

CITY OF
Welland

CITY OF WELLAND
Official Plan

February 2026

Prepared by
SGL Planning and Design Inc.
in association with
GEI Consultants, Inc., and urban metrics inc.

Table of Contents

1. Introduction 1
2. Community Strategic Direction 10
3. Growth Management Policies 20
4. Urban Area Land Use Policies 36
5. Agricultural and Rural Area Land Use Policies 84
6. Natural Environment System 103
7. Open Space and Recreation 132
8. Climate Change 144
9. Arts, Culture and Design 148
10. Integrated Transportation 159
11. Infrastructure and Utilities 178
12. Northwest Secondary Plan Policies 190
13. Area Specific Policy Areas 203
14. Implementation 207
15. Definitions 249

CITY OF Welland



CHAPTER 1
Introduction

1 INTRODUCTION

1.1 HISTORICAL CONTEXT FOR THE OFFICIAL PLAN

1.1.1 Location

The City of Welland is located in the heart of Niagara Peninsula, south of Lake Ontario and north of Lake Erie. Via highway, Welland is approximately 130 kilometers from Toronto and approximately 40 kilometers to Buffalo, New York. Welland is bounded by the City of Thorold and the Town of Pelham to the north, the City of Port Colborne to the south, the Township of Wainfleet to west and the City~~ies~~ of Niagara Falls ~~and Fort Erie~~ to the east.

1.1.2 History

Welland's history begins with the Indigenous peoples who hunted, fished, foraged and lived sustainably on the lands. The City of Welland is situated on treaty land. This territory is covered by the Between the Lakes Treaty, No. 3 of the Upper Canada Treaties reached between the Crown and the Mississaugas of the Credit First Nation. This land is steeped in the rich history of the First Nations such as the Hatiwendaronk, the Haudenosaunee, and the Anishinaabe, including the Mississaugas of the Credit First Nation and the Six Nations of the Grand River. There are many First Nations, Metis, and Inuit people from across Turtle Island that live and work in Welland today.

During the War of 1812, near ~~The first event of major historical significance took place at the present day site of Cooks Mills. Near~~ Welland's eastern boundary, on Lyons Creek Road, is a cairn which marks the spot where more than a century and a half ago, the forces of the United States and those of Canada met for the last time during the War ~~of 1812~~. The battle of Cook's Mills ended an epoch of suspicion and enmity and opened another one of peace, understanding and goodwill. While the battle represents an important piece of local and national history, the City of Welland's true beginning can be traced back to 1824. Welland has historical connections to several individuals, including Jim Wilson and Abraham Jamieson, freedom seekers who travelled along the Underground Railroad and ultimately established permanent residence in Welland and the Township of Crowland.

In 1824, a sod-turning by Mr. George Keefer, President of the Welland Canal Company marked the beginning of the Welland Ship Canal. In 1829, when a wooden aqueduct was built to carry the Welland Canal over the Welland River, a true urban presence of settlement came to be. The

settlement was called Aqueduct or The Aqueduct. On November 14, 1844, following the replacement of the wooden aqueduct with one of stone, the name of the settlement was changed to Merrittsville in honour of a prominent local politician, the Honourable William Merritt. Merritt was a veteran of the War of 1812, a local merchant and one of the key drivers behind the Canal project and later became a member of Canada's Parliament (1832). The settlement was incorporated as the Village of Welland on July 24, 1858. Incorporation as a Town took place on January 1, 1878, and as a City on July 1, 1917.

On June 9, 1967, a second sod-turning ceremony marked the start of construction of an ~~8.3 mile~~13.4 kilometer channel to relocate the Welland Ship Canal east of the City's core. On December 15, 1972, some of the bridges over the Welland Ship Canal came down permanently as navigation on this channel closed forever. The new channel (Welland By-pass Canal), which opened for shipping on April 1, 1973, and officially opened with appropriate ceremonies on July 14, 1973, has had a dramatic effect upon all aspects of Welland's continued growth and expansion.

The story of the Welland Canal represents one of the two central historical themes that help to define Welland. The second historical theme which helps to define the City's past is Welland's industrial legacy. ~~The~~Although many of which are now closed, the City of Welland has been home to some of Canada's largest and most famous industrial companies including, Plymouth Cordage, Atlas Steels, Union Carbide, Dain Manufacturing (John Deere), Canada Forgings, Stokes Rubber (now Henniges Automotive) and Page-Hersey (now Lakeside Steel) to name just a few. Welland's rich industrial history continues today, as the City is considered to be one of Niagara's main industrial and manufacturing centres.

Welland's boundaries have changed considerable~~y~~ over the years. Since incorporation as a City on July 1, 1917, the first expansion of City boundaries took place on January 1, 1950, when approximately 300 acres of Thorold Township were annexed to the City. Through on-going expansions and annexations, the City of Welland has grown to its current size of approximately 86 square kilometres.

1.1.3 Official Plan History of Welland

An Official Plan is a statutory document which sets out a municipality's long- term land use plan for growth and *development*. An Official Plan provides guidance for physical *development* over a 20-year period while taking into consideration a wide range of social, economic and environmental conditions. This Official Plan will guide *development* until the year 2051.

The City's first Official Plan was approved by the Ministry of Planning and Development on August 5, 1952. On April 17, 1961, Official Plan Amendment No. 6, providing land use designations and policies for the former Township of Crowland, was approved by the Ministry of Municipal Affairs. In the mid to late 1980's, Official Plan Amendments 67 and 68 assigned land use designations and set out policies for those areas of the City of Welland formerly in portions of the Townships of Humberstone and Thorold respectively. The aforementioned Official Plan Amendments served to cover a majority of the lands currently within the City of Welland, although there remain areas within the City for which there was no Official Plan land use designation coverage.

The 2010 Official Plan marked the first comprehensive consolidation in over fifty years since 1952. This Official Plan reflects an update to the 2010 Official Plan consolidating any amendments that have occurred since 2010. It also reflects the emerging policy direction of supporting the achievement of complete communities.

~~Although previous attempts were made to update the City's Official Plan, no new consolidated Plan had been approved since the original one was prepared in 1952. This current Official Plan marks a significant milestone for Welland, providing the City with its first comprehensive plan in over fifty years.~~ The goals, objectives and policies of this Plan provide a solid framework for achieving the long-term aspirations of the City and its citizens.

1.2 PLANNING CONTEXT FOR THE OFFICIAL PLAN

Under the *Planning Act*, municipalities are required to have an Official Plan which is to be reviewed and updated within ten years, if adopted as a new Official Plan, and every 5 years thereafter. An Official Plan is adopted by local Council under the provisions of the *Planning Act* and must be approved by the Ministry of Municipal Affairs and Housing ~~or an upper tier municipality, if the upper tier municipality has an approved Official Plan (i.e., the Regional Municipality of~~ Niagara Region~~)~~. As such, the Welland Official Plan must be consistent with matters of Provincial ~~and~~ applicable ~~Regional~~ interest. ~~The key provincial and regional documents which provide guidance include the Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, and the Niagara Plan.~~ Improving the delivery of housing has been a key directive of the Province with three Acts that have revised the Planning Act and other Provincial legislation that addresses housing including the More Homes, Built Faster Act: Ontario's Housing Supply Action

Plan, the More Homes, More Choice: Ontario's Housing Supply Action Plan Act and the More Homes for Everyone Act. These Acts also have had influence on the policies of this Official Plan.

1.2.1 Conformity with Provincial ~~Policy~~ Planning Statement

The Provincial ~~Policy~~ Planning Statement (PPS) is issued under the authority of Section 3 of the *Planning Act*. It provides direction on matters of provincial interest related to land use planning and *development*, and promotes the provincial policy-led planning system. The PPS is divided into four main sections: Building Strong Healthy Communities; Wise Use and Management of Resources; Protecting Public Health and Safety; and~~,~~ Implementation and Interpretation.

All municipal official plans and planning decisions must be consistent with the PPS. The City of Welland's Official Plan has been prepared to meet the requirements of the PPS and is considered to be consistent with the PPS ~~(2005)~~.

~~1.2.2 Conformity with A Places to Grow: The Growth Plan for the Greater Golden Horseshoe~~

~~The Growth Plan for the Greater Golden Horseshoe (also referred to as the "Places to Grow" or "P2G") provides a broad twenty-five year land use vision for the communities in Ontario's Greater Golden Horseshoe area. The vision is one of compact settlement and development patterns which are capable of providing diverse opportunities to work, live and participate in community life. Under P2G's policies, the majority of the new growth is expected to be accommodated in existing urban areas, with a specific focus on directing growth to strategically located *intensification* areas. Greenfield *development* is to be planned at, higher densities and, the conversion of rural/agricultural lands to urban uses will only be permitted under strict conditions. P2G is intended to be used by all levels of government.~~

~~Of particular importance for the City of Welland are several policies which specifically identify Official Plans as the enabling mechanism. The City of Welland's Official Plan is consistent with the general vision provided in the Plan and also implements the locally- relevant policies from P2G.~~

~~1.2.3 Conformity with Region of Niagara PolicyRegion Official Plan~~

~~Land use planning is a shared responsibility and the *Planning Act* establishes the primacy of the upper tier plan (i.e., the Regional Municipality of Niagara'sNiagara Region's Official Policy Plan)~~

~~in a two- tier system. The Regional Niagara Official Policy Plan (2022) addresses planning matters of provincial and regional importance; it also establishes a broader vision for development, and guides the extent of major land uses. The Regional Niagara Official Policy Plan has been regularly updated to addresses matters such as growth, development, agricultural/rural land use, transportation, environmental management, economic development, and quality of life.~~

~~The *Planning Act* requires that lower tier municipal Official Plans conform to the Official Plan of an upper tier municipality. The City of Welland's Official Plan conforms to the Regional Niagara Official Policy Plan and works together with regional policies to implement planning at the local level. At the same time, the Regional Niagara Official Policy Plan should also take into consideration the various local aspects of this Plan when preparing Regional Plan updates.~~

1.3 PURPOSE OF THE OFFICIAL PLAN

The City of Welland Official Plan provides a ~~20-year~~ land use vision for a complete community and is supported by a set of broad strategic community directions to the year 2051. The Official Plan helps the community achieve its long-term vision by implementing a range of local, regional and provincial policies, plans and strategies.

One main purpose of the Official Plan is to guide local growth and *development*, by designating land for various land uses and providing policies that will guide the *development* and use of land city-wide. The Official Plan is also the mechanism by which more detailed neighbourhood-scale plans, such as secondary plans and community improvement plans, are established and implemented. The use and *development* of individual parcels of land is also influenced by the Official Plan, which establishes more specific regulatory measures related to land division, zoning and *development* of sites than those generally regulated by the *Planning Act*. In addition to this, the Official Plan is also expected to be used as:

i. The means by which community-related goals and aspirations are documented and implemented;
ii. An investment tool to attract private sector investment;
iii. A tool for the municipality to access funding from the various levels of government; and,
iv. A decision-making guide for long-range capital investments.

While this Official Plan provides a ~~20-year~~ vision for the City to the year 2051, it is intended that this document be reviewed and updated within ten years, if adopted as a new Official Plan, and every 5 years thereafter to ensure provincial and regional consistency and conformity, to monitor progress and make modifications as required.

1.4 HOW TO READ THIS PLAN

The Policies of this Plan (Sections 2-~~7~~15) should be considered in their entirety when making decisions.

The Official Plan is structured as follows:

Chapter 1 Introduction provides an introduction to the Plan, explaining historical and planning context for the Official Plan.

Chapter 2 Community Strategic Directions forms the foundation and basis of the Official Plan. It describes the strategic goals (what the community would like to achieve) and directions (how the community intends to achieve its goals) of the Plan.

Chapter 3 Growth Management Policies provides a series of planning-related policies for managing the long-term growth of the City. This Chapter includes important planning considerations, such as population, household and employment forecasts as well as a series of strategic policies for accommodating growth.

Chapter 4 Urban Area Land Use Policies describes the different designations which apply to lands within the City's Urban Boundary. The designations and land use policies help support the vibrancy of Welland's urban neighbourhoods and create a hierarchy of land use in the Urban Area. These policies support growth management and are the policies which apply to both ~~Greenfield~~ *Designated Growth Areas* and *Intensification* Areas within the Urban Area.

Chapter 5 Agricultural and Rural Area Land Use Policies describes the different designations which apply to the lands within the municipal boundary but outside the City's Urban Boundary. These designations and land use policies help support the character and vitality of Welland's rural community. These policies also support growth management and help protect *prime agricultural* ~~*lands*~~*areas* from urbanization.

Chapter 6 Natural Environment describes the Natural Environment System and *Water Resource System* features that apply within the City's boundary. The policies provide guidance for the protection, conservation and permitted forms of *development* within the Natural Environment System.

Chapter 7 Open Space and Recreation provides direction for protecting and expanding the City's system of parks, open spaces, and recreational opportunities.

Chapter 8 Climate Change provides policy direction for initiatives that reduce emissions and support a resilient city.

Chapter 9 Arts, Culture and Design, provides policies to conserve cultural heritage resources and support the growth a vibrant pedestrian realm.

Chapter 10 Integrated Transportation provides the policy basis for facilitating the creation of an efficient *multi-modal transportation system* that supports all modes of travel safely.

Chapter 11 Infrastructure and Utilities describes the policies for ensuring an efficient use and delivery of *infrastructure* related to the support the growth of the City.

Chapter 12 Northwest Secondary Plan Policies describes policies specific to the Northwest Welland Secondary Plan Area.

~~City-Wide Land Use Policies describes the different designations of land which apply throughout the urban and Agricultural and Rural area as well as offering guiding policies on other elements related to spatial planning and development. These designations and policies help ensure that Welland is a well-planned community.~~

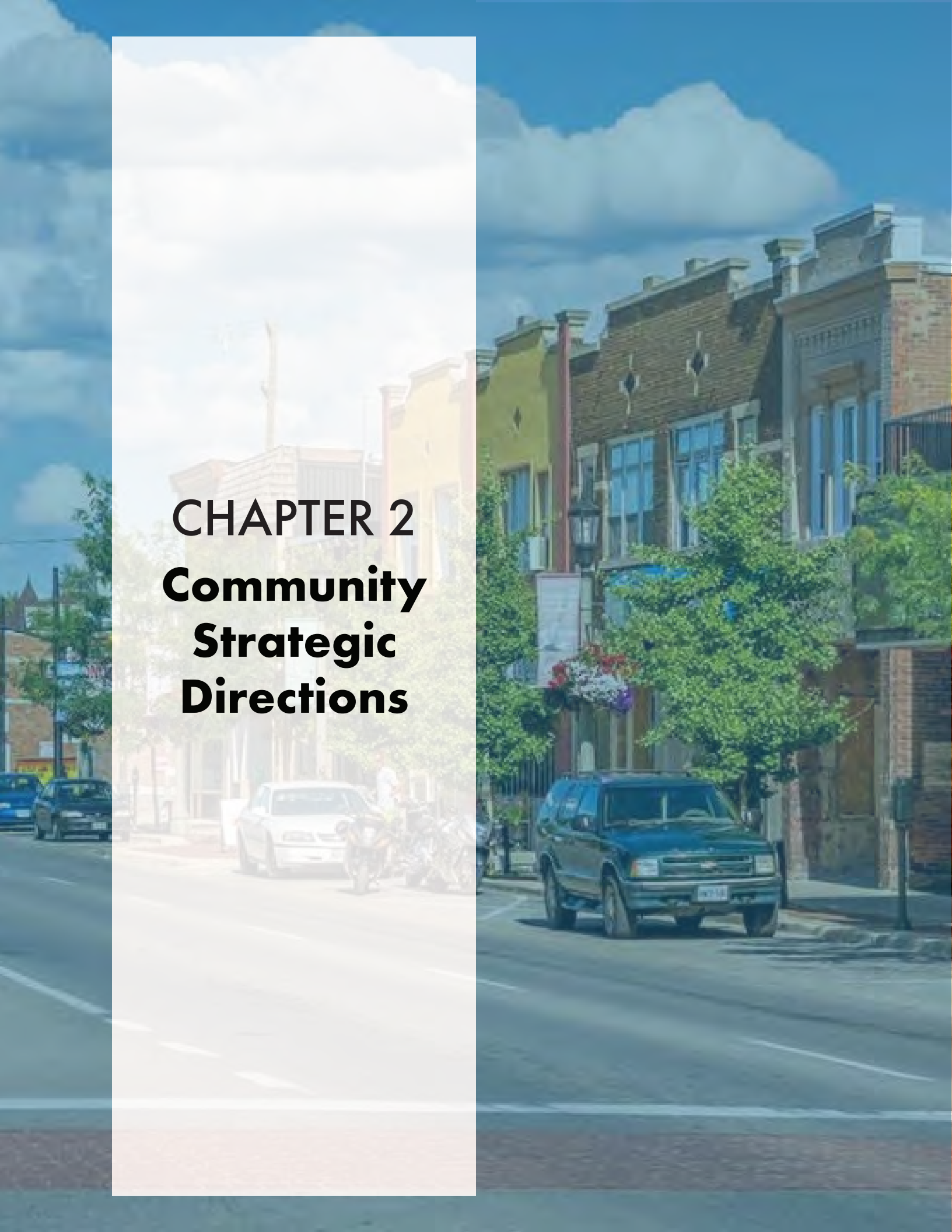
Chapter 13 Area Specific Policies describes additional permissions for specific properties in the City.

Chapter 14 ~~7~~ Implementation describes the approaches, tools, and mechanisms which the City will use to direct, manage, and control *development* on a day-to-day basis. It provides further details on the powers which the municipality will exercise over growth, *development* and change to help it achieve its vision.

Chapter 15~~8~~ The Definitions explain the planning terminology used in the Official Plan to ensure harmony with planning terminology used in the *Planning Act*, Provincial Policy Statement, ~~Growth Plan for the Greater Golden Horseshoe,~~ and ~~Regional~~ Niagara ~~Policy~~Region Official Plan.

The Schedules form part of the Official Plan. The schedules should be interpreted with the applicable policies in the Official Plan.

This Plan also contains a number of graphic aids such as photos, maps and figures. These graphics are not an operative component of the Plan; rather they are intended to provide context to the policies. The information maps contained in Appendix 1 can be modified without amendment to the Plan.



CHAPTER 2
Community Strategic Directions

2 COMMUNITY STRATEGIC DIRECTIONS

2.1 COMMUNITY STRATEGIC DIRECTIONS

2.1.1 Overview

Welland's Community Strategic Directions should be considered in their entirety and the order in which they are listed does not suggest that any one direction is more important than another. Welland is:

i. A leadership community;
ii. A complete community;
iii. An economic gateway;
iv. A sustainable City;
v. A safe, healthy and accessible City;
vi. A proud and attractive City; and,
vii. A good neighbour.

2.2 A LEADERSHIP COMMUNITY

2.2.1 Background

Welland has established a reputation for itself as a municipality which is open to new ideas, adaptable to change, supportive of innovation, prioritizes *development* and *infrastructure* projects that support growth of the local economy and the City as a vibrant Economic Gateway, and ~~leading~~ leads by example where this supports on-going improvement of quality of life. The positive evolution and progress achieved in Welland relies on a unique combination of citizens, non- government and government agencies, and businesses all working together to create a healthy, prosperous, ~~and~~ sustainable city, and vibrant Economic Gateway. The City of Welland aspires to continue leading by example and strengthening the ties of leadership.

2.2.2 Strategic Direction

i. Welland will lead by example by understanding change and implementing innovation (through policies, practices, programs, studies, tools and technology) that allow it to benefit from change.
ii. Welland may implement demonstration projects to emphasize its leadership position and bring attention to its leadership activities.
iii. Welland will share its successful approaches with other municipalities for the betterment of the Region.

iv. Welland will encourage its citizens, individuals, businesses, groups and agencies to partner in leadership initiatives which take advantage of the benefits gained by pooling resources for positive change.

v. Welland will encourage leadership and innovation in the four pillars of sustainability: environment, economy, society, and culture.

vi. Welland may prioritize the resources allocated ~~to change and innovation~~ to support positive trends and manage needs during times of transition.

vii. Welland will prioritize *development* and *infrastructure* projects that support growth of the local economy and the City as a vibrant Economic Gateway.

viii. Welland will promote active transportation and the use of mode share through alternative transportation modes such as transit, walking, and bicycling to facilitate the development of complete communities.

ix. Welland will promote both excellence and innovation related to architecture, landscape architecture, site planning, streetscape design, and overall community design to ensure built environments are attractive, walkable, accessible, diverse, and functional.

x. Welland will encourage the collaboration and co-ordination of related disciplines, including land use planning, urban design, transportation planning, architecture, engineering, environmental planning, and landscape architecture in the review and approval of applications.

2.3 A COMPLETE COMMUNITY

2.3.1 Background

Complete communities are 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. ~~meet all people's needs for daily living throughout an entire lifetime by providing convenient access to an appropriate mix of jobs, services, a full range of housing, and community *infrastructure* including *affordable* housing, schools, *recreation* and open space for their residents. Convenient access to public transportation and options for safe, non-motorized travel is also an important component of a complete community. Complete communities provide a lifetime of opportunities for living, working, wellness, education, entertainment and recreation.~~ The City of Welland intends ~~aspires~~ to ~~be a~~ facilitate the creation of complete communities throughout the City~~community~~.

2.3.2 Strategic Directions

i. Welland will lead initiatives which promote the development of complete communities throughout the City's neighbourhoods ~~help to make Welland a complete community~~.

ii. Welland will support and encourage growth within the *Built-up Area* shown on Schedule A.

iii. Welland will promote social inclusion, improved access to housing, commerce, job opportunities and social services.

iv. Welland will provide a policy framework for creating healthy, safe, vibrant, transit supportive, mixed-use neighbourhoods.

v. Welland will ensure that there is an adequate supply of different housing types and tenures which cater to the wide variety of its citizens' needs.

vi. Welland will work with the ~~Regional Municipality of~~ Niagara Region to ensure that a sufficient supply of housing is provided which is *affordable* to *low- and moderate-income households*.

vii. Welland recognizes the importance of retaining youth, supporting families, and building a community which allows people to age-in-place.

viii. Welland will seek out and promote partnerships with institutions and agencies which engage citizens of all ages in activities which allow them to participate in strengthening the social, physical, environmental, and economic systems of Welland as important stakeholders.

ix. Welland will plan its facilities and encourage non-municipal facilities to be located, designed, and programmed to meet the needs of all citizens. It will further encourage arts and culture events and activities for all ages, with emphasis placed on supporting youth-driven arts and culture.

x. Welland will encourage residential and non-residential *development*, which is considered attractive to youth and young families, supports family-building, and allows for aging-in-place.

xi. Welland will encourage the development of places of employment which are matched to the sectoral clusters in which youth are seeking jobs.

xii. Welland will promote neighbourhood design and a transportation system which is accessible to all citizens~~, including, but not limited to, youth, young families, and senior citizens~~.

xiii. Welland will prioritize the City's transit and active transportation networks ~~in facilitating a complete community~~ as well as an efficient system for goods movement.

xiv. Welland will identify gaps in the system which supports youth, young families, and seniors, and address those gaps through the provision of programs, services, amenities, and facilities.

xv. Welland will encourage planning and design which helps all citizens to achieve

independence and dignity.

xvi. Welland will conserve cultural heritage resources in a manner that retains the value or interest for all citizens.

xvii. Welland will prioritize public access to the Recreation Waterway.

xviii. Welland will provide linkages between important destinations such as parks, open space and *recreation* spaces.

xix. Welland will integrate placemaking policies and practices to create and enhance complete communities.

