2** To streamline the application process for a *mineral aggregate operation*, the Region, in coordination with the Local Area Municipality and *Conservation Authority*, may establish a Joint Agency Review Team (JART). The JART process will be periodically monitored by Regional staff over time to ensure that it continues to meet the intended purpose of a streamlined review.

4.3.11.3 The Region may develop and maintain a guideline document related to *mineral aggregate resource* applications. The purpose of the document will be to provide information related to the requirements for the preparation and review of applications and their associated technical studies. Regional guidelines shall be prepared in consideration of the requirements of the Aggregate Resources Act and Provincial standards where appropriate.

4.3.11.4 The Region may require peer reviews of some or all of the technical studies in support of an application for a *mineral aggregate operation* at the cost of the applicant. The applicant will be required to enter a Cost Acknowledgement Agreement with the Region as part of a Complete Application. The

Joint Agency Review Team (JART)

The JART process recognizes that aggregate applications are complex, that they typically involve multiple review agencies, and that they are required to consider a range of technical issues. The JART process allows for the establishment of a team of professional staff from interested agencies who are responsible for coordinating the technical review of all matters related to the application. The streamlined process allows for the sharing of resources and expertise while maintaining independent decision-making authority.

Cost Acknowledgment Agreement will outline the conditions associated with the applicant's responsibility to pay for costs such as peer reviews of technical studies, the services of an Aggregate Advisor, and a facilitator to support the public consultation process, as required.

4.4 Petroleum and Mineral Resources

Known *petroleum resources* and *petroleum resource operations*, including wells, are located across areas of the Niagara region, and are protected for long-term use. Mineral resources are both metallic and non-metallic *minerals*, but are different from *mineral aggregate resources* identified in Section 4.3 of this Plan. *Mineral deposits* may occur in Niagara region and must be protected for potential extraction. There are no known *mineral mining operations* in Niagara.

Petroleum Resource Operations

Petroleum resource operations is a term that encompasses wells, facilities, and other drilling operations associated with oil, gas, and salt resources.

Over 2000 wells are identified in Niagara region through Provincial mapping. These wells are classified by types, including natural gas wells, storage wells, and dry exploratory holes.

The objective of this section is as follows:

- a. protect the Region's *mineral deposits* and *petroleum resources*.

4.4.1 Mineral Deposits and Petroleum Resources

- 4.4.1.1 Schedule I of this Plan identifies where petroleum pools are located in Niagara region, according to Provincial mapping.
- 4.4.1.2 *Petroleum resource operations* and any future *mineral mining operations* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact.
- 4.4.1.3 No *development* shall occur within 75 metres of a *petroleum resource operation* unless the *petroleum resource operation* has been decommissioned and rehabilitated in accordance with applicable Provincial regulations and standards.
- 4.4.1.4 *Development* and activities in known *mineral deposits* or known *petroleum resources* or on *adjacent lands* which would preclude or hinder the establishment of new operations or access to the resources shall only be permitted if:
 - a. resource use would not be feasible; or

- b. the proposed land use or *development* serves a greater long-term public interest; and
- c. issues of public health, public safety and environmental impact are addressed.

4.4.1.5 Petroleum and mineral resource extraction activities shall be conducted in accordance with the Oil, Gas and Salt Resources Act and its regulations and standards, as well as a licence from the Ministry of Northern Development, Mines, Natural Resources and Forestry.

Oil, Gas, and Salt Resources Act (OGSRA)

The Ministry of Northern Development, Mines, Natural Resources and Forestry regulates *petroleum resources* through the OGSRA and Provincial operating standards. This includes all licensing of new wells, and overseeing decommissioning of existing wells.

4.4.1.6 Any proposal for a new *mineral mining operation* will require an amendment to this Plan.

4.5 Economic Prosperity

Niagara has unique qualities that contribute to its vitality and economic prosperity. Land use planning is important to enhancing these strengths and facilitating new economic opportunities.

This section consolidates policy direction integrated throughout the Plan that supports economic prosperity. It recognizes the role of effective growth management and the provision of *affordable* housing to attracting employers and workers to the region. This includes proactively planning for *employment areas* and providing transportation *infrastructure* to facilitate the movement of goods and people across the region and internationally. It identifies the importance of supporting Niagara's agri-food sector through protection of the agricultural land base and promoting all types, sizes and intensities of *agricultural uses*. It also recognizes opportunities to support tourism through the protection of the region's *natural environment system*, parks and trails network and geological and *cultural heritage resources*.

The consolidated policy direction in this section must be read together with other policies of this Plan, which establish direction that is more detailed.

The objectives of this section are as follows:

- a. align land use and economic goals through strategic partnerships; and
- b. facilitate economic prosperity through land use planning.

4.5.1 Land Use and Economic Goals

- 4.5.1.1 The Region will maintain an Economic Development Strategy that will inform alignment between Regional land use planning and economic development goals and strategies.
- 4.5.1.2 The Region will partner with Local Area Municipalities to deliver Regional employment-related grants and incentives programs, where available.
- 4.5.1.3 The Region will collaborate with educational institutions, research facilities and the business community on land use strategies for economic prosperity.
- 4.5.1.4 Opportunities shall be considered to attract employment investment that supports the diversification of Niagara's economic base, strengthens the skilled labour workforce, and enhances local, national and global competitiveness in planning for employment uses.

- 4.5.1.5 The Region encourages the extension of broadband *infrastructure* to underserved areas to improve access to high-speed internet and support economic resilience.

4.5.2 Economic Prosperity through Land Use Planning

- 4.5.2.1 This section consolidates policy direction integrated throughout this Plan that supports economic prosperity.

The Region will endeavour to:

- a. attract employers and workers to the region by:
 - i. planning for an adequate supply and mix of rental and ownership housing for all stages of life to support opportunities to live, work and study in Niagara;
 - ii. supporting the provision of *affordable* housing for workers across all sectors of Niagara's economy;
 - iii. protecting and proactively planning for *employment areas* and supporting *employment lands* to attract and retain investment; and
 - iv. maximizing the economic development potential of the *Niagara Economic Gateway*;
- b. improve the region's *infrastructure* to attract new investment, support existing businesses to grow, and build resiliency by:
 - i. planning for and expediting improvements to *major goods movement facilities and corridors* and *planned corridors* to support *freight-supportive* employment;
 - ii. collaborating on the completion of the Niagara-Hamilton Trade Corridor to improve people and goods movement regionally and internationally;
 - iii. prioritizing and expediting *higher order transit* connections to the Greater Toronto Hamilton Area to promote new employment markets;
 - iv. protecting *airport* and *aerodrome* lands operational needs;
 - v. integrating new technologies, where feasible, to manage Regional *infrastructure* more efficiently and sustainably in accordance with a Smart City Strategy;
 -  vi. supporting economic opportunities associated with *climate change* such as development of green energy infrastructure that may facilitate job creation, skills development and economic diversification; and

-  vii. undertaking *climate change* adaptation planning to support the creation of climate-resilient communities and reduce financial risks to governments, businesses and households;
- c. support the agri-food industry by:
 - i. promoting all types, sizes and intensities of *agricultural uses* and *normal farm practices*, including *agriculture-related uses* and *on-farm diversified uses*;
- d. support the local building sector of the economy by:
 - i. protecting *mineral aggregate resources* and existing *mineral aggregate operations* from incompatible uses and providing for efficient extraction;
- e. support opportunities for nature and culture-based tourism by:
 - i. protecting the Regional *natural environment system* and supporting the provision of parks, trails and open space for recreation and ecotourism;
 - ii. supporting efforts to designate Niagara region as a UNESCO Global Geopark to foster conservation, education and sustainable economic development;
 - iii. recognizing the importance of the Niagara Escarpment as a UNESCO Biosphere Reserve;
 - iv. promoting excellence in urban design and requiring conservation of *significant cultural heritage resources* to foster a *sense of place*;
 - v. promoting the Welland Canal Cultural Heritage Landscape as a multi-faceted cultural heritage destination; and
 - vi. promoting revitalization and *redevelopment* within downtown and community cores to enhance their existing character.



CONNECTED REGION



5.1 Multimodal Transportation System

The Region is responsible for planning and implementing a sustainable *transportation system* that accommodates forecasted population and employment growth.

The Region will work with Local Area Municipalities, partnering agencies, and other public entities to provide for a *multimodal transportation system* that allows all users to travel in a safe, accessible, convenient, and affordable manner regardless of their chosen method of transportation.

The policies in this section reflect the direction and recommendations outlined within the Region's Transportation Master Plan, which is committed to improving social equity, access, and Niagara's short- and long-term economic competitiveness.

This section also recognizes that the creation of an attractive *multimodal transportation system* that includes a comprehensive *active transportation* network, an interconnected public transit system, and an efficient goods movement network, is a critical component of reducing greenhouse gas emissions and addressing the impacts of *climate change*.

The objectives of this section are as follows:

- a. coordinate *transportation systems* planning, land use planning, and strategic investments in *infrastructure*;
- b. support a connected and convenient public transit network throughout the region through the establishment of a Regional Transit Commission;
- c. enhance transit services to provide increased connectivity throughout the region;
- d. create and enhance interconnected *active transportation* systems;
- e. support the implementation of *complete streets*, with consideration for varying priorities and objectives at Regional and local levels;
- f. ensure Regional roads accommodate future growth and support diverse forms of transportation; and
- g. provide the safe and efficient movement of goods to support the regional economy.

5.1.1 Transportation Systems Planning, Land Use Planning, and Infrastructure

5.1.1.1 The Region's *transportation system* will be implemented as per the recommended actions and schedules of the Region's Transportation Master Plan.

5.1.1.2 Suitable transportation *infrastructure* will be provided to support the forecasted growth listed in Table 2-1 and to help mitigate and adapt to the impacts of *climate change*.

5.1.1.3 The Region will coordinate with the Province, Local Area Municipalities, and other agencies to plan for, improve, and protect the *planned corridors* and facilities shown on Schedule J1, including the Niagara-Hamilton Trade Corridor and North-South Niagara Escarpment Crossing, subject to applicable legislation.

5.1.1.4 Local Area Municipalities shall consult with the Region and/or the Province to ensure decisions on *development* applications will not preclude or negatively affect the use of *planned corridors* for the purpose(s) for which it was identified.

5.1.1.5 The Region will coordinate with the Federal government, the Province, Local Area Municipalities, Metrolinx and organized interest groups to improve linkages between Niagara's public transit system and GO Transit.

5.1.1.6 The Region will coordinate with the Federal government, the Province, and Local Area Municipalities to help strengthen the provision of an efficient and safe Provincial Highway System throughout the region.

5.1.1.7 Transportation *infrastructure* within the boundaries of the Niagara Escarpment Plan will be subject to the requirements of the Niagara Escarpment Plan and will be designed and located to minimize impacts to the Escarpment.

5.1.1.8 The Region will work with the Niagara Parks Commission to improve linkages between the Region's *transportation system* and the Niagara Parks Commission's *transportation system*.

Transportation Master Plan

The Region's Transportation Master Plan (TMP) is a comprehensive strategic document that defines policies, programs and *infrastructure* improvements required to address short-term and long-term transportation needs.

The TMP informs and is informed by the policies and forecasts of the Niagara Official Plan, and is regularly reviewed and updated.

5.1.2 A Connected Public Transit Network

5.1.2.1 Public transit will be a priority for transportation planning and investments to:

- a. address the impacts of *climate change*;
- b. assist in achieving social equity;
- c. provide *multimodal* access to *major transit station areas* and other *major trip generators* identified in Policy 5.1.2.2. c); and
- d. reduce dependence on the automobile.

5.1.2.2 The expansion of public transit across the region will be supported by:

- a. prioritizing transit *infrastructure* investments to, from and within *strategic growth areas* to increase the viability of existing and planned transit service levels;
- b. providing public transit to areas that have achieved, or will be planned to achieve *transit-supportive* residential, commercial, institutional and employment densities;
- c. considering the use of *transit priority corridors* within *urban areas*, including to and from *strategic growth areas*, *employment areas*, and other locations with *transit-supportive* densities;
- d. improving *linkages* from nearby neighbourhoods to *major trip generators*, such as *strategic growth areas*, *employment areas*, local growth centres, *employment lands*, tourism destinations, *public service facilities*, and post-secondary institutions;
- e. establishing *transit service integration* between municipal transit agencies via the establishment of a Regional Transit Commission, in collaboration with all transit operators including the Province and Metrolinx, where applicable;
- f. permitting *infrastructure* on lands near *settlement areas* for uses principle or ancillary to *transit-supportive* uses that about *higher order transit* facilities;
- g. providing public transit connections within and between *settlement areas*;
- h. improving accessibility to public transit, including to and from *active transportation* networks;
- i. providing park-and-ride facilities near public transit stops and stations that offer linkages to pedestrian routes, *bicycle infrastructure*, and priority spaces for carpool and car-share vehicles; and
- j. considering the role of public transit in contributing towards the Provincial and Regional greenhouse gas emissions reduction targets.

- 5.1.2.3 The Regional Transit Commission shall be consulted on *development* applications, secondary plans and other land use plans to ensure integration of land use planning and public transit.
- 5.1.2.4 The provision of *demand-responsive transit service* will be encouraged in Local Area Municipalities to serve low-density areas, where feasible.
- 5.1.2.5 Lands near existing or planned *frequent transit service* or *higher order transit* facilities, including facilities within the Greenbelt Plan that have been approved through a Municipal Class Environmental Assessment, and where such lands are located within *settlement areas*, will be planned to:
 - a. provide *transit-supportive* uses that enable opportunities for improved *transit service integration*;
 - b. facilitate *multimodal* connections that encourage a more evenly distributed modal share; and
 - c. support *active transportation*.
- 5.1.2.6 *Higher order transit* connections to the Greater Toronto Hamilton Area, will be prioritized and expedited, where possible, to promote *intensification* and new and enhanced employment markets.
- 5.1.2.7 The Region will examine the feasibility of establishing a West Niagara Transit Terminal in order to facilitate *multimodal* connections within the region and to the Greater Toronto Hamilton Area.
- 5.1.2.8 The Region will work with the Province, Local Area Municipalities, and Metrolinx, where applicable, to support the integration of *active transportation* and public transit, such as: permitting bicycles on transit vehicles, providing bicycle racks on buses, and providing *bicycle infrastructure* at and to transit facilities, public and institutional areas, and *employment lands*.

5.1.3 Interconnected Active Transportation System

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

- 5.1.3.2 Implementation of the Strategic Cycling Network as identified in the Region's Transportation Master Plan will be prioritized to advance the implementation of the Niagara Bikeways Master Plan as shown in Schedule J2.
- 5.1.3.3 The Region will support Local Area Municipalities in implementing sections of the Strategic Cycling Network that are within their jurisdiction.
- 5.1.3.4 Local Area Municipalities are encouraged to support the use of *bicycle infrastructure* to ensure a connected and extended bicycle network within the region.
- 5.1.3.5 The Region will coordinate with the Ministry of Transportation and organized interest groups to provide *active transportation* infrastructure across highways, including the Queen Elizabeth Way highway and 400 Series highways.
- 5.1.3.6 The Region will encourage and work with the Niagara Parks Commission to improve the cycling network within their jurisdiction.
- 5.1.3.7 The Region's Wayfinding Signage for Cyclists Guidelines will provide direction on the design, refurbishment or reconstruction of Regional roads.
- 5.1.3.8 Guidelines will be developed to inform Local official plans and zoning by-laws in consultation with Local Area Municipalities that outline minimum provisions for accommodating *active transportation* friendly facilities, including *bicycle infrastructure*, in new *development*, *redevelopment*, and *public works projects*.

5.1.4 Complete Streets at Regional and Local Levels

- 5.1.4.1 The Niagara Region's Complete Streets Design Manual and Guidelines shall be used in the design, refurbishment and reconstruction of the Region's *transportation system* to ensure the needs and safety of all road users are considered and appropriately accommodated.
- 5.1.4.2 Local Area Municipalities will adopt a *complete streets* approach in the design or reconstruction of the planned or existing local street network.
- 5.1.4.3 In the absence of local *complete streets* guidelines or equivalent, Local Area Municipalities should refer to the Region's Complete Streets Design Manual and Guidelines for the design, refurbishment or reconstruction of their existing and planned local street network.
- 5.1.4.4 The Niagara Region's Complete Streets Design Manual and Guidelines shall be included as a reference document within the Request for Proposal (RFP) process for Municipal Class Environmental Assessments and detailed design projects.

- 5.1.4.5** *Complete streets* elements within local jurisdiction shall be maintained by the Local Area Municipalities.

5.1.5 Ensure Regional Roads Accommodate Future Growth and Support Diverse Forms of Transportation

- 5.1.5.1** As conditions of the approval of a *development* application under the Planning Act:
- a. the Region may acquire land from the landowner required for the road allowance as identified in Schedule M, at no cost to the Region and free of all encumbrance, encroachments, and improvements unless otherwise agreed to by the Region; and
 - b. the Region shall be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened road allowance is in place.
- 5.1.5.2** The conveyance of land shall be required at no cost to the Region as a condition of the approval of a *development* application, beyond the designated road allowance widths identified in Schedule M, to accommodate items such as sight triangles, turning lanes, channelization, grade separations, traffic control devices, rapid transit, public transit facilities and rights-of-way, *active transportation*, cuts, fills and storm drainage requirements, as required to meet accepted engineering design standards. These do not require an amendment to this Plan.
- 5.1.5.3** Further to Policy 5.1.5.2, the Region may, without an amendment to this Plan, update the designated road allowance widths in Schedule M where an alternate width has been approved through a completed Municipal Class Environmental Assessment.
- 5.1.5.4** Additional land that exceeds the road allowance widths identified in Schedule M or Policy 5.1.5.2 may be acquired by the Region at its own expense, without an amendment to this Plan.
- 5.1.5.5** Land for Regional Road widenings will be required equally from both sides of the *centreline* of the designated Regional Road unless existing land uses, topographic features or other physical or environmental constraints necessitate taking greater widening on one side than the other.

- 5.1.5.6** As part of the *development* application process, a road allowance not yet owned by the Region and identified in the Region's Transportation Master Plan should be protected in the following cases:
- a local street that could be ultimately assumed by the Region; and
 - plans for the extension of an existing road allowance.
- 5.1.5.7** Where new *development* for a *sensitive land use* is adjacent to a Regional Road, the Region will consider the need for a noise study or noise control measures to address traffic noise as per Provincial guidelines.
- 5.1.5.8** The policies in Section 6.2, the Region's Model Urban Design Guidelines, the Complete Streets Design Manual and Guidelines, and Wayfinding Signage for Cyclists Guidelines will be used when providing comments on *development* applications located along Regional Roads.
- 5.1.5.9** The rights-of-way for the Region's *transportation system, major goods movement facilities and corridors, active transportation* and public transit facilities will be planned and protected to meet current and projected needs, while ensuring that *development* is not permitted in *planned corridors* that could preclude or negatively affect the purposes of the corridor.
- 5.1.5.10** The co-location of linear *infrastructure*, such as *utilities* and *municipal water and wastewater systems/services*, along Regional roads is encouraged.
- 5.1.5.11** As part of the construction, optimization, or expansion of transportation *infrastructure* within the Region's agricultural area and integrated *natural environment system*, the Region will require, where applicable:
- the preparation of an *agricultural impact assessment*, or equivalent analysis as part of a Municipal Class Environmental Assessment, that demonstrates that any impacts on the *agricultural system* have been avoided or, if avoidance is not possible, minimized, and, to the extent feasible, mitigated; and/or
 - the preparation of an *environmental impact study*, or equivalent analysis as part of a Municipal Class Environmental Assessment, that demonstrates that any impacts on the *natural heritage system, key natural heritage features, key hydrologic features* and *key hydrologic areas* have been avoided or, if avoidance is not possible, minimized, and to the extent feasible, mitigated; and
 - the preparation of an assessment on the impact on archeology and/or cultural heritage in accordance with the policies in Sections 6.4 and 6.5 respectively.

5.1.6 Movement of Goods to Support the Regional Economy

- 5.1.6.1** The Region, in partnership with Local Area Municipalities, will develop and implement a Goods Movement Study that is consistent with the recommendations of the Region's Transportation Master Plan and the Freight-Supportive Guidelines.
- 5.1.6.2** The Goods Movement Study will identify priority routes for goods movement, where feasible, take advantage of cross-border trade opportunities, including the Foreign Free Trade Zone, maximize the use of the *Niagara Economic Zone* and *Niagara Economic Centre*, and facilitate the movement of goods into and out of *employment areas*.
- 5.1.6.3** Once identified through the Goods Movement Study, lands adjacent to or near *major goods movement facilities and corridors* will be protected for the expansion of *infrastructure* and uses ancillary to that of the principal *major goods movement facility and corridor*. The impact of the expansion will be minimized by:
- a. requiring a Municipal Class Environmental Assessment to demonstrate the need and alternative options for the *infrastructure* required for the expansion;
 - b. avoiding *specialty crop areas*, and other *prime agricultural areas* in that order of priority, unless need has been demonstrated and it has been established that there is no reasonable alternative for the location of the *infrastructure* as determined through the applicable Municipal Class Environment Assessment;
 - c. avoiding, or where avoidance is not possible, minimizing and mitigating adverse impacts to the *agricultural system* or other *sensitive land uses vulnerable* to encroachment;
 - d. requiring an *agricultural impact assessment* during instances where *infrastructure* or uses are proposed within, adjacent to, or near the Greenbelt Area or *agricultural system*; and
 - e. requiring an assessment of the impacts on archaeology and cultural heritage in accordance with policies in Sections 6.4 and 6.5 respectively.
- 5.1.6.4** The *development* of lands adjacent to or near *major goods movement facilities and corridors* will be *compatible* with the goods movement function of those facilities and be designed to avoid, mitigate or minimize negative impacts on and from the facilities and corridors.

- 5.1.6.5** The Region will coordinate with the Province, Local Area Municipalities, agencies, and transportation service providers to implement a *transportation system* which is able to accommodate agricultural vehicles and equipment, where appropriate.
- 5.1.6.6** The Region will advocate for highway capacity improvements to address inter-regional and international trade related demands for the purposes of goods movement.

5.2 Infrastructure

Well-planned and managed *infrastructure* is fundamental to attaining the Region's vision for thriving and resilient communities, and key to achieving the growth forecasts of this Plan.

The *infrastructure* policies that follow will ensure that the region's existing and future development is supported by *infrastructure* that is planned, constructed, and managed in an integrated, efficient, and environmentally sustainable manner.

The Region will continue to prepare, update, and rely upon on long-term *infrastructure* master plans to ensure optimization and strategic timing of sound investments.

The policies in this section address the region's existing and future *infrastructure* needs relating to drinking water, wastewater, stormwater management, waste, energy, *utility* services, and pipeline *infrastructure*.

The planning and development of *infrastructure* must be integrated with *climate change* resiliency. The Growth Plan directs that the Region develop policies to identify actions that will reduce greenhouse gas emissions, assess *infrastructure* risks and vulnerabilities, and identify actions to address these growing challenges.

Roles in the Delivery of Services

The Region provides *water services* and *wastewater services* to its *urban areas*. The Region is responsible for water treatment, transmission mains, storage facilities, major booster pumping stations, wastewater treatment, trunk sewers and sewage pumping stations. The Local Area Municipalities are responsible for local water distribution networks and local sewer collection systems.

The Region and Local Area Municipalities share a role in stormwater management.

The Region is exclusively responsible for *waste management*.

The objectives of this section are as follows:

- a. undertake *infrastructure* planning, development, and asset management;
- b. ensure municipal services are provided in an efficient manner;
- c. supply *municipal water and wastewater systems/servicing* within *urban areas*;
- d. restrict *municipal water and wastewater systems/servicing* outside *urban areas*;
- e. provide municipal *waste management* services;
- f. ensure stormwater management and *green infrastructure* is integrated into the planning process;

- g. ensure *utilities* are provided in an efficient and *compatible* manner; and
- h. support the development of green energy *infrastructure*.

5.2.1 Infrastructure Planning, Development, and Asset Management

- 5.2.1.1** *Infrastructure* planning, development, and asset management shall be undertaken in support of the growth management policies of this Plan to promote sustainability and the achievement of *complete communities*.
- 5.2.1.2** A coordinated, integrated, and comprehensive approach using the minimum *intensification* and density targets of this Plan, should be used for the planning, development, and management of *infrastructure* within municipalities, across lower-tier and upper-tier municipal boundaries, and with other orders of government, agencies, and boards.
- 5.2.1.3** *Infrastructure* planning shall be aligned with land use planning, *infrastructure* investment and *watershed planning*.
- 5.2.1.4** *Infrastructure* investment shall be leveraged to direct and support growth and *development* within *strategic growth areas* as well as to achieve the minimum *intensification* and density targets identified in this Plan.
- 5.2.1.5** Before consideration is given to developing new *infrastructure*, the Region and Local Area Municipalities shall optimize the use of existing *infrastructure*, and plan and direct growth, in a manner that promotes efficient use of existing services.
- 5.2.1.6** The Region shall provide *infrastructure* and services within its jurisdiction to accommodate existing development and anticipated growth within the financial capability of the Region.
- 5.2.1.7** The Region will identify the full life-cycle costs of *infrastructure* and provide long-range, holistic, integrated and financially sustainable *infrastructure* planning based on the understanding of the co-relation between long-term *infrastructure* investment and long-term funding plans.
- 5.2.1.8** *Infrastructure* will be planned through the appropriate environmental assessment process, ensuring full regard for the *natural environment system*, *cultural heritage resources* and natural hazard areas of the region.
- 5.2.1.9** The location, design, construction, and operation of *infrastructure* will be sustainable, strategic, and cost-efficient, and minimize adverse impacts on the *natural environment system*, agricultural lands, and existing landscape.

-  **5.2.1.10** The Region and Local Area Municipalities shall assess *infrastructure* risks and vulnerabilities, including those caused by the impacts of *climate change*, and identify actions and investments to address these challenges, which could be identified as part of municipal asset management planning.
-  **5.2.1.11** The Region will promote the use of *green infrastructure* and *low impact development* by considering *green infrastructure* in *public works projects* and encouraging its use through review of *development* applications.
-  **5.2.1.12** Local Area Municipalities should include policies in their official plans for the planning and construction of new *infrastructure* and related facilities that address the principles of environmental sustainability including but not limited to:
- a. reducing energy demands;
 - b. promoting design and orientation to optimize passive solar energy gains;
 - c. providing for on-site, renewable energy generation and co-generation and district energy systems;
 - d. maximizing water conservation, including water efficient landscaping and collection and reuse of clean water;
 - e. providing appropriate stormwater infiltration at the source;
 - f. integrating green roofs into energy and water conservation strategies;
 - g. providing for collection and storage of recyclable and organic wastes on site;
 - h. integrating *active transportation* and transit into development plans; and
 - i. maintaining and enhancing hydrological and natural heritage features and functions.
- 5.2.1.13** Construction of new, or expansion of existing municipal water, wastewater and stormwater *infrastructure* should only be considered where the following conditions are met:
- a. strategies for water conservation and other water demand management initiatives are being implemented in the existing service area;
 - b. plans for expansion or for new services shall serve growth that achieves the growth management targets and policies for *intensification* and density in this Plan; and
 - c. plans have been considered in the context of applicable inter-provincial, national, bi-national, or state-provincial Great Lakes Basin agreements and are in compliance with the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement.
- 5.2.1.14** Updates to the Regional Water and Wastewater Master Servicing Plan may be implemented through amendments to the Niagara Official Plan as required.

5.2.1.15 New and expanding Regional *infrastructure* and facilities may be reviewed by the Region's Urban Design Section in consultation with relevant Regional divisions and Local Area Municipalities.

5.2.1.16 The Region shall give priority for the provision of new municipal water and sewage services within *urban areas* to:

- a. areas where growth aligns with the Region's Water and Wastewater Master Servicing Plan;
- b. existing development on *individual on-site sewage services* and/or *individual on-site water services* within the *urban areas*;
- c. existing development having deficiencies in existing *municipal water and wastewater systems/services* to meet minimum water quality objectives and minimum pollution abatement objectives, as established by the Region in consultation with appropriate Provincial and Federal Ministries;
- d. industrial development creating employment opportunities, which shall be assigned a higher priority than new residential development;
- e. *development* and *redevelopment* within *strategic growth areas* which produce an intensive and compact form of *development*; and
- f. support areas with district plans and secondary plans.

Updates to the Regional Water and Wastewater Master Servicing Plan

Updates to the Water and Wastewater Master Servicing Plan determine *infrastructure* needs for *development* over a 30-year or greater period. Updates include identifying full life cycle costs of the system and options to pay for these costs over the long-term. This informs the Region's Budget and Development Charges to sustainably finance growth.

 **5.2.1.17** The Region shall develop Stormwater Management Guidelines giving guidance on best practices and innovation for *development* applications and *public works projects* and to assist in addressing *climate change* impacts.

 **5.2.1.18** Planning for stormwater management shall:

- a. conform with Section 3.2;
- b. be integrated with planning for sewage and *water services* and ensure that systems are optimized, feasible and financially viable over the long term;

- c. minimize, or, where possible, prevent increases in contaminant loads;
- d. minimize erosion and changes in water balance, and prepare for the impacts of *climate change* through the effective management of stormwater, including the use of *green infrastructure*;
- e. mitigate risks to human health, safety, property, and the environment;
- f. maximize the extent and function of vegetative and pervious surfaces;
- g. promote stormwater management best practices, including stormwater attenuation and re-use, water conservation and efficiency, and *low impact development*; and
- h. consider *green infrastructure* and other measures which address the impacts of *climate change*.

 **5.2.1.19** Local Area Municipalities will develop *stormwater master plans* or equivalent for serviced *settlement areas* that:

- a. are informed by *watershed planning* or equivalent;
- b. protect the *quality and quantity of water* by assessing existing stormwater facilities and systems;
- c. characterize existing environmental conditions;
- d. examine the cumulative environmental impacts of stormwater from existing and planned *development*, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;
- e. incorporate appropriate *low impact development* and *green infrastructure*;
- f. identify the need for stormwater retrofits, where appropriate;
- g. identify the full life-cycle costs of the stormwater *infrastructure*, including maintenance costs, and develop options to pay for these costs over the long-term; and
- h. include an implementation and maintenance plan.