2.4 ~~AN~~ VIBRANT ECONOMY~~IC GATEWAY~~

2.4.1 Background

~~An economic gateway is a place of interaction, opportunity and interface; a place where the opportunities for economic development are leveraged by proximity and geography. The City of Welland is identified as a Gateway Economic Centre in P2G which requires that planning and economic development in these areas will support economic diversity and promote increased opportunities for cross-bordertrade, movement of goods, and tourism.~~ Welland will work with its partners in the public and private sectors to maximize economic development opportunities which diversify its economic base.

2.4.2 Strategic Direction

i. Welland will be a leader in promoting economic prosperity.
~~ii. Welland will continue to strategically position itself as part of Ontario's Economic Gateway Centre. And~~

ii. Welland will promote a comprehensive action program which recognizes the evolution of its existing manufacturing base and focuses on creating Welland's distinctiveness.

iii. Welland will encourage cross-border trade and the efficient movement ofpeople and goods.

iv. Welland will encourage the provision of land and *infrastructure* for continued sustainable *development* of tourist facilities.

v. Welland will prioritize and encourage the *development* of serviced employment lands and the *redevelopment* or *intensification* of underutilized employment lands for denser employment uses.

vi. Welland will work, in partnership with all levels of government, to ensure that attractive employment lands are provided and protected in Welland which create job opportunities and economic diversity, allowing growth in key sectors such as advanced manufacturing,

tourism, aerospace, logistics, food processing, health, biosciences, green technologies and interactive media.

vii. Welland will support investment in the Downtown so that it continues to be an attractive destination for residents and visitors, and functions as a vibrant, mixed-use neighbourhood linked to the *recreation* opportunities in, and around, the Welland Recreational Waterway.

viii. Welland will encourage and support entrepreneurs in the implementation of a Health and Wellness economic cluster and other feasible health and wellness endeavours.

ix. Welland will promote the strengthening of a Health and Wellness economic cluster by providing flexible land use policies and zoning which will support this cluster in the vicinity of King Street South and Lincoln Street.

x. Welland will support and promote the growth of transportation and logistics and the advanced manufacturing sector by strategically locating employment lands in close proximity to the Highway 406 and Highway 140 corridors.

xi. Welland recognizes the important economic and social contribution of agricultural and farm related businesses and activities. ~~The City~~ Welland will support agriculture and farm related businesses by taking an *agricultural system* approach, that includes a continuous agricultural land base and a strong *agri-food network*. This includes protecting *prime agricultural ~~lands~~areas*, ~~and~~ discouraging land fragmentation and ensuring land use combability to sustain long-term agricultural viability.

2.5 RESPONDING TO CLIMATE CHANGE AND A SUSTAINABILITY CITY

2.5.1 Background

Governments, institutions, businesses and residents of sustainable cities understand that they are part of a regional and global ecosystem, and that decision made locally can have impacts globally. This global interconnectivity is particularly true with climate change. The citizens of Welland also know that the decisions they make today will affect future generations; therefore, there is a preference for making choices about society, environment and economy that have little, or no, negative impact and create a Welland which will benefit the citizens of tomorrow.[1] There is also a number of economic benefits from a Sustainable City that include reducing energy costs, improving air quality, and mitigating the impacts from extreme weather events, which helps attract new businesses and residents.

[1] This strategic direction focuses on environmental sustainability. It should be noted that social, cultural, economic sustainability are fully addressed in the other strategic directionsof the Official Plan.

2.5.2 Strategic Directions

i. Welland will be a leader in promoting sustainability. It will set an example for other local municipalities by implementing technologies (e.g., LED streetlights), policies, guidelines, and practices which support a shift to sustainability among citizens, businesses, agencies, and government.

ii. Welland will protect and enhance natural features by providing a planning policy framework which maintains and improves the Nnatural Environment System~~heritage features~~ and corridors within a broader linked ~~natural heritage~~ system.

iii. Welland will promote and implement programs which maintain and improve the local air quality in the municipality and contribute to improving the regional air quality.

iv. Welland will promote and implement programs which maintain and improve the quality of the land and its nutrients, including the remediation of *brownfield sites*.

v. Welland will promote and implement programs which maintain and improve the quality of surface water and groundwater and promote conservation of water resources. It will support the efforts to restore the health of lakes, rivers and *watercourses* (for example, the Niagara River Remedial Action Plan and agricultural best practices for manure run-off management).

vi. Welland will encourage the planning and design of sites, areas and neighbourhoods to reduce greenhouse gas emissions as a means to reducing the human influence on climate change, including, but not limited to, the application of Leadership in Energy and Environmental Design (LEED) standards.

vii. Welland will consider the potential impacts of climate change and encourage citizens, businesses, and organizations to take measures to adapt to climate change.

viii. Welland will make decisions which result in little or no *negative impacts* to local air, land, and water to help create a community which benefits current and future generations. Where a decision must be made which involves impacts to local air, land, and/or water, then Welland will ensure that the *negative impacts* are mitigated to the fullest extent possible.

ix. Welland will consider, and where appropriate, support and/or implement new technology which contributes to improvements in the quality of local air, land, and water.

x. Welland will conserve ~~protect~~ its *prime agricultural ~~lands~~areas*, support the production of locally grown foods and promote "buy-local" initiatives.

xi. Welland will encourage the protection of public and private trees through the development application process.

xii. Welland will seek to maintain and enhance the existing tree canopy in the City.

xiii. Welland will support the implementation of urban forestry guidelines.

xiv. Welland will develop programs and initiatives to manage invasive species.

xv. Welland will consider the impacts of a changing climate in making land use planning decisions.

xvi. Welland will implement sustainable design measures in all *development* projects which include components of the public realm.

xvii. Welland will engage with Indigenous communities early and consider their interests when identifying, protecting, and managing the natural environment, as well as planning for sustainability and climate change.

2.6 A SAFE, HEALTHY AND ACCESSIBLE CITY

2.6.1 Background

A safe and healthy city is one which can be explored and experienced by both citizens and visitors, at any time of day, without undue personal risk. Safe cities are places where hazards to public health and safety are adequately addressed through *infrastructure*, services, and planning mechanisms. An accessible city is one which provides everyone with the opportunity to fully participate in all aspects of city life.

2.6.2 Strategic Directions

i. Welland will be a leader in promoting a safe, healthy, and accessible city.

ii. Welland will continue to enhance safety and security.

iii. Welland will consider and implement, as appropriate, measures of Crime Prevention Through Environmental Design (CPTED) in the planning and design of new sites, public facilities and neighbourhoods.

iv. Welland will continue to address known safety concerns in its neighbourhoods.

v. Welland will direct ~~the~~ *development* ~~of land~~ away from areas of known natural hazards, unless appropriate mitigating measures can be implemented.

vi. Welland will continue to invest in *infrastructure* and services which ensure that natural hazards to public safety are appropriately addressed.

vii. Welland will promote emergency preparedness among citizens, businesses, and organizations.

viii. Welland will comply with the *Accessibility for Ontarians with Disabilities Act*. The municipality will consider and implement accessible design measures in the planning of new sites, public facilities, neighbourhoods and areas.

ix. Welland will consider and implement, as appropriate, measures to address issues of accessibility and barrier-free design for buildings and neighbourhoods. ~~undertake a program to address issues of accessibility and barrier-free design for buildings and neighbourhoods~~.

x. Welland, where appropriate, will seek the advice of the Accessibility Advisory Committee during the land use planning process.

xi. Welland will enhance and create a culture of health and wellness in the community by encouraging sport and public *recreation* opportunities.

xii. Welland will enhance community health and wellness services in the municipality.

xiii. Welland will encourage road and active transportation improvements to facilitate connections between the Agricultural and Rural Areas and the Urban Area.

2.7 A PROUD AND ATTRACTIVE CITY

2.7.1 Background

Proud and attractive cities value their built heritage; conserves ~~preserve~~ their cultural resources and work to develop new cultural initiatives and programs. The key to unlocking Welland's past is through its built and cultural heritage – and the key to its future is by celebrating this heritage and providing avenues for cultural expression. Additionally, an attractive city takes advantage of opportunities for community beautification which can be expressed through a network of green spaces and high-quality urban design for new *development* and *redevelopment* areas.

2.7.2 Strategic Directions

i. Welland will be a leader in promoting city pride and attractiveness.

ii. Welland will conserve ~~protect~~ elements of its built and cultural heritage through the means provided by the *Ontario Heritage Act* and by involving the Welland Heritage Advisory Committee in the land use planning process, whenever necessary.

iii. Welland will encourage efforts which support the celebration, commemoration, expression, and modern interpretation of its heritage and culture, including providing venues for heritage and cultural events.

iv. Welland will strengthen its arts and cultural enterprises and initiatives to improve its attractiveness as a community in which to live, work, and visit.

v. Welland will conserve ~~protect~~ lands with archaeological ~~significance~~resources in accordance with the Provincial ~~Policy~~ Planning Statement and other directives.

vi. Welland will leverage all City owned protected heritage properties such as the Courthouse, Central Fire Hall, and Market Square for tourism purposes and to celebrate its history.

vii. Welland will promote ~~heritage and culture by adopting~~ urban design through guidelines which help sites, areas and neighbourhoods connect to the rest of the City~~,~~ interface with the surrounding natural environment, and become aesthetically pleasing places.

viii. Welland will engage early with Indigenous communities and ensure their interests are considered when identifying, protecting, and managing *archaeological resources*, *built heritage resources*, and *cultural heritage landscapes*.

2.8 A GOOD NEIGHBOUR

2.8.1 Background

A good neighbour cooperates and collaborates in ~~exercises~~ practices which have implications beyond the limits of their own boundaries. Welland is stronger and can achieve more when it works with neighbouring municipalities, the ~~Regional Municipality of~~ Niagara Region, the ~~Niagara Peninsula~~ Conservation Authority and other agencies. This spirit of inter-jurisdictional cooperation demonstrates that Welland is a progressive municipality. Accordingly, the City will, where appropriate, support inter-jurisdictional coordination of programs and services which generally maintain local access but are more efficient, more cost-effective, reduce administrative burden on the municipality, and help free up resources so they can be directed to serving local needs.

2.8.2 Strategic Directions

i. Welland will be a leader in promoting inter-jurisdictional relationships.
ii. Welland, where appropriate, will support inter-jurisdictional programs for improving transportation / transit, improving connectivity between communities, and improving connectivity between important origins and destinations.
iii. Welland will work with its neighbours and partners to promote and support business and *development* related to the Canal and nearby Port *infrastructure*.
iv. Welland, ~~will support a~~ where appropriate, will take a collaborative approach to planning in the Region.
v. Welland will support inter-jurisdictional programs for environmental stewardship.
vi. Welland will support inter-jurisdictional programs for water and wastewater servicing.
vii. Welland will support inter-jurisdictional programs for waste management, waste diversion, and recycling.
viii. Welland will support inter-jurisdictional efforts towards economic development.



CHAPTER 3
Growth Management Policies

3 GROWTH MANAGEMENT POLICIES

3.1 WELLAND'S GROWTH MANAGEMENT STRATEGY

To prevent *development* in inappropriate areas and support the conservation of valuable economic, environmental and cultural resources, ~~the City~~ Welland recognizes that growth should be directed in a strategic manner that supports the achievement of complete communities. The foundation of the City's growth management strategy is to direct all urban growth to lands within the designated Urban Area Boundary. Growth and *development* within the Built-up ~~Urban~~ Area ~~Boundary~~ will be on land serviced with municipal water and sanitary wastewater services. ~~While T~~the City ~~generally~~ promotes urban growth and *development* throughout the Built-up ~~Urban~~ Area, ~~it also supports growth and development within~~ directing it to ~~several~~ strategic growth areas ~~locations~~. The Downtown is the City's primary strategic growth area ~~node~~, which is identified as a Regional Growth Centre, and where ~~and~~ the greatest amount of ~~City encourages appropriately planned~~ infill~~ing~~ and intensification will be directed. ~~within its Downtown~~. The ~~City~~ Official Plan also encourages appropriately planned infill~~ing~~ and *intensification* within the City's *Built-Up Area* which includes but is not limited to land along Niagara Street/Regional Road 50 north of Thorold Road, King Street, Rice Road/Regional Road 54 near Niagara College, lands within the Health and Wellness Cluster, and lands near the Recreational Waterway, as shown on Schedule A City Structure. ~~The Welland Recreational Waterway, brownfield and greyfield areas and areas with access to planned or existing transit services~~. The City ~~also~~ supports compact and transit supportive *development* on its ~~designated~~ *Designated Growth* ~~Greenfield~~ *Areas*. ~~Lastly, while t~~The majority of the City's long-term growth will occur within its Built-up ~~Urban~~ Area.~~,~~ ~~t~~The City also recognizes that a small ~~of~~ amount of growth and *development* will occur within the Agricultural and Rural Area, in support of the *agricultural system*. This small amount of rural growth should be compatible with Welland's rural landscape and should be sustained by rural service levels. Rural growth should be concentrated on existing lots of record and lands with existing access to water services within the vicinity of Cooks Mills, allowing the City to conserve ~~protect~~ its valuable agricultural lands and linked N~~n~~atural Environment ~~heritage~~ S~~s~~ystem in order to prevent land fragmentation and degradation of natural systems.

3.2 PLANNING OBECTIVES

The growth-related objectives of this Plan are:

i. To direct urban growth to lands located within the designated Urban Area.

ii. To conserve ~~preserve~~ *prime agricultural ~~lands~~areas* and direct rural growth to existing developed rural areas ~~in the vicinity of Cooks Mills.~~

iii. To ~~protect~~ encourage ~~stable neighbourhoods by directing more~~ dense *development* in ~~to~~ the Downtown Welland Regional Growth Centre and other ~~strategically located~~ *intensification* areas within Welland's *Built-up Area*.

iv. To encourage the *redevelopment* of brownfield areas.

3.3 GROWTH FORECAST

3.3.1 Population Forecast

The future population growth for the City of Welland is provided below. The Official Plan's land use designations and policies are based on serving the minimum ~~this anticipated~~ population growth of 73,000 by 2051~~,~~ and reaching a population of 129,000 by 2051.

~~Forecast Period~~	~~Total Population~~
~~2006~~	~~50,300~~
~~2011~~	~~51,600~~
~~2016~~	~~53,900~~
~~2021~~	~~57,200~~
~~2026~~	~~60,600~~
~~2031~~	~~63,900~~
~~2051~~	~~83,000~~
~~Growth between 2021 2006 and 2031~~	~~13,600~~

~~Source: Regional Municipality of Niagara, Niagara 2031, 2009. Population figures includes undercount.~~

3.3.2 Housing Forecast

The minimum future housing growth for the City of Welland is provided below. The Official Plan's land use designations and policies are based on serving this anticipated minimum 33,000 new housing ~~growth~~ units by 2051.

~~Forecast Period~~	~~Total Units~~
~~2006~~	~~20,715~~
~~2011~~	~~21,490~~
~~2016~~	~~22,650~~
~~2021~~	~~24,240~~
~~2026~~	~~26,000~~
~~2031~~	~~27,590~~

~~2051~~	~~37,540~~
~~Growth between 2006 and 2031~~	~~6,875~~

~~Source: Regional Municipality of Niagara, Niagara 2031, 2009.~~

3.3.3 Housing Distribution

The City will support a range and mix of densities, lot and unit sizes, and *housing options* including *affordable* housing throughout the urban area. ~~future housing growth target by unit type for the City of Welland is provided below.~~ The Official Plan's land use designations and policies are based on achieving a mix of low, medium and high-density *housing options*. ~~serving this anticipated mix of housing growth.~~

~~Forecast Period~~	~~Housing Units, by Type~~			
	~~Low~~	~~Med~~	~~High~~	~~Total~~
~~2006~~	~~15,090~~	~~1,705~~	~~3,920~~	~~20,715~~
~~2011~~	~~15,710~~	~~1,810~~	~~3,970~~	~~21,490~~
~~2016~~	~~16,560~~	~~2,010~~	~~4,080~~	~~22,650~~
~~2021~~	~~17,680~~	~~2,330~~	~~4,230~~	~~22,240~~
~~2026~~	~~18,830~~	~~2,760~~	~~4,410~~	~~26,000~~
~~2031~~	~~19,780~~	~~3,210~~	~~4,600~~	~~27,590~~
~~2006 2031~~	~~4,690~~	~~1,505~~	~~680~~	~~6,875~~
~~Percent of Growth (mix)~~	~~68%~~	~~22%~~	~~10%~~	~~100%~~

Source: ~~Regional Municipality of~~ Niagara Region~~, Niagara 2031, 2009. Note, numbers may not add up due to rounding.~~



3.3.4 Employment Forecast

The future minimum employment growth for the City of Welland is 28,790 jobs by 2051 as provided ~~below~~ by the Region. The Official Plan's land use designations and policies are based on serving this anticipated growth.

~~Forecast Period~~	~~Employment (jobs)~~
~~2006~~	~~20,160~~
~~2011~~	~~21,660~~
~~2016~~	~~23,070~~
~~2021~~	~~24,640~~
~~2026~~	~~26,170~~
~~2031~~	~~27,080~~
~~Growth between 2006 and 2031~~	~~6,920~~

~~Source: Regional Municipality of Niagara, Niagara 2031, 2009.~~

Source: Niagara Region Official Plan

3.3.5 Land Supply

Based on the population and housing forecasts within this Plan, or updates undertaken from time to time ~~by the Region~~, the City will maintain, at all times, the ability to accommodate a minimum ~~supply~~ of 15~~10~~ years' worth of residential *development*. The supply of *designated and available* residential lands ~~shall~~ comprise of ~~residential a mix of intensification on~~ lands within the *Built-up*

Area identified for *intensification* and residential *development* within Designated ~~Ggreenfield~~ Growth Areas ~~lands~~.

The City shall ensure a minimum three-year supply of serviced residential units through lands suitably zoned to facilitate *residential intensification* and lands in draft approved or registered plans.

3.4 CITY STRUCTURE

3.4.1 Composition

Welland's current and future pattern is influenced by several large structural elements. The City is composed of an Urban Area and an Agricultural and Rural Area. Welland is bisected by the Welland Canal and the Welland Recreational Waterway. The City is also bisected by Highway 406 and Highway 140. ~~Criss-crossing~~Intersecting the City's Urban and Agricultural and Rural Areas are a series of natural ~~heritage~~ corridors and features which form the City's ~~Core~~ Natural Environment ~~Heritage~~ System. Combined, all of these main elements define the overall structure of the City. The City's planned structure is shown on Schedule A.

3.4.2 Urban Area

3.4.2.1 Planned Function

The City of Welland's Urban Area is delineated by an Urban Boundary. The Urban Boundary controls the limits of urban *development* and provides private sector investors with *development* certainty, as this Boundary clearly demarcates the area where the majority of growth is to be directed and the lands which are ~~intended~~ required to be served with full municipal water and wastewater services ~~(and those which are not)~~ within the timeframe of this Plan.

3.4.2.2 Composition

Welland's Urban Boundary defines the area which is the focus for all urban *development*. Lands within this area are already serviced, or are intended to be serviced, with major roads, transit and piped sewer and water services to accommodate growth to the year 2051. The land within the Urban Boundary represents the supply of ~~designated~~ urban land intended to accommodate the majority of the City's projected growth. This supply of land is comprised of two sub-areas: the Built-u~~U~~p Area (lands which are already developed) ~~within the Built Boundary~~, and the Designated Growth ~~Greenfield~~ Area.

~~**3.4.2.3 Built Boundary and Designated Greenfield Areas**~~

~~The Built Boundary was initially determined by the Province in 2006 and subsequently finalized in April, 2008. The Built Boundary represents the limits of existing *development* within the existing *Built Up Area*. The Built Boundary is important for measuring and monitoring *intensification* rates, as all growth which occurs within the Built Boundary is considered to be "*intensification*". The remaining lands which lie between the Urban Boundary and the Built Boundary represent *Designated Greenfield Areas*. The *Designated Greenfield Areas* are the lands within the Urban Boundary which were not yet built up as of the year 2006~~.

3.4.2.3 Delineation of Urban Boundary and Built ~~Boundary~~-up Area

The City of Welland's Urban Boundary and ~~Built Boundary~~ *Built-up Area* are delineated on Schedule A. When ~~the City of Welland undertakes a *comprehensive review* of the~~ an Official Plan review is undertaken, the Urban Boundary will be reviewed and updated according to the City's population and employment forecasts.

3.4.2.4 Urban Boundary Expansion

In addition, the Urban Boundary may be expanded at any time in accordance with the Settlement Area Boundary Expansion policies of Section 3.5 of this Plan and the Provincial Planning Statement. ~~The Province of Ontario is responsible for reviewing and updating Built Boundaries within the Greater Golden Horseshoe~~.

3.4.3 Agricultural System

3.4.3.1 Planned Function

Welland's *Agricultural System* provides a land base where agricultural activities can occur in a stable and predictable environment. The predominant activity in this area is farming, but other agricultural-related and limited non-farm activities can occur within the Agricultural Area and Rural Area.

3.4.3.2 Composition

The *Agricultural System* includes all prime agricultural and some *rural lands* outside of the Urban Area and is characterized by a diverse set of land uses that help to create a continuous productive land base for agriculture.

3.4.3.3 Delineation of Agricultural and Rural Area

Almost half of Welland is currently classified as Agricultural Area and, other than the partially serviced area known as Cooks Mills, the Agricultural and Rural Area is not serviced with municipal water or sewer. The City's Agricultural and Rural Area is delineated on Schedule ~~A~~B.

3.4.4 Intensification and Brownfield Redevelopment

3.4.4.1 Intensification

3.4.4.1.1 Intensification Defined

Intensification is defined in the Provincial ~~Policy~~ Planning Statement as the *development* of a property, site or area at a higher density than currently exists through *redevelopment* (including the reuse of *brownfield sites*), ~~or~~ the *development* of vacant and/or underutilized lots within previously developed areas, infill *development*, and the expansion or conversion of existing buildings.

3.4.4.1.2 The Importance of Intensification

Intensification is an appropriate means of accommodating growth. ~~since it~~ *Intensification* ~~makes better~~ promotes the efficient use of existing serviced land. The increase in housing units and employment through ~~by~~ *intensification* will assist the City in creating a vibrant community with a diverse mix of *housing options* and employment opportunities ~~is also considered a good approach to maintaining and improving vibrancy~~.

3.4.4.1.3 Intensification Strategy

Intensification of residential and employment ~~areas~~lands will be encouraged since it offers opportunities for economic development; is a viable approach to reducing the amount of ~~Greenfield land~~ Designated Growth Area needed for growth; takes advantage of already serviced but underutilized land; and helps to improve the vibrancy and aesthetics of Welland's existing areas. *Intensification* is encouraged throughout the Built-u~~U~~p Area. ~~, however, the~~ The majority of ~~strategic location for~~ *intensification* projects should be directed to ~~generally be within~~ the Downtown Welland Regional Growth Centre, *intensification* areas including: the downtown health and wellness centre, ~~on~~ *brownfield sites*, along the Welland Recreational Waterway, ~~-~~and *Intensification* Corridors which are generally along certain transit routes, arterial roads, collector roads and regional roads. ~~along key transit within the City as these areas are considered to be the most appropriate locations for *intensification*~~. Refer to Schedule A, which identifies Welland's strategic *intensification* areas within ~~and~~ the Built ~~U~~up Area.

3.4.4.1.4 Intensification Target

The City will plan to meet its local municipal *intensification* target of 75~~40~~% as recommended by the ~~Regional Municipality of~~ Niagara Region[2]. Achieving the 75~~40~~% target means that 75~~40~~% of all annual housing *development* should occur within the City's Built-u~~U~~p Area after 2021~~2015~~. ~~Welland's *intensification* unit target, based on the housing forecasts in Policy 3.3.3, is 1,975 units~~

3.4.4.1.5 Achieving the Intensification Target

The City's strategy for achieving its *intensification* target includes the following:

i. Directing *intensification* to the Downtown Welland Regional Growth Centre as identified on Schedule A;

ii. Directing *intensification* to the Regional Growth Centre, other Intensifications Areas, and Intensification Corridors as identified on Schedule A and set out in Policy 3.4.4.1.3 of this Plan;

iii. Designating lands with *intensification* potential in this Plan as Medium or High ~~Density~~Rise Residential, or as mixed-use ~~through an Area Specific Policy~~;

iv. Providing land use compatibility Policies in this Plan to ensure that *intensification* occurs in an appropriate manner;

v. Providing Policies in this Plan which allow for appropriate infilling throughout the Built-u~~U~~p Area;

vi. Providing Policies in this Plan which allow for the creation of additional dwelling units; ~~secondary suites;~~

vii. Providing financial incentives for reinvestment in strategic locations through Community Improvement Plans (Downtown Community Improvement Plan, Affordable Housing Community Improvement Plan, and Brownfield Community Improvement Plan);

viii. Making strategic investments in public realm and *infrastructure* within the Downtown and other *intensification* areas;

~~ix. The City will identify *Intensification* Nodes and Corridors and develop accompanying policies before the next 5 year review of the Welland Official Plan. The criteria for identifying Nodes and Corridors will be based upon a Nodes and Corridors study to be undertaken by the City. Proposed policies will address planned function, scale and design to ensure that the corridor allows for a mix of uses at transit supportive densities;~~ and,

~~x. The preparation of secondary plans or equivalent work for Nodes and Corridors, where appropriate.~~

[2] The ~~Region of~~ Niagara Region assigned each municipality with its own unique intensification target. Cumulatively, the local municipal targets add up to a Region-wide target of 60~~40~~%.

3.4.4.1.6 Design

This Plan provides a number of urban design Policies for different forms of *development*. Refer to the applicable Policy or Policies for:

i. *Development* within the Downtown Welland Regional Growth Centre, 4.1.2.2;
ii. Low-Density *development*, 4.2.2.2;
iii. Medium-Density *development*, 4.2.2.3~~.D~~;
iv. High-Density *development*, 4.2.2.4;
v. General infilling and *intensification*, 4.2.3.~~1~~6;
vi. *Redevelopment* and *development* within existing and new neighbourhoods, 4.2.3.~~6~~1 and 4.2.3.2; and/or,
vii. Any other relevant design policy contained within this Plan.

3.4.4.1.7 Intensification Inventory and Monitoring

The City will maintain and monitor an inventory of *intensification* sites. Efforts will be focused on encouraging *development* of these sites. The City, in conjunction with the Region, where it has planning authority, will develop a monitoring program to track its *intensification* rate on annual basis.

3.4.4.1.8 Implementation

Amendments to the Zoning By-law will be considered to facilitate *development* within the Downtown Welland Regional Growth Centre, and other ~~on~~*intensification* ~~sites~~ areas as identified on Schedule A. The City will also ~~develop a set of~~ implement the Urban Design Guidelines to ~~ensure~~ facilitate ~~that~~ *development* that ~~is attractive and~~ ~~consistent~~ ~~with~~enhances the surrounding neighbourhood and overall vision of this Plan.

3.4.4.1.9 Phasing

The City, in coordination with the Region and agencies, will integrate growth targets with required *infrastructure* and establish priority and phasing policies for water and wastewater services.

Intensification will also be phased in over time to ensure a balance of *redevelopment* and ~~Greenfield~~ *development* in Welland. To ensure this balance, the City will:

i. Develop a monitoring program for its *Designated Growth Areas* and *Intensification* Areas to ensure *intensification* and density targets are achieved prior to new *development* within *Designated Growth* ~~*Greenfield*~~ *Areas*;
ii. ~~Work with the Region to~~ Ensure 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 ~~to ensure that *infrastructure* phasing is aligned to reflect this balanced~~

~~approach to development~~;

~~iii. Develop a phasing strategy for its Greenfield and *Intensification* Areas;~~ and,

iii. Ensure that the phasing of ~~Greenfield~~ *development* in *Designated Growth Areas* occurs in an orderly and logical manner.

3.4.4.2 Brownfield Redevelopment

3.4.4.2.1 Brownfields Defined

Brownfields are defined by the Province in the Provincial Policy Statement as undeveloped or previously developed properties that may be contaminated and ~~(and)~~ are usually former industrial or commercial properties that may be under-utilized, derelict or vacant.

3.4.4.2.2 The Importance of Brownfields

Brownfields are important from an economic development planning perspective, because they are underutilized serviced land in an urban setting which have potential for *redevelopment*. Left in a derelict state, they may adversely impact the attractiveness of the surrounding area for investment and degrade the areas in which they are located.

3.4.4.2.3 Brownfields

~~The City~~ Welland will actively support brownfield *redevelopment*. ~~An estimated 200 hectares of~~ Brownfield lands are located throughout ~~Welland,~~the City primarily along the Welland Recreational Waterway. The City supports the reuse and *redevelopment* of its brownfield areas[3].

3.4.4.2.4 Implementation

Brownfield *redevelopment* is supported by Welland's Brownfield Strategy/Community Improvement Plan Update~~, which was approved in April 2007~~. Remediation and *redevelopment* of *brownfield sites*, particularly in proximity to the Welland Recreational Waterway, is an important objective of this Plan and the Community Improvement Plan.

3.4.4.2.5 Incentives

The City will offer incentive programs to address the impediments to brownfield *redevelopment*. This will include but is not limited to programs offered through the Brownfield Community

[3] ~~Brownfield estimate is as of 2009. The inclusion of this figure is for information purposes only. Periodic updates to this figure do not require an amendment to the Official Plan.~~

Improvement Plan. ~~Incentive Programs[4] offered to overcome the impediments to brownfield redevelopment include:~~

~~i. Environmental Site Assessment Grant Program;~~

~~ii. Brownfield Tax Assistance Program;~~

~~iii. Brownfield Rehabilitation Tax Increment Grant Program; and~~

~~iv. Brownfields Planning and Building Fees Grant Refund Program.; and,~~

~~v. Brownfields *Development* Charge Exemption Program.~~

3.4.4.2.6 Leadership

The City will continue to provide municipal leadership and work with developers and entrepreneurs to find new opportunities and partnerships in addressing the *redevelopment* of brownfields.

3.4.4.2.7 Brownfield Inventory and Monitoring

The City will monitor and maintain an inventory of *brownfield sites* through updates to the Brownfield Strategy/Community Improvement Plan. Efforts will be focused on revitalizing priority sites listed in the inventory.

3.4.5 ~~Greenfield Redevelopment~~ Designated Growth Areas

~~**3.4.5.1 Greenfield Areas Defined**~~

~~Greenfield Areas are located outside of the City's Built Boundary, but within the Urban Boundary.~~

3.4.5.1 The Importance of ~~Greenfield~~ Designated Growth Area Development

The City will maintain an adequate supply of ~~Greenfield lands~~ Designated Growth Area to accommodate planned future growth. ~~Greenfield lands~~ *Designated Growth Areas* provide the City with an opportunity to build comprehensive, compact and integrated new neighbourhoods. Welland aspires to build compact, mixed use, transit supportive neighbourhoods in these newly developed areas, supporting the City's strategic direction to build ~~a~~ complete communities ~~y~~.

3.4.5.2 ~~Greenfield~~ Designated Growth Area Development Strategy

The City plans to develop denser, more compact, mixed-use, transit supportive neighbourhoods on its *Designated Growth* ~~*Greenfield*~~ *Areas* that allow for the efficient use of land, *infrastructure* and *public service facilities*.

[4] ~~Refer to the City's Brownfield Community Improvement Plan for additional details.~~

3.4.5.3 ~~Greenfield~~ Designated Growth Area Density Target

Welland's *Designated Growth* ~~*Greenfield*~~ *Areas* will be planned to support the achievement of the minimum target of 50 residents and jobs combined per gross hectare in *Designated Growth* ~~*Greenfield*~~ *Areas* and encouraged to exceed this minimum. While it is understood that not every single site will be able to achieve the target, the City will ensure new *Designated Growth* ~~*Greenfield*~~ *Areas* are planned in a way which supports the achievement of the overall target. The City will closely monitor its ~~Greenfield~~ developments to ensure that Welland's overall ~~Greenfield~~ Designated Growth Area target will be achieved.

3.4.5.4 Achieving the Density Target

Welland will support the ~~Region's~~ Provinces ~~Greenfield~~ Designated Growth Area density target by:

i. Establishing and enforcing minimum residential densities outlined in this Plan;
ii. Designating specific areas for low, medium and high-density *development* in ~~Greenfield Areas~~ *Designated Growth Areas*;
iii. By allowing for, and encouraging, mixed use *development* in ~~Greenfield~~ *Designated Growth Areas*; and,
iv. Monitoring densities within ~~Greenfield~~ *Designated Growth Areas*.

3.4.5.5 Design

Refer to Policy 4.2.3.2 of this Plan for policies related to the design of new neighbourhoods.

3.4.5.6 ~~Greenfield~~ Designated Growth Area Lands Inventory and Monitoring

The City will maintain and monitor an inventory of its ~~Greenfield~~ lands within *Designated Growth Areas*. The City~~, in conjunction with the Region, where it has planning authority,~~ will develop a monitoring program to track the density of *development* and housing mix targets within *Designated Growth* ~~*Greenfield*~~ *Areas*.

3.4.5.7 Implementation

Amendments to the Zoning By-law will be considered to facilitate *development* ~~on Greenfields~~ in *Designated Growth Areas*. The City ~~will also develop a set of~~ will encourage Urban ~~Design Guidelines to ensure that~~ *development* that is attractive ~~and consistent with the~~ through its current Urban Design Guidelines and any applicable Policies of this Plan.

3.4.5.8 Phasing

~~Greenfield~~ *Development* will be phased in over time to ensure that a balance of both *intensification* and ~~Greenfield~~ *development within Designated Growth Areas* is achieved. To ensure this balance, the City will:

i. Develop a monitoring program for its *Designated Growth* ~~*Greenfield*~~ *Areas* and *Intensification* Areas;

ii. Work with the Region to ensure that *infrastructure* phasing is aligned to reflect this balanced approach to *development*;

~~iii. Develop a phasing strategy for its Greenfield and *Intensification* Areas; and,~~

iii. Ensure that the phasing of ~~Greenfield~~ *development* occurs in an orderly and logical manner.

3.5 SETTLEMENT ~~URBAN~~ AREA BOUNDARY EXPANSION

~~3.5.1 Comprehensive Review Required for Urban~~

~~To formulate a recommendation for the expansion of the Urban Boundary, the City will undertake a *comprehensive review* in accordance with the requirements of Policy 3.5.2 and Regional Niagara Policy Plan to determine whether additional lands are needed for the 20-year period of this Plan to accommodate housing and employment demand. The findings and recommendations of the *comprehensive review* shall be documented in a Growth Management Study.~~

3.5.1 Settlement Area Boundary Expansions ~~Need for Expansion~~

~~Urban~~In determining the appropriateness of a Settlement Area Boundary Expansion, the City shall consider the following: ~~shall only be permitted through co-ordinated local and Regional amendments as part of a municipal *comprehensive review* that reflects the *Regional market area*, growth projections, allocations and *intensification* and density targets by the Region and Provincial Plan where:~~

i. The need to designate and plan for additional lands to accommodate an appropriate range and mix of land uses;

ii. If there is sufficient capacity in existing or planned *infrastructure* and *public service facilities*;

~~iii. Key hydrologic areas and the *Natural Heritage System* for the Growth Plan should be avoided where possible;~~

iii. The evaluation of alternative locations avoids *prime agricultural areas* and, where avoidance is not possible, consider reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*;

iv. Whether the settlement area to be expanded is in compliance with the *minimum distance separation formulae*;

v. Whether impacts on the *agricultural system* are avoided, or where avoidance is not possible, impacts will be minimized and mitigated to the extent feasible as determined through an *agricultural impact assessment* or equivalent analysis, based on provincial guidance;

~~vi. Any adverse impacts on the agri-food network, including agricultural operations, from expanding *settlement areas* would be avoided, or if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment;~~

~~vii. The additional lands and associated forecasted growth will be fully accounted for in the land needs assessment associated with the next municipal *comprehensive review*.~~

~~viii. Sufficient opportunities for growth are not available through *intensification*, *redevelopment* and Greenfield *development* in designated urban lands to accommodate projected needs within the Regional market and the City of Welland.;~~

~~ix. The expansion makes available sufficient lands for a time horizon not exceeding 20 years based on the analysis outlined above. The timing of the expansion and phasing of *development* within the Greenfield Area will not adversely affect the achievement of the *intensification* target, density targets or any other Policies of this Plan.~~

~~x. Existing or planned *infrastructure* and *public service facilities* required to accommodate the proposed expansion over the long term can be provided in financially and environmentally sustainable manner and protect public health and safety.~~

~~xi. In *prime agricultural areas*:~~

~~a. The lands do not comprise specialty crop areas;~~

~~b. There are no reasonable alternatives; and,~~

~~c. There are no reasonable alternatives on lower priority agricultural lands in *prime agricultural areas*.~~

~~xii. Impacts from the proposed expansion on adjacent agricultural operations close to the Urban Area can be mitigated to the extent feasible.~~

vi. In evaluating the most appropriate location for expansions, the Policies of Section 5 and 6 of this Plan shall be applied;

vii. The ~~timing of the~~ expansion ~~and the~~ provides for ~~phasing of~~ phased progression of urban *development* ~~that does~~ would not adversely affect the achievement of any *intensification* or density targets.

~~xiv. The proposed expansion will plan to maintain or move significantly towards a minimum, of one full time job per three residents within the City.~~

~~3.5.2 Approval~~

~~Urban boundary expansions are a matter of provincial interest. The City recognizesthat the Region of Niagara is the approval authority for the City's Plan and urban boundary expansions. Urban boundary expansions shall be undertaken concurrently with, or subsequent to, Regional comprehensive review.~~

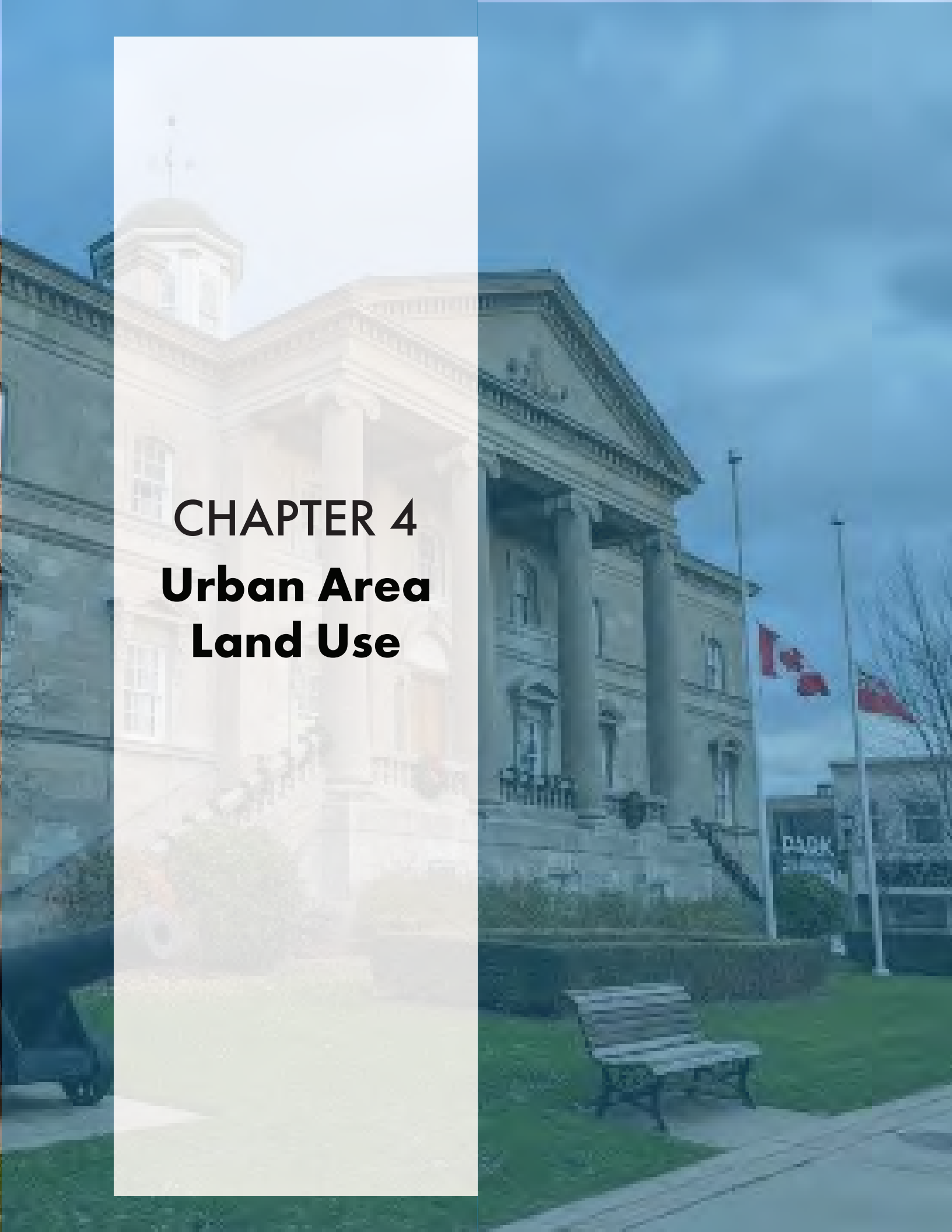
3.5.2 Implementation

Where it has been demonstrated that there is need for a~~n~~ Settlement ~~Urban~~ Area expansion, ~~the City shall prepare~~ a Secondary Plan or an equivalent planning process for expansion areas 15 ha and greater shall be conduced ~~the new urban lands~~. Refer to Section 14 ~~7~~ of this Plan for the requirements of a Secondary Plan.

3.6 NEW SETTLEMENT AREAS

3.6.1 Establishment of New Settlement Areas

In accordance with the Policies of this ~~the Regional PolicyOfficial~~ Plan, no new *settlement areas* are permitted to be established.



CHAPTER 4
Urban Area Land Use

4 URBAN AREA LAND USE POLICIES

4.1 DOWNTOWN WELLAND

4.1.1 Planning Objectives

4.1.1.1 To Maintain and Enhance the Role of the Downtown as the City's Primary Mixed-Use Node

The City will continue to encourage land uses ~~which will help~~ that promote the Downtown ~~maintain~~ and enhance its status as the City's preeminent mixed-use node.

4.1.1.2 To Create a Healthy, Attractive and Pedestrian-Friendly Downtown

The City will continue to support projects which improve its Downtown and create an aesthetically pleasing, pedestrian-friendly environment with complete streets.

4.1.1.3 To Support a Mix of Uses in the Downtown

The City supports a variety of compatible land uses in its Downtown which are mixed at both the block and building scale.

4.1.1.4 To Conserve ~~Preserve~~, Enhance and Promote the Historic Character of the Downtown

The City supports the enhancement of the historic character of its Downtownthrough the use of design criteria, where appropriate.

4.1.1.5 To Recognize the ~~Make~~ Downtown as a Regional Growth Centre and the Primary Location for Intensification and Redevelopment

The City aims to increase residential *development* in its Downtown, a Regional Growth Centre. Accordingly, the City will direct a significant amount of ~~support~~ growth and *redevelopment* to ~~within~~ its Downtown as it is one of the most viable locations for *residential intensification* and *redevelopment* including student housing.

4.1.1.6 To Attract Public and Private Sector Investment into the Downtown

The City aims to revitalize its Downtown through continued public and private sector investment into the Downtown. The City will utilize incentive program(s) to attract investment through a Community Improvement Plan for the downtown.

4.1.1.7 To Create Strong Linkages between the Downtown and Adjacent Neighbourhoods, the Welland Recreational Waterway and Welland River Waterfronts

The City will pursue opportunities to improve pedestrian, transit and cycling linkages between the Downtown and its surrounding neighbourhoods and destinations.

4.1.1.8 To Attract Institutional Investment into the Downtown

The City aims to revitalize its Downtown through continued Institutional sector investment in the form of both educational and government campuses, including satellite campuses.

4.1.1.9 To Support a Diverse Range of Housing Options in the Downtown

The City will continue to encourage a diverse range of *housing options* including *affordable* housing as well as market-based housing to meet the needs of a diverse population.

4.1.2 Land Use Policies

4.1.2.1 Downtown

4.1.2.1.1 **Planned Function**

The Downtown is a Regional Growth Centre and the City's preeminent mixed-use node ~~and is intended to~~ which serves a variety of complementary functions. As a Regional Growth Centre, a significant amount of new growth will be directed to the Downtown through *intensification*. The Downtown is intended to accommodate the broadest diversity of uses and the greatest concentration of activity. The Downtown is the location for important institutional uses, niche shops and specialty retail uses, cultural and entertainment uses, businesses and offices, high-density residential uses and parks and open spaces. The Downtown is also intended to function as a neighbourhood and include a variety of uses which support the population living in and around the downtown, creating a complete community. The limits of the Downtown area shown on Schedules B and B2.

4.1.2.1.2 **Permitted Uses**

Permitted uses within the Downtown include a broad range of commercial uses such as minor and major retail, *personal services* and professional services (excluding drive-through,auto related uses such as auto body shops, repair shops), entertainment andhospitality uses ~~(excluding motels)~~, *major offices* and small offices. Other permitteduses within the Downtown include General Institutional uses, transit and transportation uses, *Public Service Facilities*, Parks and Open space, ~~Low~~, Medium and High-Density Residential Uses. Individual properties and buildings may contain more than one of the above-noted uses.

4.1.2.1.3 **Scale and Height**

Downtown *development* should generally contain buildings which are ~~medium~~ mid-rise ~~(3 to 4 storeys stories), high -rise (5 to 8 storeys stories)~~, and high-rise, with a maximum height of 16 storeys. ~~High-rise buildings should be located away from stable neighbourhoods adjacent to the Downtown.~~ High-rise buildings should be located along or close to East Main Street and Division Street.

4.1.2.1.4 **Density**

Downtown *development* will achieve a minimum density target of 125 residents and jobs per hectare by the year 2051.