 **5.2.1.20** The Region will develop a Long-Term Waste Management Strategic Plan in consultation with the Local Area Municipalities. Policy direction will be implemented through an amendment to this Plan.

 **5.2.1.21** The Region will design, operate, and monitor *waste management* facilities in such a manner as to promote sustainability and public health and, wherever feasible, provide for future adaptive reuse opportunities in accordance with applicable Local official plan policies and Provincial requirements.

5.2.1.22 *Waste management* systems shall be located and designed in accordance with Provincial legislation and standards.

Waste Management Strategic Plan

The Long-term Waste Management Strategic Plan will guide the operation of the Region's day-to-day *waste management* programs including reduction, reuse, recycling, composting, diversion, and disposal of residual waste. The Plan will reduce greenhouse gas emissions, address Provincial *climate change* adaptation goals, and identify opportunities for energy from waste and source reduction. A component of the Plan will be long-term financial sustainability.

5.2.2 Municipal Water and Wastewater Servicing within Urban Areas

- 5.2.2.1 Adequate water supply and sewage collection shall be provided to meet the existing and future *development* needs in alignment with the growth management policies of this Plan, the Water and Wastewater Master Servicing Plan and the Region's capital budget process.
- 5.2.2.2 *Municipal water and wastewater systems/services* are the required form of servicing for *development* in *urban areas*.
- 5.2.2.3 Local Area Municipalities, in coordination with the Region, will comprehensively approach and integrate growth allocated by the Region with required *infrastructure* and establish priority and phasing policies for *water* and *wastewater services*.
- 5.2.2.4 Prior to approval of *development*, the municipality shall ensure that required *water* and *wastewater services* and servicing capacity is available to support the *development*.
- 5.2.2.5 Private *lateral connections* to Regional water or wastewater mains are discouraged.
- 5.2.2.6 The Region will endeavour to:
 - a. maintain sufficient reserve capacity in its water and wastewater *infrastructure* and facilities to provide operational flexibility and meet potential changes in servicing conditions;
 - b. ensure new *development* will not put the Region out of compliance with regulations and the Region will consider opportunities to maintain or reduce wet weather overflow occurrence; and
 - c. provide reliability, redundancy and security in its water and wastewater systems with attention to high risk and critical areas.

- 5.2.2.7 Existing municipal *combined sewer* and storm drainage systems shall be separated, where technically and financially feasible
- 5.2.2.8 All new *development* which is proposed to be connected to existing *combined sewer* facilities shall be served with separated systems within the property limits of the *development*. The connection to the *combined sewer* will only be considered once a new separated storm outlet has been determined to be unachievable and the available capacity within the existing *combined sewer* services has been confirmed.
- 5.2.2.9 The potential impact of *climate change* on the planning and sizing of water and wastewater *infrastructure* shall be considered.
- 5.2.2.10 Water and wastewater facilities shall be designed with consideration to reducing energy use and greenhouse gas emissions.
- 5.2.2.11 The Region will review a combination of servicing strategies including *infrastructure* and non-infrastructure solutions to meet wet weather level of service and provide sufficient wastewater capacity. The Region will work collaboratively with the Local Area Municipalities to reduce wet weather flows in the sanitary system.
- 5.2.2.12 Within urban *settlement areas* full municipal services are the preferred form of servicing. Partial services shall only be permitted in the following circumstances:
- a. where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing development; or
 - b. to allow for infilling and minor rounding out of existing development on partial services provided site conditions are suitable for the long-term provision of such services with no negative impacts.
- 5.2.2.13 Any extensions of the existing water supply or sewage disposal systems must have approval through the current water licenses and sewage disposal system approvals from both the Local Area Municipality and Region.
- 5.2.2.14 Where *development* is proposed on lands adjacent to an existing or proposed sewage treatment facility, the location of *development* shall be determined by appropriate noise and odour studies that identify suitable separation distances and mitigation measures.

5.2.3 Municipal Water and Wastewater Servicing Outside of Urban Areas

- 5.2.3.1 *Lateral connections* to Regional water or wastewater mains are not permitted outside the *urban area* boundaries.
- 5.2.3.2 Municipal water supply mains or municipal sewers shall not be extended outside the *urban areas* except:
- a. where necessary to correct an existing health problem as determined by the Medical Officer of Health or where there is a clean-up order from the Ministry of the Environment, Conservation and Parks, and provided all alternatives to municipal mains for resolving health concerns have been considered; and
 - b. where extensions of the water supply system are for necessary operating purposes, such as the looping of existing mains, the replacement of existing mains, and the interconnection of *urban areas*.
- 5.2.3.3 All *development* outside the *urban areas* shall be serviced by sustainable *individual on-site water* and *individual on-site sewage services*, except an existing lot of record outside the *urban areas* may be permitted to connect to existing municipal services subject to the following:
- a. where municipal sewers or water supply mains have been extended outside the *urban areas* to correct an existing health problem as determined by the Medical Officer of Health or where there is a clean-up order from the Ministry of Environment, Conservation and Parks.
- 5.2.3.4 Individual water supply and sewage disposal systems are permitted outside the *urban areas* provided the site conditions are suitable for the long-term provision of such services with no negative impacts.

5.2.4 Municipal Waste Management Services

- 5.2.4.1 The Region will provide for the disposal and treatment of solid wastes to the Local Area Municipalities, and in alignment with the Region's Long Term Waste Management Strategic Plan.
- 5.2.4.2 The disposal and treatment of solid wastes shall be provided in an integrated manner that evaluates full life cycle impacts with respect to financial and environmental sustainability, public health, and aesthetics.
- 5.2.4.3 The Region shall provide *waste management* systems that are an appropriate size and type to accommodate present and future requirements, and facilitate, encourage, and promote reduction, reuse, and recycling objectives.

5.2.4.4 In collaboration with the Region, Local Area Municipalities should ensure that their official plan, zoning by-law, plan of subdivision approvals and site plan approvals for new *development* comply with the Region's requirements for waste collection to ensure safe and efficient waste collection and diversion and includes support for the resource recovery of food and organic waste for their residents.

 **5.2.4.5** During the *development* review process, the Local Area Municipality will promote enhanced waste reduction, composting and recycling initiatives, and the identification of new opportunities for energy generation from waste, source reduction, reuse, and diversion, where appropriate. Consideration shall be given to increased convenience and access for waste diversion collection programs to promote participation.

5.2.4.6 The selection of all solid *waste disposal sites* will involve consideration of:

- a. the compatibility of the methods of operation with adjacent land uses;
- b. the nature of bedrock and soil conditions in order to reduce the likelihood of groundwater contamination;
- c. operational economics, transportation costs, maintenance, land prices, opportunity for future expansion, etc.; and
- d. compliance with the policies of Chapter 3, and specifically Section 3.1, of this Plan.

5.2.4.7 Site and rehabilitation plans will be developed prior to the use of a particular site for solid waste disposal. These plans should make provision for:

- a. the control of odour, vermin, and other nuisances;
- b. the phasing of the site expansion;
- c. the ultimate use of the site;
- d. landscaping and berms;
- e. access; and
- f. a uniformly high standard of operation.

 **5.2.4.8** The Region will investigate the application of waste diversion techniques, including the reuse and recycling of construction material.

5.2.4.9 Proposed *development* within the influence area, as determined by Provincial Land Use Compatibility Guidelines or through site specific study, of all *waste management* facilities shall demonstrate that the solid *waste disposal site* will not have any unacceptable *adverse effects* on the proposed *development* and will not pose any risks to human health and safety.

- 5.2.4.10** Notwithstanding Policy 5.2.4.9, the following *compatible* uses may not require a study provided that the solid *waste disposal site* water table is not affected and excavations shall not result in landfill gas migration or removal of a visual screen buffering of the landfill from the public view: *utilities*, waste-processing facilities, above-grade transportation routes, forestry activities, and gravel pits, quarries and other mining activities. No new land-use shall be permitted within 30 metres of the licensed perimeter of an operating solid *waste disposal site*.
- 5.2.4.11** *Development* on, or within 250 metres of a non-operating *waste disposal site* (e.g., old closed landfills) shall address Provincial requirements for contaminated sites.
- 5.2.4.12** *Development* within 500 metres of a non-operating *waste disposal site* shall also demonstrate that there is no risk to human health and safety from landfill gas.
-  **5.2.4.13** The Region will identify and support new opportunities to enhance waste reduction, composting and recycling initiatives and for energy from waste, source reduction, reuse, and diversion, where appropriate.
- 5.2.4.14** When exploring new food and organic waste resource recovery systems, the Region will pursue regional approaches, including considering potential partnerships with neighbouring municipalities and private industry.
- 5.2.4.15** Approvals for new or expanded resource recovery systems will address the Provincial Land Use Compatibility Guidelines and the Guidelines for the Production of Compost in Ontario, to ensure appropriate siting and compatibility between uses and adjacent uses as well as to prevent or mitigate adverse effects from odour, noise and other contaminants.
- 5.2.4.16** The establishment of a new *waste disposal site* is not permitted in the Niagara Escarpment Plan Area.

5.2.5 Stormwater Management and the Planning Process

-  **5.2.5.1** All new *development* and *redevelopment* in *settlement areas* must be provided with separate storm drainage systems or separate storm drainage connections.
- 5.2.5.2** The Region will collaborate with the Local Area Municipalities for the provision of adequate storm drainage facilities.
-  **5.2.5.3** Local Area Municipalities shall implement sustainable stormwater management plans and strategies as part of *development* and *redevelopment*.

-  **5.2.5.4** Proposals for large-scale *development* proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:
- a. conforms with *watershed planning* policies in Section 3.2;
 - b. is informed by a *subwatershed plan* or equivalent as completed by the Local Area Municipality;
 - c. ensures all proposals for *development* or *redevelopment* are designed based on an integrated treatment approach in order to address requirements for water quality, erosion control, flood control, thermal mitigation and *water budget* to minimize stormwater flows and reliance on stormwater ponds, which includes *low impact development* and *green infrastructure*, where appropriate;
 - d. establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces;
 - e. ensures *stormwater management facilities* are designed to support key features and *ecological functions* in the Region's *natural environment system*, where possible; and
 - f. aligns with the *stormwater master plan* or equivalent for the *settlement area*, where applicable.

-  **5.2.5.5** The Region and Local Area Municipalities shall consider through site plan control the development of *green infrastructure*, such as naturalized retention ponds and rain gardens to increase stormwater offset.

5.2.6 Provision of Utilities

- 5.2.6.1** The Region will coordinate with both private and public *utility* providers and the Local Area Municipalities to ensure that *utilities* are planned and managed in a manner that supports the objectives and policies of this Plan.
- 5.2.6.2** The joint use of rights-of-way and corridors is encouraged wherever feasible for various facilities in order to:
- a. lessen the impact on the environment of uncoordinated alignments of various single purpose authorities; and
 - b. avoid land use and *development* conflicts associated with such rights-of-way and alignments.
- 5.2.6.3** The construction of *utilities* shall comply with the *natural environment system* policies of this Plan.

- 5.2.6.4** Necessary public *utilities* will be provided in accordance with the servicing needs of existing and future *development* and with economic, safety and environmental considerations.
- 5.2.6.5** The Region and Local Area Municipalities will confirm, as part of the *development* review process, that *utility* providers are able to provide services to support the proposed *development* in a timely manner and that, if required, appropriate locations for large *utility* equipment and *utility* cluster sites have been determined.
- 5.2.6.6** The Region will review and comment on Environmental Assessment Studies and may participate in the Environmental Assessment process for major *utility* related projects to ensure that potential impacts on matters of Regional and Provincial interest are addressed.
- 5.2.6.7** *Utility* providers proposing to locate, relocate, or replace a facility within a Regional Road allowance will require Regional approval and be subject to the provisions of all applicable Regional policies, by-laws, standards, and guidelines.
- 5.2.6.8** The Region will continue to advise *utility* providers of the need to:
- consult with the Region and Local Area Municipalities, and *Conservation Authority* where applicable;
 - review the region-wide inventory of *cultural heritage resources* and *areas of archaeological potential* prior to undertaking construction, demolition, or maintenance projects;
 - mitigate any impacts on *cultural heritage resources* including *archaeological resources* through acceptable conservation measures;
 - place equipment and devices in locations which do not detract from the visual character of *cultural heritage resources* and do not have a negative impact on the architectural integrity of these resources; and
 - comply with the *natural environment system* policies in Section 3.1 and *agricultural system* policies of Section 4.1.

5.2.7 Green Energy Infrastructure

- 5.2.7.1** The Region shall closely monitor the Provincial regulations and provide appropriate policies to support the development of green energy *infrastructure*.
- 5.2.7.2** The Region will promote opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and *renewable energy systems* and *alternative energy systems*, to accommodate current and projected needs.

- 5.2.7.3** Subject to Provincial requirements, the Region and Local Area Municipalities will review the siting of all renewable energy generation facilities within the context of all policies of this Plan.
- 5.2.7.4** Subject to Provincial requirements, the Local Area Municipality will prepare official plan policies and zoning for the review of new or expanding renewable energy generation facilities to ensure consideration of safety, compatibility, and other impacts.
- 5.2.7.5** Wind energy systems and associated distribution *infrastructure* shall be located, designed, and constructed to eliminate or minimize adverse impacts on agricultural operations, lands, and activities; significant natural heritage features; existing *mineral aggregate operations*; and cultural and built heritage resources.
- 5.2.7.6** Wind energy systems shall be designed and constructed to be appropriately buffered and/or separated from *sensitive land uses* to prevent *adverse effects* and to minimize the risk to public health and safety.
- 5.2.7.7** Wind energy systems are generally permitted throughout the region subject to applicable Local area municipal criteria, Provincial plan policies, and policies set out in this Plan, except large scale wind energy systems will require a Regional Official Plan Amendment.
- 5.2.7.8** Application for wind energy development should comply with Section 7.8 for Complete Applications and the following:
- a. a justification/impact report that demonstrates:
 - i. the need for, and public benefit of, locating the proposed generating capacity in these areas;
 - ii. an assessment of impacts on agricultural operations, lands and activities, natural heritage features, nearby residences and other *sensitive land uses* in the area; and
 - iii. the means of minimizing any *adverse effects*.
 - b. a visual impact assessment;
 - c. a noise report demonstrating compliance with Provincial requirements; and
 - d. a report demonstrating compliance with Provincial shadow flicker guidelines.

- 5.2.7.9** The development of new or expanded wind energy systems within an area regulated under the Niagara Escarpment Planning and Development Act will be subject to the provisions of the Niagara Escarpment Plan. The policies of this Plan and policies in Local official plans will be the basis for providing municipal comments to the Niagara Escarpment Commission during the review of wind energy system applications.
- 5.2.7.10** The development of new wind energy systems in areas adjacent to or on known deposits of aggregate, *mineral* or *petroleum resources* shall be permitted where it has been demonstrated that the energy system serves a greater long-term public interest during the lifetime of the wind energy system and does not compromise the future extraction of the aggregate, *mineral* or *petroleum resources*.
- 5.2.7.11** The development of wind energy systems shall be prohibited where they may cause a potential aviation safety hazard as determined by Transport Canada or the appropriate agency.

5.2.8 Pipeline Infrastructure

- 5.2.8.1** TransCanada PipeLines Limited (TCPL) operates two high pressure natural gas pipelines within its right-of-way crossing the region as well as two industrial compressor stations as identified on Schedule B.
- 5.2.8.2** *Development* resulting in increased population density in proximity to TCPL's right-of-way and compressor stations may result in TCPL being required to replace its pipeline(s) to comply with CSA Code Z662. Early consultation with TCPL or its designated representative, for any *development* proposals within 200 metres of its pipelines and within 750 metres of TCPL's compressor station should be undertaken to ensure TCPL can assess potential impacts and provide recommendations to avoid adverse impacts to its facilities.
- 5.2.8.3** TCPL is regulated by the Canadian Energy Regulator which has a number of requirements regulating *development* in proximity to its pipelines. This includes approval requirements for activities within 30 metres of the pipeline centreline, such as conducting a ground disturbance, constructing or installing a facility across, on, or along the pipeline right-of-way, driving a vehicle, mobile equipment or machinery across the right-of-way, and the use of explosives.
- 5.2.8.4** A minimum *setback* of seven metres shall be provided from the edge of the right-of-way for all permanent buildings and structures. Accessory buildings and structures shall have a minimum *setback* of at least three metres from the edge of the right-of-way.

- 5.2.8.5** A minimum *setback* of seven metres shall be provided from the edge of the pipeline right-of-way for:
- a. road rights-of-way (paralleling pipeline rights-of-way), private driveways, parking spaces and parking areas; and
 - b. *stormwater management facilities*.
- 5.2.8.6** Throughout any *built-up areas*, the TCPL's right-of-way is encouraged to be designated for passive parkland or open space use.

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

Parks, open spaces and trails provide an opportunity for healthy recreational activities, tourism and appreciation of *cultural heritage resources* and natural resources. Planning for open space encourages physical activity, supports mental health, increases the use of *active transportation*, and provides *linkages* between natural heritage features.

The objectives of this section are as follows:

- a. plan for the inclusion of parks, open space and trails within and between communities;
- b. support efforts to designate Niagara region as a UNESCO Global Geopark to foster conservation, education and sustainable economic development;
- c. recognize the importance of the Niagara Escarpment as a UNESCO Biosphere Reserve; and
- d. support the identification of *cultural heritage landscapes*.

5.3.1 Open Space in Communities

- 5.3.1.1 The Region shall ensure the provision of public open space and required parkland in the review of district and secondary plans to facilitate the creation of healthy, *complete communities*.
- 5.3.1.2 The Region will, in partnership with the Local Area Municipalities, *Conservation Authority*, Niagara Parks Commission, and other interested agencies:
 - a. maintain a map of publicly accessible parkland, open space and trails to support the *connectivity* of natural heritage features and the achievement of *complete communities*, and inform the Regional Greening Initiative, as per Policy 3.5.1.4;
 - b. explore opportunities to plan new trails or develop/enhance existing trails on a cross-boundary basis to enhance interconnectivity between Local Area Municipalities where practical and feasible; and
 - c. promote good stewardship practices for publicly accessible parkland and open spaces, especially when adjacent to the *natural environment system*.

- 5.3.1.3** The Region supports efforts to designate Niagara region as a UNESCO Global Geopark to foster conservation, education and sustainable economic development.
- 5.3.1.4** The Region encourages the Province, Provincial agencies, *Conservation Authority*, Local Area Municipalities and non-governmental organizations to continue acquiring and dedicating lands to further develop the Niagara Escarpment Parks and Open Space System, including the Bruce Trail, which provides significant economic and environmental benefit to the region.
- 5.3.1.5** Local Area Municipalities shall include policies in their official plans that address the following:
- a. the acquisition of parkland in accordance with the provisions of the Planning Act, and/or direction to pass by-laws that allow for the acquisition of parkland; and
 - b. integration of *development* with, and connectivity to, existing and proposed parks and trails.
- 5.3.1.6** Where applicable, Local Area Municipalities should include policies in their official plans that:
- a. establish and undertake improvements to public access to shorelines and dedication of shorelines to the Local Area Municipality or other public agency where there is a public benefit to the overall trail system. *Development* that will constrain ongoing or planned shoreline acquisition should not be permitted; and
 - b. increase open space, and park and recreational opportunities with the Welland Canal Cultural Heritage Landscape.
- 5.3.1.7** The Region encourages the Local Area Municipalities to:
- a. develop park/trail master plans to strategically and equitably plan for the acquisition, use and management of publicly-accessible parks, open spaces and trails, including shorelines, to best serve the needs of all local residents. Master plans should clearly identify, plan for and protect these resources;
 -  b. consider *climate change* when planning for parks, open space and trails, including opportunities for *green infrastructure* and tree planting;
 - c. establish an open space system within *settlement areas*, which may include opportunities for *urban agriculture*, rooftop gardens, communal courtyards, and public parks; and
 - d. evaluate public lands being disposed of for potential acquisition for recreation and open space uses in concert with other growth needs, including reuse of abandoned *rail facilities* and *utility* corridors for trail development.



VIBRANT REGION

NIAGARA OFFICIAL PLAN

VIBRANT REGION



6.1 District Plans and Secondary Plans

District plans and secondary plans provide for proactive, coordinated and comprehensive growth management planning within defined areas of Niagara. Both types of plans are critical for directing growth to areas that will accommodate higher densities and supporting the achievement of well-designed, vibrant and *complete communities*.

A district plan sets out a vision and a guiding framework for land use planning, design and *development* for areas of Regional significance with key directives to guide detailed land use planning within an area.

A secondary plan establishes a detailed set of policies and guidelines built on significant community consultation, that direct *development* within a specific area of a Local Area Municipality. Secondary plans are a blueprint for managing how a community grows in *strategic growth areas, designated greenfield areas, built-up areas* of major change or any other Locally defined area that requires specific land use direction. A secondary plan and implementing zoning provide a level of certainty for what change can be expected over the long term.

While secondary plans are a tool for implementing district plans, they are also undertaken by the Local Area Municipality outside of a district plan process.

Taking steps to proactively plan for growth can assist in achieving mixed-use, *compact built form*, providing a range and mix of housing options, protecting established neighbourhoods, encouraging *transit-supportive* development, supportive *public service facilities*, protecting and enhancing the natural environment, establishing direction to mitigate and adapt to *climate change* and supporting high quality public spaces.

The objectives of this section are as follows:

- a. prepare district plans to guide urban growth in Regionally significant areas;
- b. coordinate the implementation of Council endorsed district plans; and
- c. prepare secondary plans to implement Regional and Local planning priorities.

6.1.1 District Plans

6.1.1.1 District plans may be prepared and endorsed for areas that meet one or more of the following:

- a. span two or more municipal and/or agency jurisdictions and would be well served by Regional coordination;
- b. are centres that can make an important contribution to Niagara's Regional Structure;
- c. are currently, or have the potential to become, iconic in nature due to their prominent location and/or features;
- d. are located within the *Niagara Economic Gateway*, or a future *employment area*;
- e. have the potential to attract significant new investment, people, jobs and *development*;
- f. Have existing or planned *higher order transit*;
- g. are regional commercial attractors or *public service facilities* that would benefit from incorporating mixed-use elements; and/or
- h. need specific direction and coordination to transform into a *complete community*.

What is Unique about District Plans?

A district plan provides a shared vision for an area that may cross municipal boundaries, include various jurisdictions, or require coordination among a wide variety of stakeholders.

6.1.1.2 A district plan shall include a vision and guiding framework with key directions, implementing strategies and supporting conceptual plans.

6.1.1.3 A district plan shall be prepared in collaboration with the Local Area Municipalities in which it is situated, in conformity with the Niagara Official Plan and Provincial policies, guided by the Region's district plan terms of reference guidance document, and address the following:

- a. current land-use characteristics;
- b. opportunities and constraints;
- c. integrated *natural environment system*;
- d. availability of *infrastructure*, including *active transportation* and facilitating public transit;
- e. need for school, parkland and *public service facilities*;
- f. land use compatibility;

- g. sustainability and resiliency direction subject to Section 3.5;
- h. opportunities to provide a range and mix of land uses and *built form*; and
- i. public and private realm enhancements, streetscaping and urban design.

6.1.1.4 Ongoing consultation with the public and organized interest groups shall be required throughout the creation of a district plan.

6.1.1.5 District plans shall be endorsed by Regional Council and affected Local Councils prior to its vision, objectives and key policies being incorporated into the Niagara Official Plan by amendment.

6.1.1.6 Local municipal official plans, via secondary plans or other amendment, shall be updated to implement the direction in Policy 6.1.1.5, having regard to the applicable district plan.

6.1.1.7 A district plan concept or demonstration plan shall be used as a guide for the layout and design of *development* reflective of the planned character of the area.

6.1.1.8 District Plans shall include design guidelines for *built form*, streets, parks, open space and parking.

6.1.1.9 District plans shall be reviewed and updated as necessary, every 10 years, or as determined specific to the district plan.

6.1.2 Brock District Plan

6.1.2.1 The vision of the Brock District Plan is to:

- a. leverage the unique economic driver of Brock University to transition the area from a lower density *employment area* to a higher density mixed-use centre that is comprehensively and sustainably planned for social and economic success, and environmental sustainability; and
- b. build on the partnerships with Local Area Municipalities, Brock University and the Niagara Escarpment Commission to collaboratively implement the Brock District Plan.

The boundary of the Brock District Plan is shown on Schedule B.

6.1.2.2 The Brock District shall:

- a. transition into a *complete community* through investment in higher density, mixed-use development;

- b. act as a major activity hub that capitalizes on research, innovation and its proximity to Brock University;
-  c. become a leader in sustainability and aspire to be carbon neutral in accordance with Section 3.5;
- d. create gateways using design features that emphasize the prominent boundaries;
- e. provide a safe, connected and effective active transportation network;
- f. create beautiful and sustainable streetscapes with a network of publicly accessible open spaces; and
- g. ensure adequate servicing capacity.

6.1.3 Glendale District Plan

6.1.3.1 The vision of the Glendale District Plan is to:

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

The boundary of the Glendale District Plan is shown on Schedule B.

6.1.3.2 Glendale District shall:

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

6.1.4 Secondary Plans

- 6.1.4.1 Secondary plans, or equivalent, will be prepared for a new district plan area, and *strategic growth areas* identified in Policy 2.2.2.1 a).
- 6.1.4.2 Secondary plans will be prepared for new *designated greenfield areas* within *urban area* expansion areas as shown on Appendix 2, except where the *urban area* expansion is less than 15 hectares or determined by the Region to be too small to require a secondary plan.
- 6.1.4.3 Secondary plans should be prepared for:
- a. large scale *development* in existing *designated greenfield areas* where direction is required to co-ordinate planning and the efficient use of land and *infrastructure*; and
 - b. *built-up areas* undergoing major change, in particular:
 - i. areas with desirable characteristics or functions which should be promoted and enhanced;
 - ii. areas identified for *intensification*; and
 - iii. areas in need of revitalization, new investment and/or coordinated approach.
- 6.1.4.4 Notwithstanding Policy 6.1.4.2, where a new *designated greenfield area* is added through an *urban area* expansion adjacent to an existing secondary plan boundary, the Region shall determine if a new secondary plan is required for an area greater than 15 hectares, or if an alternative planning process is appropriate. The new *urban area* will be planned with consideration to the adjacent secondary plan, including technical study work undertaken for that secondary plan.
- 6.1.4.5 Prior to preparing a secondary plan, the Local Area Municipality shall prepare a terms of reference in consultation with the Region, and *Conservation Authority* where applicable, that sets out the project scope, and required supporting technical studies.

What is a Secondary Plan?

A secondary plan is an amendment to a Local official plan which provides a coordinated approach to *development* within its extent based on a comprehensive study of the land use, *infrastructure*, transportation, environment, and other matters within an identified area of the Local Area Municipality.

6.1.4.6 Privately initiated secondary plans shall require a terms of reference approved by the Local Area Municipality, in consultation with the Region and *Conservation Authority* where applicable, prior to development of the secondary plan.

6.1.4.7 Secondary plan policies and schedules shall ensure the following for community or employment areas, as applicable:

- a. a diversity and mix of land uses;
- b. a mix of *built form*;
- c. high quality urban design and *public realm*;
- d. provision of parks and open space;
- e. appropriate refinement and implementation of the Region's *natural environment system*;
- f. adequate provision of *infrastructure*, including transit and *active transportation*;

-  g. planning approaches that support sustainable and resilient communities as guided by Section 3.5; and
- h. co-location of *public service facilities* within *community hubs*, where appropriate, and adapting existing *public service facilities* and spaces as a priority.

 **6.1.4.8** As applicable, the secondary plan shall demonstrate how the plan will contribute towards achieving the following targets:

- a. *designated greenfield area* density target as set out in Policy 2.2.2.23;
- b. *built-up area* intensification target as set out in Table 2-2;
- c. *affordable* housing targets as set out in Policy 2.3.2.3;
- d. housing mix target as set out in Policy 2.3.1.2; and
- e. *employment area* density target as set out in Table 4-2.

 **6.1.4.9** A secondary plan will be informed by the following studies in accordance with Policy 6.1.4.5:

- a. *subwatershed study*, or equivalent, per Section 3.2, for large scale *development* of *designated greenfield areas*. The scope and content of the study shall be determined through development of a terms of reference in consultation with the Region, Local Area Municipality and *Conservation Authority*;
- b. functional servicing study or *infrastructure* review that includes water and wastewater servicing plans, and a stormwater management plan per Section 3.2;
- c. transportation study;

- d. *development* phasing plan, if applicable;
- e. *environmental impact study*, if applicable; and
- f. any other studies related to the location and context of the secondary plan area, as determined in accordance with Policy 6.1.4.5 or 6.1.4.6.

6.1.4.10 Secondary plans shall be approved in accordance with Chapter 7.

6.1.4.11 Secondary plans shall incorporate urban design direction/guidance per Section 6.2 and consider the Region's Model Urban Design Guidelines as amended in the absence of Local municipal urban design guidelines, as appropriate.

6.1.4.12 Unless directed by more specific policies in this Plan, where an adopted secondary plan is required in accordance with Policy 6.1.4.1 or 6.1.4.2 and is not yet in-effect, a *development* application within the secondary plan area shall demonstrate:

- a. consistency with an adopted secondary plan or how the proposed development will be positively integrated with the overall plan area where secondary plan direction is not available;
- b. the size and/or location of the proposed *development* will not adversely impact the remaining development area, or alternatively, is of a significance that it will assist in creating a positive vision for the development of the area;
- c. how the *development* contributes to Policies 6.1.4.7 and 6.1.4.8; and
- d. how the *development* will align with the requirements of Policy 6.1.4.9.