4.1.2.1.5 **Retail Priority Streets**

Retail Priority Streets are intended to cater to the pedestrian by creating a comfortable, active and vibrant public realm. Retail Priority Streets, which include East Main Street, West Main Street, Cross Street, The Boardwalk, King Street, and Division Street within the Downtown, shall have wide sidewalks, buildings oriented to the public sidewalk, at grade uses outdoor cafes, and a high level of streetscape design and activity.

The following policies shall apply to Retail Priority Streets:

i. A minimum of 75% of the block face located between two roads should be developed with buildings;
ii. Buildings should be built close to the street line with additional space provided, where necessary, to accommodate pedestrian facilities such as patios and street furniture. Parking, driveways or lanes shall not be permitted to locate between the buildings and the street;
iii. Each building or store front shall face onto the pedestrian predominant street with the main entrance of each building or store and substantial fenestration facing on to the street;
iv. Drive–through facilities shall not be permitted;
v. Commercial uses shall be the prominent use of the ground floor on any building facing a Retail Priority Street;
vi. On-street parking shall be provided where feasible and appropriate;
vii. A minimum building height of three storeys shall be encouraged;
viii. Sidewalks shall be required on both sides of the streets;
ix. Transit shelters and stops shall be provided, where appropriate;
x. New buildings and spaces shall be designed to reflect at a human scale, contribute to public safety and security;

xi. New buildings shall be encouraged to have awnings, canopies, arcades, or front porches to provide weather protection;

xii. Design of buildings shall be encouraged to be consistent with the City's Urban Design Guidelines; and

xiii. Hotels shall be encouraged to locate on Retail Priority Streets with the main façade and entrance facing the pedestrian predominant street.

~~**4.1.2.1.6 Secondary Plan**~~

~~The City will prepare a Secondary Plan for the Downtown Regional Growth Centre.~~

4.1.2.2 Design

4.1.2.2.1 **Mixed Use Development Form**

The preferred form of *development* within the Downtown is ~~for~~ commercial and office uses at grade and/or above with residential uses located on upper floors of buildings and/or behind the front portion of buildings, where appropriate.

4.1.2.2.2 **Streetscape Improvements and Public Realm**

The City shall continue to encourage the improvement of streetscapes within the Downtown through the use of landscaping including trees, sidewalks, bicycle lanes and bicycle parking, special signage, lighting, seating, street furniture, public art, and special paving, which promote a positive sense of place. Further to this policy, where improvements to a road (or the rehabilitation/restructuring of a road is necessary as part of improvements to underground *infrastructure*) by the City or ~~Regional Municipality of~~ Niagara Region, improvements to the public realm will be designed as a component of the road improvement / rehabilitation.

4.1.2.2.3 **Landmarks**

Landmark features, streetscape improvements, landscaping and significant building forms shall be encouraged at the entranceways into the Downtown.

4.1.2.2.4 **Pedestrian Linkages**

Pedestrian activity shall be encouraged in the Downtown through the provision of pedestrian linkages between East Main Street and Division Street and landscaped sidewalks, wherever possible. Parking, transit facilities and pedestrian linkages shall be integrated wherever possible.

4.1.2.2.5 **Service Access**

For buildings located on East Main Street and Division Street, secondary service entrances shall be located at the rear, where possible.

4.1.2.2.6 **Improvements**

Improvements in the Downtown in the form of infill *development*, upgrading and rehabilitation shall be encouraged to enhance the character of the Downtown, including the rear of buildings which are visiblefrom adjacent streets, parking lots and/or public areas.

4.1.2.2.7 **Views ~~and Vistas~~ Corridors**

In order to provide for the visual protection and enhancement of the dome of the ~~setting for the~~ Court House, view~~planes~~ corridors ~~shall~~ should be maintained by ensuring that any new buildings ~~and/or structures~~ proposed within the view~~planes~~ corridors are compatible with the architecture of the Court House and do not visually dominate or obscure the views of the dome on the Court House from the corners of East Main Street and Cross Street. ~~Such buildings and/or structures shall be sensitive to sightlinestoward the dome of the Court House~~. In this regard, the *development* approvals process ~~shall~~ should be used to review applications for additions and new ~~the development of~~ buildings ~~and/or structures~~ to ensure that they ~~which~~ are sited and designed to protect the ~~viewpoint~~ sightlines ~~contained~~ within the view~~planes~~ corridors. ~~To this end,~~ ~~c~~Consideration may be given to permitting some variation in building height to encourage building design and other desired amenities which maximize the visual protection of sightlines.

4.1.2.2.8 **Open Storage**

No open storage shall be permitted within the Downtown.

4.1.2.2.9 **Public Realm**

The public realm shall be enhanced through urban design and investment that contributes to safe, attractive complete streets and desirable communities. Urban design direction and guidance shall be incorporated into any future Secondary Plan.

4.1.2.2.10 **Traffic Patterns**

The City will review and modify~~,~~ the Downtown's connectivity and traffic patterns, including the patterns of one-way and two-way streets in order to support pedestrian, transit and traffic flows.

4.1.3 Additional Policies

4.1.3.1 Parking

Within the Downtown, adequate off-street parking shall be provided for all *development* in accordance with the standards of the Zoning By-law. Parking requirements may be satisfied through off-street communal parking, and municipally or privately owned parking areas located in the Downtown. The City encourages underground parking for mid- and high-rise developments within the Downtown.

The City will work to provide additional public parking opportunities within the downtown area, such as ~~a~~ parking structures which promote mixed uses, the efficient use of space, and City resources. Future endeavours may be supported through the City's cash-in-lieu of parking program.

~~**4.1.3.2 Cash-in-Lieu**~~

~~Provision of cash-in-lieu for parking spaces required in the Zoning By-law may be permitted in the Downtown.~~

4.1.3.2 Intensification

The Downtown is intended to serve as ~~the primary location for~~ one of the key locations for *residential intensification* that supports the overall mixed-use *development* of the downtown. ~~*Intensification and redevelopment* within the Downtown should address the policies of this Plan.~~

4.1.3.3 Intensification Supporting Transit Centre

Intensification projects anticipated for the Downtown are intended to contribute to an increased density of residents and employees which will be supportive of the City's existing transit hub located within the Downtown.

4.1.3.4 Intensification Form and Main Street Sense of Place

Intensification projects within the Downtown should match the pre-established 'street wall' setback of adjacent buildings in order to maintain a continuous street wall and conserve ~~preserve~~ a "main street" sense of place in the Downtown. In places where no 'street wall' exists, infill *development* should be located with a minimum setback from the street and serve as a catalyst for creating a "main street" sense of place.

4.1.3.5 Façade Improvement

The City encourages the upgrading, rehabilitation and *redevelopment* of buildings and/or facades in the Downtown as set out in the City's guidelines, manuals or plans which may be in place from~~,~~ time-to-time.

4.1.3.6 Heritage Conservation ~~Preservation~~

Buildings and structures of cultural heritage value or interest ~~historic or architectural interest~~ shall be *conserved* and incorporated, where appropriate, into any *development* or *redevelopment* project. The conservation ~~preservation~~ of areas of historic significance shall also be encouraged. The adaptive re-use of underutilized buildings and structures of cultural heritage value or interest is strongly encouraged.

4.1.3.7 Land Use Compatibility

Provision shall be made for adequate buffering, including noise attenuation, to mitigate any possible *adverse effects* of uses in the Downtown on adjacent residential areas. Special studies, including but not limited to, traffic, noise, vibration, ~~shadow and lighting~~, may be required, upon the request of the City, in an effort to mitigate any potential adverse impacts. ~~Policy 4.2.3.6 provides additional guidance related to infilling and *intensification* shall apply to the Downtown. *Intensification* within the Downtown shall also be consistent with the Policies of Section 6, which provide protection for the *Natural Heritage System* and natural hazards.~~

~~**4.1.3.8 Built Form Compatibility**~~

~~Policy 4.2.3.6 provides additional guidance related to infilling and *intensification* shall apply to the Downtown. *Intensification* within the Downtown shall also be consistent with the Policies of Section 6, which provide protection for the *Natural Heritage System* and natural hazards.~~

~~**4.1.3.9 Bonusing**~~

~~*Development* standards shall be incorporated into the Zoning By-law to permit increases in height or density of *development* in excess of those permitted, where such *development* meets the land use compatibility, design and environmental Policies of this Plan and one of the following:~~

i. ~~Provides a specific type of housing, such as housing for low and moderate income groups, senior citizens or people with physical disabilities;~~
ii. ~~Preserves areas, sites, buildings or structures of historical, architectural or archaeological merit;~~
iii. ~~Provides community or open space facilities such as community centres, parks, public art, pedestrian or bicycle linkages or day care centres;~~
iv. ~~Achieves building, landscape, streetscape and urban design objectives of the City.~~

~~**4.1.3.10 Agreements**~~

~~Increased height or density provisions enacted in the Zoning By-law shall require the execution of Agreements for developments which include increased height and/or density.~~

4.1.3.8 Confirmation of Servicing Capacity

Prior to the City approving a *development*, the City shall confirm that the required water and wastewater services and servicing capacity is available.

4.2 HOUSING AND RESIDENTIAL

4.2.1 Planning Objectives

4.2.1.1 Provide for the Orderly Growth and Distribution of Residential Areas

The City will ensure that there is an appropriate distribution of residential areas provided throughout the City and that future growth occurs in an orderly manner.

4.2.1.2 Efficient and Logical Development Pattern

The City will ensure that residential *development* occurs in a compact, efficient andlogical pattern to ensure that the environmental, health, safety, land consumption,*infrastructure*, public service, and municipal finance issues, which may arise from improper *development*, do not occur.

4.2.1.3 Residential Uses Ranging in Type and Tenure

The City will ensure that the land use policies reflect an appropriate range of residential uses which serve the City's diverse mix of individuals and families. Different types and tenures of housing units will be encouraged, through *affordable* and market-based *housing options*.

4.2.1.4 Residential Uses Ranging in Affordability

The City will encourage that housing be planned and developed which meets the needs of citizens at all levels of income and abilities to ensure that the land use policies discourage *development* forms / patterns which negatively impact affordability and accessibility.

4.2.1.5 Support the City's Existing and Planned Residential Fabric

Welland's urban fabric includes a variety of residential neighbourhoods. The Policies of this Plan are intended to support and enhance the City's existing neighbourhoods and encourage the *development* of new, liveable neighbourhoods.Residential *development* will be planned to be safe and have convenient access to public transit, convenience shopping, public open space, *recreation* facilities and other urban amenities.

~~**4.2.1.6 Carefully Balance the Supply of Residential Land with the Demand for New Land**~~

~~The City will ensure that there is a sufficient supply of serviced residential land to provide at least a three (3) year supply of residential units on lands zoned to facilitate *residential intensification*, in draft approved and registered plans. Greenfield and *intensification* units, in accordance with the Provincial Policy Statement.~~

~~The City shall also maintain the ability to accommodate residential growth for a minimum of 15 years through *intensification*, *redevelopment* and on lands designated for residential development.~~

~~In particular, to make an efficient use of designated lands, the City will promote the *development* of vacant land already designated for *development* and *intensification* sites by ensuring that these areas are suitably built-out before the urban boundary is recommended for expansion.~~

4.2.1.6 ~~Support~~ Existing Areas and Designations

~~The City will ensure protection for stable residential areas from inappropriate change~~ The City will promote and enhance the City's existing neighbourhoods and will encourage strategies which assist residential neighbourhoods in transition to revitalize, with minimal *negative impacts* to adjacent areas.

4.2.1.7 Promote Opportunities for Intensification and Redevelopment

The City will promote opportunities for *residential intensification* and *redevelopment* on lands located within the Built-u~~U~~p Area of the City. In particular, to make an efficient use of designated lands, the City will promote the *development* of vacant land and *intensification* sites already designated for *development*.

4.2.1.8 Develop New Sustainable Neighbourhoods

The City will encourage the application of sustainable design criteria for buildings and neighbourhoods when new areas are being planned and/or during the *development* review process.

4.2.1.9 Develop Attractive, Accessible and Pedestrian Friendly Neighbourhoods

The City will ensure that all new *development* is designed in an attractive manner,is accessible to all and accommodates the needs of pedestrians as well as other modes of transportation (automobile, cycling, walking and transit).

4.2.2 Land Use Policies

4.2.2.1 Residential Hierarchy

Residential land uses, within the Urban Area, are classified into one of three land use categories, as shown on Schedule B1:

i. Low-Density Residential;

ii. Medium-Density Residential; and

iii. High-Density Residential.

4.2.2.2 Low-Density Residential

4.2.2.2.1 **Planned Function**

The Low-Density Residential designation is intended to provide housing for residential *development* at a minimum *gross density* of 15 dwelling units per ~~net~~ hectare ~~of land~~ and maximum *gross density* of 60~~24~~ dwelling units per ~~net~~ hectare ~~of land~~.

4.2.2.2.2 **Permitted Uses**

Permitted uses include single-detached, semi-detached, multiple dwellings including all forms of townhouses~~,~~ and low-rise apartments. Low-rise apartments shall only be permitted along arterial, collector, and regional roads. Elementary schools and places of worship are permitted, as well as Community Facilities. Neighbourhood commercial uses may also be permitted, in accordance with the Commercial policies of Section 4.4 of this Plan. Home-based businesses may be permitted as long as it is accessory to the principal residential use and occurs entirely within the confines of the dwelling unit.

4.2.2.2.3 **Scale and Compatibility**

Low-Density Residential lots shall accommodate a mix of low-rise dwellings. ~~Which do not cause significant issues with casting~~ Denser built forms, up to 3-storeys in height, should be designed to minimize or mitigate potential adverse impacts on neighbouring properties related to ~~of~~ shadows, obstruction of views and privacy for adjacent lots.

4.2.2.2.4 **Design**

~~Low Density Residential uses will be encouraged to have front porches or covered entrances.~~ Attached garages on housing units should be designed so that the resulting streetscape is predominated by the front yard landscaping, front doors, and front windows of the housing units instead of garages. ~~Low Density Residentialuses will be encouraged to have a variety of facades and use a variety of building materials.~~

4.2.2.2.5 **Additional Policies**

Raising a maximum of four (4) chickens, no roosters, per property is permitted subject to compatibility criteria and minimum lot standards set out in the implementing Zoning By-law. A property with multiple units may have a shared common coop.

4.2.2.3 Medium-Density Residential

4.2.2.3.1 **Planned Function**

The Medium-Density Residential designation is intended to provide housing for residential *development* at a minimum *gross density* of 35~~2~~5 dwelling units per ~~net~~ hectare ~~of land~~ and a maximum *gross density* of ~~60~~ 125 dwelling units per ~~net~~ hectare of land.

4.2.2.3.2 **Permitted Uses**

Permitted uses include triplex, multiple dwellings ~~four-plex~~, all forms of townhouses, ~~stacked townhouses~~, and low-rise and mid-rise apartment buildings ~~housing~~. Accessory private *recreation* facilities or amenities for the benefit of the immediate residents are permitted. Except in apartment units, home-based businesses may be permitted as long as it is accessory to the principal residential use and occurs entirely within the confines of the dwelling unit. Elementary schools and places of worship are permitted, as well as well as Community Facilities. Neighbourhood commercial uses may also be permitted, in accordance with the Commercial policies of Section 4.4 of this Plan.

4.2.2.3.3 **Scale**

Medium-Density Residential designations ~~lots~~ shall accommodate low-rise (3-storeys) or mid-rise ~~dwellings~~ (4-8 storeys) developments which do not cause significant issues with casting of shadows on ~~and obstructions of views for~~ adjacent lots.

4.2.2.3.4 **Design**

~~Medium Density Residential will be encouraged to have front porches or covered entrances. Attached~~ Street facing garages on housing units should be designed so that the resulting streetscape is predominated by the front yard landscaping, front doors, and front windows of the housing units instead of garages. Buildings should incorporate landscaping in all yards which provide a buffer between the building and adjacent to low-rise residential ~~*sensitive land uses*~~. Parking areas ~~shall~~ should generally be located in the side or rear yard and/or underground or structured parking for townhouses and apartment buildings. Where underground or structured (above grade) parking is provided, an amendment to this Plan is not required for increased

density, provided that proposed built form is consistent with the ~~design~~ policies of this Plan. The site will be designed to provide for the collection and storage of recyclable wastes on site.

4.2.2.4 High-Density Residential

4.2.2.4.1 **Planned Function**

The High-Density Residential Designation is intended to provide housing for residential *development* at a minimum *gross density* of 75 dwelling units per ~~net~~ hectare ~~land~~ and a maximum *gross density* of 300 ~~125~~ dwelling units per ~~net~~ hectare ~~of land~~. High-Density Residential uses will generally be located close to, or within, strategic growth areas ~~activity nodes (or be planned as a catalyst for an activity node within a Secondary Plan or Master Plan)~~ where the intensity of residential *development* supports ~~commerce and~~ transit ridership and generates pedestrian traffic to enliven neighbourhood streets.

4.2.2.4.2 **Permitted Uses**

Permitted uses include mid~~medium~~-rise and high-rise apartment housing. Accessory private *recreation* facilities or amenities for the benefit of the immediate residents are permitted. Small scale neighbourhood convenience and retail or personal service uses scaled to serve the needs of the residents of the *development* may be permitted on the ground floor of mid~~medium~~-rise and high-rise apartments. Elementary schools, community facilities and places of worship are also permitted. ~~in circumstances where there are no reasonable alternatives for location of a new facility within the Low and Medium Density designations.~~

4.2.2.4.3 **Scale**

High-Density Residential lots may accommodate mid~~medium~~-rise and high-rise apartments where the issues of casting of shadows, ~~obstruction of views~~, and privacy for adjacent lots need to be managed and potential negative impacts minimized. Generally, mid-rise residential buildings will be 4 to 8-storeys, whereas High-Density Residential buildings ~~should be between 5 and 8 stories~~ will have a maximum height of 16 storeys. ~~Density and building heights are intended to decrease as the distance of the building from activity nodes increases.~~

4.2.2.4.4 **Design**

High-Density Residential will be encouraged to have a covered entrance which is aligned with the street and main building entrance. Buildings should incorporate a built form, architectural articulation, exterior materials, and window design which prevent large continuous "slab" walls. Buildings should incorporate landscaping in all yards to provide a buffer between the building and adjacent low-rise residential uses ~~*sensitive land uses*~~. At grade parking areas should be

located in the side or rear yard and/or underground. Large at-grade or above-grade parking shall not dominate the site. At-grade parking will be provided as multiple landscaped parking areas distributed throughout the site with a logical circulation pattern. Where underground or structured (above grade) parking is provided, an amendment to this Plan is not required for increased density, provided that proposed built form is consistent with the policies of this Plan. The site will be designed to provide for the collectionand storage of recyclable wastes on site.

4.2.3 Additional Policies

4.2.3.1 Design Policies for Existing Neighbourhoods

New *development* in existing neighbourhoods (*redevelopment* or *intensification*) shall reinforce and improve upon the character defined by the existing built form and landscaping. The City will maintain and improve existing neighbourhoods through tools such as Secondary Plans, By-laws (e.g., property standards, tree cutting), civic beautification, heritage conservation initiatives, and urban design guidelines.

4.2.3.2 Design Policies for New Neighbourhoods

New neighbourhoods will be planned to support a minimum average density target of ~~a combined~~ 50 residents and jobs per gross hectare on D~~d~~esignated Growth ~~Greenfield~~ lands. New neighbourhoods shall have clearly defined character with built form and landscaping which meets, or exceeds, the standards established by other ~~d~~*development* in the region. New neighbourhoods should be visually interesting by discouraging repetitive built form and incorporating a variety of building materials,landscaping, open space and environmental and natural and built heritage features. New neighbourhoods will be encouraged to incorporate energy efficiency initiatives such as energy efficient materials, energy-appropriate landscaping treatments, *infrastructure* innovations (including but not limited to LED streetlights), consideration of building orientation and a transportation network which reduces dependency on the automobile. New neighbourhoods will be encouraged to use of low impact *development* solutions to manage stormwater. The City will encourage place-making andmore specific design requirements for new neighbourhoods through tools such as secondary plans, urban design guidelines and accessibility design guidelines.

4.2.3.3 Location and Design of Elementary School Sites

Elementary schools should be located adjacent to public parks and open spaces, where possible. Generally, the school should be centrally located in regard to the area being served. ~~The location should be selected and designed in consultation with the School Boards.~~ The location should also be selected and designed to minimize traffic conflicts with pedestrians in consultation with the relevant school board. The co-location of schools and school facilities is encouraged. Sidewalks

are considered to be an integral design aspect and will be required to link all school sites to adjacent neighbourhoods; bicycle lanes will be incorporated wherever feasible.

4.2.3.4 Location and Design of Places of Worship

Where possible, places of worship should be located on arterial, ~~or~~ collector, or regional roads within walking distance of transit stops. Places of worship should provide on-site parking located at the rear or side of the building and adequately and safely accommodate vehicular and pedestrian traffic entering on site. Parking should be located at the side or the rear of the building. Proposals for developing new placesof worship may require the applicant to submit a traffic impact study, lighting study, parking study and other studies deemed appropriate by the City.

4.2.3.5 Prevention of Neighbourhood Isolation

New neighbourhoods shall be connected to the rest of the City by public streets and/or public trails. New streets and blocks should be consistent with, and extend from, the existing street pattern. New gated *development* or gated communities will not be a permitted form of residential development.

4.2.3.6 Infill and Intensification Development

Infilling and *intensification* is encouraged throughout the City's existing B~~b~~uilt-up ~~residential~~ areas. *Intensification* in *Built-up areas* should address (notwithstanding the requirements for a severance, site plan or plan of subdivision):

i. Land use and neighbourhood character compatibility;
ii. Lot pattern and configuration;
iii. Accessibility;
iv. Parking requirements;
v. The potential for additional traffic and traffic manoeuvrability;
vi. The potential for transit ridership;
vii. Natural (including natural hazards) and built heritage conservation /protection;
viii. The available capacity of municipal *infrastructure*; and,
ix. *Residential intensification* targets identified in this Plan.

High-rise buildings should provide a transition in height, density, and massing adjacent to low-rise residential neighbourhoods to reduce the impact of massing, overlook and shadow.

Subject to a Zoning By-Law Amendment, the City may allow residential infill and *intensification*

development to exceed the maximum building height and densities set out in this Plan ~~by~~ ~~20%~~ 40% without Amendment to this Plan, with considerations for:

- Compatibility with the surrounding area in term of scale with minimal impact on neighbouring uses;
- Adequacy of engineering services and community services;
- Ability of the transportation system to support the increase in density;
- Provision of a wide range of housing types, including *affordable*, assisted and *additional needs housing*;
- Provision of community *infrastructure*, and or public art; and
- Ability of the site to accommodate parking, landscaping, amenity areas, and recreational facilities.

~~**4.2.3.7 Locational Criteria for High Density Residential**~~

~~New High-rise Density Residential land uses should be located along existing or planned future transit corridors, within the Downtown, on *brownfield sites* or along the Welland Recreational Waterway and the Welland River.~~

4.2.3.7 Conversion of High-Density Residential Sites

Maintaining an inventory of lands designated for high- density residential *development* helps achieve the municipality's goals for meeting *intensification* targets, transit-supportive *development*, providing housing choice, providing *affordable* housing, etc. The municipality will only consider the redesignation of a high-density residential designated site to a medium-density ~~*development*~~ designation:

i. If the municipality has achieved its 20-year target for *intensification*; or,
ii. If other suitable lands yielding the same or greater *development* potential as the down-designated site are up-designated to high-rise ~~density~~ as compensation.
iii. If technical studies have identified site constraints that limit the ability to accommodate a high-rise built form.

4.2.3.8 Live/Work Opportunities

~~Medium density and high-density residential units designed for live/work may be permitted subject to Site Plan Approval and provision of sufficient parking~~. Live/work *development* such as home occupations and live-work buildings are ~~is~~ permitted in all residential ~~High-rise Density~~ designations, and live-work buildings are encouraged to locate on collector, arterial, and regional roads and/or in an area planned for *intensification*.

4.2.3.9 Affordable Housing

i. The City will work with the ~~Regional Municipality of~~ Niagara Region, not-for-profithousing agencies and the private sector to ensure that a sufficient supply ofhousing is provided which is *affordable* to *low- and moderate-income households*, including purpose-built rental units.

ii. The City will target 30% of all new housing units constructed over the long term to consist of *affordable* housing units ~~to be constructed in both *intensification* areas and throughout the built-up area and also in Greenfield areas~~.

iii. To encourage the *development* of *affordable* housing, the City will target:

   a. 20% of all new rental housing is to be *affordable*; and

   b. 10% of all new ownership housing is to be *affordable*.

iv. The City will work with the Niagara Region, not-for-profithousing agencies and the private sector to prepare an *affordable* housing strategy.

v. The City will also consider the inclusion of regulations in the Zoning By-lawwhich would support the provision of *affordable* housing.

vi. The demolition or conversion to freehold or condominium ownership of residential rental properties containing six or more dwelling units ~~shall not bepermitted unless all of~~ are subject to the following conditions, ~~are satisfied~~ unless otherwise specified by the Minister:

   a. The rental vacancy rate by dwelling/structure type for the City of Welland as defined and reported yearly through the CMHC Rental Market Survey has been at or above 3 per cent for the preceding two-year reporting period;

   b. The building for which conversion is proposed meets the requirements ofthe property standards by-law, the Ontario Building Code, and any other applicable law, or will be upgraded in accordance with these standards and requirements;

   c. Where demolition occurs, replacement rental housing or *affordable* units are providedfor those units that are demolished at a 1:1 ratio or higher; and

   d. The requirements of any applicable Provincial legislation or regulation, asamended, are met

vii. The City will also encourage the implementation of the Niagara's Housing and Homelessness Action Plan goals.

viii. Notwithstanding 4.2.3.9 vi.) the demolition or conversion of existing *affordable* rental properties is permitted when it 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.

ix. The City will consider the introduction of planning tools and incentives to encourage developers to build *affordable* and *attainable housing*, for ownership and rental units including:

a. Flexibility in scale, form, and types of residential uses permitted as-of-right;

b. Fast-tracking planning approval for *development* of *affordable* housing, *attainable housing*, purpose built rental housing, and community housing with a priority for developments receiving time-sensitive government funding;

c. Financial incentive programs such as grants, development charge deferrals, delaying application fees, and property tax reductions that promote brownfield *redevelopment* and *affordable housing options* including purpose built rental; and

d. Standards that facilitate the *development* of additional residential units, such as reduced setbacks, narrower lot sizes, and reduced parking standards.

4.2.3.10 ~~Accessible Housing~~ Additional Needs Housing

The City will work with the ~~Regional Municipality of~~ Niagara Region, the Province, the private sector and other *additional needs housing* ~~*special needs*~~ groups to ensure that an adequate supply of accessible housing is provided to meet long-term demand for persons with physical disabilities.

4.2.3.11 Group Homes

Group homes administered by the Ministry of Health or Ministry of Community and Social Services under Provincial legislation shall be permitted in any residential area. The types of group homes which are permitted include:

i. Approved homes;

ii. Homes for special care;

iii. Supportive housing programs;

iv. Accommodation for adult mental health programs;

v. Accommodation services for individuals with a developmental *disability*;

vi. Satellite residences for seniors; and,

vii. Homes for individuals who have physical disabilities, where the Province licenses, funds or approves such a group home program.

viii. Transitional housing for individuals who are socially disadvantaged and community resource centres will require a rezoning.

4.2.3.12 ~~Accessory~~ Additional Residential Dwelling Units

Within the urban boundary as shown on Schedule A, up to two (2) additional residential units shall be permitted within a detached house, semi-detached house or townhouse, and one (1) additional residential unit may be contained within an accessory building.

Outside of the urban boundary as shown on Schedule A, up to two (2) additional residential units shall be permitted on a property, of which at least one shall be contained within a detached house, and a maximum of one (1) of the permitted units may be contained within an accessory building, subject to the following criteria:

a) compliance with the *minimum distance separation formulae*;

b) the additional dwelling unit(s) is(are) compatible with, and would not hinder, surrounding agricultural operations;

c) the additional dwelling unit(s) has(have) appropriate *sewage and water services*;

d) there are no public health and safety concerns;

e) the additional dwelling unit(s) is(are) of limited scale and is(are) located within, attached, or in close proximity to the principal dwelling or farm building cluster; and

f) the additional dwelling unit(s) minimize(s) land taken out of agricultural production.

~~One (1) Accessory Dwelling Unit may be permitted, in addition to the principal dwelling unit, of single-detached, and semi-detached dwellings through a Zoning By-Law or minor variance application. The following criteria shall be considered when evaluating proposals for the creation of accessory dwelling units:~~

~~i. The floor area of the accessory unit is equal to, or less than, the gross floor areaof the principal unit without any modification to the building's bulk or massing;~~

~~ii. The Accessory Dwelling Unit is not located in an attached garage;~~

~~iii. One additional one (1) on-site parking space is provided exclusively for the accessory dwelling unit;~~

~~iv. The outdoor private amenity area is adequate for the amenity and leisure needs of all occupants;~~

~~v. The Accessory Dwelling Unit meets the requirements of the City's Zoning By-Law, the Building Code and Fire Code.;~~

~~vi. A lot may not have both an accessory dwelling unit and a garden suite.~~

~~**4.2.3.13 Garden Suites**~~

~~One (1) Garden Suite may be permitted, but only on a lot Zoned for a single- detached dwelling. The garden suite will be a small, temporary building which is physically separate from the principal dwelling unit and will be adequately serviced by the primary residence. The exterior design of the garden suite will be in character with the design of the principal dwelling unit and the location of the garden suite on the lot will not adversely impact the privacy of adjacent yards. Garden suites will be subject to a Temporary Use By-law. A lot may not have both an accessory dwelling unit and a garden suite. Garden Suites must meet the requirements of the City's Zoning By-Law and Building Code and Fire Code~~

4.2.3.13 Student Accommodation

The City recognizes the need for the provision of *affordable* and convenient studentrental housing for post-secondary students. ~~It is recognized that housing accommodation for post-secondary school students has specific land use characteristics and impacts on surrounding areas which require regulation through Zoning and other means. Therefore, this form of housing may not be appropriate in all residential areas.~~ The City encourages the construction and location of quality student housing, either on campus or within the Downtown or ~~other~~ in close proximity to the college campus ~~areas within the City deemed to be appropriate~~.

4.2.3.14 Monitoring and Target Setting

The City of Welland will monitor the pace of residential ~~Greenfield and~~*intensification development* in *Designated Growth Areas* and within the *Built-up Area*. It will use tools (such as ~~a Built Boundary mapping,~~ Community Improvement Plans, controlling expansions of the Urban Boundary, etc.) to attain a minimum of 75 ~~40~~% of all residential *development* occurring annuallyin the *B~~b~~uilt-up area* from 2021 to 2051 ~~by 2015 and beyond~~. ~~The City may implement a phasing strategy to address any surplus designated Greenfield residential land.~~

4.2.3.15 Urban Design Guidelines

Future *development* should have regard for and be informed by the City's Urban Design Guidelines (2014) or its successor ~~Until such time that urban design guidelines are completed by the City, it will direct~~*development* ~~proponents to the Regional Municipality of Niagara's Model Urban Design Guidelines and encourage that the guidelines~~ regarding lot layout, buildingform and massing, architectural treatment, parking, etc~~., be implemented, where feasible~~.

~~4.2.3.16 Bonus Zoning~~

~~*Development* standards shall be incorporated into the Zoning By-law to permit increases in height or density of *development* in excess of those permitted, only where such *development* is desirable~~

~~and meets the land use compatibility and design criteria of this Plan and the Policies of Section 7.4.5 of this Plan.~~

4.2.3.16 Density Requirements

In special circumstances, the ~~General Manager~~ Director of Planning and Development Services may waive the requirement for an Amendment to this Plan where a given application cannot meet the minimum density requirements set forth in the Plan. Special circumstances shall be limited to irregular lot configuration or geographical and geotechnical constraints.

4.2.3.17 Exceptions

4.2.3.17.1 Notwithstanding the density provisions of Section 4.2.2.4.~~A~~1 and the height provisions of Section 4.2.2.4.~~C~~3, a three (3) storey, 35-unit, apartment building with a maximum density of 73 units per net hectare is permitted on the lands located at 529 South Pelham Road and Block 29, Plan 59M-385.

(529 SOUTH PELHAM ROAD)

~~4.2.3.17.2 Notwithstanding the policies of Subsection 4.4.2.7.C2 and 4.4.2.7.3 neighbourhood commercial uses may be permitted on the property located at 700 Canal Bank Road. The remaining policies of Section 4.4.2.7, save and except subsection 4.4.2.7.C, shall apply to any proposed neighbourhood commercial uses.~~

~~*(700 CANAL BANK STREET)*~~

~~4.2.3.17.3 Notwithstanding the density provisions of Section 4.2.2.2.A1 and the permitted uses under Section 4.2.2.2.B2, a maximum total of ten (10) townhouses and a two (2) unit dwellings with a minimum density of 13 units per net hectare are permitted on the lands located at 160 Riverside Drive.~~

~~*(160 RIVERSIDE DRIVE)*~~

4.2.3.17.2 Notwithstanding the permitted uses of Section 4.2.2.2.~~B~~2, semi-detached, freehold triplexes and street townhouses at a minimum density of 18.4 units per net hectare shall be permitted on the lands described as Part of Block 82 and Part of Lot 44, Plan 59M-374. *(COYLE CREEK ESTATES SUBDIVISION – PHASE 6)*

~~4.2.3.17.4 Notwithstanding the density provisions of Section 4.2.2.4.A1 and Scale under Section 4.2.2.4.3C, a twelve (12) storey, 70 unit apartment building with a maximum density of 188.5 units per net hectare is permitted on the lands located at 1 Griffith Street.~~

~~*(1 GRIFFITH STREET)*~~

4.2.3.17.3 ~~Notwithstanding the density provisions of Section 4.2.2.3, the lands will be permitted to have a maximum density of 86 units per hectare (215 Riverside Drive).~~

4.2.3.17.4 Notwithstanding the density provisions of Section 4.2.2.3, the lands will be permitted to have a minimum density of 61 units per net hectare and a maximum density of 216 units per net hectare. (*205 Lancaster Drive*)

4.2.3.17.5 Notwithstanding the permitted uses of Section 4.2.2.3.2, a townhouse *development* including four blocks of stacked townhouse buildings with a maximum density of 125 units per net hectare are permitted on the lands located at 526 Ontario Road. (*526 Ontario Road*)

4.2.3.17.6 Notwithstanding the policies on Subsection 4.2.2.4 the density provisions for 523, 529, 535, 537 Thorold Road will provide a density limit of 190 dwelling units per hectare of land. (*523, 529, 535, 537 Thorold Road*)

4.2.3.17.7 Notwithstanding the density provisions of Section 4.2.2.3 the lands will be permitted to have a minimum density of 25 units per net hectare and a maximum density of 200 units per net hectare. (384 Quaker Road)

4.3 EMPLOYMENT ~~AREAS~~

4.3.1 Planning Objectives

4.3.1.1 Provide for the Orderly Growth and Distribution of Employment ~~Areas~~Lands

The City will ensure there is an appropriate supply and distribution of ~~Employment~~employment lands provided throughout the City and that future *development* occurs in an orderly manner. Schedule B3 – Employment Lands shows the location of Future Employment Area in Welland.

4.3.1.2 Provide a Range of Uses within Employment ~~Areas~~Lands

The City will ensure that the land use policies reflect an appropriate range of uses for its ~~*Employment Areas*~~employment lands.

~~**4.3.1.3 Support Existing and Planned Employment Hierarchy**~~

~~Land uses in Welland which support employment are comprised of a hierarchy which varies in size, form, location and use. The Policies of this Plan are intended to support and enhance the role of *Employment Areas* in the overall hierarchy of all employment-generating land uses.~~

4.3.1.3 Encourage Quick Transitions in Employment ~~Areas~~Lands

Welland expects on-going change in the economic sectors ~~which generate employment in *Employment Areas*~~. The City encourages ~~*Employment Areas*~~employment lands to transition quickly from their former business activities to new employment-generating activity. Employment lands include lands within the General Industrial, Light Industrial, Gateway Economic Centre and Employment Transition designations, and are shown collectively on Schedule B3 – Employment Lands.

4.3.1.4 Make Efficient Use of Land

The City will encourage new businesses to occupy ~~available~~ vacant space in existing developments ~~and~~ as well as encourage the ~~appropriate~~ *development* of *Designated Growth Area* ~~*Greenfield sites*~~.

4.3.1.5 Promote Opportunities for Intensification and Redevelopment

The City will promote opportunities for *intensification* and *redevelopment* of designated employment lands ~~in *Employment Areas*~~ located ~~within the *Built Up area* of~~ in the City, including, but not limited to, further implementation of the Brownfield Strategy / Community Improvement Plan.

4.3.1.6 Protect Employment Areas

The City will protect its *Employment Areas* and ~~will require a municipal comprehensive review for any proposed conversion to non-employment uses~~ may remove lands from *employment areas* only where it has been demonstrated that:

a) there is an identified need for the removal, and the land is not required for *employment area* uses over the long term;

b) the proposed uses would not negatively impact the overall viability of the *employment area* by:

   1. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with policy 3.5 of the Provincial Policy Statement 2024;
   2. maintaining access to *major goods movement facilities and corridors*;

c) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses; and

d) the City has sufficient employment lands to accommodate projected employment growth to the horizon of the approved official plan.

4.3.1.7 Use Welland's Location, Transportation and Quality of Life Advantages to Plan and Promote Employment ~~Areas~~Lands

The City will consider the geographic location and transportation connections when planning new ~~*Employment Areas*~~employment lands, and will emphasize the benefits of Welland's location, transportation connections, and quality of life when promoting the build-out of existing ~~*Employment Areas*~~employment lands.

4.3.1.8 Minimize Adverse Impacts Associated with Industrial Uses

The City will attempt to minimize adverse impacts associated with industrial uses by ensuring that industrial uses occur on designated lands and that issues related to impacts of air, noise, vibration and odour are addressed in a manner which is consistent with City and Provincial standards.

4.3.1.9 Enhance the Image of Employment ~~Areas~~Lands using Urban Design

High quality urban design will be a key tool for increasing the attractiveness of ~~*Employment Areas*~~employment lands. Specific urban design requirements will be considered to enhance the attractiveness and unique identity of ~~*Employment Areas*~~employment lands.

4.3.1.10 Promote a Gateway Employment Area

The City will plan and promote a Gateway *Employment Area* with multi-modal access in order to ~~which~~ generate~~s~~ unique and on-going economic *development* benefits ~~because of a multi-modal access~~.

4.3.1.11 Municipal water and Wastewater

Municipal water and wastewater *infrastructure* serving *employment lands* will be prioritized by the Region and the City.

4.3.1.12 Goods Movement facilities and corridors

The City and the Region 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.*

4.3.2 Land Use Policies

4.3.2.1 Employment Hierarchy

The City of Welland's hierarchy of ~~*Employment Areas*~~employment lands is comprised of ~~three~~four distinct land use designations. The Policies of this Plan are discussed in terms of these ~~three~~four distinct designations ~~areas~~, which are:

i. General Industrial;
ii. Light Industrial;
iii. Gateway Economic Centre; and
iv. Employment Transition.

4.3.2.2 Employment Areas

The following three land use designations are considered to be *Employment Areas*, as defined in this Plan:

i. General Industrial;
ii. Light Industrial; and
iii. Gateway Economic Centre.

4.3.2.3 General Industrial Area

4.3.2.3.1 **Planned Function**

The General Industrial Area designation is planned to provide areas for employment for industrial activities, including those activities which may have adverse impacts associated with their operation.

4.3.2.3.2 **Permitted Uses**

Permitted uses include processing, manufacturing, assembly, fabrication, research and development, laboratories, workshops, training facilities, warehousing, shipping / receiving, food processing, service shops, associated offices and retail uses, ancillary facilities, and ~~*major offices and other similar uses. Minor retail and personal and professional service commercial uses, which are scaled to serve the needs of the employees of the immediate employment area, are also permitted*~~. o~~O~~utdoor storage is permitted ~~subject to Policy 4.3.2.2.C~~. Existing adult entertainment, *major offices* retail uses, *personal services* and other commercial uses that were established on a parcel of land before June 8, 2023, are permitted.

4.3.2.3.3 **Design**

In General Industrial Areas, the use of good quality exterior building materials and landscaping will be encouraged. General Industrial Areas near *sensitive land uses* will incorporate buffering, massing, and screening, as well as controls for noise, vibration, odour, dust / debris, and light emissions which minimize impacts on the nearby sensitive uses. Outdoor storage shall be screened, using fencing and/or plantings, so that the storage area or goods are not visible from abutting lands or the street. General Industrial Areas will be encouraged to develop on sites served by existing or planned transit routes. The design of new General Industrial Areas shall be pedestrian

friendly, barrier-free and accessible, where possible. Small parking areas may be provided in the front yard; however large parking areas should ~~shall~~ be located to the side or rear of the building incorporating appropriate landscaping and/or screening.

4.3.2.4 Light Industrial Area

4.3.2.4.1 **Planned Function**

The Light Industrial Area designation is planned to provide areas for employment for industrial activities which are intended to have no adverse impacts associated with their operation.

4.3.2.4.2 **Permitted Uses**

Permitted uses include light-manufacturing, light-assembly, research and development, warehouses and wholesaling, indoor storage, service shops, associated offices and retail uses, as well as ancillary facilities are permitted. ~~offices, related to industrial uses, as well some commercial uses such as heavy equipment sales and services, repair shops and services and lumber yards. Minor retail, personal and professional *service commercial* uses which are scaled to serve the immediate needs of the employees of the immediate *employment* area, are also permitted~~. Only a limited amount of outdoor storage is permitted, subject to the Policy 4.3.2.3.~~C~~3. Raw goods and materials, or waste materials shall be in wholly enclosed structures. Existing standalone offices, retail uses, *personal services* and other commercial uses that were established on a parcel of land before June 8, 2023, are permitted.

4.3.2.4.3 **Design**

Development in the Light Industrial Area is encouraged to have high quality exterior building materials, and high-quality landscaping. *Development* at the perimeter of Light Industrial Areas shall have edge landscaping and urban design treatments, where appropriate, to strengthen the area's visual appeal. ~~Outdoor storage is not permitted, except where finished goods or materials are the primary product of a business (such as lumber in the case of a lumber yard).~~ The design of light industrial subdivisions or individual sites should incorporate pedestrian-friendly, barrier-free and accessible design. Parking areas shall be screened from any adjacent *sensitive land uses* and large parking areas ~~shall~~ should incorporate internal landscaping and be located at the rear or side of the building.

4.3.2.5 Gateway Economic Centre

4.3.2.5.1 **Planned Function**

The Gateway Economic Centre designation is planned to be a specialized *employment area* for industries involved in the movement of goods, cross border trade and those businesses which require access or visibility associated with a 400 series highway.

4.3.2.5.2 **Permitted Uses**

Permitted uses include uses related to transportation and logistics, including facilities related to shipping and receiving, warehouses, ~~*major offices,*~~manufacturer's showrooms, light manufacturing, light assembly, laboratories, research and development, and training facilities.~~,~~ Associated offices and retail uses, as well as ancillary facilities are permitted. ~~hospitality uses~~, accessory outdoor storage and other similar uses. ~~Minor retail, restaurants, personal and professional service *commercial* uses which are scaled to meet the needs of the employees within the immediate area are also permitted. Educational institutions that are complementary to the aforementioned uses are also permitted~~. ~~Raw goods and materials, or waste materials shall be in wholly enclosed structures.~~ Existing standalone offices, retail uses, institutional uses, *personal services* and other commercial uses that were established on a parcel of land before June 8, 2023, are permitted.

4.3.2.5.3 **Design**

Gateway Economic Centre uses should be planned and designed to reflect the important role they play in serving the City, Region and Ontario. Gateway Economic Centre uses should have high quality exteriors and landscaping. Gateway Economic Centre uses at the convergence of major transportation corridors will be encouraged to incorporate high quality, but unobtrusive, signage, architectural detailing on the principal building, and/or landscaping. The Gateway Economic Centre, given its nodal characteristic, will be required to accommodate transit stops or stations. The design of Gateway Economic Centre uses should be pedestrian-friendly, barrier-free and accessible. Where outdoor storage is allowed, it shall be screened using fencing and/or plantings so that the storage area or materials are not visible from abutting lands. Uses comprising outdoor storage may be required to provide, and implement, a dust/debris management plan as a condition of Site Plan Approval. Where large amounts of vehicular parking is required for a proposed use, it will be provided as multiple landscaped parking areas distributed throughout the site with a logical circulation pattern. Parking areas should be screened from adjacent land uses and large parking areas should incorporate internal landscaping. Illumination which enhances the aesthetics of the Gateway Economic Centre's buildings and sites will be encouraged, but illumination must not cause undue light pollution.

4.3.2.6 Employment Transition

4.3.2.6.1 **Planned Function**

The Employment Transition designation is planned to be a specialized designation for industries involved in the movement of goods, cross border trade and those businesses which require access or visibility associated with a 400 series highway, where additional uses to support traditional employment uses are also permitted. Additionally, the Employment Transition designation is planned to be a designation for employment uses and associated uses that are located within established locations of the Urban Area and/or in close proximity to non-employment uses.

4.3.2.6.2 **Permitted Uses**

Permitted uses include uses related to transportation and logistics, including facilities related to shipping and receiving, warehouses, offices, *major offices*, manufacturer's showrooms, light manufacturing, light assembly, laboratories, research and development, training facilities, equipment sales and rental, hotels and convention centres, veterinary and animal services, automotive and recreational vehicle sales, rental and service and other similar uses. Minor retail, restaurants, personal and professional *service commercial* uses which are scaled to meet the needs of the employees within the immediate area are also permitted. Educational institutions that are complementary to the aforementioned uses are also permitted.