6.1.4.13 Local Area Municipalities shall monitor the build out of secondary plan areas to determine how they are meeting the identified targets.

6.1.4.14 In addition to the policies of Section 6.1.4, Local Area Municipalities should implement policies that require secondary planning as a tool for proactive growth management.

6.2 Urban Design

Urban design is the practice of making places that are attractive, memorable, and functional. It involves the arrangement, appearance and relationship between buildings, outdoor spaces, *transportation systems*, services, and amenities.

The Growth Plan sets out policies directing and supporting the achievement of *complete communities* through site design and urban design standards, a *complete streets* approach, as well as high quality *compact built form* and vibrant *public realms*.

The Importance of Urban Design

Enhancing Niagara's unique natural and built environment through the careful design of our *built form* and *public realm* will create memorable places. This strengthens the image of Niagara and directly impacts the quality of our lives and the richness of our experiences.

In conformance with the Growth Plan, the urban design policies of this Plan establish the context, direction and guidance for *development* and *transportation systems* undertaken at a Regional scale, such as, the design of Regional Road allowances and *public service facilities*. At a Local municipal scale, it is expected that these policies will be further refined and implemented through comprehensive Local official plan policies, urban design guidelines, standards, manuals, zoning, and site plan control.

The urban design policies serve as a tool to integrate urban design elements into planning decisions and the preparation of engineering standards.

The objectives of this section are as follows:

- a. commit to excellence in urban design;
- b. enhance the *public realm* and promote *active transportation*; and
- c. identify and establish tools for urban design implementation.

6.2.1 Excellence in Urban Design

- 6.2.1.1** Excellence and innovation shall be promoted in architecture, landscape architecture, site planning, streetscape design, and overall community design to ensure built environments are attractive, walkable, accessible, diverse, and functional.

6.2.1.2 The collaboration and co-ordination of related disciplines, including land use planning, urban design, transportation planning, architecture, engineering, environmental planning, and landscape architecture shall be encouraged.

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

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

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

 **6.2.1.6** *Active transportation* shall be promoted through the cohesive and collaborative design of streets, building *interfaces* and public spaces.

 **6.2.1.7** *Sustainable design* principles shall be applied to the *public realm*, *infrastructure*, *public service facilities*, *development* and streets.

 **6.2.1.8** The Region shall promote:

- a. the creation of liveable and vibrant *urban areas* and streets;
- b. community design that:
 - i. offers a range of transportation options, including public transit and *active transportation*;
 - ii. respects the *complete streets* approach by creating safe and attractive interconnected streets; and
 - iii. encourages a mix of land uses, a vibrant *public realm* and *compact built form*;
- c. a context-specific design approach for areas surrounding strategic institutions, such as post-secondary institutions and hospitals, as well as *public service facilities* to ensure compatibility and connection;
- d. well-designed buildings, high quality streetscapes, and attractive public spaces that create neighbourhood character and strengthen community identity and diversity;
- e. the integration of views of built and cultural heritage features, landmarks, and significant natural heritage features to enhance a *sense of place*;
- f. the clustering of community facilities, services, and spaces to facilitate access to all modes of transportation and to promote community identity and civic pride; and

- g. the creation of public spaces near public transit stations and bus stops that enrich the urban design experience within areas strategically identified for *intensification*, including *strategic growth areas*, and *local growth centres and corridors*.

6.2.1.9 The Region will consider *place-making* elements in coordination with Local Area Municipalities along Regional Roads at major entry points to communities to foster unique, authentic, memorable and vibrant places.

6.2.1.10 The inclusion of public art into the design of major *development*, streetscapes, and public spaces will be encouraged.

6.2.1.11 The Region shall design *public service facilities* to promote:

- a. civic pride, diversity and community identity;
- b. integrated open space;
- c. connectivity; and
- d. multi-functional uses and activities throughout the year, as feasible.

6.2.1.12 Niagara's physical relationship to waterfront settings will be leveraged by:

- a. promoting visual and physical access; and
- b. connecting publicly accessible waterfronts to create a continuous waterfront feature, where feasible.

6.2.2 Public Realm and Active Transportation

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

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

6.2.2.3 The design of road networks should consider walking distances for public transit users, and the use of an interconnected *transportation system* with consideration for applicable standards and guidelines, to minimize travel distances for cyclists and pedestrians.

6.2.2.4 Innovative and *sustainable design* elements are encouraged in the design, construction, and refurbishment of Regional Roads.

- 6.2.2.5** The burial of overhead *utilities* and the co-location of *utilities* underground is encouraged in areas strategically identified for *intensification* including *strategic growth areas*, and *local growth centres and corridors*.
- 6.2.2.6** Through discussion with *utility* providers, consider the impact of existing *utility infrastructure* and opportunities for enhancement or replacement.
- 6.2.2.7** The creation of an enriched urban design experience along Regional Roads will be encouraged by supporting:
- a. a consistent wayfinding strategy;
 - b. pedestrian and *transit-supportive* facilities, such as street trees and street furniture; and
 - c. public art in key locations.
- 6.2.2.8** The Region shall support the design of Regional Roads within downtowns and community cores to:
- a. function as flexible spaces to support *place-making*, temporary community events and initiatives to support *complete communities*;
 - b. encourage the creation of seasonal outdoor patios and seating areas;
 - c. improve accessibility;
 - d. include pedestrian and cycling *infrastructure*; and
 - e. give priority to pedestrian and cycling *infrastructure* where sufficient street parking can be provided.
- 6.2.2.9** The Region may develop and administer, in partnership with Local Area Municipalities and/or private entities, capital projects that implement *complete streets*.
- 6.2.2.10** Streetscapes should be designed to create a seamless transition with the public space.
- 6.2.2.11** The mitigation of microclimate impacts, such as wind, shadowing and seasonal factors, should be considered regarding the impact of *development* on the *public realm*.

6.2.3 Tools for Urban Design Implementation

6.2.3.1 The Region's Model Urban Design Guidelines, as amended will complement and work in conjunction with the Region's Complete Streets Design Manual and Guidelines upon completion of the guidelines.

6.2.3.2 The Region's Complete Streets Design Manual and Guidelines will be updated periodically to reflect best practices and innovations in the design of the built environment.

6.2.3.3 The Region shall:

- a. require *development*, *public works projects* and *public service facilities* to use the Region's Model Urban Design Guidelines in the absence of Local municipal urban design guidelines, as applicable;
- b. provide terms of reference templates reflecting good design practices for use in the preparation of urban design guidelines and other design studies, as required by the Local Area Municipalities to support *development*;
- c. apply best practices in accessible design and Crime Prevention through Environmental Design (CPTED) principles to the design of *development* and the *public realm*;
- d. ensure that updates to the Region's Model Urban Design Guidelines include:
 - i. transitions to *fringe lands*, such as between *settlement areas* and rural/agricultural areas, along with other special opportunity areas; and
 - ii. provide design guidance for *intensification* with respect to compatibility with and transitions to the surrounding community context.

The Value of Urban Design Guidelines

Urban design guidelines outline and illustrate how the *built form*, streetscape and *public realm* can achieve the desired level of quality and meet official plan urban design objectives and policies.

6.2.3.4 Urban design direction/guidance shall be incorporated into secondary plans.

6.3 Healthy Communities

Niagara recognizes the role built and natural environments play in human health and well-being. Designing and building communities to encourage active lifestyles, healthy and varied housing options, social connections, protection of the natural environment and access to clean air, water, and healthy food can significantly improve overall physical and mental health. Through these actions we can create vibrant, healthy and safe communities and provide a high quality of life.

The objective of this section is as follows:

- a. plan healthy and safe communities that provide high quality of life.

6.3.1 Plan Healthy and Safe Communities

6.3.1.1 The Region shall support healthy communities by:

- a. creating *built form* that provides healthy living;
- b. planning for all ages, incomes, abilities and populations;
- c. supporting walkable and bikeable neighbourhoods through *active transportation*;
- d. encouraging integration of open space and parks that facilitate physical activity, social cohesion and support mental health;
- e. encouraging *urban agriculture* and community gardens;
- f. strategically co-locating *public service facilities* for convenient access; and
- g. encouraging the use of health impact assessment tools through planning processes.

6.3.1.2 The Region will work with the Local Area Municipalities to assess the health and well-being of *built-up areas* to inform *development*, policies, strategies and/or studies.

6.3.1.3 Local Area Municipalities should include policies in their official plans that promote healthy, *complete communities*.

- 6.3.1.4** *Development* on, abutting or adjacent to lands affected by *mine hazards*; *oil, gas, and salt hazards*; or former *mineral mining operations*, *mineral aggregate operations* or *petroleum resource operations* may be permitted only if rehabilitation or other measures to address and mitigate known or suspected hazards are under way or have been completed.
- 6.3.1.5** Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

6.4 Archaeology

The Niagara region is situated on treaty lands. This land is steeped in the rich history of the First Nations, including the Anishinaabe, such as the Mississaugas of the Credit First Nation, the Hatiwendaronk and the Haudenosaunee.

Both Indigenous and European terrestrial and marine *archaeological resources* contribute to Niagara's local identity. They include sites that contain scattered *artifacts*, remains of structures or other cultural deposits, and sites that are fully or partially submerged or lie below the high-water mark of any body of water.

As *archaeological sites* are both highly fragile and non-renewable, the Region recognizes the importance of conserving *archaeological resources* and the potential to commemorate *significant* archaeological discoveries in recognition of their contribution to Niagara's unique community identity.

The Region will manage archaeological data and potential mapping on behalf of the Local Area Municipalities.

Planning Act

The Planning Act states that the conservation of *significant* archaeological, cultural and historical resources are matters of Provincial interest.

The objectives of this section are as follows:

- a. support the identification of *archaeological resources* and *areas of archaeological potential*; and
- b. ensure *archaeological resources* are *conserved* in accordance with Provincial requirements.

6.4.1 Archaeological Resources and Areas of Archaeological Potential

- 6.4.1.1** The Region will prepare and maintain an Archaeological Management Plan, containing mapped *areas of archaeological potential*, which are shown on Schedule K. Archaeological potential mapping will also be made available through the Region's public mapping tool and through open data. The existence and specific location of *archaeological sites* will be kept confidential to protect against vandalism, disturbance, and the inappropriate removal of *artifacts* or *cultural heritage resources*.

6.4.1.2 A Memorandum of Understanding between the Region and Local Area Municipalities will address the process for management of archaeological information necessary to implement the Archaeological Management Plan.

6.4.1.3 The Archaeological Management Plan will be comprehensively reviewed every five years in consultation with First Nations, Indigenous communities, Local Area Municipalities, the development community and the public. Ongoing maintenance of the mapping shall not require an amendment to this Plan. The Region will keep a repository of archaeological assessments submitted for tracking and reference for the Local Area Municipalities. A copy of any assessment and Provincial acknowledgement letter will be provided to both the Local Area Municipality and the Region by the proponent or licensed archaeologist, and will be used to update the repository and *areas of archaeological potential* mapping.

6.4.1.4 The Region will establish, together with the Niagara Parks Commission, Parks Canada, First Nations and Indigenous communities, guidelines for sharing archaeological information derived from the application of the Archaeological Management Plan and *areas of archaeological potential* mapping.

6.4.1.5 The Region will work with the *Conservation Authority*, Niagara Escarpment Commission, Niagara Parks Commission, First Nations, Indigenous communities, Local Area Municipalities, educational institutions, museums, community groups, and historical societies to develop public awareness and education initiatives concerning archaeology in the region.

Provincial Role

The Province reviews archaeological assessment to ensure they meet the *Standards and Guidelines for Consulting Archaeologists*, and will issue a compliance review letter if they do. The Province is also responsible for maintaining the register of *archaeological sites*.

6.4.2 Conservation in Accordance with Provincial Requirements

6.4.2.1 *Development* and *site alteration* shall not be permitted on lands containing *archaeological resources* or *areas of archaeological potential* unless *significant archaeological resources* have been *conserved* or the land has been investigated and cleared or mitigated following clearance from the Province.

- 6.4.2.2** If there is potential for the presence of partially or fully submerged marine features such as ships, boats, vessels, *artifacts* from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value, a marine archaeological assessment shall be conducted by a licensed archaeologist pursuant to the Ontario Heritage Act.
- 6.4.2.3** Archaeological assessments are required as part of Niagara Region *public works projects* with ground disturbance and/or work on undisturbed ground in *areas of archaeological potential*.
- 6.4.2.4** Environmental Assessment projects undertaken by Local Area Municipalities will review the *areas of archaeological potential* on Schedule K and determine if archaeological assessments are required as part of the Environmental Assessment process. Where a project is within an *area of archaeological potential*, the archaeological assessment should be initiated as part of the study process.
- 6.4.2.5** Unexcavated *archaeological sites* and *archaeological resources* shall be protected against disturbance until all required archaeological assessments and requirements from the Province have been completed.
- 6.4.2.6** Where a site proposed for *development* is located within an *area of archaeological potential*, the Local Area Municipality shall circulate the application and a Stage 1 Archaeological Assessment by a licensed archaeologist, as well as a Stage 2 Assessment, where required, to the Region as part of a complete application. This policy applies when any part of a *development* application falls within an *area of archaeological potential* as identified on Schedule K and will be addressed as early as possible in the planning process. For lands located outside a *settlement area* boundary where *site alteration* or *development* will not affect the entire property, the archaeologist may consult with the Province on a property-by-property basis to determine if these areas can be exempt or the assessment can be scoped.
- 6.4.2.7** When an archaeological assessment is required, the assessment will follow the applicable guidelines and processes as dictated by the Province, such as the *Standards and Guidelines for Consulting Archaeologists*, and an acknowledgement letter from the Province verifying this shall be required prior to any final approvals.

Archaeological Assessments

When an Archaeological Assessment is completed within the region, a copy of the Archaeological Assessment and Provincial review letter must be provided to both the Region and the relevant local municipality.

- 6.4.2.8** Regional planning authorities shall engage with First Nations and Indigenous communities and consider their interests when identifying, protecting, and managing *cultural heritage resources* and *archaeological resources*, in a manner consistent with Section 7.11. The Region shall keep an updated list of First Nation and Indigenous communities' contacts.
- 6.4.2.9** The Region, Local Area Municipalities and project proponents shall follow the emergency protocol for the unexpected discovery of *archaeological resources* as detailed in the Archaeological Management Plan. The protocol will be shared with Local Area Municipalities, project proponents, and community members for projects subject to archaeological conditions. A standard clause addressing the emergency protocols shall also be included in all draft plan approvals and *development* agreements.
- 6.4.2.10** Local Area Municipalities are encouraged to support conservation of *archaeological resources* by:
- a. reviewing Municipal projects, whether or not they are subject to the Environmental Assessment Act, such as *site alteration*, *development* and/or *infrastructure* projects that involve construction, erection or placing of a building or structure, other activities such as site grading, excavation, removal of topsoil, or peat and the placing and dumping of fill; drainage works, except for the maintenance of existing municipal and agricultural drains, to determine impacts upon potential *archaeological resources*.
 - b. requiring an archeological assessment if the lands are located within an *area of archaeological potential* as indicated in the Archaeological Management Plan, the municipality's archaeological potential mapping, or where an *archaeological site* has been previously registered on the property.

6.5 Cultural Heritage

Niagara is home to distinctive *cultural heritage resources* that contribute to a sense of identity and provide important social and economic benefits. Buildings, structures, spaces, views, *archaeological sites* and natural elements of cultural heritage value are visible across the region. They contribute to Niagara's identity, individually and together, within the region's urban and rural communities and across the Greenbelt and Niagara Escarpment landscapes. These defining features contribute to understanding Niagara's history and provide a unique *sense of place* that support tourism opportunities and long-term economic prosperity.

Cultural heritage resources are irreplaceable and must be *conserved* and promoted as the Region accommodates more growth. The policies of this section require the conservation of *cultural heritage resources* as a matter of key Regional interest. They complement the protection afforded by the Region's Archaeological Management Plan and supporting policies in Section 6.4 of this Plan. The Region also recognizes and supports the important role of Local Area Municipalities in the identification and designation of properties of cultural value or interest under the Ontario Heritage Act, as well as the role of First Nations and Indigenous communities in cultural planning.

The objectives of this section are as follows:

- a. support the identification, conservation, wise use and management of cultural heritage resources; and
- b. promote the Welland Canal Cultural Heritage Landscape as a multi-faceted cultural heritage destination.

6.5.1 Cultural Heritage Resources

- 6.5.1.1 *Significant cultural heritage resources* shall be *conserved* in order to foster a *sense of place* and benefit communities, including First Nations and Métis communities.
- 6.5.1.2 The Region encourages Local Area Municipalities to designate properties of cultural heritage value or interest, either individually or as part of a larger area or Heritage Conservation District, under the Ontario Heritage Act.
- 6.5.1.3 Local Area Municipalities shall advise the Region of properties of cultural heritage value or interest that have been designated or listed on the register under the Ontario Heritage Act.
- 6.5.1.4 Local Area Municipalities are encouraged to develop and use cultural master plans to inform decision-making.

6.5.1.5 *Development* and *site alteration* on *protected heritage property* or *adjacent lands* shall not be permitted, except where the proposed *development* and *site alteration* has been evaluated through a heritage impact assessment and it has been demonstrated that the *heritage attributes* of the *protected heritage property* will be *conserved*.

Property Designation under the Ontario Heritage Act

Property designation is not limited to buildings or structures, but can include groups of buildings, cemeteries, natural features, *cultural heritage landscapes* or landscape features, ruins, archaeological and marine *archaeological sites*, or *areas of archaeological potential*.

6.5.1.6 The Region shall maintain cultural asset mapping of fixed resources including cemeteries, designated or listed built heritage resources, historic sites, and the historic Welland Canal to assist in the review of *development* applications.

6.5.1.7 Local Area Municipalities are encouraged to consider the use of heritage impact assessment in conserving *cultural heritage resources* on a community planning basis.

6.5.1.8 The Region supports the Niagara Parks Commission in the continued identification and protection of *cultural heritage resources* including heritage structures, properties and *cultural heritage landscapes* along the Niagara River corridor.

6.5.2 Welland Canal Cultural Heritage Landscape

6.5.2.1 The Region will work with partners and organized interest groups to balance the bona fide operations of the Welland Canal for shipping, with its role as *cultural heritage landscape*.

6.5.2.2 Local Area Municipalities may, upon further study, identify and refine the boundaries of the Welland Canal Cultural Heritage Landscape in their official plans.

6.5.2.3 Local Area Municipalities are encouraged to designate properties of cultural heritage value or interest within the Welland Canal Cultural Heritage Landscape for conservation under the Ontario Heritage Act and use other available tools to support conservation, as appropriate.

- 6.5.2.4** For lands within the Welland Canal Cultural Heritage Landscape, the Region supports:
- a. research on the industrial, social, economic, and environmental elements within the landscape; and
 - b. collaboration with the Local Area Municipalities, cultural sector and tourism marketing organizations in the promotion of the landscape as an asset to tourists and residents.
- 6.5.2.5** Applicable Local Area Municipalities should provide policy direction in their official plans for the following within the Welland Canal Cultural Heritage Landscape:
- a. open space, parks and recreation opportunities;
 - b. site and architectural design of properties that reflect the themes found within the landscape;
 - c. preservation of *cultural heritage resources*; and
 - d. *development* and *site alteration* on lands within the landscape.



IMPLEMENTATION



Implementing policy is one of the three core business elements of Regional Planning. Council implements the policies within this Plan through the authority given to them by the Planning Act and the Municipal Act.

Implementation is a shared responsibility with Local Area Municipalities, First Nations and Indigenous communities, agencies and community interest groups.

The main topic areas discussed in this chapter include:

- a. identifying the roles, responsibilities, accountability, expectations and authorities of various agencies in implementing the policies;
- b. providing a clear description of how the Plan is to be read and interpreted;
- c. providing clear direction of the timelines for reviewing and updating the Plan;
- d. explaining how conformity with this Plan, and Provincial plans and policies can be met;
- e. outlining the various implementation tools that can be used to ensure the vision and objectives of the Plan are realized;
- f. developing a system for monitoring and reviewing the policies within this section, and the Plan in general;
- g. providing direction on where and in what order residential and employment development will occur;
- h. outlining the process by which an application for an amendment to the Plan can be made;
- i. examining avenues to implement the policies of the Plan in a fiscally responsible manner; and
- j. outlining direction for consultation and engagement with First Nations and Indigenous communities.

The policies in this section are intended to be used and read in conjunction with other policies of the Plan.

The Region, Local Area Municipalities, *Conservation Authority* and Niagara Escarpment Commission are committed to an integrated and seamless planning system which is characterized by:

- a. the collaborative development of policy to ensure that the planning system is speaking with one voice;
- b. delegation of responsibility based on compliance of Local official plans, secondary plans and zoning by-laws with this Plan;
- c. a current and up-to-date Plan to guide Local official plan conformity;
- d. streamlined processes and elimination of duplication; and
- e. consistency of policy interpretation, implementation and applications processing approaches by all.

7.1 Roles and Responsibilities

7.1.1 Niagara Region

- 7.1.1.1** The Region is responsible for maintaining an up-to-date Plan which conforms to and is consistent with provincial plans as required, and supports Local Area Municipalities to do the same while providing flexibility to address Local planning matters.

7.1.2 Niagara Escarpment Commission

- 7.1.2.1** The Niagara Escarpment Commission is a statutory body that operates at arm's length from the Provincial government in accordance with the Niagara Escarpment Planning and Development Act. The Niagara Escarpment Commission is mandated to develop, interpret and apply the policies of the Niagara Escarpment Plan. To ensure that the Escarpment's unique ecological, historic and scenic qualities are protected, Niagara Escarpment landowners are required to obtain a development permit from the Niagara Escarpment Commission for certain types of development within the Area of Development Control in Regulation 826/90 under the Niagara Escarpment Planning and Development Act. The Region and Local Area Municipalities review and comment on development permit applications submitted to the Niagara Escarpment Commission.

7.1.3 Niagara Parks Commission

- 7.1.3.1** The Region recognizes that the Niagara Parks Commission is an independent agency. The use of lands owned from time to time by the Niagara Parks Commission is governed by the provisions of the Niagara Parks Act, R.S.O. 1990, c.N.3. The Niagara Parks Commission, in the use of its lands, shall be consistent with the Provincial Policy Statement and shall conform to the Provincial plans that are in effect or shall not conflict with them, as required from time to time under subsection 3(5) of the Planning Act, R.S.O., c.P.13. Before carrying out any undertaking the Niagara Parks Commission shall consult with and have regard for the established planning policies of the municipality as may be required from time to time under subsection 6(2) of the Planning Act, R.S.O., c.P. 13.

7.1.4 Conservation Authority

- 7.1.4.1 Certain lands within the region are subject to regulations issued by the Province under the Conservation Authorities Act. Regulated areas and features are subject to adjustment as confirmed by site visits and studies. The Niagara Peninsula Conservation Authority or Hamilton Conservation Authority should be consulted for details where applicable.
- 7.1.4.2 Development in a regulated area or the straightening, changing, diverting or interfering in any way with the existing channel or a river, creek, stream, watercourse or changing or interfering with a *wetland* requires permission from the *Conservation Authority*.
- 7.1.4.3 While the *Conservation Authority* makes every effort to ensure its mapping of regulated areas is as accurate as possible, there are instances where a regulated feature that has not yet been mapped may be present on a property. Where a feature on a property meets the criteria under the Conservation Authorities Act and Regulation 155/06 or its successor of a feature regulated by the *Conservation Authority*, such feature shall be considered a feature regulated by Ontario Regulation 155/06, or its successor.

7.2 How to Read and Interpret the Plan

7.2.1 Provide Direction on Plan Interpretation

7.2.1.1 When reading and interpreting this Plan, the objectives and policies should be read in their entirety.

7.2.1.2 For the purposes of implementation:

- a. a Schedule is part of the policy framework and forms part of this Plan;
- b. a Table is a summary of policy requirements in a graphic form and is part of this Plan;
- c. a Map is a visual guide or aid provided to assist the reader in understanding the geographic location or context of site specific policies and is part of this Plan;
- d. the Glossary of Terms provides definitions integral to policy interpretation and forms part of this Plan;
- e. an Appendix is intended to provide policy context to the reader and does not form part of this Plan; and
- f. comment boxes occur alongside policy. Comment boxes supplement and provide context to policy and are not considered part of this Plan.

7.2.1.3 In the case of a conflict between any policies in this Plan, the more restrictive policy shall take precedence.

7.2.1.4 When interpreting the schedules of this Plan the following shall apply:

- a. the *settlement area* boundaries illustrated on schedules are definitive;
- b. the *Intake Protection Zone* Boundaries illustrated on Schedule “E” Source Water Protection Areas are definitive;
- c. all other non-provincially identified boundaries depicted on other schedules of this Plan are not definitive. Each Schedule and/or map will contain information on the notes as to the level of accuracy of the particular schedule and/or map; and
- d. boundaries of land use designations coincide with distinguishable features such as roads, public laneways, *utility* corridors, railroads, watercourses or other clearly defined physical features. In all other instances, where boundaries are not definitive or where there are no schedule notes for interpretation, the boundaries of land use designations will be determined by review of: existing zoning by-laws; prevailing lot depths; orientation of lot frontages; lot patterns; and land use patterns.

- 7.2.1.5** Where differences of opinion arise as to the meaning of any part of this Plan, an interpretation shall be made by the Commissioner of Planning and Development Services or their designate after appropriate consultation with the Province and/or Local Area Municipality, if required.
- 7.2.1.6** Minor variations in numbers written in the Plan may be permitted by Regional Council without an amendment to the Plan provided the intent and objectives of the Plan are achieved while meeting Provincial policies and standards.
- 7.2.1.7** An amendment to this Plan is not required for the following changes:
- a. altering the numbering and arrangement of provisions in this Plan;
 - b. updating base mapping used in the Plan or adding base information to maps to show existing and approved *infrastructure*;
 - c. mapping of provincially identified natural features identified on Schedules “C1” and “C2” where such mapping changes have been approved by the Province;
 - d. refining the limits of individual features and components of the *natural environment system* mapping which have been Regionally identified on Schedule “C1” and “C2” where such mapping changes have been supported by an *environmental impact study*, *hydrological evaluation* or *subwatershed study* approved by the Region;
 - e. updating mapping of *Areas of Archaeological Potential* illustrated on Schedule “K” based on an Archaeological Assessment approved by the Province;
 - f. correcting clerical, grammatical, spelling and technical mapping errors (including colour adjustments on schedules or maps);
 - g. changing format or presentation;
 - h. altering punctuation to obtain a uniform mode of expression; or
 - i. updating *mineral aggregate resource* mapping identified on Schedule H based on new or updated information from the Province.

7.3 Niagara Official Plan Review

7.3.1 Updates to the Plan

- 7.3.1.1** The Region shall revise the Plan no less frequently than 10 years after it comes into effect and every five years thereafter pursuant to Section 26 of the Planning Act.
- 7.3.1.2** The Region will undertake early engagement with Local Area Municipalities on all proposed amendments to this Plan.
- 7.3.1.3** Notice of amendments to this Plan will be given in accordance with the Planning Act.
- 7.3.1.4** Where an amendment is proposed to this Plan, the Region shall consider the following criteria in evaluating the amendment:
- a. general conformity with the vision, pillar statements, objectives and policy intent(s) of the Plan;
 - b. the need for the proposed amendment, as determined by the Region;
 - c. effect of the proposed change on Local Area Municipalities;
 - d. implications that the proposed change may have for other parts of the Plan;
 - e. effect of the proposed change on Regional services and *infrastructure*;
 - f. effect of the proposed change on the *natural environment system* and associated natural features and functions, if applicable;
 - g. effect of the proposed change on *prime agricultural lands*, if applicable;
 - h. effect of the proposed change on the financial, health, safety, and economic sustainability of the Region;
 - i. consistency with the Provincial Policy Statement, conformity with the Growth Plan and Greenbelt Plan, and does not conflict with the Niagara Escarpment Plan; and
 - j. effect of the proposed change on adjacent municipalities and any cross jurisdictional issues that may arise from the proposed amendment.

7.4 Local Official Plan Conformity

7.4.1 Local Official Plan Conformity

- 7.4.1.1** The Local official plan represents one of the most important vehicles for implementing this Plan. Accordingly, Local official plans shall be prepared and/or updated to conform to this Plan within one year of the approval of this Plan.
- 7.4.1.2** Local Area Municipalities shall update their official plans to bring them into conformity with this Plan, the Planning Act, Provincial Policy Statements, Growth Plan, Greenbelt Plan and any other applicable provincial policy and plans.
- 7.4.1.3** Local Area Municipalities shall ensure that official plan policies consider relevant Provincial guidelines and standards.
- 7.4.1.4** Local Area Municipalities shall prepare Local official plans that are in conformity with this Plan. The scope and content of respective Local official plans may differ in recognition of the unique circumstances within each municipality. Local official plans and official plan amendments may contain policies that are more restrictive than the policies in this Plan, but may not be more permissive than the policy direction established in this Plan or Provincial policy.
- 7.4.1.5** The following factors will be considered in determining conformity between this Plan and Local official plans:
- a. consistency with the Provincial Policy Statement and conformity with Provincial plans, statutes, and regulations;
 - b. consistency between the overall direction and long-term objectives of the Local official plan and those of this Plan; and
 - c. reasonable efforts in the Local official plan to accommodate matters encouraged by the policies of this Plan, or indication why such a policy direction is not appropriate or feasible in the local context.
- 7.4.1.6** The Commissioner of Planning and Development Services or their designate, shall determine and issue an exemption from Regional approval for a Local official plan amendment where:
- a. it is determined through pre-consultation that the draft official plan amendment is of Local significance, is consistent, conforms to, or does not conflict with Provincial policy and plans, as applicable, and is in conformity with this Plan; or

- b. matters of Regional and Provincial interest are present and, through a collaborative process between the Region and the Local Area Municipality, it is determined that the official plan amendment has identified and satisfactorily addressed these matters. In the case of a secondary plan, the Region shall review the draft secondary plan policy set and mapping prior to determining exemption.

7.4.1.7 A Local official plan amendment shall not be exempt from Regional approval if any of the following cannot be addressed to the Region's satisfaction:

- a. conformity with this Plan;
- b. consistency with the Provincial Policy Statement and/or conformity with Provincial plans;
- c. significant impacts relating to the Regional Master Servicing Plan and/or Transportation Master Plan;
- d. directly affects Regional capital forecasts; or
- e. cross-boundary impacts or impacts on any adjacent municipality.

7.5 Implementation Tools

7.5.1 Community Improvement

- 7.5.1.1 For the purpose of promoting healthy communities, the Region may support community improvement through Regional programs enabled by plans, policies and by-laws it may establish, and by participation in eligible programs in Local Area Municipalities.
- 7.5.1.2 The Region will regularly engage with Local municipal staff regarding administration and enhancement of programs designed to promote community improvement.

7.5.2 Secondary Plans

- 7.5.2.1 Secondary plans establish a “blue print” for good long-term community development and a commitment to growth management and phasing of development. Secondary plans shall be prepared in accordance with Section 6.1 and other applicable policies of this Plan and in compliance with Provincial plans.

7.5.3 Legislative Tools

- 7.5.3.1 This Plan is a legal document prepared in accordance with the statutory powers and responsibilities vested in the Region by the Province. All public works carried out in the Region and all by-laws passed must be in conformity with this Plan, unless otherwise exempted.
- 7.5.3.2 Notwithstanding Policy 7.5.3.1, municipal *infrastructure* projects subject to an Environmental Assessment under the Environmental Assessment Act are not subject the policies of Section 3.1.
- 7.5.3.3 The Region will use the Regional Development Charges By-law in accordance with the Development Charges Act, as a means of recovering eligible growth-related capital costs associated with the delivery of Regional services.
- 7.5.3.4 The Region encourages the local authority to deem plans of subdivision, or parts thereof, that have been registered for eight years or more, have had no construction occur or *infrastructure* installed on-site, and do not meet the growth management objectives of this Plan, to no longer be a registered plan of subdivision, and, where appropriate, amend site-specific designations and zoning accordingly.

- 7.5.3.5** Approvals of draft plans of subdivision shall include a lapsing date in accordance with the Planning Act.
- 7.5.3.6** Local Area Municipalities are encouraged to permit only one extension to a lapsing draft plan of subdivision for a period of up to two years unless:
- a. the draft plan conforms to the policies of this Plan; and
 - b. it can be demonstrated that concerted effort and progress has been made toward satisfying existing conditions of approval.

7.5.4 General Implementation Tools for Local Area Municipalities

- 7.5.4.1** The Region will encourage the Local Area Municipalities to adopt implementation measures to support the objectives and policies of this Plan including:
- a. requirements for pre-consultation by applicants and complete applications;
 - b. zoning by-law provisions to regulate minimum parcel size, minimum and maximum density and height;
 - c. holding provisions to delay *development* until certain conditions or requirements have been fulfilled;
 - d. interim control by-laws to allow Local Area Municipalities to study policy matters in advance of permitting *development*;
 - e. site plan approval policies addressing exterior design, *sustainable design* elements and access for persons with disabilities;
 - f. dedication of pedestrian pathways, bicycle pathways and public transit rights-of-way;
 - g. community improvement plans;
 - h. conservation easements and covenants;
 - i. community planning permit system;
 - j. parks and open space master plans;
 - k. economic development plans;
 - l. master servicing plans;
 - m. strategic plans;
 - n. *intensification* and revitalization plans;
 - o. tools to support development of *affordable* and *attainable housing* in accordance with Policy 2.3.3.1;
 - p. policies on district and secondary plans, where applicable; and
 - q. policies on urban design.

7.5.5 Council Adopted Implementation Guidelines

7.5.5.1 In order to assist in good planning, improving planning service delivery for end users, and ensuring land use impacts are appropriately addressed, the Region may prepare guidelines, technical studies and inventories to assist with the implementation of the Plan, including but not limited to:

- a. Land Needs Assessment Guide;
- b. District and Secondary Planning Guidelines;
- c. Model Urban Design Guidelines;
- d. Environmental Impact Study and/or Hydrologic Evaluation Guidelines;
- e. Tree Preservation Plan;
- f. Subwatershed Planning Guidelines;
- g. Transit-Supportive Development Standards;
- h. Active Transportation Guidelines;
- i. Complete Streets Design Manual;
- j. Transportation Demand Management Study/Program;
- k. Wayfinding Signage for Cyclists Guidelines;
- l. Groundwater Feature/Greyfield Site Inventory;
- m. Heritage Sites Inventory;
- n. Indigenous Engagement Protocol;
- o. Stormwater Management Guidelines; and
- p. other guidelines as prepared from time to time.

7.5.5.2 Regional implementation guidelines are recognized as statements adopted by resolution of Regional Council which detail the manner in which policies established in this Plan will be implemented. The content and scope of these implementation guidelines will be determined by the Region, in consultation with Local Area Municipalities and the *Conservation Authority* as appropriate, will be updated from time-to-time, and will be in conformity with the policies in this Plan and Provincial policies and legislation.

7.5.5.3 Regional Implementation guidelines will not be used as instruments to introduce new policy provisions that could be the basis for denying *development* applications under the Planning Act.

7.5.5.4 Where a guideline has been adopted by Regional Council, the Region, Local Area Municipalities, *Conservation Authority*, other applicable agencies and proponents shall have regard for the contents of the guidelines.

7.6 Performance Indicators and Monitoring

7.6.1 Monitor and Measure Performance of Policies

7.6.1.1 The Region, in collaboration with Local Area Municipalities, the *Conservation Authority* and any other identified organized interest groups, as appropriate, will comprehensively monitor and measure the performance of the policies of this Plan.

7.6.1.2 Monitoring the implementation of this Plan is critical to:

- a. analyze the effectiveness of the policies in this Plan in meeting its overall goals and objectives;
- b. confirming targets are being met;
- c. responding to trends; and
- d. identifying and confirming if the direction of the Plan remains constant or if updates are required.

7.6.1.3 The Region shall:

- a. establish a program to monitor, measure, evaluate and report upon the performance of this Plan;
- b. work in cooperation with Local Area Municipalities to establish common measuring and reporting tools to monitor:
 - i. the Growing Region through:
 1. achievement of population and employment forecasts by Local Area Municipality, as set out in Table 2-1
 2. density targets for *designated greenfield area*, *strategic growth areas*, and *employment areas*;
 3. implementation of area *intensification* targets as set in Table 2-2; and
 4. mix, range, and affordability of housing units, including achievement of the Region's *affordable* housing targets stated in Policy 2.3.2.3.
 - ii. the Sustainable Region through:
 1. effectiveness of the integrated Regional natural environment system; and
 2. progress towards *climate change* mitigation and adaptation measures

- iii. the Competitive Region through:
 - 1. state of aggregates in terms of resource mapping updates and tracking applications for extraction;
 - 2. protection of agricultural areas; and
 - 3. economic development.
 - iv. the Connected Region through:
 - 1. Performance of Regional *infrastructure*; and
 - 2. Performance of Regional transportation facilities.
 - v. the Vibrant Region through:
 - 1. the creation of secondary plans;
 - 2. excellence in urban design; and
 - 3. the recognition and protection of cultural and *archaeological resources*.
 - vi. other policies identified through the monitoring program, which requires regular monitoring;
- c. align the monitoring program with any reporting requirements, data standards, and any other guidelines that may be issued by the Province.

7.7 Phasing

7.7.1 Orderly Development

- 7.7.1.1 The Region shall align strategic land use direction of this Plan with the Water/Wastewater Master Servicing Plan and the Transportation Master Plan to assist in the management of growth in *urban areas*, including *designated greenfield areas* and *built-up areas*, to appropriately plan for orderly and efficient urban *development*.
- 7.7.1.2 Local Area Municipalities should establish and implement phasing policies that ensure:
- a. *intensification* and density targets in this Plan are achieved prior to or concurrent with new *development* within *designated greenfield areas*; and
 - b. the orderly progression of *development* of *designated growth areas* and the timely provision of the *infrastructure* and *public service facilities* required to meet current and projected needs.
- 7.7.1.3 Further to Policy 7.7.1.2, the Region encourages Local Area Municipalities to prepare a phasing strategy that:
- a. ensures logical, sequential *development* of all designated greenfield area lands;
 - b. considers *development* and *redevelopment* of *employment areas*;
 - c. supports the achievement of the minimum *intensification* and density targets in this Plan;
 - d. ensures orderly progression of *development* within *strategic growth areas* and *local growth centres*;
 - e. provides and aligns *infrastructure* and *public service facilities* with Regional master plans, including servicing and transportation, in a timely manner;
 - f. utilizes existing *infrastructure* and *redevelopment* opportunities, wherever possible;
 - g. ensures adequate land, *infrastructure* and *public service facilities* meet current and projected needs;
 - h. has regard for the *natural environment system* and *watershed*;
 - i. establishes *complete communities*; and
 - j. uses planning tools in Section 6.1 to assist in more detailed phasing direction for specific areas.

7.8 Regional Official Plan Amendment Application Process

7.8.1 Ensure Applications Address Relevant Planning Issues

- 7.8.1.1** Pre-consultation between the applicant and the Region is required prior to the submission of an application for a Regional Official Plan Amendment, unless the Commissioner of Planning and Development Services or their designate determines that pre-consultation is not necessary based on the scale of *development* or the complexity of planning issues associated with the proposed application. Pre-consultation will determine what is required to be submitted for a complete application, where applicable. Pre-consultation must involve the Local Area Municipality, and may involve the *Conservation Authority*, Niagara Escarpment Commission or other agencies that may have an interest in the application as determined by the Region.
- 7.8.1.2** In order to ensure that all possible information is available to the Region, the public and agencies involved in reviewing an application under the Planning Act, the prescribed information required under the Planning Act shall be provided along with additional information and/or reports that may be required, as determined through pre-consultation, such as but not limited to the matters outlined in Table 7-1 Complete Application Requirements.
- 7.8.1.3** The Region may require the studies, assessments or permits necessary to support a complete application to be fully complete and be finalized or approved by by-law or appropriate authority in order to expedite municipal reviews of complete applications under restricted time frames.

Table 7-1 Complete Application Requirements

Information Requirement	Application/Development Scenario
Agricultural Impact Assessment	An <i>Agricultural Impact Assessment</i> will be required for a proposed non-agricultural use outside a <i>settlement area</i> boundary in accordance with the policies of Section 4.1.
Air Quality/Noise and Vibration Study	Any <i>development</i> for a <i>sensitive land use</i> that is located near a <i>major facility</i> such as a transportation corridor, industrial use, sewage or water treatment facility, pumping station or landfill operation.
Alternative Sites for Non-Agricultural Uses	Where a non-agricultural use is proposed in an agricultural area it must be demonstrated that there are no reasonable alternative locations available in <i>urban areas</i> , <i>rural areas</i> or on lower priority agricultural land in the Region.
Archaeology and Cultural Heritage Assessment	Any <i>development</i> or <i>site alteration</i> proposed in proximity to lands that contain known <i>archaeological resources</i> or <i>areas of archaeological potential</i> .
Environmental Impact Study	Any proposal for <i>development</i> or <i>site alteration</i> within or adjacent to a natural heritage feature may require an Environmental Impact Study in accordance with the policies of this Plan. <i>Environmental Impact Studies</i> shall be completed in accordance with the Region's Environmental Impact Study Guidelines.
Environmental Site Assessment	Any <i>development</i> or <i>site alteration</i> on lands or <i>adjacent lands</i> that were previously used for a purpose that may have caused contamination of the property should be accompanied by one or more reports to assess existing conditions and address the need for any further environmental testing or remediation necessary in accordance with Provincial regulations and guidelines.

Information Requirement	Application/Development Scenario
Feasibility Study for District Energy	At the time of a secondary plan, to explore energy options.
Farm Operation and Ownership	Any <i>development</i> or <i>site alteration</i> for a secondary use to agriculture or an application for consent on lands designated for agricultural purposes.
Financial Impact Assessment	To address financial implications of a proposed <i>development</i> on the provision of municipal services and <i>utilities</i> that may cause a financial, environmental or economic hardship for the City/Town/Township and the Region.
Floodplain and Hazard Lands	Any <i>development</i> or <i>site alteration</i> proposed near <i>floodplain</i> or hazard lands identified by regulations of the <i>Conservation Authority</i> .
Geotechnical and Slope Stability Report	Any <i>development</i> or <i>site alteration</i> proposed near <i>valleylands</i> identified by regulations of the <i>Conservation Authority</i> , as well as any other matters required to address other geotechnical matters such as stability of fill, etc.
Heritage Impact Analysis	Any <i>development</i> or <i>site alteration</i> proposed on or adjacent to lands, structures or buildings designated under the Ontario Heritage Act or listed on an approved heritage resource inventory.
Hydrogeological Study and Private Servicing Plans	Any <i>development</i> outside of the <i>urban area</i> where private sewage disposal and water systems are proposed should provide an assessment of soil and groundwater conditions, an evaluation of the ability of the site to accommodate private services and a plan illustrating the location of services, drainage and lot grading.

Information Requirement	Application/Development Scenario
Hydrologic Evaluation	Any proposal for <i>development</i> or <i>site alteration</i> within or adjacent to a water resource feature may require a hydrologic evaluation in accordance with the policies of this Plan. Hydrologic evaluations shall be completed in accordance with the Region's Hydrologic Evaluation Guidelines.
Land Use/Market Needs	Any proposal for <i>major commercial uses</i> or residential uses should consider the existing supply of available land and future land use needs in the Local Area Municipality and in the Region.
Mineral Aggregate Resources	Where <i>development</i> or <i>site alteration</i> is proposed on lands within or adjacent to an area of known deposit of <i>mineral aggregate resources</i> or existing <i>mineral aggregate operation</i> a <i>Mineral Aggregate Resource</i> study may be required in accordance with the policies of this Plan.
Minimum Distance Separation I & II	Conformity with the MDS guidelines shall be used to assess the compatibility of any non-agricultural use in the vicinity of an active or potential livestock facility.
Municipal Servicing Study	Any plan of subdivision or major <i>development</i> proposal should address the availability of adequate municipal services and impacts of existing municipal services and facilities.
Planning Justification Report	Any proposal for <i>development</i> or <i>site alteration</i> should demonstrate that it meets goals, objectives and policies of Provincial plans and policy statements, the Niagara Official Plan and the Local official plan and provide an indication of whether it conforms to applicable Provincial plans and policies.

Information Requirement	Application/Development Scenario
Stormwater Management Plans	Any major <i>development</i> or <i>site alteration</i> proposed should address how stormwater runoff will be handled in terms of water quality and quantity, lot grading and drainage controls, and erosion and sedimentation measures.
Subwatershed Study	Any proposal for a secondary plan shall address the guidelines and terms of reference of any relevant <i>watershed plans</i> and shall include an environmental inventory and assessment with recommendations on where <i>development</i> may take place, features to be protected, appropriate policies for planning documents, and an environmental management plan to maintain, enhance, restore and monitor environmental conditions both during and after <i>development</i> .
Tree Preservation Plan	Any <i>development</i> or <i>site alteration</i> that may have <i>adverse effects</i> on a significant tree or group of trees. A significant tree may be one that, because of its size, age or species, is considered to be of significance to the neighbourhood, streetscape or <i>cultural heritage landscape</i> .
Traffic/Parking Impact Analysis	Any <i>development</i> or <i>site alteration</i> that may have a significant impact on traffic flow and safety, which may include an analysis of parking standards.

7.8.1.4 In addition to the above noted Table 7-1:

- a. secondary plans are required to comply with Section 6.1 relative to supportive background studies;
- b. amendments to establish a new *mineral aggregate operation* are required to comply with Section 4.3 regarding supportive background studies;
- c. amendments for wind energy development should comply with Section 5.2 regarding supportive background studies; and
- d. all required studies shall address the applicable policies of this Plan.

- 7.8.1.5** Information and/or reports shall be prepared by a qualified professional and submitted in an electronic format compliant with Provincial accessibility regulations, along with a hard copy, to the Region as requested to make this information readily available to the public and commenting agencies including the Region, *Conservation Authority* and Niagara Escarpment Commission. Where the Region, Local Area Municipality, *Conservation Authority* or Niagara Escarpment Commission has requested additional information and/or reports, there may be a request for a peer review of any information and/or report. The applicant shall be responsible for all costs for a peer review which shall be payable upon submission of an invoice from the Region, Local Area Municipality, *Conservation Authority* or Niagara Escarpment Commission.
- 7.8.1.6** The Commissioner of Planning and Development Services or their designate shall be responsible for determining whether a planning application is complete. If an application is submitted without pre-consultation, adequate supporting information and/or reports, and any application review fees required by the Region, Local Area Municipality, *Conservation Authority*, Niagara Escarpment Commission or any other public agency, the application may be deemed to be incomplete.
- 7.8.1.7** To determine whether an application to amend this Plan is complete, the following will be required:
- a. pre-consultation meeting(s) which involve the Region, Local Area Municipality, *Conservation Authority*, Niagara Escarpment Commission or other agencies that may have an interest in the application as determined by the Region, in order to determine the required information and consistency with the Provincial Policy Statement and conformity with Provincial plans;
 - b. a completed Regional Official Plan Amendment Form;
 - c. a draft of the proposed amendment including the proposed text and all proposed schedules where applicable;
 - d. supporting studies, completed in full, as determined through the pre-consultation meeting;
 - e. electronic submission of all documents in compliance with Provincial accessibility regulations; and
 - f. payment of the established application fee.
- 7.8.1.8** Through the course of the review process for a *development* application that has otherwise been deemed a complete application, the Region may require additional materials, information and/or reports from the applicant to address specific issues that may arise.

- 7.8.1.9** Applications to amend the Niagara Official Plan that have not received a decision by Regional Council within two years of the date of being determined complete shall require an annual maintenance fee to continue the application. Such fee shall be set by Regional Council. Failure to pay the maintenance fee shall deem the application abandoned by the applicant.
- 7.8.1.10** Notwithstanding the above policies, every application that has had no activity or correspondence beyond the maintenance fee shall be deemed abandoned after five years from the date of being deemed complete.

7.9 Financial Sustainability Tools

7.9.1 Fiscally Responsible Planning

- 7.9.1.1 Niagara Region is dedicated to implementing the policies of this Plan in a fiscally responsible manner.
- 7.9.1.2 The funds required to provide the necessary services for *development* shall be paid by the proponents of *development*.
- 7.9.1.3 The Region will use financial mechanisms such as development charges, tax increment financing and user rates to offset the financial impact of *development* and to ensure that *development* proceeds in a fiscally responsible manner.
- 7.9.1.4 Coordination and collaboration of financial expenditures related to services for *development* will be undertaken between the Region and the Local Area Municipalities.

7.10 Consultation and Engagement

7.10.1 Transparent Decision Making Based on Inclusive Input

- 7.10.1.1 On matters of Regional interest, the Region shall involve First Nations and Indigenous communities as well as various interested participants from across Niagara, which may include Local Area Municipalities, residents, businesses, organized groups, the *Conservation Authority*, and other levels of government and applicable agencies.
- 7.10.1.2 Consultation will take place in a timely manner to ensure an accountable and transparent decision-making process on land use planning matters.
- 7.10.1.3 The Region shall provide opportunities for participation from the public (including different demographic and gender groups) and organized interest groups in the development, adoption, implementation and monitoring of Regional planning policies in accordance with this Plan, the Planning Act, the Environmental Assessment Act and other relevant legislation and policy.

7.10.2 Communication and Engagement Tools and Techniques

- 7.10.2.1 The Region is committed to communication in plain language on land use planning matters.
- 7.10.2.2 The Region will employ appropriate tools and techniques to inform, consult, involve, collaborate with or empower where appropriate.
- 7.10.2.3 In all cases of engagement, the Region will provide responses to feedback received, including how feedback has been considered in the matter being addressed.
- 7.10.2.4 The Region may use a variety of communication methods, including innovative and enhanced participatory methods, to seek input on planning matters or to provide information to the public. Depending on the issues and in accordance with the Planning Act, the Region shall choose the most appropriate method of communication or form of engagement.
- 7.10.2.5 When undertaking engagement, the Region will provide a safe and comfortable environment where individuals can freely contribute their thoughts, opinions and directions.
- 7.10.2.6 When undertaking engagement, the Region will ensure that all comments are documented in a transparent and easily accessible manner.

- 7.10.2.7** Where a decision under the Planning Act is required, the Region shall make available all relevant materials and information, including a copy of the proposed plan, at least 20 days prior to the date of the Statutory Public Meeting. At a minimum, all documents shall be made available at the Region's office and on the Region's website.

7.10.3 Consult and Engage with Other Governments

- 7.10.3.1** The Region will be proactive and, where appropriate, provide practical and meaningful input to the Province where changes are proposed to Provincial plans and legislation. The Region will collaborate with Local Area Municipalities on the development of joint input to the Province to ensure Local municipal perspectives are incorporated. It is a priority that the Region and Local Area Municipalities speak with one voice on Provincial matters.
- 7.10.3.2** The Region will be proactive and, where appropriate, provide practical and meaningful input to adjacent municipalities where proposed plans may have potential for impact on the Region, Local Area Municipalities, organized interest groups, businesses and/or the general public at large.
- 7.10.3.3** Where appropriate, the Region will seek out opportunities to collaborate with the Federal government, the Province, adjacent municipalities and bi-national communities on matters of cross jurisdictional, including cross-border interest.

7.10.4 Consult and Engage Local Area Municipalities

- 7.10.4.1** This Plan includes specific, detailed policies that identify how and when the Region will work with Local Area Municipalities on various projects, studies, and documents. In all instances, engagement with Local Area Municipalities shall be guided by:
- a. a shared partnership;
 - b. a shared collaborative approach;
 - c. a commitment to early and meaningful engagement; and
 - d. efforts to achieve consensus on planning and land use issues.
- 7.10.4.2** The Region, together with Local Area Municipalities and the *Conservation Authority*, are signatories to the Memorandum of Understanding on Planning Services in Niagara. The Memorandum of Understanding is a guiding document for continuous improvement and stronger relationships in providing planning services and shall be reviewed in accordance with the timeframe indicated in the Memorandum of Understanding.

- 7.10.4.3** The Region will circulate amendments, studies and documents to Local Area Municipalities for comment and input following commenting timelines directed by the Planning Act and Memorandum of Understanding with the Local Area Municipalities.
- 7.10.4.4** The Region will co-operate with Local Area Municipalities in public participation programs, including the holding of joint public meetings, where appropriate, during the processing of amendments to this Plan, Local official plans and for other initiatives where interests are common.
- 7.10.4.5** The Region will partner with Local Area Municipalities and other agencies, as appropriate, on complex *development* applications with Regional and Local interests to provide an integrated and timely decision-making process.

7.11 First Nations and Indigenous Communities Engagement

7.11.1 Engage and Coordinate on Land Use Planning Matters

- 7.11.1.1 The Region will explore opportunities for collaboration on common objectives and build relationships with First Nations and Indigenous communities to advance reconciliation.
- 7.11.1.2 The Region will create, in collaboration with First Nations, Indigenous communities and Local Area Municipalities, an Indigenous Engagement Protocol to be applied at the Regional and Local level when engaging and coordinating on planning matters.
- 7.11.1.3 The Region and Local Area Municipalities will consider the consultation protocols of the First Nations that have traditional territory in this area, including the Anishinaabe, specifically the Mississaugas of the Credit First Nation, and the Haudenosaunee when engaging on planning matters or *public works projects*.
- 7.11.1.4 Planning authorities shall engage with First Nations and Indigenous communities and consider their interests when identifying, protecting, and managing *cultural heritage resources* and *archaeological resources*, planning for sustainability and *climate change*, and the *natural environment system*.
- 7.11.1.5 The Region will require archaeological assessments that identify sites and *archaeological resources* of Indigenous interest to be provided to the community of closest cultural affiliation to the site and/or resources. The Region shall:
 - a. direct the proponent to the appropriate First Nations and Indigenous communities and facilitate communication by providing contact names and numbers, and a list of those agencies that can assist with the engagement process;
 - b. require proponents to engage with First Nations and Indigenous communities at the earliest opportunity and consider their interests when identifying, protecting, and managing *cultural heritage resources* and *archaeological resources*;
 - c. require documentation that the licensed archaeologist has engaged with First Nations and Indigenous communities in accordance with the *Standards and Guidelines for Consulting Archaeologists* and Policy 7.11.1.5 b) of this Plan;

- d. require documentation that the proponent has provided a copy of the archaeological assessment report to those communities with the closest cultural affiliation to identified *archaeological resources* and in whose traditional territories the *archaeological resources* were found; and
- e. notify, in advance of on-site archaeological assessment work completed as part of Regional *public works projects*, First Nations and Indigenous communities with the closest cultural affiliation to the project area and/or *archaeological resources* and in whose traditional territories the *archaeological resources* were located.

7.11.1.6 Proponents are encouraged to engage with the First Nations and Indigenous communities with the closest cultural affiliation to the site and/or *archaeological resources* and in whose traditional territories the *archaeological resources* were found, to address their interests in the resource, when planning for sustainability and *climate change*, and relative to *natural environment system*. Proponents should confirm whether the First Nation or Indigenous community would like to repatriate the *archaeological resources*, and if not, define interpretive and commemorative opportunities related to the resource, where preservation of the resource is not possible in its current location.

7.11.1.7 Consultation/engagement protocols between Local Area Municipalities and individual First Nations and Indigenous communities will be encouraged.

7.12 General Implementation Policies

7.12.1 Non-Conforming Uses

- 7.12.1.1 A non-conforming use that has been legally established is one which does not conform with this Plan. Such use may be permitted to expand or enlarge without an amendment to the Plan provided that the general intent of the objectives and policies of the Plan are maintained and the expansion or enlargement does not create noise, air, environmental or servicing impacts.
- 7.12.1.2 A use which does not conform with this Plan should, over the long term, cease to exist or relocate to an appropriate location.
- 7.12.1.3 Council may acquire, hold and dispose of land for the purpose of implementing the objectives and policies of the Plan.

7.12.2 Plan Conformity

- 7.12.2.1 All planning decisions shall conform to the Provincial plans and shall be consistent with the Provincial Policy Statement, 2020, subject to applicable provincial transition provisions, unless this Plan explicitly states otherwise.
- 7.12.2.2 Legally existing land uses that conform with in-force Local official plans, zoning by-laws and Ministerial Zoning Orders, at the time this Plan is approved, are permitted to continue to the extent provided for in the Local official plans and zoning by-laws and Ministerial approvals.
- 7.12.2.3 *Development* applications which have not been deemed complete by the date of this Plan's approval shall be subject to the policies of this Plan.
- 7.12.2.4 Notwithstanding Policy 7.12.2.3, the transitional policies in Section 3.1 associated with the *natural environment system* shall apply.
- 7.12.2.5 *Development* applications deemed complete prior to the date of this Plan's approval shall be permitted to be processed, and a decision made under the Local and Regional Official Plan policies, as well as Provincial policies that existed when the application was deemed complete.
- 7.12.2.6 A decision on an application to amend this Plan deemed complete prior to provincial approval of this Plan is exempt from Section 22(2.1) of the Planning Act.
- 7.12.2.7 In accordance with Section 22(2.2) of the Planning Act, an application to amend this Plan to establish a new or expanded *mineral aggregate operation* is allowed to be submitted before the second anniversary of the first day that this Plan came into effect.



SITE SPECIFIC POLICIES

Chapter 8 contains policies for site specific permitted land uses and *infrastructure* across the Region. These policies provide additional permissions for specific properties in Niagara Region for things such as land use designations, permitted uses and *infrastructure*.

Maps showing the location of the properties that are subject to the site specific land use policies are shown below the site specific policy for Sections 8.2 to 8.13 and provided to assist with policy interpretation.

The site specific policies are arranged by municipality as follows:

- 8.2 Fort Erie
- 8.3 Grimsby
- 8.4 Lincoln
- 8.5 Niagara Falls
- 8.6 Niagara-on-the-Lake
- 8.7 Pelham
- 8.8 Port Colborne
- 8.9 St. Catharines
- 8.10 Thorold
- 8.11 Wainfleet
- 8.12 Welland
- 8.13 West Lincoln

8.1 Site Specific Policies Applicable Region-wide

8.1.1

All future site specific policies added to this Plan, shall be organized under the appropriate municipal section.

8.1.2

Within the Protected Countryside of the Greenbelt Plan area, notwithstanding other policies in this Plan and in accordance with the policies of the Greenbelt Plan Section 4.5, *existing uses* established prior to the Greenbelt Plan and established by site specific amendment prior to the approval of this Plan, are permitted to continue. Accessory uses are permitted in accordance with the zoning of the Local Area Municipality and Policy 4.5.4 of the Greenbelt Plan. Locations of those site specific amendments approved prior to the approval of this Plan are:

- a. a church, on a 0.5 hectare (1.3 acre) site located on the east side of Rice Road and north of Port Robinson Road in the Town of Pelham (Part Lot 165, former Township of Thorold);
- b. a church, on a site consisting of about 0.8 hectares (2 acres) and located between Old Martindale Road and Martindale Road in the City of St. Catharines;
- c. a church, on a 4.03 ha (10-acre) site located east of First Street Louth, north of Rykert Street, and west of a Hydro right-of-way in the City of St. Catharines;
- d. soccer fields, extending no more than 45 metres west of the *urban area* boundary into the 60 metre hydro corridor, immediately west of the Club Roma property on Vansickle Road in the City of St. Catharines;
- e. a golf course expansion to the existing Peninsula Lakes Golf Course on a 13.96 hectares (34.5 acres) site located on Part Lot 12, Concession 7, in the Town of Pelham, west of Cream Street and south of Tice Road;
- f. a golf practice facility is permitted on a site consisting of about 9.3 hectares (23 acres) and located on part of Lot 4, Concession 7 in the Town of Pelham, south of Tice Road and west of Lookout Street; and
- g. an expansion to the Sawmill Golf Course for the purpose of a golf practice facility is permitted on an approximately 6.5 hectare (16.1 acre) site located on the west side of Maple Street, south of Sawmill Road, Part Lot 16, Concession 2 in the Town of Pelham.