4.3.2.6.3 **Design**

Employment Transition uses should be planned and designed to reflect the important role they play in serving the City, Region and Ontario. Employment Transition uses should have high quality exteriors and landscaping. Employment Transition uses at the convergence of major transportation corridors will be encouraged to incorporate high quality, but unobtrusive, signage, architectural detailing on the principal building, and/or landscaping. The design of Employment Transition uses should be pedestrian- friendly, barrier-free and accessible. Where outdoor storage is allowed, it shall be screened using fencing and/or plantings so that the storage area or materials are not visible from abutting lands. Uses comprising outdoor storage may be required to provide, and implement, a dust/debris management plan as a condition of Site Plan Approval. Where large amounts of vehicular parking is required for a proposed use, it will be provided as multiple landscaped parking areas distributed throughout the site with a logical circulation pattern. Parking areas should be screened from adjacent land uses and large parking areas should incorporate internal landscaping. Illumination which enhances the aesthetics of the Employment Transition designation's buildings and sites will be encouraged, but illumination must not cause undue light pollution.

4.3.3 Additional Policies

4.3.3.1 Employment Land Conversion

The City may permit the conversion of lands within *employment areas* to non- employment uses, ~~but only through a municipal comprehensive review that reflects the Regional Market Area, employment growth projections, allocations and intensification and density targets by the Region and Provincial Growth Plan where it has been demonstrated~~ provided that:

i. There is an identified need for the removal ~~conversion~~ and the land is not required for *employment area* uses over the long term ~~(as defined by the City in~~ in accordance with Policy 4.3.3.2~~)~~;

ii. ~~The municipality will meet the employment targets allocated to the City pursuant to this Plan;~~ The proposed conversion will not adversely affect the overall viability of the City's *Employment Areas* by:

   a. avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with Policy 4.3.3.9;

   b. maintaining access to *major goods movement facilities and corridors*;

iii. ~~and the achievement of the intensification target, density targets and other Policies of this Plan~~;

iv. There are ~~is~~ existing, or planned, *infrastructure* ~~in place~~ and *public service facilities* available to accommodate the proposed use; and

v. ~~The lands are not required, over the long term, for~~ The City has sufficient employment lands to accommodate projected employment growth to the horizon of this Official Plan ~~purposes for which they are designated; and,~~

vi. ~~Cross jurisdictional issues have been considered.~~

~~Major retail uses are considered to be non-employment uses and are not permitted in *Employment Areas*.~~

4.3.3.2 Defining the Need for Conversion

The City will determine whether or not there is a need for a particular conversion. In doing so, the City will consider the population, housing, and employment forecasts in relation to the existing designated lands and approved *development* applications to determine if there is a need for additional non-employment uses. ~~"need" within the context of broader public interest and within the context of the Community Strategic Directions of this Plan as well as other Policies of this Plan.~~

4.3.3.3 Infilling and Intensification

Infilling and *intensification* is encouraged throughout the City's existing Built-up *Employment Areas*. The City will give priority to viable brownfield *redevelopment* opportunities when prioritizing resources to support infill and *intensification* programs.

~~4.3.3.4 Balancing Demand and Supply~~

~~The City will support and promote existing vacant *Employment Areas* by monitoring the inventory of vacant employment land and designating new employment lands only where there is appropriate planning merit as demonstrated through a *comprehensive review.*~~

4.3.3.4 Gateway Economic Centre Master Plan ~~or Secondary Plan~~

To ensure co-ordinated *development* over the long term, the City may work with neighbouring local municipalities, the Region, and the Province to prepare a Master Plan or Secondary Plan for Welland's portion of the Gateway Economic Centre which will address land use compatibility, urban design, multi-modal transportation linkages, energy efficiency, environmental standards and constraints (including the contaminated sediment in Lyons Creek East see Policy 12.5 ~~6.7.5~~), economic development and tourism, social needs, phasing, financing and implementation. ~~The resulting Master Plan or Secondary Plan may form part of the Official Plan.~~

4.3.3.5 Industrial Traffic

Industrial traffic should be directed away from, and not through, residential areas. Generally, the number of access points from *employment areas* to arterial, ~~and~~ collector, and regional roads should be limited to minimize potential disruptions to traffic flow.

4.3.3.6 Federal and Provincial Guidelines and Special Studies to Address Negative Impacts

Any proposed use which has the potential for *negative impacts* (including, but not limited to, noise, vibration, dust/debris, and odour) will be required to demonstrate, through a technical ~~special~~ study, how the appropriate federal or provincial guidelines will be met and maintained while the use is in existence. Any propane facility which must be licensed by the Technical Standards and Safety Authority will be required to provide a Facility Risk and Safety Management Plan to Fire and Emergency Services, in accordance with provincial regulations. ~~Certificates of Approval may be required as a condition of Site Plan Approval~~. The City may require special studies to address *negative impacts* for which Ministry of Environment, Conservation and Parks guidelines do not exist (e.g., light emissions) ~~these standards~~. These studies shall demonstrate how the *negative impacts* will be mitigated.

4.3.3.7 Accessory Residential

An accessory residential use, such as a caretaker's residence, which is incidental to,and supportive of, the employment use, may be permitted subject to any appropriate mitigative measures required to conform with Provincial and/or Regional Policy the planning process.

4.3.3.8 Compatibility Between Employment and Non-Employment Land

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

i. There is an identified need for the proposed use;
ii. *Adverse effects* to the proposed *sensitive land use* can be minimized and mitigated; and
iii. Potential impacts to industrial, manufacturing or other major facilities are minimized and mitigated.

4.3.3.9 Additional Compatibility Between Employment Lands

The *redevelopment* of employment land to uses that may restrict the ability for nearby existing or planned employment uses to operate or expand shall not be permitted.

4.3.3.10 Exceptions

4.3.3.10.1 Notwithstanding Section 4.3.2.6.2, no more than one (1) grocery store or one (1) supermarket, but not both, shall be permitted in addition to the uses permitted in the Employment Transition Designation on the lands municipally known as 894 Brown Road. (894 Brown Road)

~~Notwithstanding the Policies of this Plan, automotive and recreational vehicle sales, rental and service uses are permitted without amendment to this Plan on the lands designated as Gateway Economic Centre located north of Woodlawn Road and west of Highway 406. Refer to the Zoning By-law for a list of specific permitted uses.~~

~~**4.3.3.10.1 Design**~~

~~Notwithstanding Section 4.3.2.6.B2, a home and auto supply store with a maximum gross floor area of 5,550 square metres is permitted on the approximately 2.16 hectare (5.34 acre) land parcel known municipally as 210 Primeway Drive and 790River Road, as an expansion of a home and auto supply store located on lands knownmunicipally as 158 Primeway Drive.~~

4.4 COMMERCIAL AREAS

4.4.1 Planning Objectives

4.4.1.1 Provide for the Orderly Growth and Distribution of Commercial Areas

The City will ensure that there is an appropriate distribution of commercial areas provided throughout the City and that future growth occurs in an orderly manner.

4.4.1.2 To Provide a Range of Commercial Uses

The City will ensure that the land use policies reflect an appropriate range of commercial uses.

4.4.1.3 Support the City's Existing and Planned Commercial Structure

Welland's commercial structure is comprised of a series of commercial nodes and corridors, varying in size, form, location and use. The policies of this Plan are intended to support and enhance the City's commercial structure.

4.4.1.4 Balance the Supply of Commercial Space with the Demand for Commercial Goods and Services

The City will ensure that there is a sufficient supply of commercial land to meet projected market demand for commercial goods and services within the City.

4.4.1.5 Promote Intensification and Support Existing Areas and Designations

In an effort to make efficient use of designated lands, *infrastructure* and resources and reduce vacancy rates, the City will ~~promote *intensification* and vacant land *development* by~~ directing commercial *development* to underutilized or vacant land in designated areas.

4.4.1.6 Promote Opportunities for Mixed Use Development

The City will promote opportunities for mixed-use *development* in strategically located nodes and corridors.

4.4.1.7 Develop Attractive, Accessible and Pedestrian Friendly Spaces

The City will ensure that all new *development* is designed in an attractive manner, which is accessible to all and provides for the needs of pedestrians and all other modes of applicable transport.

4.4.1.8 Minimize Potential Negative Impacts

New commercial developments will be planned to minimize the potential negative impacts on adjacent land uses and transportation *infrastructure*.

4.4.2 Land Use Policies

4.4.2.1 Commercial Structure

The City of Welland's commercial structure is comprised of a distinct set of nodes and corridors, as shown on ~~Schedule B1~~ Schedule B2 – Commercial Hierarchy. The policies of this Plan are discussed in terms of these six distinctive nodes and corridors, which are:

i. The Downtown;
ii. Regional Shopping Node;
iii. Regional Shopping Node - Eastern Approach;
iv. Community Commercial Nodes;
    a. South Pelham Market Plaza;
    b. Northtown Shopping Centre;
    c. Welland Plaza;
    d. Rose City Plaza; ~~and,~~
    e. Lincoln Centre~~.~~; and,
    f. Thrice Centre
v. Community Commercial Corridors;
    a. Prince Charles Drive South;
    b. Prince Charles Drive North;
    c. Riverside Drive;
    d. King Street North and South;
    e. Southworth Street;
    f. Niagara Street; and,
    g. East Main Street.
vi. Neighbourhood Commercial Nodes.

4.4.2.2 The Downtown

The Downtown is where specialized commercial retail, office and service uses are focused. As a mixed use~~d~~ node, it is different from all other nodes within the City, functioning as the cultural,

community and administrative centre of the City. Combined with recreational and residential uses, it is the most diverse area of the City. Section 4.1 of this Plan provides detailed land use policies for the Downtown.

4.4.2.3 Regional Shopping Node

4.4.2.3.1 **Planned Function**

The Regional Shopping Node is intended to serve as the principal focus of commercial activity, providing retail commercial services, entertainment and office uses for residents within a regional trade area~~. The term regional refers to the trade area and not Niagara Region. The Regional shopping node serves an area~~ which generally includes the City of Welland, the City Port Colborne, the Town of Pelham, the Township of Wainfleet and parts of the Township of West Lincoln and the City of Thorold.

4.4.2.3.2 **Permitted Uses**

~~This area allows for both enclosed and stand alone structures.~~ Permitted uses include a full range of retail uses, ~~(such as clothing, drugs and cosmetics, home furnishings, electronics, general merchandisers),~~ business and professional services (such as banks, financial institutions, and doctors' offices), *personal services* (such as hair salons and dry cleaning depots), entertainment uses (such as movie theatres and bars). Food stores and restaurants are also permitted. Residential uses are permitted in mixed use buildings.

4.4.2.3.3 **Scale**

i. The Regional Shopping Node should be planned to accommodate ~~approximately~~a minimum ~~585,000 square feet~~ 42,500 square metres of enclosed commercial space within the Seaway Mall and an additional ~~500,000 square feet~~ 58,500 square metres of commercial space surrounding the Mall along Niagara Street for a total of approximately ~~1.085 million square feet~~ 101,000 square metres of gross floor area commercial space.
ii. Single and multiple storey commercial buildings shall be permitted.
iii. A full range of residential in combination with commercial uses at grade are permitted with a maximum height of 16-storeys. Where adjacent to low-rise residential neighbourhoods, mid-rise buildings should provide a transition in built form.

4.4.2.3.4 **Design**

The Regional Shopping Node should be planned to reflect its importance as the principal focus of commercial activity in the City. It is to be a transit-friendly setting. The node should be pedestrian friendly, barrier-free and accessible in its entirety. There should be ample parking

spaces to accommodate all vehicular traffic and patrons. Building facades, landscaping and site planning, in general, should complement one another to achieve a balanced and an aesthetically satisfying built environment.

4.4.2.4 Regional Shopping Node – Eastern Approach

4.4.2.4.1 **Planned Function**

The Regional Shopping Node – Eastern Approach designation is intended to serve as a regional focus of retail and service activity in the City in an unenclosed shopping centre with generally large scale free-standing facilities containing new large format retail ("big box") stores. The commercial businesses and activities serve a broad area, which generally includes the City of Welland and surrounding municipalities.

4.4.2.4.2 **Permitted Uses**

~~East Side~~

~~Permitted uses on the East Side of the Eastern Approach are limited to one department store, a home and auto supply store, business offices, personal service establishments, banks, restaurants, fast food outlets and other such complementary uses, provided the minimum gross floor area per unit for each non-department store DSTM use is 4,000 square feet.~~

~~West Side~~

~~Permitted retail uses on the West Side of the Eastern Approach are limited to one home improvement store. Big box retail and wholesale uses are permitted on the undeveloped portion of the West Side, south and west of the existing home improvement store, provided that they are consistent with policies 4.4.3.2, 4.4.3.3 and 4.4.3.5 of this Plan. A range of commercial service uses, including automobile dealerships, service stations, restaurants, fast food outlets, business service establishments, business offices, banks, commercial recreation uses, hotels, motels and call centres as well as fabricating and processing establishments and warehousing operations are also permitted on the site.~~

Permitted uses include, but are not limited to: big-box retail and wholesale, automotive dealership, service stations, banks, business offices, commercial uses, recreational facilities, department stores, fabricating and processing establishments, fast food outlets, home and auto supply store, hotels, motels, personal service establishments, restaurants, warehousing, and other such complimentary uses.

4.4.2.4.3 **Scale**

The Regional Shopping Node - Eastern Approach will be planned to provide for a ~~total~~ minimum of ~~up to~~ ~~44842,000~~44,000 square ~~feet~~metres of commercial retail and complementary service type uses~~, comprised of the following:~~.

~~East Side~~

~~i. One 1771,500 square foot department store;~~

~~ii. One 101,000,500 square foot home and auto supply store; and~~

~~iii. 45,000 square feet non-department store DSTM and/or complementary servicetype uses.~~

~~West Side~~

~~i. One 1241,500 square foot~~metre ~~home improvement store (including 5,000 square feet of storage, 171,500 square feet for a garden centre and 5 square feet for a home improvement store).~~

~~ii. Other uses (see 4.4.2.4.B) are also permitted on the site.~~

~~**4.4.2.4.4 Minimum Floor Size**~~

~~The minimum floor size for commercial retail units is 4,000 square feet.~~

4.4.2.4.4 **Design**

The Regional Shopping Node - Eastern Approach should be planned with careful consideration for all aspectsof urban design. The buildings should provide a strong street edge and a distinct sense of place. The node should be user-friendly, barrier-free and accessible. The Regional Shopping Node - Eastern Approach should be accessible to transit users, as well as encourage pedestrian trips between buildings. Building facades, landscaping and site planning, in general, should completement one another to achieve a balanced and aesthetically pleasing built environment.

4.4.2.5 Community Commercial Node

4.4.2.5.1 **Planned Function**

Community Commercial Nodes are intended to serve as a local focus for commercial activity at sites distributed across the City to serve community commercial functions. Community Commercial Nodes are generally anchored by supermarket or a general merchandiser. ~~with free-standing commercial uses and small plazas on larger lots that are generally anchored by supermarket facilities or a large retailer.~~Community Commercial Nodes will serve the needs of local residents ~~in~~ living ~~in areas~~ within relative close proximity to the Node.

4.4.2.5.2 **Permitted Uses**

Community Commercial Nodes should be planned to accommodate a range of retail, office, and *service commercial* uses~~, including a supermarket or a general merchandise anchor store~~ and a diversified mixture of basic shopping facilities, specialty retail, business and professional offices, and *personal services*. ~~Community Commercial Nodes are generally anchored by supermarket or a general merchandiser.~~ Residential uses are permitted in a mixed-use format. ~~(such as residential units on the second storey of a two storey building).~~

4.4.2.5.3 **Scale**

i. Community Commercial Nodes should be planned to accommodate up to ~~185,000 square feet~~ 17,000 square metres of commercial space.

ii. Low-rise (1 to 3-storeys) and mid-rise buildings (4 to 8-storeys) are encouraged.

4.4.2.5.4 **Design**

Community ~~Shopping~~ Commercial Nodes should be designed as focal points for adjacent neighbourhoods. They should be pedestrian friendly and include pedestrian access to adjacent neighbourhoods. Community Shopping Nodes should also be accessible to transit and should supply an adequate amount of parking facilities.

4.4.2.6 Community Commercial Corridor

4.4.2.6.1 **Planned Function**

Community Commercial Corridors are intended to serve as a focus of commercial activity along major access corridors to serve the travelling public, on free-standing commercial uses and small plazas generally on relatively small lots. Community Commercial Corridors may also accommodate residential uses in a mixed-use format.

4.4.2.6.2 **Permitted Uses**

Community Commercial Corridors permit uses to serve the travelling public with a range of retail, office, and *service commercial* uses, ~~excluding a supermarket anchor, but~~ including a diversified mixture of specialty retail, specialty food, business and professional services, *personal services*, places of worship, automotive commercial uses (such as service stations, auto dealerships, auto repair shops, but excluding auto wreckers), hospitality uses (such as hotels and motels, banquet halls and private clubs), places of entertainment, restaurants, private and commercial schools, and residential uses in a mixed-use format.

4.4.2.6.3 **Scale**

Single and multiple storey commercial buildings shall be permitted, and high-rise and mixed uses buildings are encouraged with at grade commercial uses with a maximum height of 16 storeys. Where adjacent to low-rise residential neighbourhoods, high-rise and mid-rise buildings should provide a transition in built form.

4.4.2.6.4 **Design**

Community commercial corridors are to be planned bearing in mind activities which generate vehicular traffic. These corridors are to be safe, pedestrian friendly, ~~and~~ transit oriented and incorporate active transportation. Drive-throughs are to be located in such a way that they will not constitute any hazard or nuisance to neighbours. Land uses which havetendencies to generate larger traffic volumes should have adequate parking facilities and good effective traffic planning to ameliorate traffic congestion and related hazards. Landscaping and screening should be used where appropriate to enhance overall site appeal.

4.4.2.7 Neighbourhood Commercial

4.4.2.7.1 **Planned Function**

Neighbourhood Commercial areas are intended to provide for daily or weekly convenience shopping and service needs of nearby residents.

4.4.2.7.2 **Permitted Uses**

Permitted uses within Neighbourhood Commercial areas include small retail stores (such as, small food stores, small veterinary clinics, and small pharmacies), *personal services* (such as, hair salons and dry cleaning depots) as well as ~~small~~ restaurants which are intended to ~~d~~serve residents of the surrounding neighbourhood(s). Residential units are permitted above commercial uses within these buildings.

4.4.2.7.3 **Location Criteria**

Neighbourhood Commercial areas are not shown on the land use schedules. Neighbourhood Commercial areas are permitted within the City's residential areas,~~provided that they are located at the intersections of arterial and/or collector roads and fit within the context of the surrounding land uses.~~ provided they are located along an arterial or collector, or regional road within the Urban Area.

4.4.2.7.4 **Scale**

i. Neighbourhood Commercial areas should fit within the context of the surrounding neighbourhood. Individual areas should generally not exceed ~~20,000 square feet~~ 1,858 square metres of gross floor area.

ii. Low-rise (1 to 3-storeys) buildings are encouraged.

4.4.3 Additional Policies

4.4.3.1 Infill and Intensification Development

Infilling and *intensification* is encouraged throughout the City's commercial areas. Infilling on existing commercial areas should address:

i. The need for additional parking located wherever possible at the rear of thebuilding(s);

ii. Land use compatibility;

iii. Accessibility;

iv. The accommodation of ~~potential for~~ additional traffic;

v. *Infrastructure* requirements;

vi. Opportunities for public and private realm improvements;

vii. The need for a unified and cohesive design of the overall site by locatingnew *development* at the street front; and,

viii. The maximum size requirements identified in this Plan.

4.4.3.2 Balancing Demand and Supply

The City of Welland will support its commercial structure by carefully monitoring the demand and supply for retail commercial goods. This will be achieved by exercising control over expansions to existing designated retail areas. New retail areas or expansions to existing retail areas ~~shall~~ should be tied to market demand. ~~as per the policies outlined in 4.4.3.3 and 4.4.3.5.~~

4.4.3.3 Drive Through Facilities ~~Balancing Demand and Supply~~

Where drive through facilities are permitted in this Plan, new *development* should:

~~i.~~ Where possible, place buildings close to the street edge ~~and align newbuildings with existing buildings;~~

ii. Place drive through activities away from the street frontage, so thatbuilding facades ~~can~~ front immediately onto the street;

iii. Locate stacking lanes so that they are out of view from the public streetand away from street frontages;

iv. Locate the main entrance door off of public sidewalks, with access totransit stops, where applicable;

v. Provide a high level of interior visibility adjacent to public streets through the use of windows and doors;

vi. Minimize landscaping and use of permeable materials; and,

vii. Integrate garbage enclosures and loading areas into the overall building design. Where garbage enclosures are separate structures, they should be wholly enclosed and screened from view.

4.4.3.4 Service Stations

Where service stations are permitted in this Plan, new *development* should:

i. Where possible, locate buildings and structures, such as car washes and convenience stores, close to the street edge;

ii. Maintain a consistent architectural and urban design across the entire site, including the pump house, canopy and buildings;

iii. Provide landscaping treatments including grass, plantings, trees, shrubs and/or low-rise fences, to enhance the site from the sidewalk and streetscape;

iv. Locate vehicular access to the site away from intersections (where possible);

v. Where a convenience store is provided, locate an entrance door off of public sidewalks; and,

vi. Where car wash facilities are provided, locate stacking lanes so that they are screened and out of view from the public street and away from street frontages;

~~**4.4.3.5 Major Applications**~~

~~Market Impact Studies and Peer Reviews are required for all major applications, including expansions and *redevelopment* proposals. The City, in consultation with the Region, reserves the right to determine what constitutes a major application based on a series of qualitative and quantitative criteria. Generally, major applications are defined as any application greater than 30,000 square feet. However, size alone should not be considered the sole factor in determining what constitutes a major application. Applications proposing less than 30,000 square feet may still be considered a "major application", within the context of any one of the following:~~

~~i. The need for the proposed use;~~

~~ii. Location, size and scale of the proposed development;~~

~~iii. Potential for compatibility issues;~~

~~iv. Potential market impacts on the City's existing and planned commercial structure;~~

~~v. The potential for *negative impacts* on the natural environment;~~

~~vi. The adequacy of the existing transportation infrastructure, including pedestrian, transit and cycling infrastructure, serving the proposed use; or,~~

~~vii. The adequacy of the existing water and waste water *infrastructure* and other municipal services.~~

4.4.3.5 Commercial Uses Fronting onto Corridors

Where Commercial uses are permitted in this Plan, new *development* should:

i. Where possible, place buildings close to the street edge;

ii. Locate the main entrance door off of public sidewalks, with access to transit stops, where applicable;

iii. Provide a high level of transparency along building walls which are adjacent to public streets through the use of windows and doors;

iv. Minimize the amount of paved area through the use of landscaping and permeable materials; and,

v. Integrate service entrances, garbage enclosures and loading areas into the overall building design (where garbage enclosures are separate structures, they should be wholly enclosed and screened from view).