8.1.3

Notwithstanding Policy 8.1.2, the severance of two existing dwellings from the golf course property is permitted at Lot 4, Concession 7, in the Town of Pelham.

8.1.4

Notwithstanding other policies in this Plan, existing legally established golf courses and associated practice facilities established by site specific amendments prior to the approval of this Plan, are permitted to continue in *rural areas* or *prime agricultural areas*. Locations of those site specific amendments approved prior to the approval of this Plan are:

- a. on a site consisting of about 64.9 hectares (160 acres) located on part of Lots 19 and 20, and part of the road allowance between Lots 19 and 20, Concession 3, in the Town of Pelham, on the east side of Regional Road 24;
- b. a nine hole expansion to the existing Sparrow Lakes Golf Course on about a 24 hectare (60 acre) site located to the west of the existing course on two parcels to the north and south of River Road on part Lot 2 Concession 14 and part of the road allowance between Lots 1 and 2, Concession 14 in the Town of Pelham;
- c. on a site consisting of about 16.2 hectares (40 acres) located on part of Lot 121 in the former Thorold Township now in the City of Thorold, north of Regional Road 20;
- d. on a site consisting of about 31 hectares (76 acres) and located on Part of Lots 259, 260, and 260 Broken Front Concession, former Township of Thorold, now in the City of Welland;
- e. on a site consisting of about 40 hectares (96 acres) and located north of Carl Road east of Moyer Road (Regional Road 84) and west of an unopened road allowance in the City of Welland;
- f. on a site consisting of approximately 35 hectares (87 acres) located on the north side of River Road, west of South Pelham Road in the City of Welland;
- g. on the Niagara Parks Commission lands generally east of an existing hydro right of way, west of the Niagara River Parkway and northerly from a line part way between Willick Road and Weaver Road; and
- h. on a site of about 140 acres consisting of parts of Lots 9, 10, 11 and 12, Concession 7, City of Niagara Falls.

8.2 Site Specific Policies for Fort Erie

8.2.1

Notwithstanding the provisions of Section 4.1 “The Agricultural System” policies in the Niagara Official Plan, a theme park is permitted on approximately 116 hectares (288 acres) of land located on the west side of Regional Road 116 (Stevensville Road), north of the former CP rail line east of House Road and south of College Road in the Town of Fort Erie. The subject lands are generally illustrated on the map below. *Development* on these lands may connect into existing municipal sewer and water systems subject to the approval of the Region and the Town of Fort Erie. No *development* shall be permitted within the environmental areas to be protected as shown on the Protected Area Map, Schedule A, accompanying Regional Official Plan Amendment 9-2005 provided below.



Policy 8.2.1



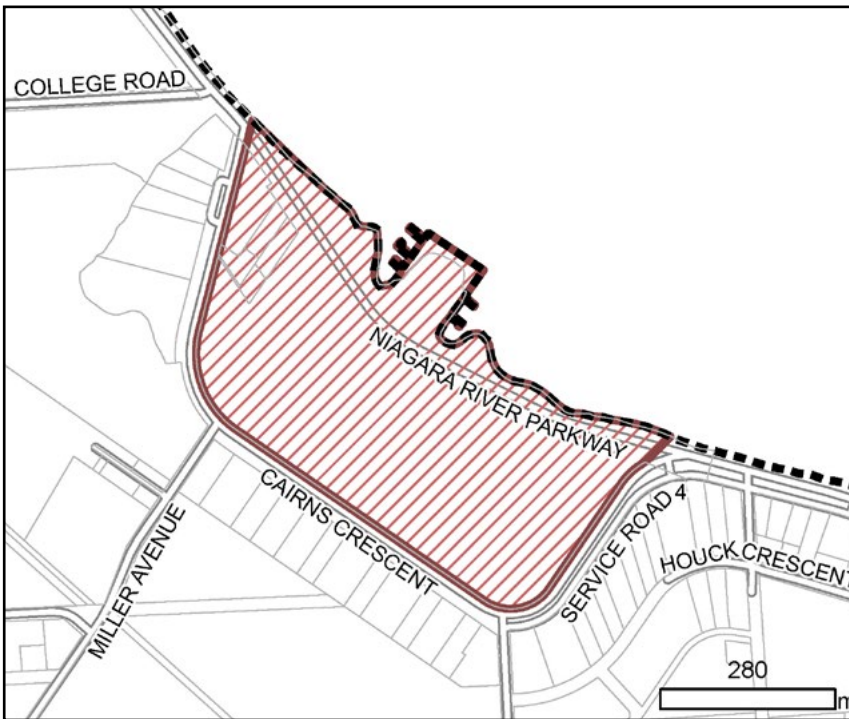
Schedule A

8.2.2

A marina with ancillary rural land uses is permitted on approximately 19 hectares, including water lots, east of Cairns Crescent in the Town of Fort Erie. The marina use, the marina *redevelopment*, and the ancillary uses are considered to be a resource-based rural recreational use which meets the policy objectives of the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement. The rejuvenation and *redevelopment* of the marina is encouraged to support the tourism and boating economy on the Niagara River. The following special policies shall apply to the *development* and *redevelopment* of the marina:

- a. the Marina is the principal land use;
- b. ancillary uses including, the management or use of resources, resource-based recreational uses (including recreational dwellings), home occupations and home industries, limited residential development, cemeteries, and other rural land uses are permitted;
- c. with regard to recreational dwellings and residential development, the following shall apply:
 - i. all forms of tenure will be permitted for new, expanded or *redevelopment* of the marina property; and
 - ii. accommodation units within the marina property will be made available to the travelling public and will provide ongoing services and recreational facilities normally provided in a commercial setting
- d. *development* and *redevelopment* shall be subject to the following being satisfactorily addressed:
 - i. the scale, size and density of *development*;
 - ii. compatibility of use;
 - iii. site characteristics;
 - iv. water quality;
 - v. protection of shoreline;
 - vi. approved *Environmental Impact Study*;
 - vii. navigability of the Niagara River;
 - viii. servicing;
 - ix. transportation; and

- e. details of the *development* and *redevelopment* shall be addressed through the Town of Fort Erie Official Plan and Zoning By-law and in accordance with the provisions of this Plan.



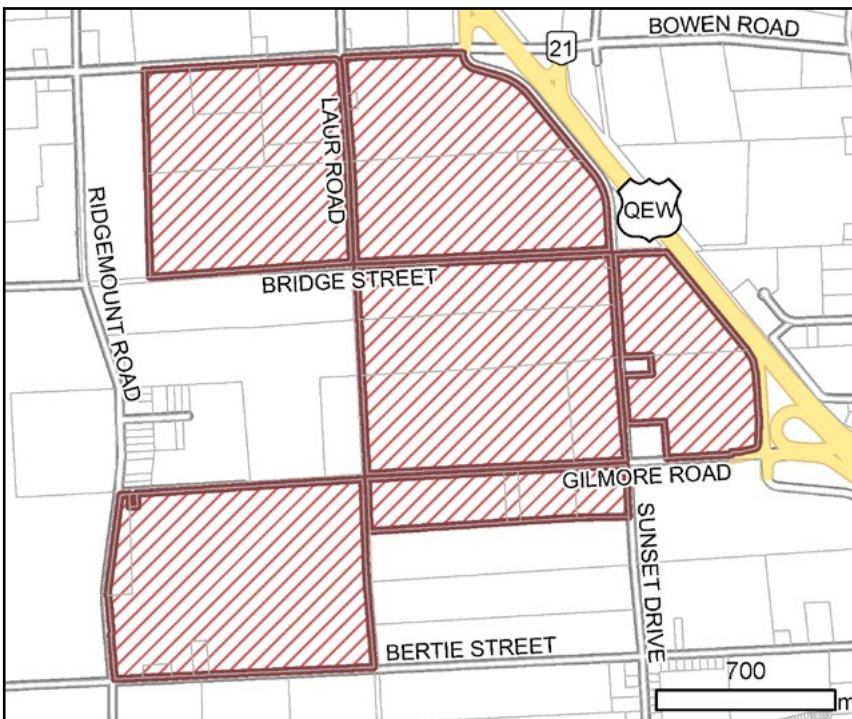
Policy 8.2.2

8.2.3

A motor speedway complex with ancillary recreational, commercial and automotive research, technology and innovation uses is permitted on approximately 332 hectares (821 acres) of land located to the west of the QEW between Bowen Road and Gilmore Road, east of Ridgemount Road, in the Town of Fort Erie. The following special policies shall apply to the *development* of these lands:

- a. all ancillary uses shall be associated with the primary motor speedway use and shall not be established until the motor speedway is substantially completed;
- b. ancillary commercial uses shall occupy up to 7,000 square metres (75,000 square feet) of gross floor area and ancillary automotive research, technology and innovation uses shall occupy up to 12.6 hectares (31 acres) in total land area;
- c. a *municipal comprehensive review* shall be required to be approved by the Region and the Town of Fort Erie for any proposed expansion to the limits set for ancillary uses in Policy 8.3.3 (b);
- d. lot creation for ancillary uses may be permitted subsequent to the construction of the racetrack and grandstand, and subject to other policies of this Plan;
- e. *development* may be connected to municipal sewer and water systems subject to the submission of a detailed servicing study on the need for municipal services; impacts on existing systems and reserve capacity for the *urban area*; operational considerations associated with any on-site sewage storage including downstream odour impacts; costs and funding options to the satisfaction of the Region and the Town of Fort Erie;
- f. boundaries for natural heritage features within the *Natural Environment System* shown on schedules “C1”, “C2” and “C3” shall be confirmed to the satisfaction of the Province and the Niagara Peninsula Conservation Authority without any further amendment to this Plan;
- g. the Town of Fort Erie shall confirm priorities for staging *development* and servicing in the *urban area* as part of its Official Plan update in 2010 to conform to Provincial and Regional growth plans;
- h. an amendment to the Town of Fort Erie Zoning By-law shall be approved when zoning limits for an Environmental Protection Area have been confirmed and appropriate *setbacks* or *buffers* have been determined related to natural heritage features, noise impacts and agricultural livestock separation to the satisfaction of the Region, Town and Niagara Peninsula Conservation Authority; and

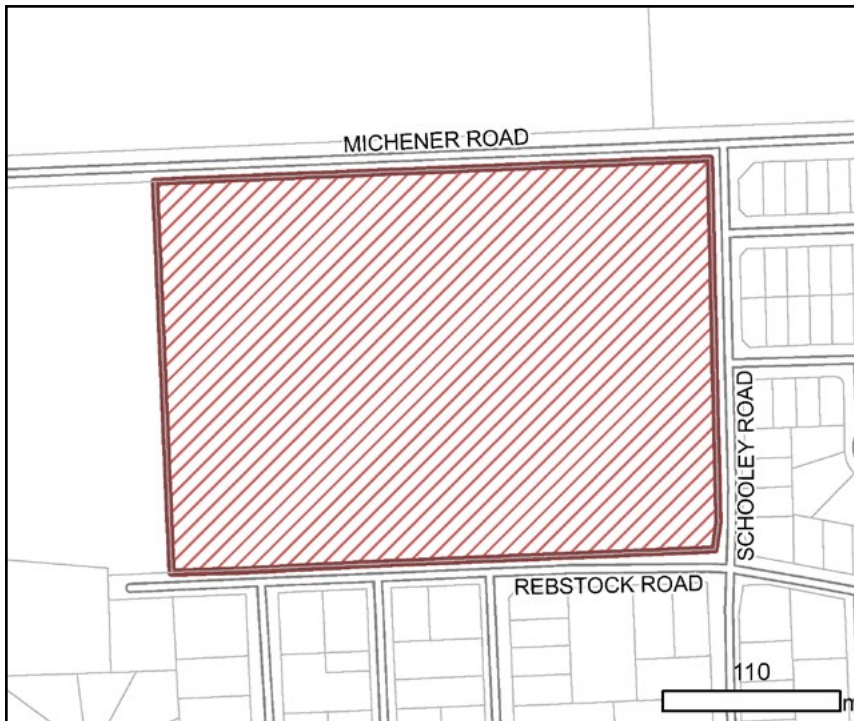
- i. “holding” provisions will be placed in the zoning by-law amendment for the completion of studies and submission of information on servicing requirements, road improvements, air quality (noise and odours), natural heritage, stormwater management, agricultural activities, traffic and operations management, environmental site conditions, and *archaeological resources* to be approved and implemented in a site plan agreement to be entered into with the Town to the satisfaction of the Region, Town, and Province or the Niagara Peninsula Conservation Authority.



Policy 8.2.3

8.2.4

The *urban area* identified on the map below in the community of Crystal Beach, Town of Fort Erie is located outside of the current Crystal Beach Secondary Plan. *Development* pursuant to the Planning Act will not be able to proceed until such time as the Region's Transportation Master Plan is updated to 2051 and any land use related transportation recommendations are considered by amendment to the local Official Plan.



Policy 8.2.4

8.2.5

The following waterlines have been reviewed in accordance with Section 5.2.3 and are deemed to comply with these policies:

- a. a waterline to provide services to the Ridge View Estates Subdivision located in the community of Ridgeway in the Town of Fort Erie;
- b. a 150 millimetre (6 inch) waterline extension of about 100 metres (300 feet) along Stonemill Road from the existing municipal waterline on MacDonald Drive to the Windmill Point Park and Campground in the Town of Fort Erie; and
- c. a waterline extension of approximately 1280 metres (4200 feet) to a local watermain outside the *urban area* boundary of the Town of Fort Erie.

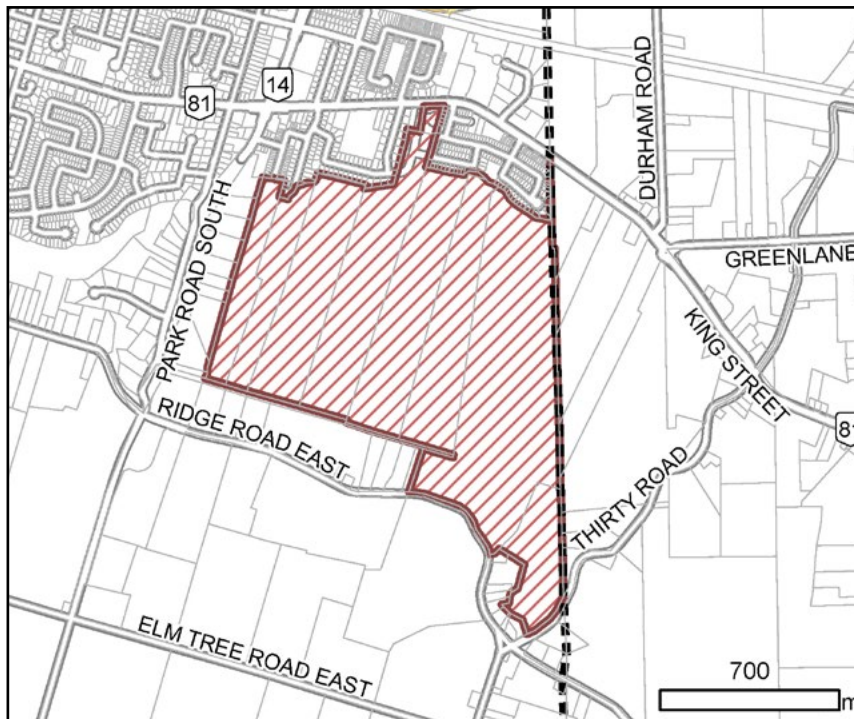
8.3 Site Specific Policies for Grimsby

8.3.1

Notwithstanding other policies in this Plan, a municipal cemetery is permitted on a site consisting of approximately four hectares (10 acres), located east of Mountain Road and north of Elm Tree Road East in the Town of Grimsby.

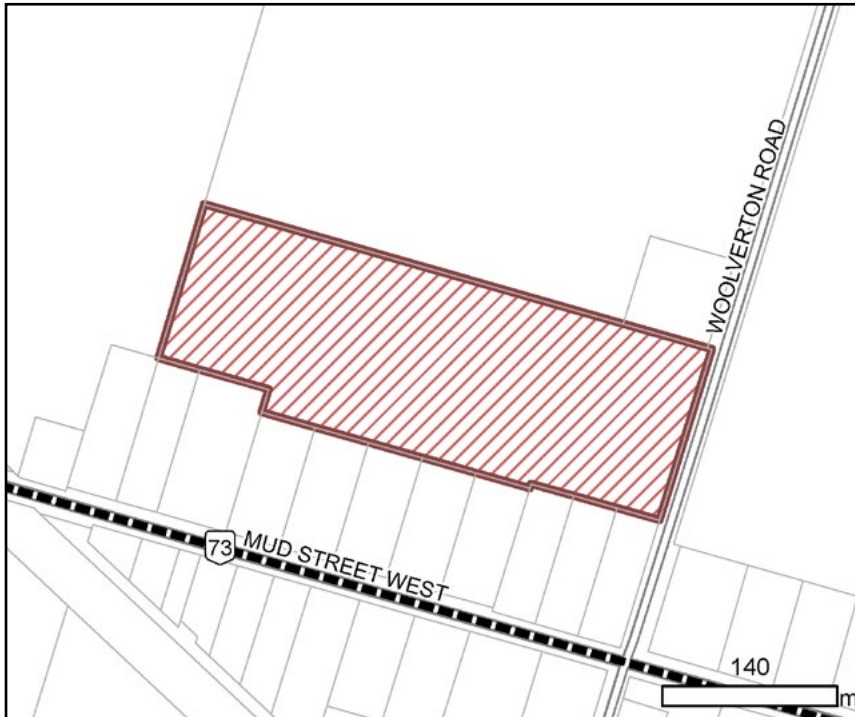
8.3.2

Notwithstanding other policies in this Plan, a golf course is permitted on a site consisting of about 55 hectares (135 acres) and located on Part of Lot B and C on the Eastern Gore and Part of Lots 1 and 2, Concession 2 and Part of Lot C, Concession 3 situated between the “bench face” and the Niagara Escarpment in the Town of Grimsby.



8.3.3

Notwithstanding the provisions of Section 4.1 “The Agricultural System” policies in this Plan, a church is permitted on a site located on the west side of Woolverton Road, north of the community of Grassie in the Town of Grimsby. The Town of Grimsby through its Official Plan should restrict the designation of the site to only those lands required for the church and a modest playing field in order to encourage as much of the remaining property as possible to be used for agricultural purposes.

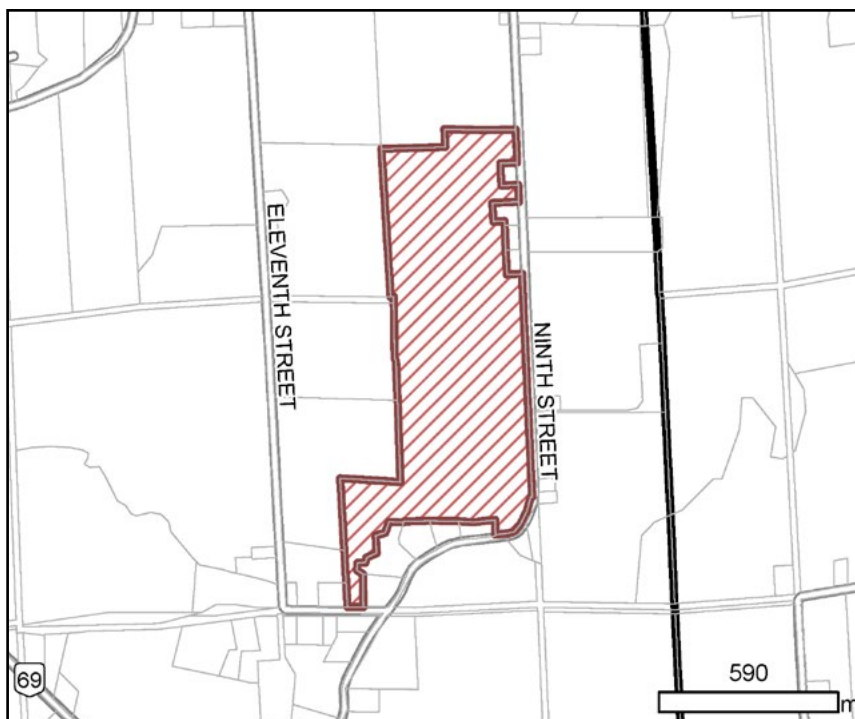


8.4 Site Specific Policies for Lincoln

8.4.1

Notwithstanding other policies in this Plan, a golf course with clubhouse is permitted on a 58.87 hectare (145.36acre) site located on the following lands. Firstly: Part of Lots 9 and 10, Concession 7, designated as Part 1, Plan 30R-6376 formerly in the Township of Louth, County of Lincoln now in the Town of Lincoln, Regional Municipality of Niagara; save and except that Part of Lot 9, Concession 7, designated as Part 1, 30R-6578.

Secondly: Part of lot 8, Concessions 6 and 7, and Part of the Road Allowance between Concessions 6 and 7 through Lot 8, designated as Parts 1, 4, 5, and 6, Plan 30R-6375, in the Town of Lincoln, in the Regional Municipality of Niagara.



Policy 8.4.1

8.4.2

Notwithstanding other policies in this Plan, a church is permitted with municipal water and sanitary sewer services on a site of about 2.48 hectares (6 acres) located south of Fourth Avenue, east of Nineteenth Street in part of Lot 18, Concession 4, in the former Township of Louth now in the Town of Lincoln.



Policy 8.4.2

8.4.3

Notwithstanding the provisions of Section 5.2.3., the extension of a 38 mm diameter sanitary sewer forcemain is permitted to serve the proposed Vincor International Inc. estate winery to be located to the east of the Jordan community and south of Regional Road 81 in the Town of Lincoln.

8.4.4

Notwithstanding other policies in this Plan, the extension of a sanitary sewer approximately 200 feet south along Station Street from Second Avenue in the Town of Lincoln to service one single detached dwelling on a 2.8 acre property is permitted.

8.4.5

The following waterlines have been reviewed in accordance with Section 5.2.3 and are deemed to comply with these policies:

- a. a waterline extension approximately 200 feet south along Station Street from Second Avenue in the Town of Lincoln to service one single detached dwelling on a 2.8 acre property; and
- b. a waterline extending from the Vineland Reservoir to service the Vineland Quarries and Crushed Stone Limited quarry located on Regional Road 24 at Fly Road in the Town of Lincoln.

8.5 Site Specific Policies for Niagara Falls

8.5.1

In addition to the policies in this Plan, the site consisting of approximately 30.5 ha (75 acres) and located on the north side of Miller Road, approximately 2,900 feet east of Willoughby Drive in the City of Niagara Falls is subject to the following policies:

- a. non-farm *development* proposals such as recreational, institutional, or estate residential developments will require an amendment to the City of Niagara Falls Official Plan. Such proposals shall be supported by qualified evidence demonstrating matters of need, suitability of the site for the proposed *development*, effect on adjacent properties, the adequacy of private water and sewer services, adequacy of road access, impact on Usher's Creek, impact on *woodlands* on the site, and financial impact on the municipality; and
- b. estate residential *development* shall proceed by plan of subdivision.



Policy 8.5.1

8.5.2

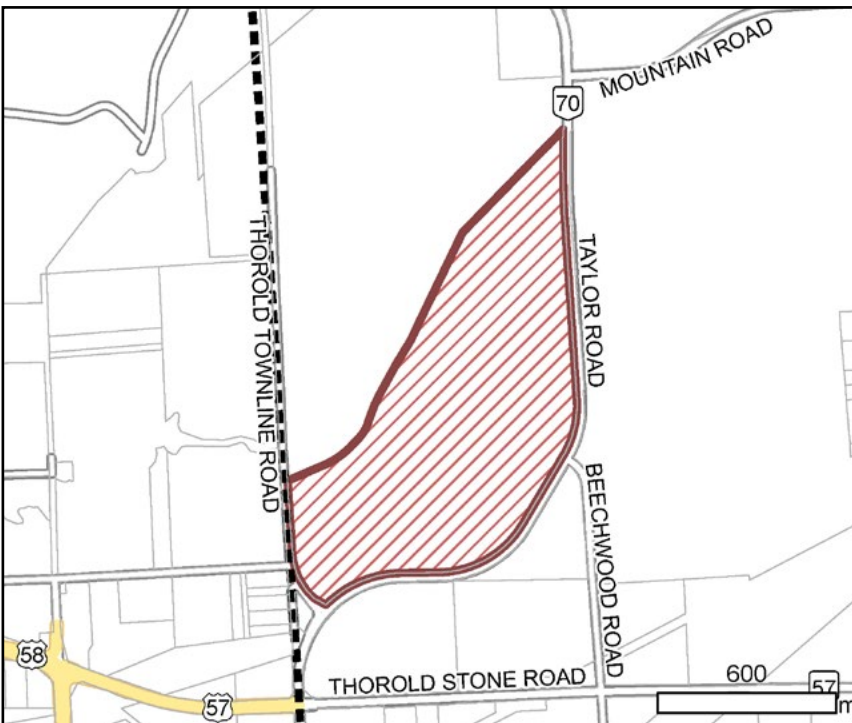
Lands located south of Mountain Road and west of the Trans Canada Pipeline in the City of Niagara Falls, shall be rehabilitated in a progressive and sequential manner for agricultural use following licensing and extraction. Any rehabilitation for uses other than agriculture shall require an Amendment to this Plan. (The reference to Mountain Road refers to the road alignment as it existed prior to the fall of 2001).



Policy 8.5.2

8.5.3

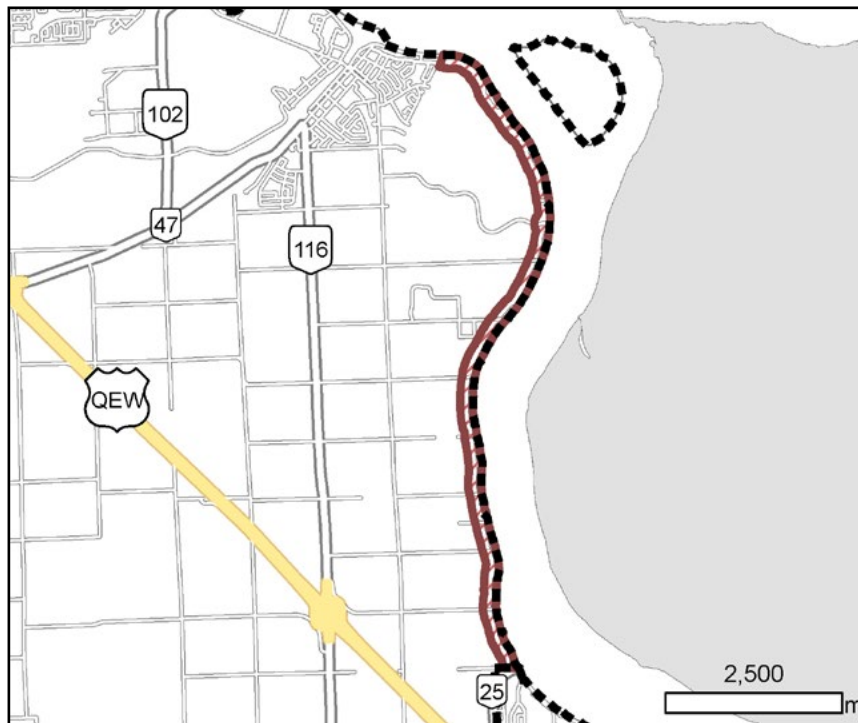
Notwithstanding the provisions of Section 4.1 “The Agricultural System” and above Policy 8.5.2, a landfill and ancillary facilities for the disposal of non-hazardous solid waste is permitted in accordance with approvals under the Environmental Assessment Act, 1990 and Environmental Protection Act, 1990, on an 85.68 hectare property (53.9 hectare landfill footprint limit) generally located north of Thorold Stone Road, west of Taylor Road, south of former Mountain Road and east of Thorold Townline Road in the City of Niagara Falls (Township lots 31, 49, 50 and 66 in former Township of Stamford). The after use of the property following land filling, if other than agriculture, will require an amendment to this Plan.



Policy 8.5.3

8.5.4

Nothing in this Plan shall prohibit some continued residential development at low density to a depth of 140 metres (450 feet) along the west side of the Niagara Parkway in the City of Niagara Falls from the former village of Chippawa southerly to the northerly boundary of the Town of Fort Erie, but recognizing that the precise form and location of such additional *development* shall be determined jointly by the City and the Region.



Policy 8.5.4

8.5.5

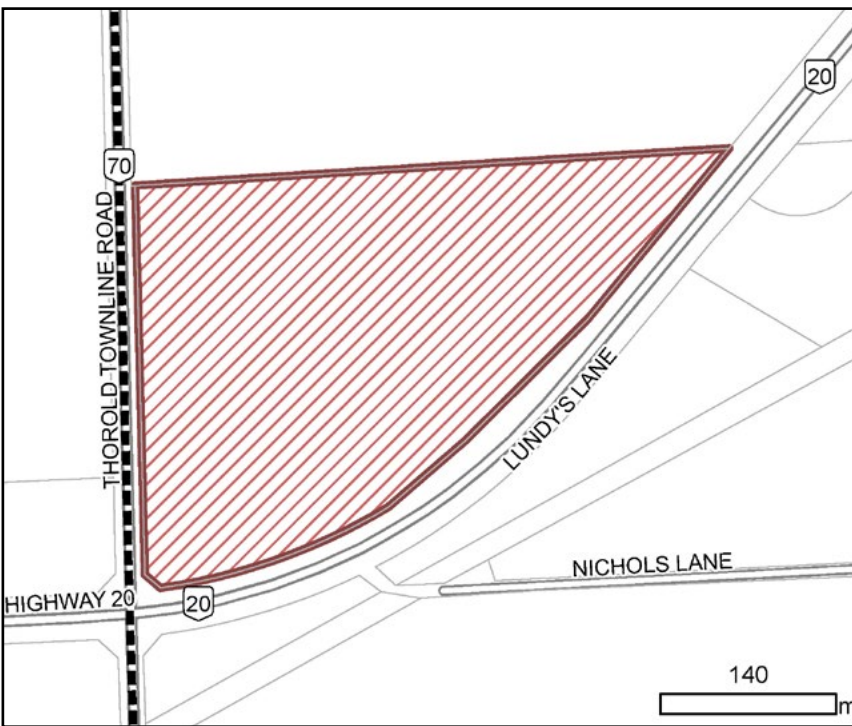
Notwithstanding other policies in this Plan, a Cemetery is permitted on a two hectare (5 acre) site on the north side of Yokom Road, east of Conrail line in the City of Niagara Falls (part of Lot 7, Concession IV, former Township of Crowland).



Policy 8.5.5

8.5.6

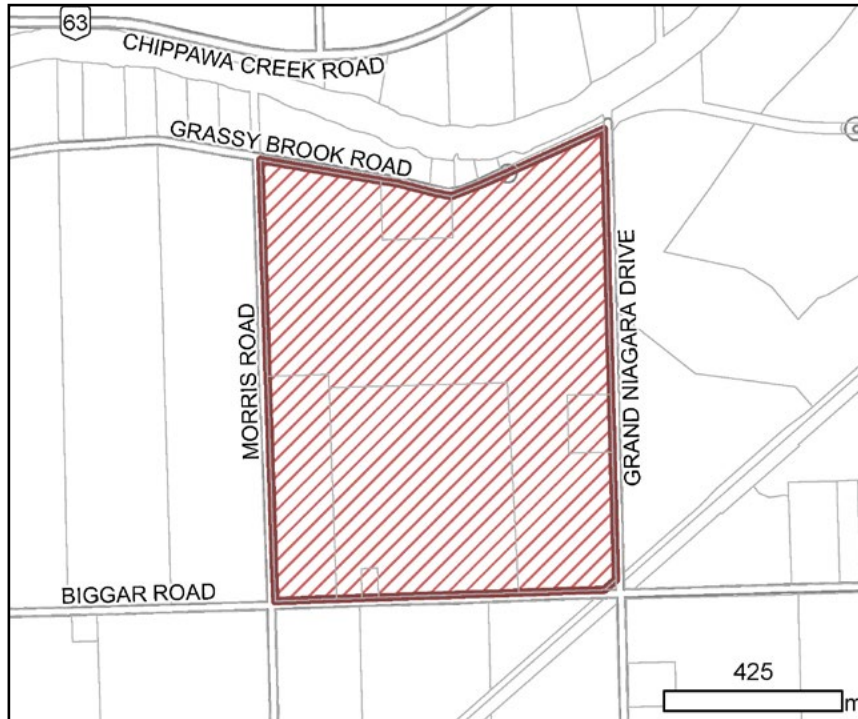
Notwithstanding other policies and provisions in this Plan to the contrary, a recreation/meeting hall and kitchen facility with a maximum total size of 3,100 square feet is permitted on a site of about 10 hectares (25 acres) located on the northeast corner of Lundy's Lane and Townline Road in the City of Niagara Falls. Any buildings must be located to the west of the Province's designated right-of-way for the Highway 20 Bypass and the remainder of the site east of the right-of-way used only for picnics. Furthermore, no *development* shall take place within the registered *floodplain* area of Beaverdams Creek. The entrance to the *development* must be relocated to the south in a location satisfactory to the Region's Public Works Department and to the Province when the highway is constructed. Use of the recreation hall will be limited to 100 seated persons. The number 100 is based on the capacity of the existing private septic system. If an expanded system is approved by the Region's Public Health Department, then the number of persons can be increased to the capacity of the expanded system.



Policy 8.5.6

8.5.7

Notwithstanding other policies in this Plan, a golf course and a golf practice area are permitted on a 79 hectare (195 acre) site located on the south side of Grassy Brook Road, on parts of Lots 5 and 6, BF Concession in the former Township of Crowland, now in the City of Niagara Falls.



8.5.8

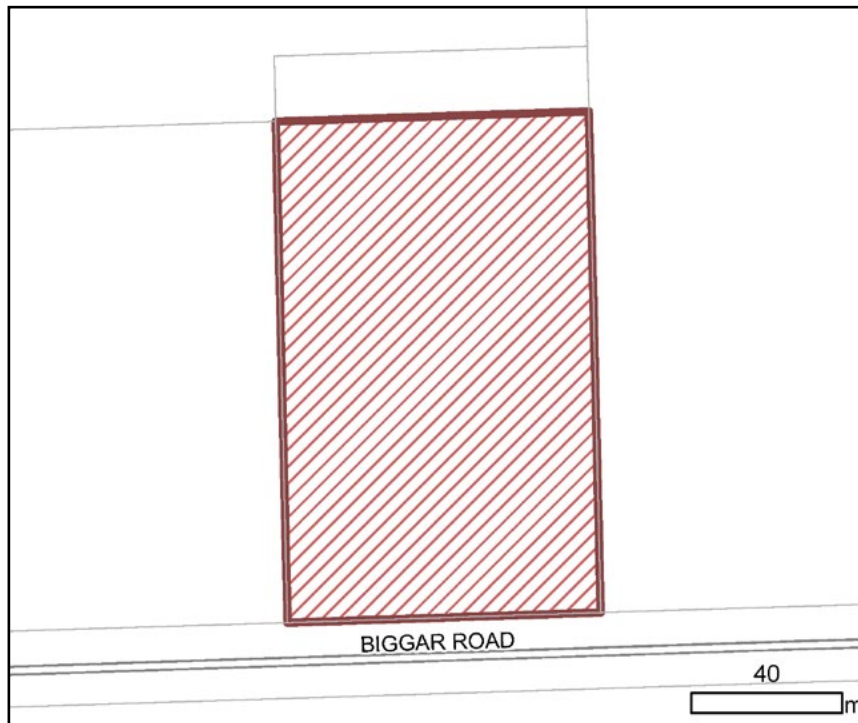
Notwithstanding the provisions of Section 4.1 “The Agricultural System” policies in this Plan, a golf course is permitted on a site located on a 22 hectare (54.4 acre) parcel located west of Morris Road, south of Grassy Brook Road and north of Biggar Road in the City of Niagara Falls. No portion of the golf course is permitted within the *woodland* on the site or within a natural *buffer* area at least 15 metres on either side of the top of the bank of Grassy Brook Creek and Lyon’s Creek.



Policy 8.5.8

8.5.9

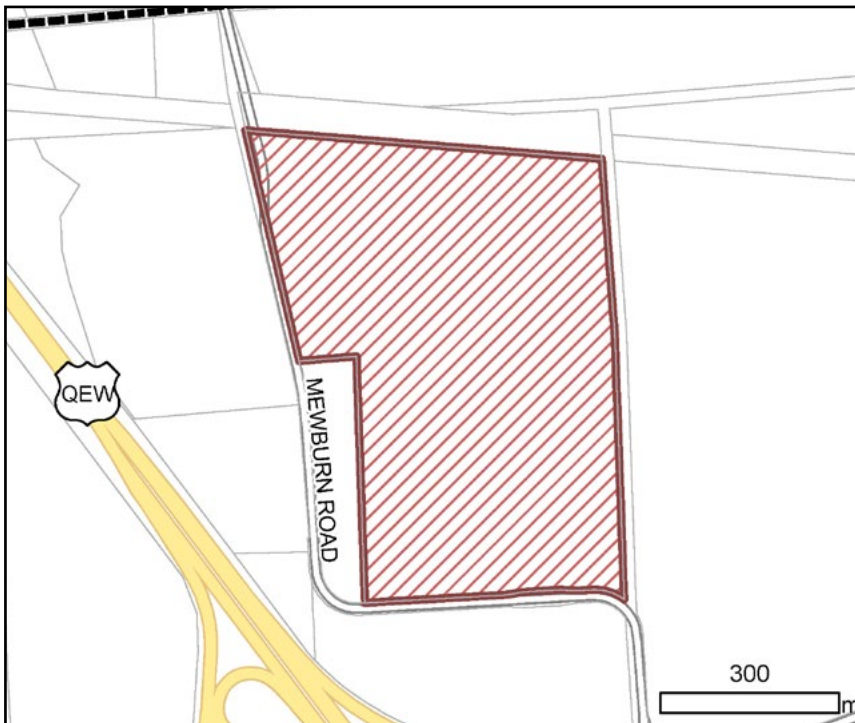
Notwithstanding the land use provisions of Section 4.1 “The Agricultural System” policies in this Plan, a contractor’s shop and yard with ancillary offices in a “Prime Agricultural Area” is permitted. The 1.1 hectare (2.72 acre) site is located at the northeast corner of McKenney Road and Biggar Road, in the City of Niagara Falls, Part of Lot 8, and Concession Broken Front.



Policy 8.5.9

8.5.10

Notwithstanding the provisions of Section 4.1 “The Agricultural System” policies in this Plan, a soccer and slo-pitch sport and recreation facility with connections to municipal water and sanitary sewage services is permitted on a 37 hectare (92-acre) site located west of the former Mountain Road Landfill, east of Mewburn Road and south of the CNR line in the City of Niagara Falls.

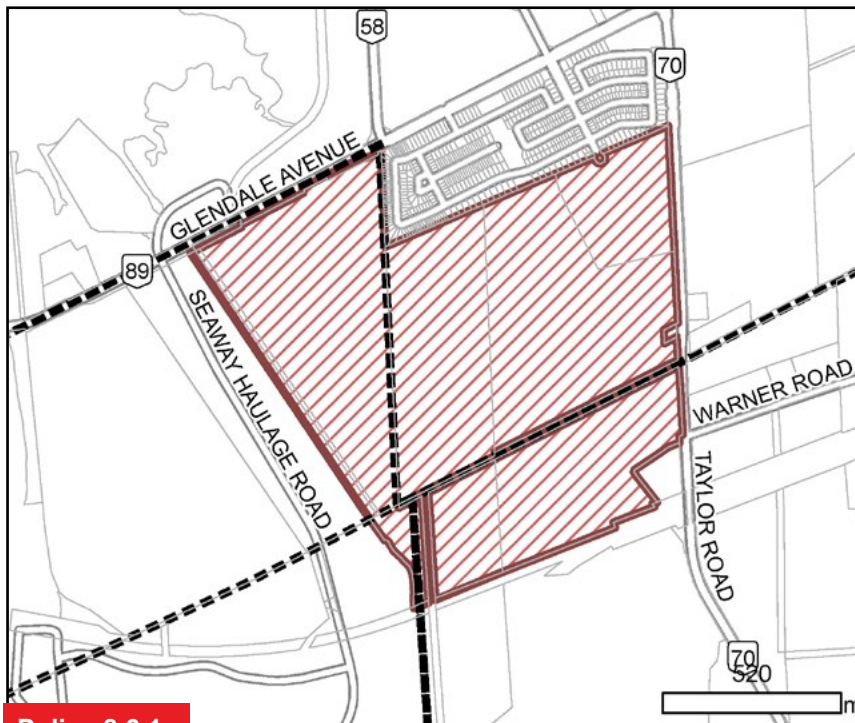


Policy 8.5.10

8.6 Site Specific Policies for Niagara-on-the-Lake

8.6.1

Notwithstanding other policies in this Plan, a golf course, with related golf club facilities is permitted on a 111 hectares (275 acres) parcel located on the following lands. Firstly: Part of Lots 2, 3, and 4, Concession 10, in the Town of Niagara-on-the-Lake, Regional Municipality of Niagara. Secondly: Part Lot 1, in the City of Thorold, in the Regional Municipality of Niagara. Thirdly: Part Gore Lots 10 and 11 in the City of Niagara Falls, in the Regional Municipality of Niagara. Lastly: Part Lot 5, Concession 10, in the City of St. Catharines, in the Regional Municipality of Niagara.



Policy 8.6.1

8.6.2

Notwithstanding other policies in this Plan, airport uses and commercial uses as set out in the Niagara-on-the-Lake Official Plan are permitted on the Niagara District Airport property as designated in the Niagara-on-the-Lake Official Plan.



Policy 8.6.2

8.6.3

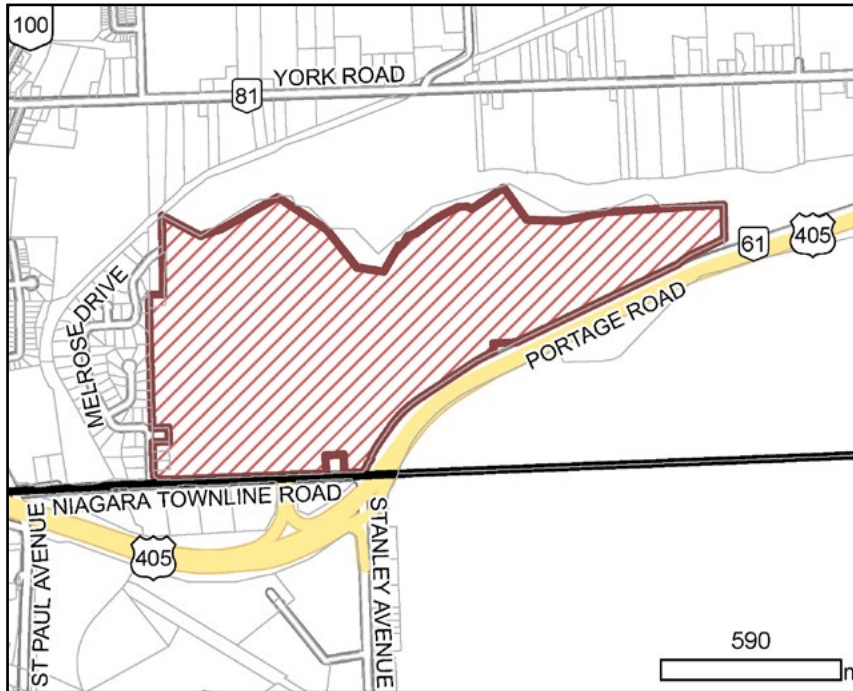
Notwithstanding other policies in this Plan, a municipal fire station is permitted on a site consisting of approximately 0.6 hectares (1.4 acres) and located on the north side of R.R. 55 (Niagara Stone Road), west of Concession 6 Road and north of Line 3 Road in the Town of Niagara-on-the-Lake. Furthermore, the fire station is to be connected to piped municipal water and sanitary sewer facilities.



Policy 8.6.3

8.6.4

Notwithstanding the policies and provisions of Chapter 2 “Growing Region” and Section 4.1 “The Agricultural System” in the Niagara Official Plan, the policies of Section 4.3 “Mineral Aggregate Resources” shall be maintained on the former Queenston Quarry property, known as 5523 Townline Road, Niagara-on-the-Lake, and located on the north side of Townline Road and Portage Road, north of Highway 405 and east of Melrose Drive, until such time as the Province is satisfied that the quarry rehabilitation and decommissioning (Record of Site Condition) are completed and the quarry license and Province’s Certificates of Approval are surrendered.



The *urban area* boundary in this area will be monitored and reviewed with respect to the land need and servicing allocation as part of the Region’s next *municipal comprehensive review*. Prior to any further planning approval for lands situated on the quarry floor in the *urban area*, the applicant is required to enter into a servicing agreement with the Region to be registered on title to ensure servicing and

transportation costs associated with this development are carried out at the developer’s expense and that this development does not qualify for the waiver of development charges. Development within or outside the urban *settlement area* boundary will be subject to the policies and provisions of this Plan and the preparation and approval of a Master Servicing Plan, a revised Traffic Impact Study, a Phasing Plan, a revised *Environmental Impact Study*. After the above servicing requirements are completed to the satisfaction of the Region, the *redevelopment* of the former Queenston Quarry property will be permitted within and outside the urban *settlement area* boundary for the following uses:

- a. residential, a hotel with associated secondary uses, and wine storage caves, within the urban *settlement area* boundary on the Queenston Quarry site not exceeding 12.14 hectares; and

- b. outside the urban *settlement area* boundary, the permitted uses by this policy, being a vineyard, winery, golf course, clubhouse, and agriculture will be consistent with NEP Escarpment Recreation Area objectives.

In accordance with Section 22(2.2) of the Planning Act, an application to amend this Plan related to servicing and escarpment recreation uses outside the urban boundary is allowed to be submitted before the second anniversary of the first day that this Plan came into effect.

8.6.5

The area identified on the associated map is designated as *Employment Area* within Glendale Momentum District Employment Area. Through the Glendale Secondary Plan update, technical studies may support adjusting the types of uses permitted or adjusting the boundary of Glendale Momentum District Employment Area for the identified area provided there is sufficient justification to support modification to the Region's satisfaction.

Notwithstanding the other policies of this Plan, the Region may reflect any adjustment without amendment to this Plan following the approval of the Secondary Plan.



Policy 8.6.5

8.6.6

Notwithstanding the provisions of Section 5.2 of this Plan, a new private sanitary sewer forcemain approximately 75mm in diameter is permitted to serve the proposed Two Sisters Estate Winery located at 240 John Street in the Town of Niagara-on-the-Lake which includes the estate winery, the hospitality area and the wine tasting and sales components of the winery. The estate winery and secondary uses shall not exceed 30,000 square feet.

8.6.7

Notwithstanding Niagara Official Plan Policy 5.2.3.3, a new private sanitary connection is permitted to serve the proposed winery located at property known as Lots 43 and 44 and Part of Lots 46 and 47, Plan M-11 in the Town of Niagara- on-the-Lake.

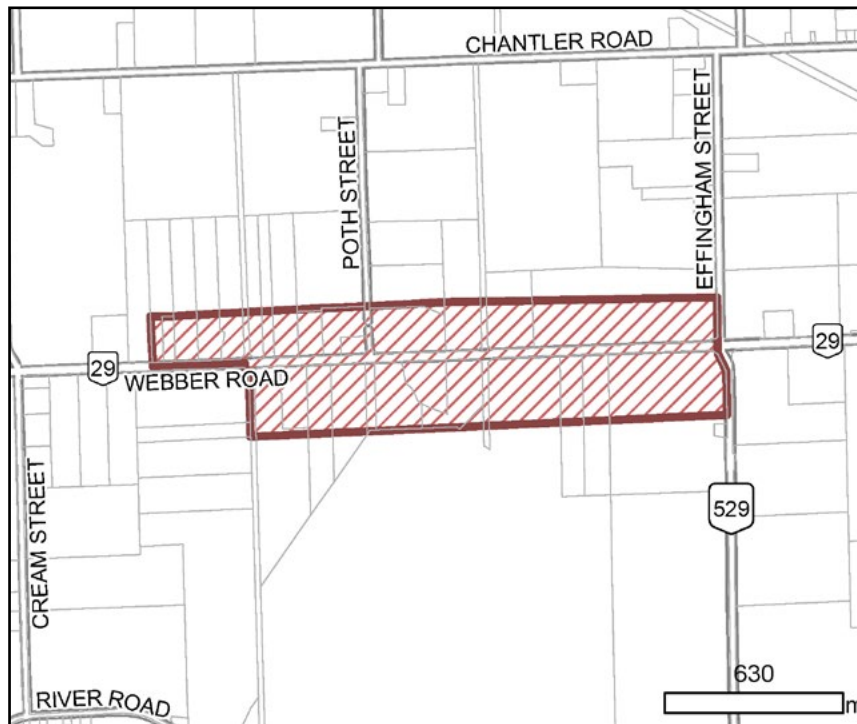


Policy 8.6.7

8.7 Site Specific Policies for Pelham

8.7.1

Notwithstanding other policies of this Plan, the industrial area along both sides of Webber Road between Cream and Effingham Streets so designated in the approved Official Plan of the Town of Pelham may be developed and used in accordance with the policies of that Official Plan.

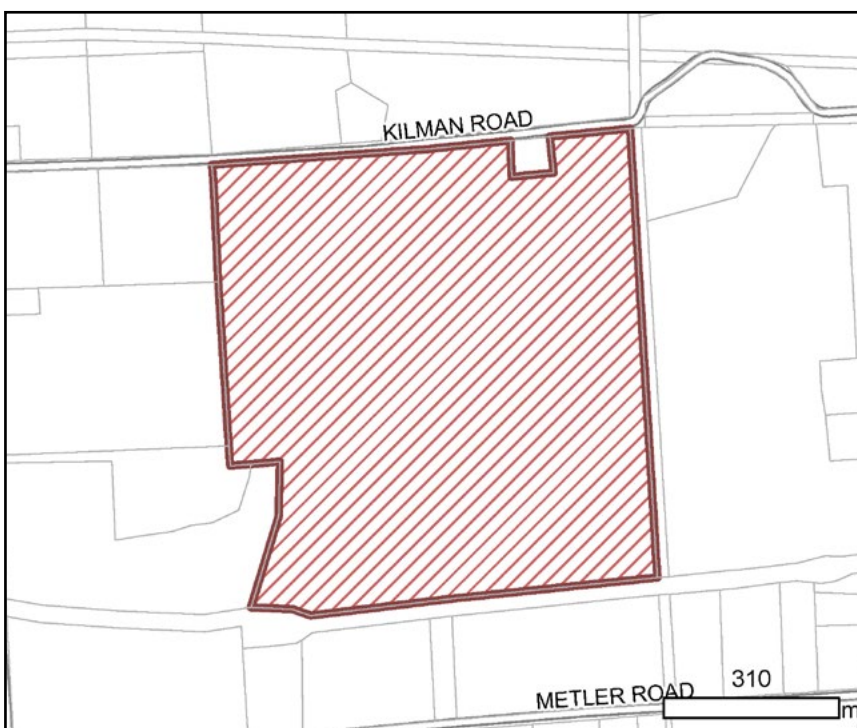


Policy 8.7.1

8.7.2

Other policies in this Plan notwithstanding, a day camp use including a picnic pavilion, washroom facility, and playing fields involving approximately two hectares (5 acres) on the northern upland portion is permitted on the parcel of land consisting of approximately 57 hectares (140 acres) and located on Kilman Road on Part of Lots 7 and 8, Concession 5 in the Town of Pelham provided:

- a. day campers are limited to no more than 50 people a day;
- b. non-agricultural building and structure are limited to picnic pavilion and a 4500 litre/day washroom facility;
- c. uses on the site, excluding the approximately two hectare (5 acre) parcel on the upland portion, are to be limited to agriculture, conservation, nature viewing, and walking trails;
- d. overnight camping is not permitted; and
- e. recreation uses and *development* on the site shall be in accordance with the policies of the Niagara Escarpment Plan.



Policy 8.7.2

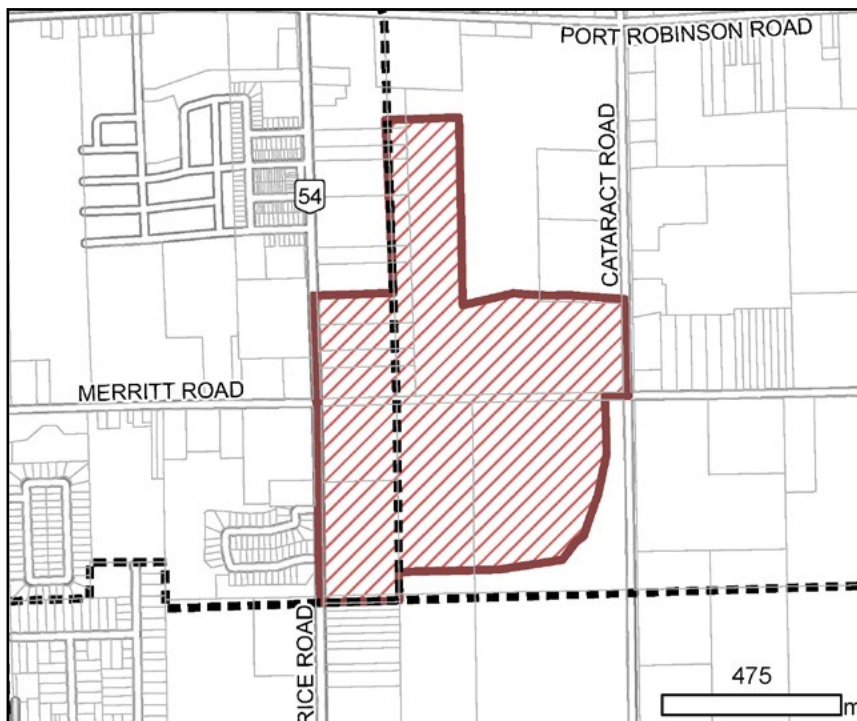
8.7.3

The area identified on the associated map, shall require a coordinated planning approach between the Region, City of Thorold and Town of Pelham. This approach will consider and complement the existing East Fonthill Secondary Plan and the Port Robinson West Secondary Plan to ensure the area is planned comprehensively from an urban development, servicing, and *subwatershed planning* perspective.

The Region will coordinate with the Local Area Municipalities to identify and scope all required studies which consider the study area and adjacent lands as a whole regardless of municipal boundaries. At a minimum, environmental features, *infrastructure* and transportation requirements will be reviewed. Other studies will be determined as required through future coordination. During the identification and scoping of studies cost sharing arrangements may be determined. The City of Welland should participate in the coordination of planning for the area by contributing information for necessary studies.

Lands within the study area shall be zoned with a holding symbol to limit *development* until such time as the above studies are completed and the Secondary Plan approved.

The City of Thorold and Town of Pelham shall reflect the intent of this policy in their Official Plans.



Policy 8.7.3

8.7.4

Notwithstanding the provisions of Section 5.2.3, the extension of a sanitary sewer forcemain is permitted on Haist Street outside the Fonthill *urban area* to serve the Pelham Evangelical Friends Church located at 940 Haist Street and two intervening existing residential dwellings located on Haist Street between the *urban area* and the church building.

8.7.5

The following waterlines have been reviewed in accordance with Section 5.2.3 and are deemed to comply with these policies:

- a. a 150 millimetre (6 inch) waterline extending 225 metres (740 feet) north along Lookout Street from Highway 20 in the Town of Pelham;
- b. a 150 millimetre (6 inch) waterline extending 1.3 kilometres along Regional Road 20 westerly from Lookout Street to the eastern boundary of the property occupied by E.L. Crossley Secondary School in the Town of Pelham; and
- c. two centimeter (3/4 inch) *lateral connections* to a local municipal waterline for land uses along the east side of Rice Rd. in the Town of Pelham, between Hurricane Rd. and the Welland municipal boundary.

8.8 Site Specific Policies for Port Colborne

8.8.1

The following waterline has been reviewed in accordance with Section 5.2.3 and is deemed to comply with these policies:

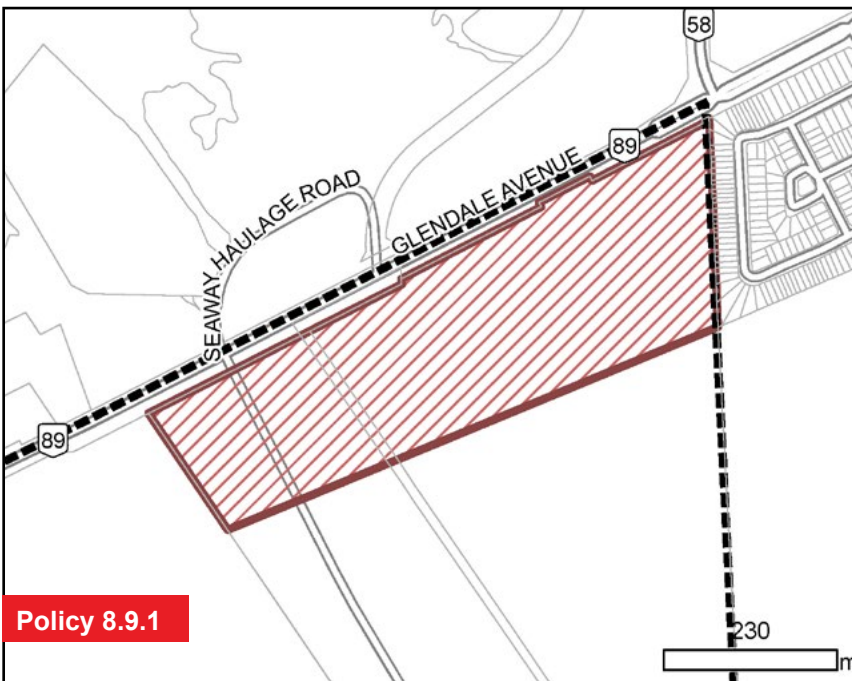
- a. a 200 millimetre (8 inch) waterline extending 3.7 kilometres from highway 140 easterly along Second Concession Road to a point east of Miller Road to Serve Port Colborne Poultry.

8.9 Site Specific Policies for St. Catharines

8.9.1

Notwithstanding the other policies of this Plan, the lands shown on the associated map are regulated under the Niagara Escarpment Planning and Development Act and subject to a decision on deferral UA-04 from the Ministry of Natural Resources and Forestry (MNRF). Should the MNRF issue a decision to re-designate the subject lands in the Niagara Escarpment Plan from Escarpment Protection Area to Urban Area, the *urban area* boundary for the City of St. Catharines may be expanded and shown as *Designated Greenfield Area* and District Plan Area on Schedule B, and *Urban Area* on the remaining schedules where applicable, without amendment to this Plan.