~~**4.4.3.6 Exceptions**~~

~~4.4.3.7.1 Notwithstanding the policies of 4.4.2.4c and 4.4.3.2, the *development* of large retail and wholesale uses and/or future expansions for the department store and home and auto supply store and the home improvement store located within the Eastern Approach may be permitted without Amendment to this Plan provided that a Market Impact Study is prepared by the proponent. The Market Impact Study shall be subject to Peer Review by the City, in consultation with the Region, at the expense of the proponents. Any *development* of large retail and wholesale uses and/or future expansions will require a site specific Zoning by-law amendment.~~

~~**4.4.3.7 Market Impact Studies and Peer Reviews Market**~~

~~Impact Studies and Peer Reviews shall document the impact of the proposed application on the City's planned commercial structure and include a supply-demand analysis which identifies the City's existing supply of commercial areas, the demand for commercial retail and is related to the population growth assumptions found within the Official Plan. New nodes or expansion to existing nodes and corridors will need to demonstrate that there are no *adverse* *effects* affects on the planned function of the City's commercial structure. The cost of Market Impact Studies and Peer Reviews will be borne by the applicant/owner.~~

4.4.3.6 Proposed Amendments

When considering proposed amendments to designate additional commercial areas, or permit expansions the City shall consider:

i. How the proposed amendment implements the Objectives set forth in this Plan;
ii. The need for the proposed use;
iii. Location, size and scale of the proposed *development*;
iv. Potential for compatibility issues;
v. Potential market impacts and the potential for *adverse* *effects* ~~effects~~ on the City's planned commercial structure;
vi. The potential for *negative impacts* on the natural environment;
vii. The adequacy of the existing transportation *infrastructure*, including pedestrian and cycling *infrastructure*, serving the proposed use;
viii. The availability of servicing *infrastructure*.

4.4.3.7 Coordination

Where the trade area for the market study of the proposed commercial facility extends beyond the boundary of Welland, the City will consult with the other municipalities and the Region within the trade area

~~**4.4.3.8 Zoning By-Law**~~

~~The City's Zoning By-Law will be amended to reflect the policies of this Plan. Refer to the Zoning By-Law for a complete list of permitted uses.~~

~~**4.4.3.9 Site Plan Control**~~

~~All *development* within the City's commercial areas is subject to site plan control. The design policies of this Plan shall be implemented through site plan control and/or urban design guidelines.~~

~~**4.4.3.8 Gross Floor Area**~~

~~Within the land use designations of this Plan, the term "gross floor area" refers to the total floor area within a building, excluding *utility* areas, stairwell, washrooms and corridors.~~

4.4.3.8 Exceptions

~~4.4.3.8.1 Notwithstanding the policies of Subsection 4.4.2.6.B a mixed use building containing ground floor commercial and residential dwelling units above the ground floor is permitted on the following properties:~~

i. ~~297 King Street, described as Part of Lots 55 & 56, Plan 559, west side of Canal Street (now King Street); Part of Lot 76, Plan 559, south side of Crowland Street (now Albert Street); Part of Lot 77, Plan 559, north side of Park Street; all being Part 1, 59R-5730; Welland.~~

ii. ~~359 King Street; described as Part of Lots 50, 51 & 52, Plan 559, west side of Canal Street (now King Street); Part of Lot 78, Plan 559, south side of Park Street, Part of Lot 79, Plan 559, north side of Lincoln Street (AKA Concession Road); Part of Road Allowance Between Concessions 5 & 6 Crowland, (Closed by By-law TW3903) All Being PT 3, 59R-5730; Part of Road Allowance Between Concessions 5 & 6 Crowland, (Closed by By-law RO534510) Part 5, 59R-5730; S/T RO634698 Welland.~~

~~4.4.3.8.2 Notwithstanding the permitted uses under Section 4.4.2.6.B dwelling units are permitted over a permitted non-residential use for the lands located at 152 Hellems Avenue and 131 Young Street.~~

(152 ~~HELLEMS AVENUE AND 131 YOUNG STREET~~)

~~4.4.3.8.3 Notwithstanding the permitted uses under Section 4.4.2.6.B dwelling units are permitted over a permitted non-residential use for the lands located at 142 and 144A Thorold Road.~~

~~(142 AND 144A THOROLD ROAD)~~

4.4.3.8.1 In addition to the permitted uses under Section 4.4.2.7.~~B~~2 gas stations and business offices are also permitted uses for the lands located at the north-west and south-west corners of South Pelham Road and Webber Road.

(SPARROW MEADOWNS ESTATES SUBDIVISION)

4.4.3.8.2 Notwithstanding the permitted uses under Section 4.4.2.6.~~B~~2 parking and open space in relation to the proposed respite care and daycare uses at 152 Hellems Avenue and 131 Young Street are permitted uses for the lands located at 170 Hellems Avenue.

(170 Hellems Avenue)

4.4.3.8.3 Notwithstanding 4.4.2.6.2, a warehousing facility only may be permitted on lands known municipally as 12 Patricia Avenue. (*12 Patricia Avenue*)

4.5 INSTITUTIONAL AREAS

4.5.1 Planning Objectives

4.5.1.1 Provide an Appropriate Supply of Institutional Lands

The City will ensure there is an appropriate supply and distribution of institutional areas throughout the City and that future institutional land needs are considered when planning new growth areas.

4.5.1.2 Provide a Range of Institutional Uses

The City will ensure the land use policies allow for an appropriate range of institutional uses.

4.5.1.3 Support Existing Institutional Areas and Designations

The City will promote existing designations and vacant land *development*, while minimizing conflicts with nearby *sensitive land uses*.

4.5.1.4 Promote Opportunities for Intensification and Redevelopment

The City will promote opportunities for *intensification* and *redevelopment* on institutionally-designated lands located within the Built-u~~U~~p Area.

4.5.1.5 Promote the Development of a Health and Wellness Cluster

The City will promote and support the *development* of a health and wellness cluster by designating lands generally bounded by Lincoln Street / Plymouth Road, Ontario Road, and the Welland Recreational Waterway to support activities related to health and wellness.

4.5.1.6 Encourage Context-Sensitive Design

The City will encourage all institutional uses to be designed such that they will be well-integrated into neighbourhoods.

4.5.1.7 To Attract Institutional Investment

The City aims to support the growth of the Health Wellness Cluster through continued institutional sector investment in the form of both government and educational campuses, including satellite campuses with a focus on advanced manufacturing, business services and tourism.

4.5.2 Land Use Policies

4.5.2.1 Institutional

4.5.2.1.1 **Planned Function**

General Institutional uses are intended to serve the immediate neighbourhood, a collection of neighbourhoods or the entire City, and provide social or cultural services such as education, health care, social housing, and religious worship for residents.

4.5.2.1.2 **Permitted Uses**

Permitted uses include public and private secondary schools, post-secondary educational institutions, daycares, health care facilities, civic facilities, cultural facilities, social housing, residential uses, places of worship, cemeteries, assisted living, care facilities and retirement homes for senior citizens[5] and other public or community facilities. In addition, ancillary retail stores and personal service shops are permitted.

4.5.2.1.3 **Design**

General Institutional uses shall be planned to reflect the level of service for which they are intended to provide (neighbourhood, collection of neighbourhoods or City). General Institutional uses shall be encouraged to have building massing, exterior building materials, and landscaping which help it integrate with the neighbourhood. The City encourages specific design elements which highlight the civic nature of General Institutional uses. General Institutional uses are encouraged to develop on sites served by existing or planned transit routes. The design of new General Institutional uses shall be pedestrian friendly, barrier-free and accessible. Parking areas shall be located to the side or rear of the building and screened from view.

4.5.2.2 Health and Wellness Cluster

4.5.2.2.1 **Planned Function**

The Health and Wellness Cluster includes a range of health and wellness related uses which are typically developed as a campus, which may involve one large main building with smaller subordinate buildings, intended to serve the City or region. The Health and Wellness Cluster is planned to function as Welland's premier location for health and wellness related activities. The area is designated to allow for the creation and evolution of a suite of similar activities which can potentially benefit from both geographic proximity and co-location.

4.5.2.2.2 **Permitted Uses**

Permitted uses within the Health and Wellness Cluster are hospital and hospital related uses associated with the care and treatment of patients, medical offices, clinics, medical and health

related retail businesses, fitness operations, housing related to the medical / health care use, long-term care facilities, extended care accommodations, independent living accommodations, social housing, seniors housing, residential uses, civic facilities, community facilities, post-secondary educational institutions and recreational uses.

4.5.2.2.3 **Design**

Uses in the Health and Wellness Cluster shall be planned to reflect the important role they play in serving the City and the region, and incorporate a cohesive designtheme for the Cluster. Uses will be encouraged to have unique building massing, high quality exterior building materials, and high-quality landscaping which is reflective of the Health and Wellness Cluster's significance. Uses will be encouraged to incorporate design elements which highlight the civic presence of the Health and Wellness Cluster. The Health and Wellness Cluster will be required to provide edge treatments which help the site and building(s) integrate with the surrounding area. The campus-style *development* of the Health and Wellness Cluster will be required to incorporate on-site transit stops. The design of new uses shall be pedestrian-friendly, barrier-free and accessible in its entirety. Large expansive surface parking areas to serve the Cluster will be discouraged and multiple smaller surface parking areas or parking structures distributed throughout the site with a logical circulation pattern is encouraged. Circulation within the Health and Wellness Cluster should also be supported through appropriate active transportation and pedestrian friendly routes. Bicycle parking should be provided in proximity to parking areas and main buildings. Parking areas shall be screened from adjacent land uses and shall incorporate internal landscaping. Streetscaping, including street trees, lighting, sidewalks, public art and other elements shall be provided to link the various destinations together.

4.5.3 Land Use Policies

4.5.3.1 Institutional as Employment

In monitoring the City's job creation and when planning for new growth, the City will include the employment generated by institutional lands in its inventories.

4.5.3.2 Encouraging Master Plans for Large Institutions

The City will encourage large institutions to prepare master plans so that the futureneeds of the institution can be considered.

~~**4.5.3.3 Accessory Residential**~~

~~Accessory residential uses which are incidental and supportive of the institutionaluses may be permitted.~~

4.5.3.3 Location and Design of Secondary School Sites

Secondary schools shall be located adjacent to public parks and open spaces where possible as well as near concentrations of residential uses to minimize travel distance and support walking, cycling and transit. Secondary schools should be located on an arterial, ~~or~~ collector, or regional road within walking distance to transit stops. The location should be selected, and the site designed to minimize traffic conflicts with pedestrians and may require the need for a traffic study and traffic calming measures. Sidewalks are considered to be an integral design aspect and will be required for internal and external circulation on all school sites; bicycle lanes will be incorporated where feasible.

4.5.3.4 Location and Design of Places of Worship

Where possible, places of worship shall be located on arterial, ~~or~~ collector, or regional roads within walking distance of transit stops. Places of worship shall provide on-site parking and have adequate access for vehicles and pedestrians. Parking shall be located at the side or the rear of the building. Any negative impacts shall be mitigated. Proposals for developing new places of worship may require the applicant to submit a traffic impact study, lighting study, parking study and other studies deemed appropriate by the City.

4.5.3.5 Large Institutional Uses

Large institutional uses on sites larger than 2.0 hectares ~~will be encouraged to develop adjacent to existing or planned parks or open space. Large institutional uses~~ are encouraged to develop on sites served by existing or planned transit routes. A campus style *development* will be required to incorporate on-site transit stops. The design of new large institutional uses should be pedestrian-friendly, accessible and barrier-free, served by transit and provide active transportation connections. Parking areas shall be screened from adjacent land uses and large parking areas shall incorporate internal landscaping.

4.5.3.6 Emergency Service Facilities

Emergency service facilities, including fire, police and ambulance stations are permitted in all land use designations. Where appropriate, such facilities shall be located on an arterial, ~~or~~ collector, or regional roads. The siting of new facilities shall also consider the potential impacts on adjacent users and encouraged to co-locate with other emergency services where appropriate.

4.5.3.7 Co-Location of Government Buildings

The co-location of government facilities and services with other government facilities and services is encouraged ~~regardless of differing levels or tiers.~~

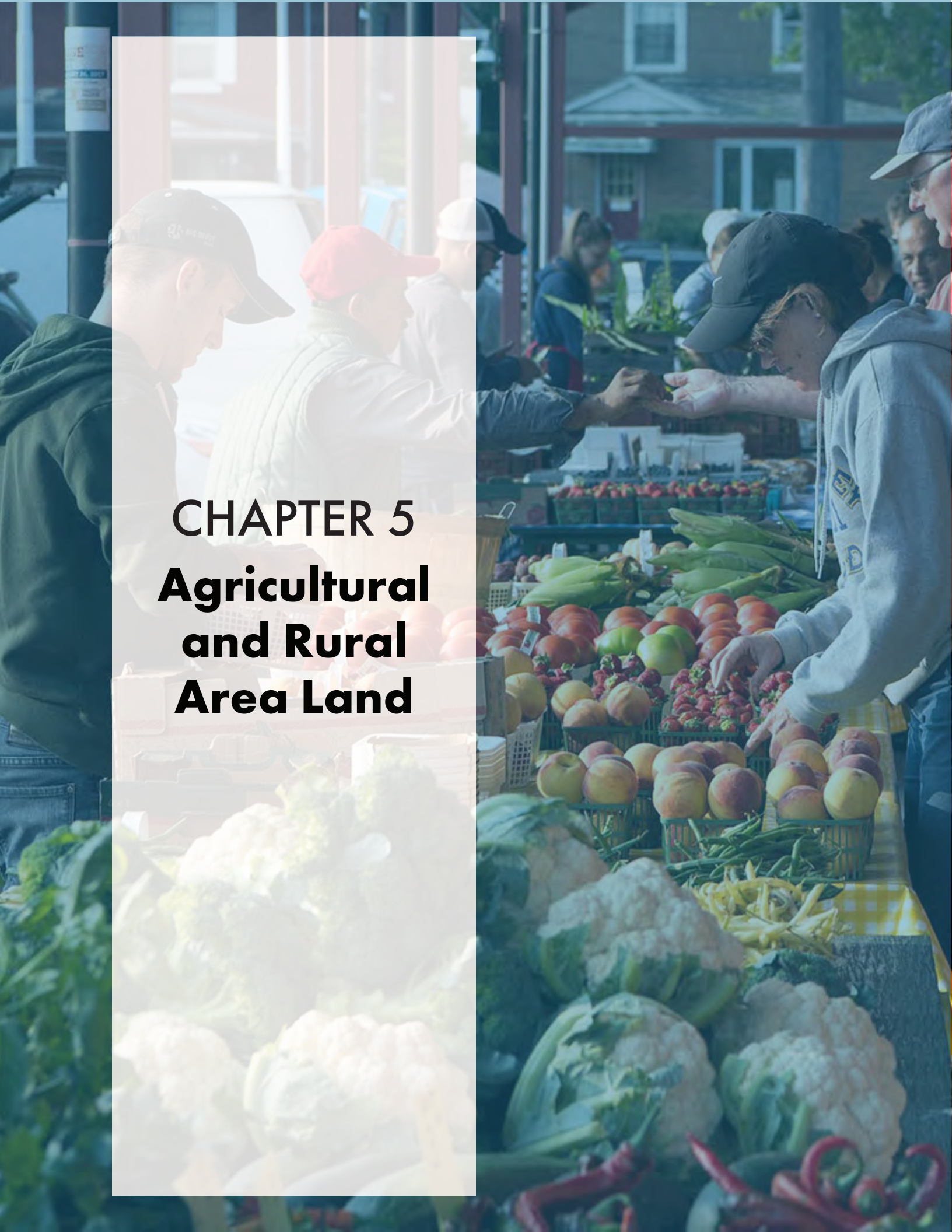
4.5.3.8 ~~Medium~~ Mid-rise and High-rise ~~Density~~ Institutional Design

Institutional buildings may accommodate ~~medium~~ mid-rise and high-rise structures where the issues of casting of shadows, obstruction of views, and privacy for adjacent lots are managed and potential negative impacts minimized. ~~Generally, medium density mid-rise buildings should be between 3 and 4 storeys and high density rise buildings should be between 5 and 8 storeys.~~ Where ~~medium~~ mid-rise and high-rise ~~density~~ institutional uses are proposed, the proposed *development* should address the following (notwithstanding the requirements for a severance, site plan or plan of subdivision):

i. Land use compatibility;
ii. Lot pattern and configuration;
iii. Accessibility;
iv. Parking requirements;
v. The potential for additional traffic and traffic manoeuvrability;
vi. The potential for transit ridership;
vii. Natural (including natural hazards) and built heritage conservation; and,
viii. The available capacity of municipal *infrastructure*.

4.5.3.9 Exceptions

4.5.3.9.1 In addition to the uses permitted under Section 4.5.2.2.~~B~~2, the following uses are permitted wholly within the existing building: residential dwelling units, restaurant and a food processing warehouse for the lands located at 16 Steel Street.
(16 Steel Street)



CHAPTER 5
Agricultural and Rural Area Land

5 AGRICULTURAL AND RURAL AREA LAND USE POLICIES

5.1 AGRICULTURAL

5.1.1 Planning Objectives

5.1.1.1 Protection of Prime Agricultural Areas

The City will protect *prime agricultural areas* by appropriately designating them as "Agricultural" and discouraging their redesignation or severance, except for:

a. Settlement area boundary expansions, subject to Policies of Section 3.5 of this Plan.

b. Lot creation for the purpose of a *residence surplus to an agricultural operation*, subject to Policies of 5.1.3.1 of this Plan.

5.1.1.2 Agriculture as an Important Economic Activity

The City will advocate and support agriculture as an important economic activity.

5.1.1.3 Agriculture Supporting Green Energy

Where appropriate, the City will encourage agricultural activities which use green energy.

5.1.1.4 Support farm diversification

The City recognizes the changing nature of the agricultural industry and supports the principle of farm diversification activities which contribute to the long-term economic sustainability of the agricultural industry.

5.1.1.5 Avoid Conflicts with Non-~~Farm~~Agricultural Uses

The City will discourage the establishment of non-~~farm~~*agricultural uses* that ~~could~~ create conflicts with agricultural ~~activities~~systems. Land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the *Agricultural System*. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate.

5.1.2 Land Use Policies

5.1.2.1 Planned Function

The planned function of the Agricultural designation is to provide land for farming and agriculture-related activities and to protect the City's *prime agricultural areas*.

5.1.2.2 Permitted Uses

Permitted uses include *agricultural uses*, ~~include *normal farm practices*~~, ~~agriculturally-related~~ *agriculture-related uses*, *on-farm diversified uses*, ~~activities~~,nurseries, greenhouses, conservation, forestry and *infrastructure* of a linear nature. Cannabis Production Facilities are permitted and are subject to site plan control to ensure that potential adverse impacts from the use are mitigated. ~~*Secondary uses* are also permitted. *Secondary uses* are secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property~~ As well, one (1) sea can is permitted per property. ~~*Secondary uses* that are proposed outside of existing on-farm buildings, including the farm residence, shall be subject to site plan control to ensure that the additional *development* is the appropriate scale, and is appropriately located to have the least impact on the primary agricultural operation and meet the requirements of Section 6.13 regarding impact on thenatural environment. Production of energy from renewable resources on agricultural lands may be are permitted provided that the proposed operations comply with the requirements of the *Green Energy Act*.~~

5.1.3 Additional Policies

5.1.3.1 ~~Limitations on~~ Lot Creation

5.1.3.1.1 Lot Creation and Lot Adjustments ~~for Legal, Technical or Farm-Related Purposes~~

Within the *prime agricultural area*, Lot Creation is discouraged and shall only be permitted ~~Lot creation~~ for legal, technical or farm-related purposes including ~~shall be limited to~~:

i. ~~Conveying~~ Severance of a *residence surplus to an agricultural operation* ~~*a farming operation*~~ may be permitted under the following circumstance:

- The proposed lot contains a dwelling, which existed as of December 16, 2004, that is rendered surplus as a result of farm consolidation;
- The severance shall comprise of area up to 0.4 hectares, except where additional land is deemed necessary to support on-site private water and sewage; and
- 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 in perpetuity to preclude its use for residential

purposes.

~~ii. as a result of a farm consolidation, provided new residential dwellings are prohibited in perpetuityon any vacant remnant parcel of land created by the severance~~;

ii. Agriculture related uses, provide that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;

- Any new lot shall be zoned to preclude residential uses in perpetuity.

iii. A lot line adjustment for legal or technical reasons, such as easements, corrections to deeds, quit claims and minor boundary adjustments which do not result in the creation of a new lot; ~~or~~

iv. A consent to convey for ~~a~~ *agricultural uses* ~~farm parcel~~, provided that the resulting parcels are both for *agricultural uses* and the size of the resulting parcels is a minimum of 40 hectares (100 acres) and meet the City's Zoning By-law standards~~.~~; or

v. *Infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

5.1.3.1.2 Lot Creation Requirements for a New Proposed Lot ~~for Infilling Purposes~~

~~The City will not consider site specific amendments to this Policy. Infilling may be permitted on lands designated for Agriculture where all of the following conditionsexist~~ A proposed lot being considered under policy 5.1.3.1.1 containing a residential dwelling as a result of a farm consolidation within the agricultural land base must meet the following conditions:

~~i. Infilling takes place between two existing residential dwellings which are no more than 100 metres apart;~~

i. The lot ~~has~~ shall utilize private water supply and private sewage disposal system in accordance with Provincial requirements. Connections to direct ~~access to~~ existing *municipal water services* ~~which were in place as of the date of adoption of this Plan (May, 4, 2010), and~~ as depicted in Schedule D of the Plan, shall only be permitted to address health issues for existing lots of records;

~~ii. The lot maintains a minimum 45 metre frontage on an existing public road;~~

~~iii. The lot has a minimum useable lot area of 0.5 hectares;~~

~~iv. The application is accompanied by supporting studies, including, but not limited to, a Planning Justification Report, Geotechnical Study, Environmental Impact Study and any other study required by the City, Region of Niagara and the Niagara Peninsula Conservation Authority which demonstrate that there will be no negative impact of the proposed new lot on surrounding land uses, the natural environment, *infrastructure* and water quality and quantity;~~

~~v. The lot is zoned Rural Residential as of the date of adoption of this Plan (May 4,2010),~~

~~and~~;

ii. The lot meets all other provisions ~~of the Rural Residential Zoning District provisions~~ contained in the City's Zoning By-law~~.~~;

iii. Access to any new lot does not create a traffic hazard due to sightlines, grade changes or proximity to an intersection;

a. Where possible, joint access should be utilized;

iv. The proposed lots should be located to minimize impacts on surrounding farming operations.

5.1.3.1.3 Agricultural Lot Creation or Adjustment Requirements ~~for Infilling Purposes~~

A proposed lot creation or adjustment being considered under policy 5.1.3.1.1 for an agricultural use must meet the following conditions:

i. The lot meets all other provisions contained in the City's Zoning By-law.

5.1.3.2 Dwellings for Farm Help

Where the scale or type of farming makes full-time farm help necessary, additional portable farm-related dwellings may be permitted without severance, as long as these dwellings can be appropriately serviced and do not negatively impact the viability of the farm. For greater certainty, the three additional residential units that are permitted in policy 4.2.3.12 are in addition to a dwelling for farm help.

5.1.3.3 Home-Based Businesses

A Home-Based Business may be permitted as long as it is secondary to the principal agricultural use and occurs entirely within the confines of the principal dwelling unit. Home-Based Businesses must be compatible with adjacent uses and not impact the area with traffic, noise, unusual hours of operation, etc. The home-based business use must comply with the Zoning By-law, including having adequate on- site parking. The City may license home-based businesses in order to enforce the Policies of this Plan. Outdoor storage of materials related to home-based businesses is not permitted.