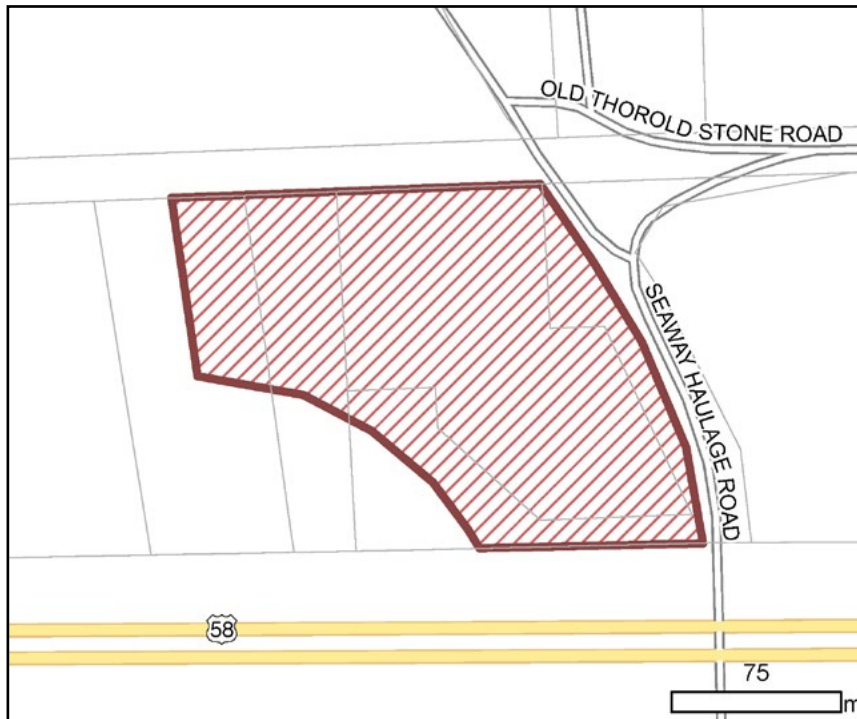
The land use development shall follow the direction of the Glendale District Plan.



8.10 Site Specific Policies for Thorold

8.10.1

Notwithstanding other policies in this Plan, an asphalt manufacturing facility is permitted on parts of Lots 28 and 15, on the east side of the Third Welland Canal, in the City of Thorold.



Policy 8.10.1

8.10.2

Notwithstanding other policies of this Plan, a concrete batching plant is permitted on a site consisting of about 1.8 hectares (4.5 acres) and located west of Davis Road and south of Old Thorold Stone Road in the City of Thorold.



Policy 8.10.2

8.10.3

Notwithstanding the provisions of Section 4.1 “The Agricultural System” of this Plan, cemetery and accessory uses, including a reception centre facility, are permitted in addition to the uses allowed under Section 4.1 on the westerly undeveloped portion of the lands of Pleasantview Memorial Gardens Cemetery, Part of Township Lots 149 and 150, Old Township of Thorold, now in the City of Thorold, consisting of approximately 10.5 hectares (26.0 hectares) of land located on the east side of Merrittville Highway (Regional Road 50), north of Highway 20 (Regional Road 20) and south of the former CN Rail line (Fonthill Spur).



Policy 8.10.3

8.10.4

The area identified on the associated map is designated as *Employment Area* within the Brock Innovation District Employment Area. Notwithstanding the coming in to force of this Plan and in accordance with Section 4.2.1 of this Plan, Policy B1.10.5.3 in the Brock Business Park Area Secondary Plan continues to apply to the area identified.

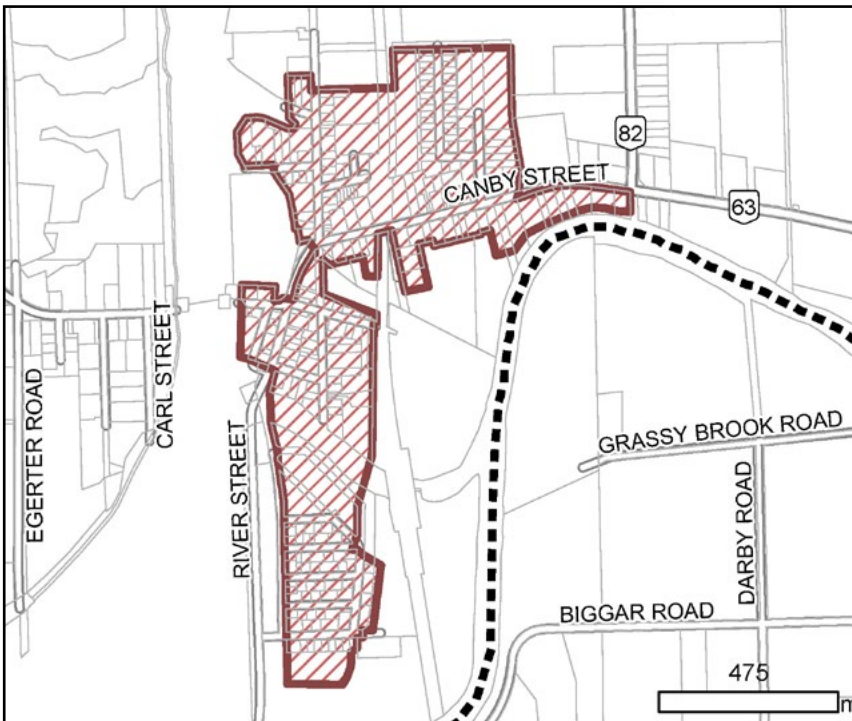
Notwithstanding the other policies of this Plan for the identified area only, the Region may adjust the types of uses permitted or adjust the Brock Innovation District Employment Area boundary, without amendment to this Plan, following the submission of sufficient justification to the Region's satisfaction.



Policy 8.10.4

8.10.5

The land use and policy direction in the City of Thorold Official Plan shall guide *development* in the Port Robinson East lands identified on the associated map.



Policy 8.10.5

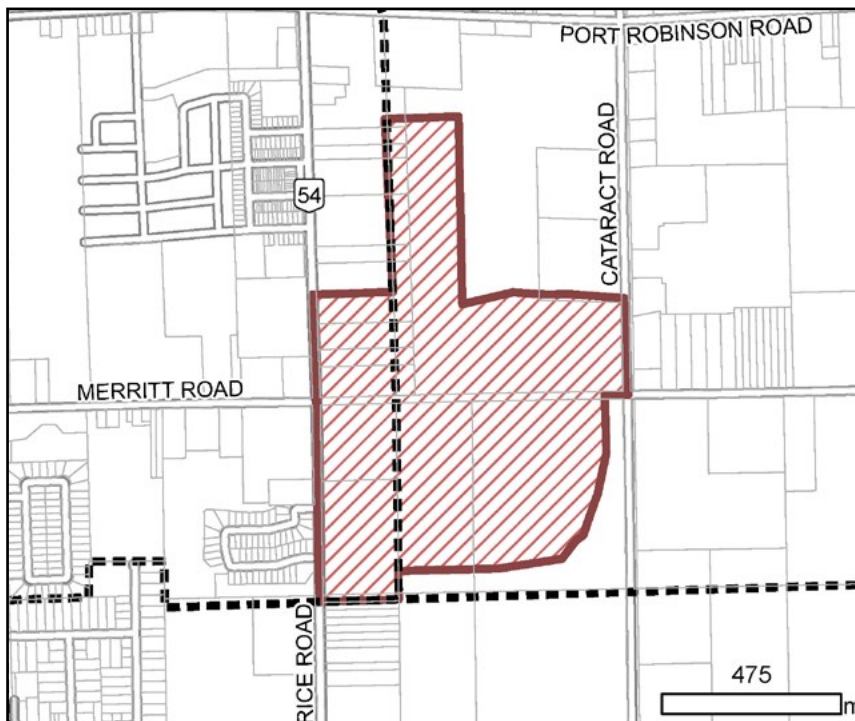
8.10.6

The area identified on the associated map, shall require a coordinated planning approach between the Region, City of Thorold and Town of Pelham. This approach will consider and complement the existing East Fonthill Secondary Plan and the Port Robinson West Secondary Plan to ensure the area is planned comprehensively from an urban development, servicing, and *subwatershed planning* perspective.

The Region will coordinate with the Local Area Municipalities to identify and scope all required studies which consider the study area and adjacent lands as a whole regardless of municipal boundaries. At a minimum, environmental features, *infrastructure* and transportation requirements will be reviewed. Other studies will be determined as required through future coordination. During the identification and scoping of studies cost sharing arrangements may be determined. The City of Welland should participate in the coordination of planning for the area by contributing information for necessary studies.

Lands within the study area shall be zoned with a holding symbol to limit *development* until such time as the above studies are completed and the Secondary Plan approved.

The City of Thorold and Town of Pelham shall reflect the intent of this policy in their Official Plans.



Policy 8.10.6

8.10.7

Notwithstanding the other policies of this Plan, the extension of sanitary services is permitted to the City of Thorold Public Works Yard located at 1543 Beaverdams Road.

8.11 Site Specific Policies for Wainfleet

8.11.1

Notwithstanding the provisions contained in Section 4.3 “Mineral Aggregate Resources”, any expansion of the extraction area for the Reeb Quarry (M.A.Q. Aggregates Quarry) into the portion of the licensed area located approximately 425 metres east of Bessey Road on the northwestern part of Concession 1, Lot 2 in the Township of Wainfleet is not permitted and will not be considered without an amendment to the this Plan and the Township of Wainfleet Official Plan.

No extraction will be permitted in any portion of Phase 2 of the licensed area located east of Bessey Road including any removal of wooded areas or change in grade until such time as it is determined by the Province and to the satisfaction of the Region, based on an independent peer review prepared at the licensee’s expense, that the objectives and targets set out in the Woodland Restoration Plan have been achieved.

Notwithstanding the above, not earlier than 15 years from the date the license is granted, MAQ Aggregates Quarry or the holder of the license at such time may request that the Region consider permitting extraction to proceed into Phase 2A as referenced on the site plans, if the objectives and targets of the Woodland Restoration Plan have been achieved to the date of the request. If in the opinion of the Region, the said targets have been achieved to the date of the request and MAQ Aggregates Quarry or the holder of the license at that time submits a report to the Region from a qualified

expert that the proposed extraction in Phase 2A will not impact upon the restored woodlot or impair the Woodland Restoration Plan (said report subject to peer review by the Region at the expense of the license holder), the Region will advise the Province that the license should be amended to allow for extraction in Phase 2A.



Policy 8.11.1

There shall be no extraction of materials, regarding or removal of any of the vegetation, other than that which may be required as part of the Woodland Restoration Plan, until such time as the objectives in the Woodland Restoration Plan have been satisfactorily completed in full or extraction of Phase 2A is complete, whichever is later.

8.11.2

The area identified on the associated map has been added to the Chambers Corners *rural settlement* to accommodate forecasted rural employment growth. This area shall be designated in the Township of Wainfleet's Official Plan for rural *employment land* uses.



Policy 8.11.2

8.12 Site Specific Policies for Welland

8.12.1

Notwithstanding other policies of this Plan, the following applies to the lands generally located on the north side of Forks Road, east of Highway 58 in the City of Welland:

The lands north of Forks Road, immediately east of Highway 58, shall be designated in this Plan as *prime agricultural area*. No permissions other than those provided in Section 4.1 “The Agricultural System” of this Plan are permitted for these lands.

The lands north of Forks Road, east of the above-referenced *prime agricultural area*, shall be designated in this Plan as *rural area*.

For the lands designated *rural area*, *development* may be permitted on approximately 13.24 hectares (32.72 acres) by way of a plan of condominium to create a maximum of eight lots for single detached residential use on individual private water and sewage systems.

Prior to approval of the Plan of Condominium, the applicant shall submit supporting studies. The required studies will be determined at the pre-consultation meeting pursuant to the policies of this Plan.

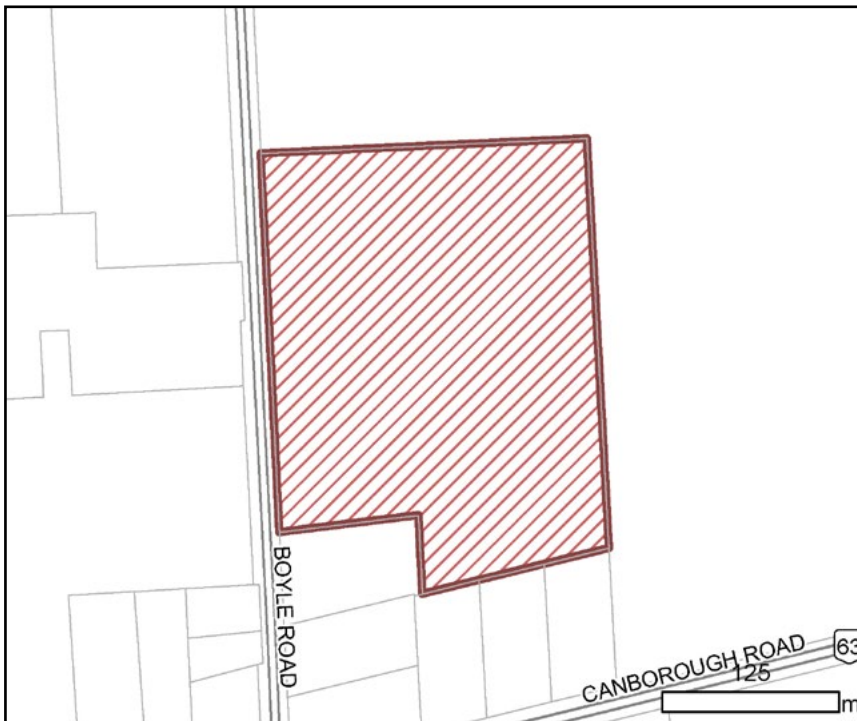


Policy 8.12.1

8.13 Site Specific Policies for West Lincoln

8.13.1

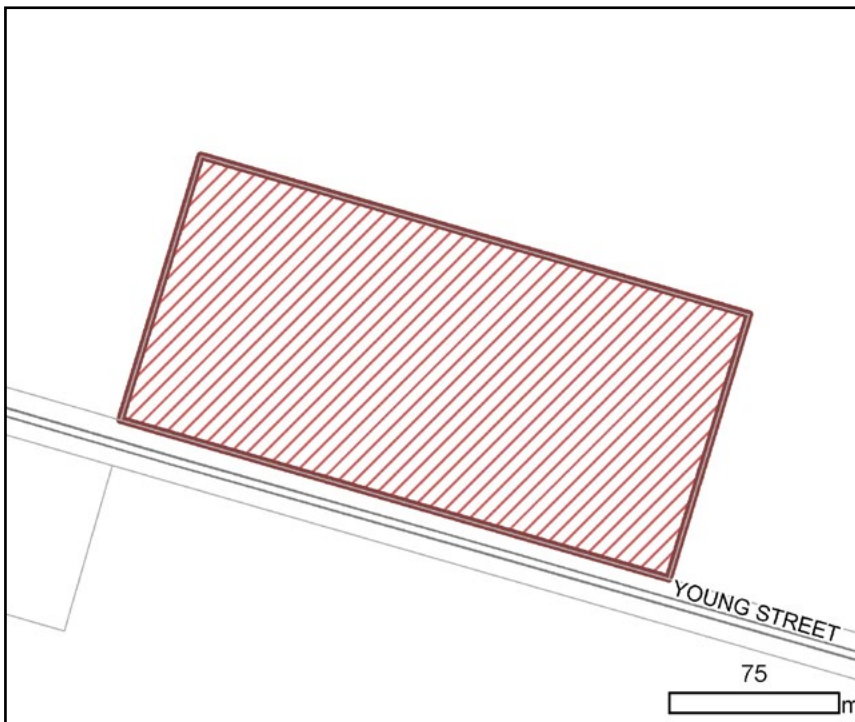
Notwithstanding the provisions of Section 4.1 “The Agricultural System” in this Plan, a church with a rectory is permitted on a site located east of Boyle Road and north of Canboro Road, in the Township of West Lincoln. Only those portions of the overall property required for the church, parking, stormwater management and a rectory should be designated in the Township of West Lincoln Official Plan in order to encourage as much of the remaining property as possible to be used for agricultural purposes.



Policy 8.13.1

8.13.2

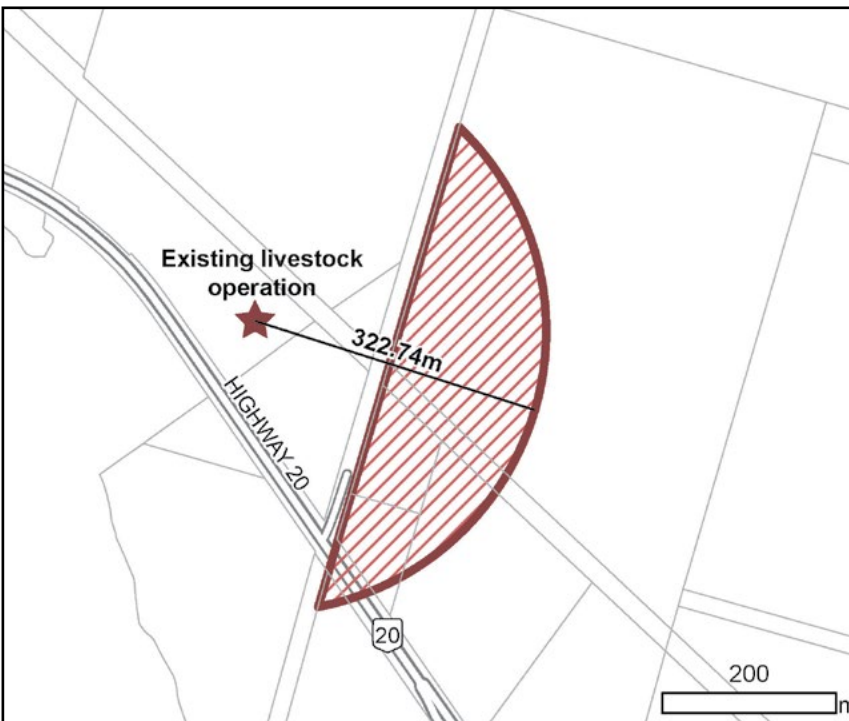
Notwithstanding the land use provisions of Section 4.1 “The Agricultural System” in this Plan, an agriculturally-related manufacturing operation, with an expansion of approximately 1,800 square metres to an existing 4,645 square metre industrial operation in a “Prime Agricultural Area” is permitted on a three hectare (7.6 acre) site with a frontage of 253 metres and a depth of 122 metres, located at 7793 Young Street on the north side of the road in the Township of West Lincoln, Part of Lot 13 and 14 in Gore A.



Policy 8.13.2

8.13.3

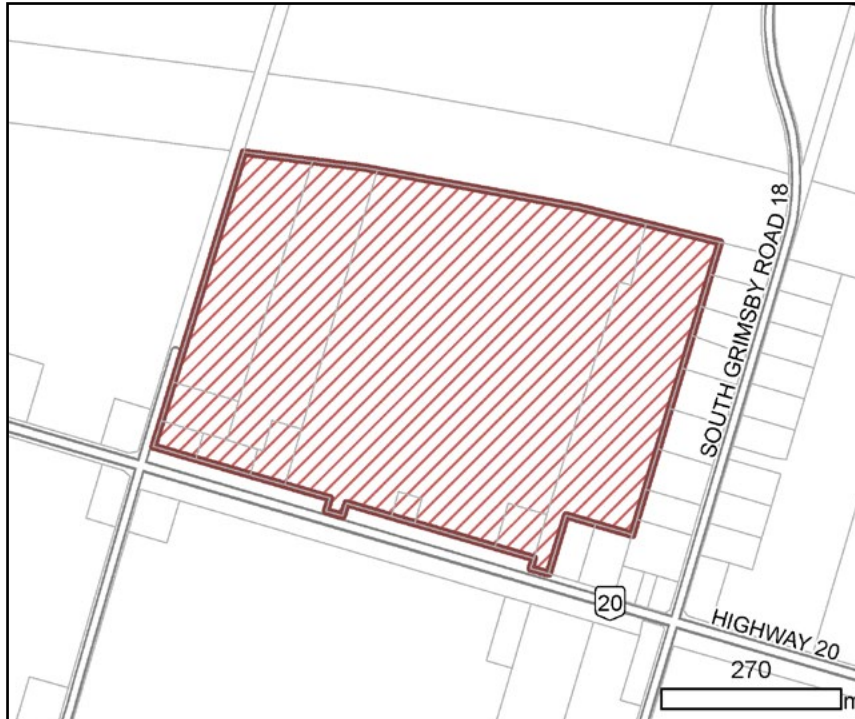
The land uses permitted within the special policy area shown below will be limited to roads, trails/multi-use pathways, public *utilities* and other linear *infrastructure*, stormwater management, natural heritage features and public open space excluding *sensitive land uses* except for existing residences and any accessory uses thereto. Urban community uses may be considered in accordance with the local Official Plan at such time that the livestock barns at 6817 Highway 20 are removed or if it is demonstrated through future MDS analysis that a reduced MDS *setback* is justified based on changes to the livestock operation and/or intervening land uses. Furthermore, the existing livestock operation is exempt from MDS II requirements for changes in livestock type.



Policy 8.13.3

8.13.4

The area identified on the associated map has been added to the Fulton *rural settlement* to accommodate forecasted rural employment growth. This area shall be designated in the Township of West Lincoln's Official Plan for rural *employment land* uses.



Policy 8.13.4



GLOSSARY OF TERMS

A

Active Transportation

Any form of self-propelled transportation that relies on the use of human energy such as walking, cycling, inline skating, jogging, or travel with the use of mobility aids, including motorized wheelchairs and other power-assisted devices at a comparable speed (Growth Plan, 2019).

Additional Residential Units

Self-contained residential units with kitchen and bathroom facilities located within a primary dwelling or within an accessory structure that is detached from the primary dwelling, as provided for in Subsection 16 (3) of the Planning Act, 1990.

Adjacent Lands

- a. For the purposes of Section 5.1, those lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives;
- b. For the purposes of Section 3.1 and 3.2, those lands surrounding a *key natural heritage feature*, *natural heritage feature and area* and/or *key hydrologic feature* where it is likely that *development* or *site alteration* would have a negative impact on the feature;
- c. For the purposes of Section 4.4, those lands contiguous to lands on the surface of known *petroleum resources*, *mineral deposits*, or *deposits of mineral aggregate resources* where it is likely that *development* would constrain future access to the resources. The extent of the *adjacent lands* may be recommended by the Province; and
- d. For the purposes of section 6.4 and 6.5, those lands contiguous to a protected *heritage property* or as otherwise defined in the municipal official plan (PPS, 2020).

Adverse Effects

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

- a. impairment of the quality of the natural environment for any use that can be made of it;
- b. injury or damage to property or plant or animal life;
- c. harm or material discomfort to any person;
- d. an adverse effect on the health of any person;
- e. impairment of the safety of any person;
- f. rendering any property or plant or animal life unfit for human use;
- g. loss of enjoyment of normal use of property; and
- h. interference with normal conduct of business (PPS, 2020).

Aerodrome

For the purposes of this Plan, means the Niagara Central Airport.

Affordable

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

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

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

- c. a unit for which the rent does not exceed 30 per cent of gross annual household income for *low and moderate income* households; or
- d. a unit for which the rent is at or below the average market rent of a unit in the regional market area (Growth Plan, 2019).

Agricultural Condition

- a. In regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and
- b. In regard to *prime agricultural land* outside of *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored (PPS, 2020).

Agricultural Impact Assessment

A study that evaluates the potential impacts of non-agricultural development on agricultural operations and the agriculture system and recommends ways to avoid, or, if avoidance is not possible, minimize and mitigate adverse impacts (Greenbelt Plan, 2017).

Agriculture-Related Uses

Those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity (PPS, 2020).

Agricultural Source Material

Treated or untreated materials, as defined by the Nutrient Management Act, other than compost that meets the Compost Guidelines, or a commercial fertilizer, if they are capable of being applied to land as nutrients.

Agricultural System

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

- a. an agricultural land base comprised of *prime agricultural areas*, including *specialty crop areas*, and *rural lands* that together create a continuous, productive land base for agriculture; and
- b. an *agri-food network*, which includes *infrastructure*, services and assets important to the viability of the agri-food sector (Greenbelt Plan, 2017).

Agricultural Uses

The growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment (PPS, 2020).

Agri-food Network

Within the *agricultural system*, a network that includes elements important to the viability of the agri-food sector such as Regional *infrastructure* and transportation networks; on-farm buildings and *infrastructure*; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities (PPS, 2020).

Agri-Tourism Uses

Those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation (PPS, 2020).

Airport

For the purposes of this Plan, means the Niagara District Airport.

Alternative Energy Systems

A system that uses sources of energy or energy conversion processes to produce power, heat and/or cooling that significantly reduces the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems (PPS, 2020).

Archaeological Resources

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

Archaeological Site

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

Areas of Archaeological Potential

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

Areas of Natural and Scientific Interest (ANSI)

Areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education (PPS, 2020).

Life Science ANSI means an area identified as being high quality example(s) of ecological form and function in each Ecodistrict in the province (provincially significant) and the region (regionally significant) and are generally defined by *natural heritage features* (e.g., a *woodland*, valley top of bank, etc.) and generally exclude anthropogenic land uses (e.g., residential areas / properties). Life Science ANSIs include areas identified as provincially significant and regionally significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.

Earth Science ANSI means an area that represent the best examples of geologic and geomorphic landforms and areas (e.g., a moraine) in each Ecodistrict in the province (provincially significant) and the region (regionally significant). They may encompass a single feature or a group of related features (e.g., a drumlin field). As geologic / geomorphic landforms, the overlying land use may include a composite of natural and anthropogenic uses (e.g., woodland, agricultural, rural residential, etc.). Earth Science ANSIs include areas identified as provincially significant and regionally significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time.

Artifact

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

Attainable Housing

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

B

Bicycle Infrastructure

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

Brownfields

Undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant (PPS, 2020).

Buffer

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

Built Form

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

Built-Up Areas

The limits of the developed urban areas as defined by the Minister in consultation with affected municipalities for the purpose of measuring the minimum intensification target in this Plan. *Built-up areas* are delineated in Schedule B.

C

Centreline

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

Climate Change

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

Coastal Wetland

- a. Any wetland that is located on one of the Great Lakes or their connecting channels; or
- b. Any other *wetland* that is on a tributary to any of the above-specified water bodies and lies, either wholly or in part, downstream of a line located 2 km upstream of the 1:100 year floodline (plus wave run-up) of the large water body to which the tributary is connected (PPS, 2020).

Combined Sewers

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

Community Housing

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

Community Hubs

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

Community Infrastructure

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

Compact Built Form

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

Compatible

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

Complete Communities

Places such as mixed-use neighbourhoods or other areas within cities, towns, and *settlement areas* that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and *public service facilities*. *Complete communities* are age-friendly and may take different shapes and forms appropriate to their contexts (Growth Plan, 2019).

Complete Streets

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

Comprehensive Rehabilitation

Rehabilitation of land from which *mineral aggregate resources* have been extracted that is coordinated and complementary, to the extent possible, with the rehabilitation of other sites in an area where there is a high concentration of *mineral aggregate operations* (PPS, 2020).

Connectivity

The degree to which *key natural heritage features, natural heritage features and areas* and/or *key hydrologic features* are connected to one another by links such as plant and animal movement corridors, hydrologic and nutrient cycling, genetic transfer and energy flow through food webs.

Conservation Authority

Refers to the Niagara Peninsula Conservation Authority and/or Hamilton Conservation Authority.

Conserved

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

Core Areas

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

Corporate Facilities

Facilities owned by the Region, such as administrative offices and related facilities. For the purpose of Section 3.5 of this Plan, corporate *facilities* does not include *water and wastewater facilities*.

Cultural and Regenerating Woodland

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

Cultural Heritage Landscapes

A defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Indigenous community. The area may include features such as buildings, structures, spaces, views, *archaeological sites* or natural elements that are valued together for their interrelationship, meaning or association. *Cultural heritage* landscapes may be properties that have been determined to have cultural heritage value or interest under the Ontario Heritage Act or have been included on federal and/or international registers, and/or protected through official plan, zoning by-law, or other land use planning mechanisms (PPS, 2020).

Cultural Heritage Resources

Built heritage resources, *cultural heritage landscapes* and *archaeological resources* that have been determined to have cultural heritage value or interest for the important contribution they make to our understanding of the history of a place, an event, or a people. While some *cultural heritage resources* may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (Greenbelt Plan, 2017).

D

Defined Portions of the Flooding Hazard Along Connecting Channels

Those areas which are critical to the conveyance of the flows associated with the one hundred year flood level along the St. Mary's, St. Clair, Detroit, Niagara and St. Lawrence Rivers, where *development* or *site alteration* will create *flooding hazards*, cause updrift and/or downdrift impacts and/or cause adverse environmental impacts.

Demand-Responsive Transit Service

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

Deposits of Mineral Aggregate Resources

An area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction (PPS, 2020).

Designated Greenfield Areas

Lands within *urban areas* but outside of *built-up areas* that have been designated in an official plan for development and are required to accommodate forecasted growth to the horizon of this Plan. *Designated greenfield areas* do not include *excess lands*, and are identified in Schedule B.

Designated Growth Areas

Lands within *settlement areas* designated in an official plan for growth over the long-term planning horizon provided in policy 1.1.2, but which have not yet been fully developed. *Designated growth areas* include lands which are designated and available for residential growth in accordance with policy 1.4.1(a), as well as lands required for employment and other uses (PPS, 2020).

Development

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

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

(Based on PPS, 2020 and modified for the Growth Plan, 2019).

Dynamic Beach Hazard

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

E

Ecological Function

The natural processes, products or services that living and non-living environments provide or perform within or between species, ecosystems and landscapes. These may include biological, physical and socio-economic interactions (PPS, 2020).

Ecological Integrity

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

Ecological Value

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

Employment Areas

Areas designated in an official plan for clusters of business and economic activities including, but not limited to manufacturing, warehousing, offices, and associated retail and ancillary facilities (PPS, 2020).

Employment Land

Lands that are designated in Local official plans or zoning by-laws for employment uses. *Employment lands* may be within and outside of *employment areas*.

Endangered Species

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

Enhancement Areas

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

- connect natural features and areas to create larger contiguous natural areas;
- reduce edge habitat and increase proportion of interior conditions (greater than 100 m from edge); and
- include critical function zones and important catchment areas critical to sustaining *ecological functions*.

Environmental Impact Study

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

The purpose of an *environmental impact study* is to:

- collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes, and functions of components of the *Natural Environment System*;
- determine whether there are any additional components;
- undertake a comprehensive impact analysis;
- propose appropriate mitigation measures;
- clearly articulate any impacts that cannot be avoided or mitigated;
- where appropriate, recommend monitoring provisions;
- consider *climate change*, cumulative and/or watershed impacts where possible; and
- demonstrate that ecological enhancement to the *Natural Environment System* is achieved.

Erosion Hazard

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

Essential Emergency Services

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

Excess Lands

Vacant, unbuilt but developable lands within *settlement areas* but outside of *built-up areas* that have been designated in an official plan for development but are in excess of what is needed to accommodate forecasted growth to the horizon of this Plan (Growth Plan, 2019).

Excess Soil

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

Existing Uses

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

F

Fish

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

Fish Habitat

As defined in the Fisheries Act, means spawning grounds and any other areas, including nursery, rearing, food supply, and migration areas on which 'fish' depend directly or indirectly in order to carry out their life processes (PPS, 2020).

Flood Fringe

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

Flooding Hazards

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

- a. along the shorelines of the Great Lakes - St. Lawrence River System and *large inland lakes*, the *flooding hazard* limit is based on the *one hundred year flood level* plus an allowance for *wave uprush* and *other water-related hazards*;
- b. along *river, stream and small inland lake systems*, the *flooding hazard* limit is the greater of:
 - i. the flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961), transposed over a specific *watershed* and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over *watersheds* in the general area;
 - ii. the *one hundred year flood*; and

- iii. a flood which is greater than one or two. which was actually experienced in a particular *watershed* or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources and Forestry;

except where the use of the *one hundred year flood* or the actually experienced event has been approved by the Minister of Natural Resources and Forestry as the standard for a specific *watershed* (where the past history of flooding supports the lowering of the standard) (PPS, 2020).

Floodplains

For *river, stream and small inland lake systems*, means the area, usually low lands adjoining a *watercourse*, which has been or may be subject to *flooding hazards* (PPS, 2020).

Floodproofing Standard

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

Floodway

For *river, stream and small inland lake systems*, means the portion of the *floodplain* where *development* and *site alteration* would cause a danger to public health and safety or property damage. Where the *one zone concept* is applied, the *floodway* is the entire contiguous *floodplain*. Where the *two zone concept* is applied, the *floodway* is the contiguous inner portion of the *floodplain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the *two zone concept* applies, the outer portion of the *floodplain* is called the *flood fringe* (PPS, 2020).

Freight-Supportive

In regard to land use patterns, means *transportation systems* and facilities that facilitate the movement of goods. This includes policies or programs intended to support efficient freight movement through the planning, design and operation of land use and *transportation systems*. Approaches may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives (PPS, 2020).

Frequent Transit Service

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

Fringe Lands

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

G

Green Infrastructure

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

Greenbelt Plan Natural Heritage System

The *natural heritage system* mapped and issued by the Province in accordance with the Greenbelt Plan.

Greyfield Sites

Previously developed properties that are not contaminated. They are usually, but not exclusively, former commercial properties that may be underutilized, derelict, or vacant (Growth Plan, 2019).

Groundwater Feature

Water-related features in the earth's subsurface including recharge/discharge areas, water tables, aquifers and unsaturated zones that can be defined by surface and subsurface hydrogeological investigations (PPS, 2020).

H

Habitat of Endangered Species and Threatened Species

Habitat within the meaning of Section 2 of the *Endangered Species Act, 2007* (PPS, 2020).

Hazardous Forest Types for Wildland Fire

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

Hazardous Lands

Property or lands that could be unsafe for *development* due to naturally occurring processes. Along the shorelines of the Great Lakes - St. Lawrence River System, this means the land, including that covered by water, between the international boundary, where applicable, and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along the shorelines of *large inland lakes*, this means the land, including that covered by water, between a defined offshore distance or depth and the furthest landward limit of the *flooding hazard*, *erosion hazard* or *dynamic beach hazard* limits. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard limits* (PPS, 2020).

Hazardous Sites

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

Hazardous Substances

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

Heritage Attributes

The principal features or elements that contribute to a *protected heritage property's* cultural heritage value or interest, and may include the property's built, constructed, or manufactured elements, as well as natural landforms, vegetation, water features, and its visual setting (e.g. significant views or vistas to or from a *protected heritage property*) (PPS 2020).

Higher Order Transit

Transit that generally operates in partially or completely dedicated rights-of-way, outside of mixed traffic, and therefore can achieve levels of speed and reliability greater than mixed-traffic transit. *Higher order transit* can include heavy rail (such as subways and inter-city rail), light rail, and buses in dedicated rights-of-way (Growth Plan, 2019).

Highly Vulnerable Aquifers

Aquifers, including lands above the aquifers, on which external sources have or are likely to have a significant adverse effect (Greenbelt Plan, 2017).

Hydrological Evaluation

A science-based study of hydrologic features and areas, and impacts to those features and hydrologic functions resulting from *development* and/or *site alteration*.

The purpose of a *hydrologic evaluation* is to:

- collect and evaluate the appropriate information in order to have a complete understanding of the boundaries, attributes of permanent and *intermittent streams, inland lakes and their littoral zones, seepage areas and springs, wetlands, groundwater features, surface water features, floodplains, flooding hazards, floodways, shoreline areas*, and related *hydrologic functions*;
- determine whether there are any additional *hydrologic features* and areas;
- assess the significance and sensitivity of hydrologic features and their *hydrologic functions*;
- undertake a comprehensive impact analysis;
- propose appropriate mitigation measures;
- identify planning, design and construction practices that will maintain and, where possible, enhance or restore the health, diversity and size of the *hydrologic feature and functions* and its connectivity with other hydrologic features, *natural heritage features and areas* and *key natural heritage features*;
- clearly articulate any impacts that cannot be avoided or mitigated;
- where appropriate, recommend monitoring provisions to evaluate the long-term effectiveness of the identified mitigation measures; and
- consider *climate change*, cumulative and/or *watershed* impacts where possible

Hydrologic Functions

The functions of the hydrological cycle that include the occurrence, circulation, distribution and chemical and physical properties of water on the surface of the land, in the soil and underlying rocks, and in the atmosphere, and water's interaction with the environment including its relation to living things (PPS, 2020).



Individual On-Site Sewage Service

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



Individual On-Site Water Service

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



Industrial Effluent System

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



Infrastructure

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



Inland Lakes and their Littoral Zones

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

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

Institutional Use

Include uses such as government buildings, hospital, schools, churches, cemetery uses.

For the purposes of Section 3.1 of this Plan, means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measures or protection works, or erosion.

Intake Protection Zone

An area as delineated in Schedule E of this Plan and in the Source Protection Plan for the Niagara Peninsula Source Protection Area that surrounds a municipal surface water intake and within which it is desirable to regulate or monitor drinking water threats.

Where a conflict in mapping arises, the Source Protection Plan shall prevail.

Intensification

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

- a. *redevelopment*, including the reuse of brownfields;
- b. the development of vacant and/or underutilized lots within previously developed areas;
- c. *infill development*; and
- d. the expansion or conversion of existing buildings. (PPS, 2020)

Interface

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

Intermittent Stream

Stream-related watercourses that contain water or are dry at times of the year that are more or less predictable, generally flowing during wet seasons of the year but not the entire year, and where the water table is above the stream bottom during parts of the year (Greenbelt Plan, 2017).

K

Key Hydrologic Areas

Significant groundwater recharge areas, highly vulnerable aquifers, and significant surface water contribution areas that are necessary for the ecological and hydrologic integrity of a watershed (Growth Plan, 2019).

Key Hydrologic Features

Permanent streams, intermittent streams, inland lakes and their littoral zones, seepage areas and springs, and wetlands (Growth Plan, 2019).

Key Natural Heritage Features

Habitat of endangered species and threatened species; fish habitat; wetlands; life science areas of natural and scientific interest (ANSIs), significant valleylands, significant woodlands; significant wildlife habitat (including habitat of special concern species); sand barrens, savannahs, and tallgrass prairies; and alvars (Growth Plan, 2019).

L

Lake

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

Landform Features

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

Large Inland Lakes

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

Lateral Connection

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

Legal or Technical Reasons

Severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot (PPS, 2020).

Linkages

An area, that may or may not be associated with the presence of existing natural features and areas, that provides and maintains ecological connectivity between core areas consisting of natural features and areas, and supports a range of community and ecosystem processes enabling plants and animals to move among *natural heritage features*, in some cases over multiple generations, thereby supporting the long-term sustainability of the overall *natural environment system*.

Local Growth Centres and Corridors

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

Low and Moderate Income Households

In the case of ownership housing, households with incomes in the lowest 60 per cent of the income distribution for the *regional market area*; or in the case of rental housing, households with incomes in the lowest 60 per cent of the income distribution for renter households for the *regional market area* (Growth Plan, 2019).

Low Impact Development

An approach to stormwater management that seeks to manage rain and other precipitation as close as possible to where it falls to mitigate the impacts of increased runoff and stormwater pollution. It typically includes a set of site design strategies and distributed, small-scale structural practices to mimic the natural hydrology to the greatest extent possible through infiltration, evapotranspiration, harvesting, filtration, and detention of stormwater. *Low impact development* can include, for example: bio-swales, vegetated areas at the edge of paved surfaces, permeable pavement, rain gardens, green roofs, and exfiltration systems. *Low impact development* often employs vegetation and soil in its design, however, that does not always have to be the case and the specific form may vary considering local conditions and community character (Growth Plan, 2019).

M

Major Facilities

Facilities which may require separation from sensitive land uses, including but not limited to airports, manufacturing uses, transportation *infrastructure* and corridors, *rail facilities*, *marine facilities*, sewage treatment facilities, *waste management systems*, oil and gas pipelines, industries, energy generation facilities and transmission systems, and resource extraction activities (PPS, 2020).

Major Goods Movement Facilities and Corridors

Transportation facilities and corridors associated with the inter- and intra-provincial movement of goods. Examples include: inter-modal facilities, ports, airports, *rail facilities*, truck terminals, freight corridors, freight facilities, and haul routes and primary transportation corridors used for the movement of goods. Approaches that are freight-supportive may be recommended in guidelines developed by the Province or based on municipal approaches that achieve the same objectives (PPS, 2020).

Major Institutional Uses

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

Major Office Use

Freestanding office buildings of approximately 4,000 square metres of floor space or greater, or with 200 jobs or more (Growth Plan, 2019).

Major Recreational Use

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

Major Retail / Major Commercial Uses

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

Major Transit Station Areas

The area including and around any existing or planned *higher order transit station* or stop within a *settlement area*; or the area including and around a major bus depot in an urban core. *Major transit station areas* generally are defined as the area within an approximate 500 to 800 metre radius of a transit station, representing about a 10-minute walk, and include protected *major transit station areas* (Growth Plan, 2019).

Major Trip Generators

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

Marine Facilities

Ferries, harbours, ports, ferry terminals, canals and associated uses, including designated lands for future *marine facilities* (PPS, 2020).

Mine Hazards

Any feature of a mine as defined under the Mining Act, or any related disturbance of the ground that has not been rehabilitated (PPS 2020).

Minerals

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

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

Non-metallic minerals means those minerals that are of value for intrinsic properties of the minerals themselves and not as a source of metal. They are generally synonymous with industrial minerals (e.g. asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, and wollastonite) (PPS, 2020).

Mineral Aggregate Operation

- a. Lands under license or permit, other than for wayside pits and quarries, issued in accordance with the *Aggregate Resources Act*;
- b. For lands not designated under the *Aggregate Resources Act*, established pits and quarries that are not in contravention of municipal zoning by-laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and
- c. Associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products (PPS, 2020).

Mineral Aggregate Resources

Gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act (PPS, 2020).

Mineral Deposits

Areas of identified *minerals* that have sufficient quantity and quality based on specific geological evidence to warrant present or future extraction (PPS, 2020).

Mineral Mining Operation

Mining operations and associated facilities, or, past producing mines with remaining mineral development potential that have not been permanently rehabilitated to another use (PPS, 2020).

Minimum Distance Separation Formulae

The formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities. (PPS, 2020).

Multimodal

The availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air, and marine (Growth Plan, 2019).

Multimodal Transportation System

A *transportation system* which may include several forms of transportation such as automobiles, walking, trucks, cycling, buses, rapid transit, rail (such as commuter and freight), air and marine (PPS, 2020).

Municipal Comprehensive Review

A new official plan, or an official plan amendment, initiated by the Region under Section 26 of the Planning Act, 1990 that comprehensively applies Provincial policies and plans and the applicable policies of this Plan.

Municipal Water and Wastewater Systems/Services

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

- a. that is owned by a municipality or by a municipal service board established under section 195 of the Municipal Act, 2001;
- b. that is owned by a corporation established under section 203 of the Municipal Act, 2001;
- c. from which a municipality obtains or will obtain water under the terms of a contract between the municipality and the owner of the system; or
- d. that is in a prescribed class of municipal drinking-water systems as defined in regulation under the Safe Drinking Water Act, 2002.

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

N

Natural Environment System

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

Natural Heritage Features and Areas

Features and areas, including *significant wetlands*, *significant coastal wetlands*, other *coastal wetlands*, *fish habitat*, *significant woodlands*, *significant valleylands*, *habitat of endangered species and threatened species*, *significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area (modified from PPS, 2020). For the purposes of this definition, *natural heritage features and areas* includes *other woodlands*, *earth science areas of natural and scientific interest* (provincial and regional), and *life science areas of natural and scientific interest* (provincial and regional).

Natural Heritage System

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

Natural Heritage System for the Growth Plan

The *natural heritage system* mapped and issued by the Province in accordance with the Growth Plan.

Natural Self-Sustaining Vegetation

Vegetation dominated by native plant species that can grow and persist without direct human management, protection, or tending.

Negative Impacts

- a. In regard to water, degradation to the quality or quantity of surface or groundwater, *key hydrologic features* or *vulnerable areas* and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration activities*;

- b. In regard to *fish habitat*, any permanent alteration to, or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*; and
- c. In regard to other *natural heritage features and areas*, degradation that threatens the health and integrity of the natural features or *ecological functions* for which an area is identified due to single, multiple or successive *development* or *site alteration* activities (Greenbelt Plan, 2017).

Net-Zero

Either emitting no greenhouse gas emissions or offsetting emissions through actions such as tree planting that capture carbon before it is released into the air.

Niagara Economic Centre

Settlement areas conceptually depicted on Schedules 2, 5, and 6 of the Growth Plan for the Greater Golden Horseshoe, 2019 that, due to their proximity to major international border crossings, have unique economic importance to the region and Ontario.

Niagara Economic Gateway

The total geographic area of the local municipalities a part of the *Niagara Economic Centre* or *Niagara Economic Zone*.

Niagara Economic Zone

Settlement areas within the zone that is conceptually depicted on Schedules 2, 5, and 6 of the Growth Plan for the Greater Golden Horseshoe, 2019, that, due to their proximity to major international border crossings, have unique economic importance to the region and Ontario.

Normal Farm Practices

A practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. *Normal farm* practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act (PPS, 2020).



Office Parks

Employment areas or areas where there are significant concentrations of offices with high employment densities (Growth Plan, 2019).

Oil, Gas, and Salt Hazards

Any feature of a well or work as defined under the Oil, Gas and Salt Resources Act, or any related disturbance of the ground that has not been rehabilitated (PPS, 2020).

One Hundred Year Flood

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

One Hundred Year Flood Level

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

On-Farm Diversified Uses

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

Other Water-Related Hazards

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

Other Wetlands

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

Other Woodlands

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

P

Permanent Streams

Watercourses that contain water during all times of the year.

Petroleum Resource Operation

Oil, gas and salt wells and associated facilities and other drilling operations, oil field fluid disposal wells and associated facilities, and wells and facilities for the underground storage of natural gas and other hydrocarbons (PPS, 2020).

Petroleum Resources

Oil, gas, and salt (extracted by solution mining method) and formation water resources which have been identified through exploration and verified by preliminary drilling or other forms of investigation. This may include sites of former operations where resources are still present or former sites that may be converted to underground storage for natural gas or other hydrocarbons (PPS, 2020).

Place-Making

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

Planned Corridors

Corridors or future corridors which are required to meet projected needs, and are identified through this Plan, preferred alignment(s) determined through the Environmental Assessment Act process, or identified through planning studies where the Ministry of Transportation, Ministry of Energy, Northern Development and Mines, Metrolinx, or Independent Electricity System Operator (IESO) or any successor to those Ministries or entities, is actively pursuing the identification of a corridor. Approaches for the protection of *planned corridors* may be recommended in guidelines developed by the Province (Growth Plan, 2019).

Portable Asphalt Plant

A facility:

- a. with equipment designed to heat and dry aggregate and to mix aggregate with bituminous asphalt to produce asphalt paving material, and includes stockpiling and storage of bulk materials used in the process; and
- b. which is not of permanent construction, but which is to be dismantled at the completion of the construction project (PPS, 2020).

Portable Concrete Plant

A building or structure:

- a. with equipment designed to mix cementing materials, aggregate, water and admixtures to produce concrete, and includes stockpiling and storage of bulk materials used in the process; and
- b. which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project (PPS, 2020).

Prime Agricultural Area

Areas where *prime agricultural lands* predominate. This includes areas of *prime agricultural lands* and associated Canada Land Inventory Class 4 through seven lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A *prime agricultural area* may also be identified through an alternative agricultural land evaluation system approved by the Province (PPS, 2020).

Prime Agricultural Land

Specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection (PPS, 2020).

Protected Heritage Property

Property designated under Parts IV, V or VI of the Ontario Heritage Act; property subject to a heritage conservation easement under Parts II or IV of the Ontario Heritage Act; property identified by the Province and prescribed public bodies as provincial heritage property under the Standards and Guidelines for Conservation of Provincial Heritage Properties; property protected under federal legislation, and UNESCO World Heritage Sites (PPS, 2020).

Protected Major Transit Station Area

The area surrounding and including an existing or planned *higher order transit* station or stop as identified on Schedule B to this Plan.

Provincial and Federal Requirements

- a. In regard to Section 3.1.12 of this Plan, legislation and policies administered by the federal or provincial governments for the purpose of fisheries protection (including *fish* and *fish habitat*), and related, scientifically established standards such as water quality criteria for protecting lake trout populations; and
- b. In regard to Section 3.1.13 of this Plan, legislation and policies administered by the provincial government or federal government, where applicable, for the purpose of protecting species at risk and their habitat.

Provincial Natural Heritage System

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

Provincially Significant Employment Zones

Areas defined by the Minister of Municipal Affairs and Housing in consultation with affected municipalities for the purpose of long-term planning for job creation and economic development. Provincially *significant employment zones* can consist of *employment areas* as well as mixed-use areas that contain a significant number of jobs (Growth Plan, 2019).

Provincially Significant Wetlands

Those *wetlands* identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time (PPS, 2020).

Public Realm

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

Public Service Facilities

Lands, buildings and structures for the provision of programs and services provided or subsidized by a government or other body, such as social assistance, recreation, police and fire protection, health and educational programs, long-term care services, and cultural services. *Public service facilities* do not include *infrastructure* (PPS, 2020).

Public Works Projects

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

Q

Quality and Quantity of Water

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

Quaternary Watershed

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

- Fifteen and Sixteen Mile Creeks
- Four Mile Creek and NOTL
- Jordan Harbour -Twenty Mile Creek
- Twelve Mile Creek
- Welland Canal North
- Welland Canal South
- West Lake Ontario Shoreline
- Niagara River North
- Niagara River South
- Welland River East
- Welland River West
- Northeast Lake Erie Shoreline

R

Rail Facilities

Rail corridors, rail sidings, train stations, inter-modal facilities, rail yards and associated uses, including designated lands for future rail facilities (PPS, 2020).

Redevelopment

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

Regional Market Area

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

Renewable Energy System

A system that generates electricity, heat and/or cooling from a renewable energy source.

For the purposes of this definition:

A renewable energy source is an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces (PPS, 2020).

Residence Surplus to a Farming Operation

An existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation) (PPS, 2020).

Resilience

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

Risk Management Official

A person appointed under Part IV of the Clean Water Act, 2006, by the Council of a municipality that has authority to pass by-laws respecting water production, treatment, and storage under the Municipal Act, 2001 (Source Protection Plan for the Niagara Source Protection Area).

River, Stream and Small Inland Lake Systems

All watercourses, rivers, streams, and small *inland lakes* or waterbodies that have a measurable or predictable response to a single runoff event.

Rural Areas

A system of lands within local municipalities that may include *rural settlements*, *rural lands*, *prime agricultural areas*, *natural heritage features and areas*, and resource areas (PPS, 2020).

Rural Lands

Lands which are located outside *settlement areas* and which are outside *prime agricultural areas* (PPS, 2020).

Rural Settlements

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

S

Seepage Areas and Springs

Sites of emergence of groundwater where the water table is present at the ground surface (Greenbelt Plan, 2017).

Sense of Place

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

Sensitive

In regard to *surface water features* and *groundwater features*, means areas that are particularly susceptible to impacts from activities or events including, but not limited to, water withdrawals, and additions of pollutants (PPS, 2020).

Sensitive Land Uses

Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more adverse effects from contaminant discharges generated by a nearby *major facility*. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities (PPS, 2020).

Setback

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

Settlement Areas

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

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

Sewage Works

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

Shoreline Areas

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

Significant

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

Significant Areas of Natural and Scientific Interest

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

Significant Coastal Wetlands

Those *coastal wetlands* identified as provincially significant by the Ontario Ministry of Natural Resources and Forestry using evaluation procedures established by the Province, as amended from time to time (PPS, 2020).

Significant Drinking Water Threats or Significant Threat

A threat that, according to a risk assessment, poses or has the potential to pose a significant risk to the quality of municipal drinking water (Based on the Source Protection Plan for the Niagara Source Protection Area).

Significant Groundwater Recharge Area

An area that has been identified as:

- a. a *significant groundwater recharge area* by any public body for the purposes of implementing the PPS;
- b. a *significant groundwater recharge area* in the assessment report required under the Clean Water Act, 2006; or

- c. an ecologically *significant groundwater recharge area* delineated in a *subwatershed study* or equivalent in accordance with provincial guidelines.

For the purposes of this definition, ecologically *significant groundwater recharge areas* are areas of land that are responsible for replenishing groundwater systems that directly support *sensitive* areas like cold water streams and wetlands (Greenbelt Plan, 2017).

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

Significant Surface Water Contribution Areas

Areas, generally associated with headwater catchments that contribute to baseflow volumes which are significant to the overall surface water flow volumes within a *watershed* (Greenbelt Plan, 2017).

Significant surface water contribution areas include headwater drainage features classified as protection, conservation and mitigation.

Significant Valleylands

Valleyland which is ecologically important in terms of features, functions, representation or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. These are to be identified using criteria established by the Province (Growth Plan, 2019).

Significant Wildlife Habitat

Wildlife habitat that is ecologically important in terms of features, functions, representation, or amount, and contributing to the quality and diversity of an identifiable geographic area or natural heritage system. These are to be identified using criteria established by the Province (PPS, 2020).

Significant Woodlands

Woodlands that are ecologically important in terms of features such as species composition, age of trees and stand history; functionally important due to its contribution to the broader landscape because of its location, size or due to the amount of forest cover in the planning area; or economically important due to site quality, species composition, or past management history (PPS, 2020).

Site Alteration

Activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site (PPS, 2020).

Soil Management Plan

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

Source Protection Plan

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

Source Water

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

Special Policy Area

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

Specialized Housing Needs

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

Specialty Crop Area

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

- a. soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;
- b. farmers skilled in the production of specialty crops; and
- c. a long-term investment of capital in areas such as crops, drainage, *infrastructure* and related facilities and services to produce, store, or process specialty crops (PPS, 2020).

Specialty Crop Guidelines

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

Standards and Guidelines for Consulting Archaeologists

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

Stormwater Management Facility

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

Stormwater Master Plan

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

Strategic Growth Areas

Within *settlement areas*, nodes, corridors, and other areas that have been identified in Schedule B to be the focus for accommodating *intensification* and higher-density mixed uses in a more *compact built form*. *Strategic growth areas* include *urban growth centres*, regional growth centres, *major transit station areas*, and other major opportunities that may include infill, *redevelopment*, *brownfield* sites, the expansion or conversion of existing buildings, or *greyfields*. Lands along major roads, arterials, or other areas with existing or planned frequent transit service or higher order transit corridors may also be identified as *strategic growth areas* (Growth Plan, 2019).

Subwatershed

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

Subwatershed Planning

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

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

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

Subwatershed Study

The plan or outcome from a *subwatershed* planning exercise.

Supporting Features and Areas

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

Surface Water Feature

Water-related features on the earth's surface, including headwaters, rivers, stream channels, *inland lakes*, *seepage areas*, recharge/discharge areas, springs, *wetlands*, and associated riparian lands that can be defined by their soil moisture, soil type, vegetation, or topographic characteristics (PPS, 2020).

Sustainable

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

Sustainable Design

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

Tallgrass Prairie

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

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

Temporary Storage Site

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

Tertiary Watershed

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

Threatened Species

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

Total Developable Area

The total area of the property less the area occupied by key natural heritage features, *key hydrologic features* and any related *vegetation protection zone*.

Transit Priority Corridors

Transportation corridors that aim to improve transit reliability, speed and capacity through roadway treatments, such as: transit only lanes that allow buses to bypass general traffic, dedicated bus lanes, and queue jump traffic signals that allow buses to go before the general traffic green light.

Transit Service Integration

The coordinated planning or operation of transit service between two or more agencies or services that contributes to the goal of seamless service for riders and could include considerations of service schedules, service routes, information, fare policy, and fare payment (Growth Plan, 2019).

Transit-Supportive

Relating to *development* that makes transit viable and improves the quality of the experience of using transit. It often refers to compact, mixed-use development that has a high level of employment and residential densities. Transit-supportive development will be consistent with Ontario's Transit Supportive Guidelines (Growth Plan, 2019).

Transport Pathway

In respect of an *intake protection zone*, means works or any other thing that reduces the time it takes for a contaminant to reach a surface water intake and may include storm sewers, discharge pipes, utility trenches, ditches, swales, drainage works or any other types of drain (2017 Technical Rules under the Clean Water Act).

Transportation System

A system consisting of facilities, corridors and rights-of-way for the movement of people and goods, and associated transportation facilities including transit stops and stations, sidewalks, cycle lanes, bus lanes, high occupancy vehicle lanes, *rail facilities*, parking facilities, park-and-ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, airports, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance (PPS, 2020).

Two Zone Concept

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

Universal Design

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

Urban Agriculture

Within *urban areas*, agricultural production of food and non-food products accessory to the principle use of a property. Examples of *urban agriculture* include community, school, and rooftop gardens, ground-based outdoor community and urban market gardens, urban livestock, and hydroponic farms.

Urban Areas

Lands located within a defined boundary as identified in Schedule B. Urban areas are made up of *built-up areas*, *designated greenfield areas* and *excess lands* and does not include hamlets.

Urban Growth Centre

Existing or emerging downtown areas shown in Schedule 4 of A Place to Grow: Growth Plan for the Greater Horseshoe and as further identified by the Minister on April 2, 2008 (Growth Plan, 2019). For the purposes of this Plan, downtown St. Catharines is identified on Schedule B of this Plan.

Utility

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

V

Valleylands

A natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year (PPS, 2020).

Vegetation Protection Zone

A vegetated *buffer* area surrounding a *key natural heritage feature* or *key hydrologic feature* (Greenbelt Plan, 2017).

Vulnerable

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

W

Waste Disposal Sites

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

Waste Management

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

Wastewater Services

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

Wastewater Treatment Plant/Facility

The part of a *sewage works* that treats or disposes of sewage but does not include the part of the *sewage works* that collects or transmits sewage.

Water Budget

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

Water Resource System

A system consisting of *groundwater features and areas* and *surface water features* (including *shoreline areas*), and *hydrologic functions*, which provide the water resources necessary to sustain healthy aquatic and terrestrial ecosystems and human water consumption. The *water resource system* comprises of *key hydrologic features* and *key hydrologic areas* (Growth Plan, 2019).

Water Services

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

Watershed

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

Watershed Plan

The plan our outcome from a *watershed planning* exercise either at the *tertiary* or *quaternary* level.

Watershed Planning

Planning that provides a framework for establishing goals, objectives, and direction for the protection of water resources, the management of human activities, land, water, aquatic life, and resources within a watershed and for the assessment of cumulative, cross-jurisdictional, and *cross-watershed* impacts.

Watershed planning typically includes: watershed characterization, a *water budget*, and conservation plan; nutrient loading assessments; consideration of the impacts of a changing climate and severe weather events; land and water use management objectives and strategies; scenario modelling to evaluate the impacts of forecasted growth and servicing options, and mitigation measures; an environmental monitoring plan; requirements for the use of environmental best management practices, programs, and performance measures; criteria for evaluating the protection of *quality and quantity of water*; the identification and protection of *hydrologic features*, areas, and functions and the inter-relationships between or among them; and targets for the protection and restoration of riparian areas.

Wave Uprush

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

Wayside Pits and Quarries

A temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right-of-way (PPS, 2020).

Wellhead Protection Areas

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

Wetlands

Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of *wetlands* are swamps, marshes, bogs and fens. Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit *wetland* characteristics are not considered to be *wetlands* for the purposes of this definition (PPS, 2020).

Wildland Fire Assessment and Mitigation Standards

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

Wildlife Habitat

Areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter, and space needed to sustain their populations. Specific *wildlife habitats* of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species (PPS, 2020).

Woodlands

Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the *sustainable* harvest of a wide range of woodland products. *Woodlands* include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. *Woodlands* will be delineated according to the Province's Ecological Land Classification system definition for forest (PPS, 2020). For the purposes of this definition, forests include terrestrial vegetation communities as defined in accordance with the Ecological Land Classification (ELC) system, where the tree cover is greater than 60 per cent.

Woodland Enhancement Plan

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

- a. if the removal occurs within the *Urban Area* that the enhancement also be provided in the *Urban Area*;

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