5.1.3.4 Minimum Distance Separation

All proposed *development* must comply with the ~~*M*~~*minimum* ~~*D*~~*distance* ~~*S*~~*separation formulae*, where applicable.

5.1.3.5 ~~Removal~~ Non-Agricultural Uses In Agricultural Areas

Limited ~~N~~non-agricultural uses may be permitted ~~should not be located~~ in Agricultural Areas subject to the following criteria:

a. The land is not a specialty crop area.
b. The use complies with minimum distance separation (MDS) formulae.
c. There is an identified need for the use within the planning horizon.
d. Alternative locations have been assessed and:
e. No reasonable alternatives exist outside prime agricultural areas.
f. No reasonable alternatives exist on lower- priority agricultural lands.

~~. However, applications for individual non-agricultural uses may be considered. These applications will require an Amendment to this Plan and may require an Amendment to the Region of Niagara's Policy Plan. Applications shall be subject to the following conditions:~~

5.1.3.6 Mineral Extraction

Extraction of minerals, petroleum resources and *mineral aggregate resources* shall be permitted in Agricultural areas.

~~That there is demonstrated need for the additional land to be designated within the planning horizon of this Plan; this can be demonstrated by surverying the capacity of similar land uses to accommodate demand within the City and/or Region. *Mineral aggregate operations* would not be required to demonstrate need;~~

~~i. That the proposed use is considered to be desirable;~~

~~ii. There are no reasonable alternatives for the proposed use within the Urban Area;~~

~~iii. There are no reasonable alternatives on lands with lower agricultural priority within the Agricultural and Rural Area;~~

~~iv. There are no conflicts with surrounding land uses and that any land use compatibility issues can reasonably be mitigated;~~

~~v. That the proposed application is supported by any required supporting studies;~~

~~vi. That the proposed use complies with all other Policies of this Plan; and,~~

~~vii. Extraction of *mineral aggregate resources* is permitted as an interim use, subject to Policy 5.3.3.5 when considering the suitability of a new or expanded *mineral aggregate operation*.~~

5.1.3.7 Value-Added Agricultural Activities

The City supports *value-added* agricultural activities which allow the agricultural industry to:

i. Become more competitive, sustainable and environmentally friendly;
ii. Adapt to new and changing markets;
iii. Diversify into and take advantage of new agricultural opportunities;
iv. Improve the understanding of agriculture by the general public; and
v. Broaden operations to diversify economic activities and add value to primary products.

Value-added agricultural activities include *agriculture-related uses* and *on-farm diversified uses*.

~~Accordingly, the City will review and update the agricultural policies of this Plan to reflect any new Policies in the Regional Policy Plan which allow for a greater rangeof value-added activities than those currently permitted in this Plan.~~

5.1.3.8 Protection for Long-Term Use

Agricultural Areas shall be protected for long- term use for agriculture; and proposed *agriculture-related* and *on-farm diversified uses* must be compatible with and not hinder surrounding agricultural operations.

5.1.3.9 Scale of Agriculture-related Uses

The following criteria shall be considered when reviewing zoning by-law amendment applications for proposed *agriculture-related uses*:

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

5.1.3.10 On-farm Diversified Uses Subject to Site Plan Control

On-farm diversified ~~*Secondary*~~ *uses* that are proposed outside of existing on-farm buildings, ~~including the farm residence~~, shall be subject to site plan control to ensure that the additional *development* ~~is the appropriate scale, and~~ is appropriately located to have the least impact on the primary agricultural operation and meet the requirements of Section 6.~~1~~3 regarding impact on the N~~n~~atural E~~e~~nvironment System.

5.1.3.11 Agriculture-related Uses Subject to Site Plan Control

Agriculture-related uses shall be subject to site plan control.

5.1.3.12 Minimize Conflicts with Non-Agricultural Uses

Limited non-agricultural uses may be permitted in *prime agricultural areas*. An application for a non-agricultural use on parcel outside of the Urban Boundary shall be subject to an *agricultural impact assessment* to ensure a compatible interface and minimize adverse impacts on the *agricultural system*. Impacts from non-agricultural uses on the *agricultural system* are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an *agricultural impact assessment* or equivalent analysis.

5.1.3.13 Modification of Topsoil

The removal of topsoil from *prime agricultural areas* is discouraged. Further, the placement of fill in *prime agricultural areas* is prohibited. The City will consider by-laws to regulate the placement of fill in accordance with Ontario Regulation 409/19 On-Site Excess Soil Management.

A permit from the Conservation Authority may be required for topsoil removal or the placement of fill within areas regulated by the Conservation Authority.

5.2 RURAL EMPLOYMENT AREA

5.2.1 Planning Objectives

5.2.1.1 Complement Local Agricultural Production

The City will encourage Rural Employment uses which support the viability of local agricultural production, farm operations and resource uses.

5.2.1.2 Provide Economic Development

The City will encourage Rural Employment uses which support job creation and, in particular, which have consistent employment levels year-round.

5.2.2 Land Use Policies

5.2.2.1 Planning Area

The Rural *Employment Area* applies to existing and future rural industries and institutional uses outside of the urban boundary shown on Schedule B: Land Use Map of this Official Plan. ~~New uses are subject to 5.1.3.5 of this Plan.~~

5.2.2.2 Planned Function

Rural Employment is intended to provide farm or resource related places of work on lands which do not require municipally provided sanitary or water services.

5.2.2.3 Permitted Uses

Permitted uses include outdoor storage, warehousing, shipping/receiving, lumber yards or processing of agricultural products and goods / materials supporting farm operations, as well as farm machinery sales and repair, which do not, or will not, require the extension of municipal water or sewer services. ~~Bed and breakfast~~Cannabis Production Facilities are permitted, and are subject to site plan control to ensure that the use is appropriately located to mitigate adverse impacts. Bed and breakfasts, short-term rentals, and farm-based tourism establishments may also be permitted.

5.2.2.4 Scale

Rural Employment lots shall accommodate low-rise buildings which do not detract from~~,~~ or cause~~,~~ ~~a~~ negative visual impacts and shall consider characteristics of to the rural landscape, the scale of *development*, and provision of appropriate service levels.

5.2.2.5 Design

The use of good quality exterior building materials and substantive landscaping shall be encouraged on lands designated Rural Employment. Rural Employment uses near *sensitive land uses* will incorporate buffering, massing, and screening, as well as controls for noise, vibration, odour, dust / debris, and light emissions which minimize impacts on the nearby sensitive uses. Small parking areas may be provided in the front yard, however large parking areas shall be located to the side or rear of the building incorporating appropriate landscaping and/or screening. Siting of buildings shall be set back appropriately from natural hazards, features and wooded areas as per the Policies of this Plan and City's Zoning By-law.

5.2.2.6 Exceptions

5.2.2.6.1 In addition to the uses permitted under Section 5.2.2.3 Permitted Uses, dry industrial uses and a Motor Vehicle Repair Shop Class A are also permitted.
(566 Ridge Road)

5.3 MINERAL AGGREGATE RESOURCES

5.3.1 Planning Objectives

5.3.1.1 To Protect and Manage the City's Mineral Aggregate Resources

The City will ensure that *Mineral Aggregate Resources* are protected for long-term future use. Notwithstanding licensing, any future application for the extraction of *mineral aggregate resources* shall not be required to demonstrate a need for a mineral extraction such as supply or demand analysis.

5.3.1.2 Provide for the Rehabilitation of Mineral Aggregate Operations

The City will minimize the long-term impact on the disturbed area by encouraging and promoting the timely, progressive and final rehabilitation of aggregate operations.

5.3.1.3 Ensure Land Use Compatibility Issues are Addressed

The City will ensure that land use compatibility issues are addressed.

5.3.1.4 Minimize the Impact of Mineral Aggregate Related Traffic on the Community

The City will minimize the impact of *mineral aggregate operations* related traffic on the community and the City's road *infrastructure*.

5.3.1.5 Provide a Clear Policy Framework for Evaluating Applications

The City will provide criteria for evaluating applications for *mineral aggregate operations* which are consistent with the goals and objectives of this Plan.

5.3.1.6 Orderly Extraction

The City will ensure the orderly extraction and utilization of *mineral aggregate resources*.

5.3.1.7 Sustainable Rehabilitation

The City will ensure sustainable rehabilitation of aggregate operations.

5.3.2 Land Use Policies

5.3.2.1 Planned Function

Mineral Aggregate Resources are sand, gravel, stone, shale, limestone, rock or other material used for the purposes of construction, industrial, manufacturing, maintenance and landscaping. The planned function of the Mineral Aggregate Resource Area is to provide opportunities for mineral extraction. ~~Schedule G~~ Appendix 3 identifies areas where there are known *mineral aggregate*

resources. Extraction of these resources is subject to approval pursuant to the Aggregate Resources Act and an amendment to this Plan. Such an amendment would includethe identification of the *mineral aggregate operation* on ~~Schedule C~~ Appendix 3 and the provision of site-specific policies within Section 5.3 of this Plan. Site specific policies shall permit the *mineral aggregate operation* and list any other permitted land use.

5.3.2.2 Permitted Uses

The area shown as Mineral Aggregate Resource Area on ~~Schedule C~~ Appendix 3 to this Plan maybe used for the extraction of mineral aggregates that are found in a natural state onthe site, subject to Policy 5.3.2.1. *Mineral aggregate operations* may refine and process the raw materials extracted from the site in order to produce semi-finished or finished goods. Rehabilitation of abandoned extractive *mineral aggregate operation* sites as required under the *Aggregate Resources Act* or successor there to will be in accordance with the Policies 5.3.3.5, 5.3.3.7 and 5.3.3.8, as applicable. Existing uses and uses in accordance with the land use designation for the lands that are identified as Mineral Aggregate Resource Area are permitted.

5.3.2.3 Location

Areas having known potential for *mineral aggregate resources* have been identified as Mineral Aggregate Resource Areas on ~~Schedule C~~ Appendix 3 of this Plan. Updates to Appendix 3 based on mapping from the Province will not require an amendment.

5.3.3 Additional Policies

5.3.3.1 Protection of Mineral Aggregate Resources

Proposed new developments or *site alteration* in areas located on, or ~~In areas~~ within 300 metres (sand and gravel) or 500 metres (bedrock) of ~~or in~~ known deposits of mineral aggregate, ~~proposed *development* or *site alteration*~~ that would preclude or hinder the establishment of new or an expansion to an existing *mineral aggregate operation* or access to the resources shall only be permitted through the completion of a Mineral Aggregate Resource Study which determines the following:

i. Resource use would not be feasible; or
ii. The proposed land use or *development* serves a greater long-term public interest; and,
iii. Issues of public health, public safety and environmental impact are addressed; and~~,~~
iv. Does not adversely affect the availability of aggregate resources in adjacentareas.

5.3.3.2 Protection of Petroleum Resources

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.

5.3.3.3 Land Use Compatibility and Adjacent Uses

Mineral mining ~~aggregate~~ operations and petroleum resource operations shall be protected from *development* that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, safety or environmental impact. *Development* or activities on these lands or *adjacent lands* shall only be permitted if:

- The resource use would not feasible; or
- The proposed land use or *development* serves a greater long-term public interest; and
- Issues of public health, safety and environmental impacts are addressed.

. ~~Existing *mineral aggregate operations* shall be permitted to continue without the need for official plan amendment, rezoning or *development* permit under the *Planning Act*. Where *Planning Act* approvals are required for *development* within 300 metres, the City shall require studies to demonstrate land use compatibility, including appropriate setbacks and buffer distances.~~

5.3.3.4 Protection of Mineral Aggregate Operations

Development or *site alteration* located within 500 metres of a sand and gravel aggregate operation or 1000 metres of bedrock aggregate operation is not permitted, unless mitigation measures can be implemented that ensure the existing operation or expansion will not be hindered.

5.3.3.5 Applications for Planning Act Approvals to Permit New or Expansions to Existing Mineral Aggregate Operations

Demonstration of need for *mineral aggregate resources*, including any type of supply/demand analysis, shall not be required~~, notwithstanding the availability, designation or licensing for extraction of *mineral aggregate resources* locally or elsewhere~~. The establishment of a new, or an expansion to an existing, *mineral aggregate operation* shall require an amendment to this Plan and an amendment applicationshall include the following:

~~A completed application for a Regional Policy Plan Amendment, in accordance with the Region's Policy Plan Amendment Fee Schedule (as amended from time to time), and all necessary supporting documents, reports as required;~~

~~i. A completed application for a Regional Policy Plan Amendment, in accordance with the Region's Amendment Fee Schedule (as amended from time to time), and all necessary supporting documents, reports as required;~~

i. A completed application for an Official Plan Amendment and all necessary supporting documents and reports;

ii. An application to amend the City's Zoning By-law and all the necessary supporting documents and reports;

iii. The provision of a detailed site *development* plan(s) indicating such information as is required under the Aggregate Resources Act, or successor thereto;

iv. The applicant will pre-consult with the City of Welland, and where required consult ~~Region of~~ Niagara Region, the ~~Niagara Peninsula~~ Conservation Authority and the Province ~~Ministry of Natural Resources~~, as well as any others specified by the City of Welland, to establish the supporting documents and reports. Such documents and reports will be completed by a qualified individual based on clear, reasonable and attainable standards and guidelines, and will be consistent with the Reporting Standards under the Aggregate Resources Act where appropriate. This may include, but may not be limited to the following:

    i. Planning Justification Report including conformity to the City Official Plan, the Region of Niagara Official ~~Policy~~ Plan, and Provincial policy;
    ii. *Traffic and Haul Route Impact Study* demonstrating that any additional traffic and road improvements will not have unacceptable impacts on the safe and efficient use of the road network, on adjacent land uses, the planned function of the City of Welland, on cultural landscapes, or on environmentally *sensitive* features;
    iii. *Social Impact Assessment;*
    iv. Any and all environmental investigations as specified by this Plan and appropriate regulatory approval agencies;
    v. *Visual Impact Report*;
    vi. *Cultural Heritage Impact Assessment and/or Archaeological ~~Archeological Resource~~ Assessment;*
    vii. Water Resources Study which will include surface water impacts, groundwater impacts, surface/groundwater interaction impacts, and impacts on adjoining private wells;
    viii. Noise and Vibration;

ix. Air Quality;
x. *Progressive Rehabilitation Master Plan*;
xi. Site Plan;
xii. Public Consultation Plan;
xiii. Monitoring Study;
xiv. *Agricultural Impact Assessment*;

v. The Location, topography, contours, dimensions and acreage of the property proposed for an extractive industrial; operation as well as the extend of adjacent property which may be intended for future pit or quarry operations;
vi. The existing use of all land and the location and use of all buildings and structures within a distance of 120 metres from the land proposed for extraction operation;
vii. The location, height, dimensions and use of all buildings or structures existing or proposed to be erected on the site;
viii. The location, quality and estimated quantity of *mineral aggregate resources*;
ix. Existing and anticipated final grades of excavation and excavation setbacks within the site;
x. Surface water diversion, storage and drainage provisions;
xi. All entrances, exits and proposed routes to be used by associated transport;
xii. Proposed tree screening and berming, progressive and ultimate internal road plan, locations of stockpiles for overburden stripping and mineral resources, progressive and ultimate rehabilitation plans and intended use of the land after the extractive operations have ceased; and
xiii. Other information as the City deems necessary.

5.3.3.6 Evaluation of Applications and Amendments

In considering an application for an amendment pursuant to the foregoing Policy 5.3.3.~~43~~, the following will be evaluated based on submitted studies:

i. Compatibility with adjacent, existing and planned land uses with respect to noise, dust, blasting, vibration and truck traffic;
ii. Potential impacts on the natural environment, including measures required to minimize or avoid adverse impacts;
iii. Potential impacts on the quality and quantity of surface and ground water systems;
iv. Potential impacts on surrounding agricultural operations and lands, including measures to mitigate these impacts;
v. Potential impacts on the transportation system which will require trucks routes and points of site access to be established;
vi. The manner in which the mineral aggregate resource extraction and processing operations will

be carried out including hours of operation;

vii. If applicable, the capability of the land for *agricultural uses*;

viii. Proposed progressive rehabilitation plan; and

ix. Other matters as the City deems necessary; and

x. Potential Impacts to drainage collection and management.

5.3.3.7 Applications on Agricultural Land

For applications on p~~P~~*rime a~~A~~gricultural land*, the site will be progressively rehabilitated to agriculture to substantially the same area and average soil capability for agriculture are restored. Complete agriculture rehabilitation shall not be required if:

i. There is a substantial quantity of aggregate resource below the water table warranting extraction; or,

ii. The depth of planned extraction makes restoration of pre-extraction agricultural capacity unfeasible;

iii. Other alternatives have been considered by applicant and found unsuitable. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 to 7 soils, resources on lands identified as ~~greenfield~~ Designated Growth ~~a~~Area, and resources on *prime agricultural ~~lands~~areas* where rehabilitation is feasible. Where no other alternatives are found, *prime agricultural ~~lands~~areas* shallbe protected in this order of priority: Canada Land Inventory Classes 1, 2, and 3; and

iv. Agricultural rehabilitation in remaining areas will be maximized.

5.3.3.8 Modifications to Existing Site Plans

The municipality will review and provide comments to the Province ~~Ministry of Natural Resources~~ when circulated on major site plan amendments under the Aggregate Resources Act. In order to encourage land use compatibility of *mineral aggregate operations*, the City may request additional setbacks or separation distances be established by the Province ~~Ministry of Natural Resources~~ through the licensing process.

5.3.3.9 Progressive Rehabilitation Master Plan

Outside *prime agricultural areas* or where agricultural rehabilitation is not required, the City will require progressive rehabilitation of pits and quarries to an appropriate after use as determined by the City that is in conformity with the adjoining land use designation and policies, the surrounding natural environment and existing uses. The City will require the completion of a Progressive Rehabilitation Master Plan which will determine how the rehabilitation will be

completed sequentially, within a reasonable time and in accordance with the Aggregate Resources Act, and any other regulations or applicable plans.

5.3.3.10 Rehabilitation in Environmental Areas

In environmental areas, as provided for in Section 6.0, the City will require rehabilitation to enhance the restoration of ecosystem integrity in accordance with the policies of this Plan, the Regional ~~Policy~~Official Plan, and the appropriate *watershed*/sub-watershed study.

5.3.3.11 Cultural Heritage

Where such resources exist, the City will promote and encourage rehabilitation of aggregate operations in a manner which incorporates the cultural and heritage resources in or adjacent to the site, including the conservation of *significant* cultural or heritage features where practical.

5.3.3.12 Mineral Aggregate Resources – Wayside Pits and Quarries and Portable Asphalt and Concrete Plants

Wayside pits and quarries and portable asphalt and concrete plants used for public authority contracts shall be permitted in all land use designations without *Planning Act* approvals except in those areas of existing *development* or in environmentally *sensitive* areas. The City shall seek the fullest possible public and agency involvement in the review of applications to ensure conformity with this Plan.

5.3.3.13 Redevelopment of Former Operation Sites

Development on, abutting or adjacent to lands affected by mine hazards such as; 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.

5.4 RURAL

5.4.1 Planning Objectives

5.4.1.1 To recognize existing rural development.

The Policies of this Section of the Plan are intended to recognize and generally maintain existing rural *development* patterns in the City.

~~**5.4.1.2 To allow for new non-agricultural development in rural areas.**~~

~~The City will provide consider developing a framework which allows for new non-agricultural development~~.

5.4.1.2 Maintain rural character

New *development* shall be compatible with the rural character of the area.

5.4.2 Land Use Policies

5.4.2.1 Planned Function

The predominant use of lands within the Rural designation shall be agriculture, but some non-farm related *development* will be permitted.

5.4.2.2 Permitted Uses

Permitted uses include *agricultural uses*, *agriculture-related uses*, and *on-farm diversified uses* as well as ~~Farm related uses and~~ a variety of non-agricultural *development* may be located within the Rural area, subject to meeting the land use compatibility criteria outlined in Policy 5.4.3.1. Certain types of low intensity, non-agricultural *development* are permitted such as ~~rural residential uses,~~ recreational, *public service facilities*, ~~and~~ institutional uses and rural residential uses with an approved zoning as permitted as of June 16, 2006 ~~are permitted~~.

5.4.3 Additional Policies

5.4.3.1 Rural Development Criteria

Development within the lands designated as Rural in this Plan shall only be permitted where it has been demonstrated that:

i. Individual lot size and shape, soil conditions, drainage and topography are suitable for the satisfactory long-term operation of a private waste disposal system, in accordance with the requirements of the Ministry of the Environment;

ii. The water supply meets the requirements of the Ministry of the Environment, Conservation and Parks or its agents, and the Medical Officer of Health;

iii. The proposed *development* can be sustained by rural services levels and will avoid the need for unjustified and/or uneconomical expansion of *infrastructure*;

iv. The proposed *development* will not reduce water quality and/or quantity orinterfere with natural farm drainage systems;

v. The site does not have problems of flooding, erosion, unstable slopes and is notcomprised of organic soils;

vi. The proposed *development* has adequate access to the City's road network, butlocations must

not jeopardize the operation of the system;

vii. The proposed *development* is compatible with the rural landscape and surrounding local land uses.

viii. The proposed *development* meets all other applicable Policies of this OfficialPlan; and

ix. The proposed *development* will not adversely affect the protection of *agricultural uses*.

5.4.3.2 Rural Development Municipal Services

All rural *development* shall be serviced by sustainable individual on-site water and individual on-site sewer services, except an existing lot of record may be permitted to connect to existing municipal services subject to the following:

i. 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.

5.4.3.3 Lot Creation

~~Infilling~~ Lot creation may be permitted on lands designated ~~for~~ Rural where all of the following conditions ~~exist~~ are met:

~~i. Infilling takes place between two existing residential dwellings which are no more than 100 metres apart;~~

i. The lot maintains a minimum 45 metre frontage on an existing public road;

ii. The lot has a minimum useable lot area of 1.0 ~~0.5~~ hectare~~s~~, unless it is demonstrated through a hydrogeological study that a smaller size lot will adequately accommodate private services;

iii. The application is accompanied by supporting studies, including, but not limited to, a Planning Justification Report, Geotechnical Study, Environmental Impact Study and any other study required by the City, ~~Region of Niagara and the Niagara Peninsula Conservation Authority~~ which demonstrate that there will be no negative impact of the proposed new lot on surrounding land uses, the natural environment, *infrastructure* and water quality and quantity; ~~and,~~

iv. The lot meets all other provisions of the City's Zoning By-law~~.~~;

v. Road access to a new lot does not create a traffic hazard related to sight lines, curves, or grades changes in proximity to intersections; and

vi. The proposed lot should be located to minimize impacts on surrounding farming operations and comply with the *minimum distance separation formulae*.

5.4.3.4 Minimum Distance Separation

All proposed *development* must comply with the ~~A~~minimum ~~D~~distance ~~S~~separation formula.

5.4.3.5 Long-Term Pattern

The long-term pattern and character of future *development* within the City will be carefully considered before non-farm residential *development* in the Rural area will be approved.

5.4.3.6 Modification of Topsoil

The removal of topsoil from *prime agricultural areas* and *rural lands* is discouraged. Further, the placement of fill in *prime agricultural areas* is prohibited. The City will consider by-laws to regulate the placement of fill in accordance with Ontario Regulation 409/19 On-Site Excess Soil Management.

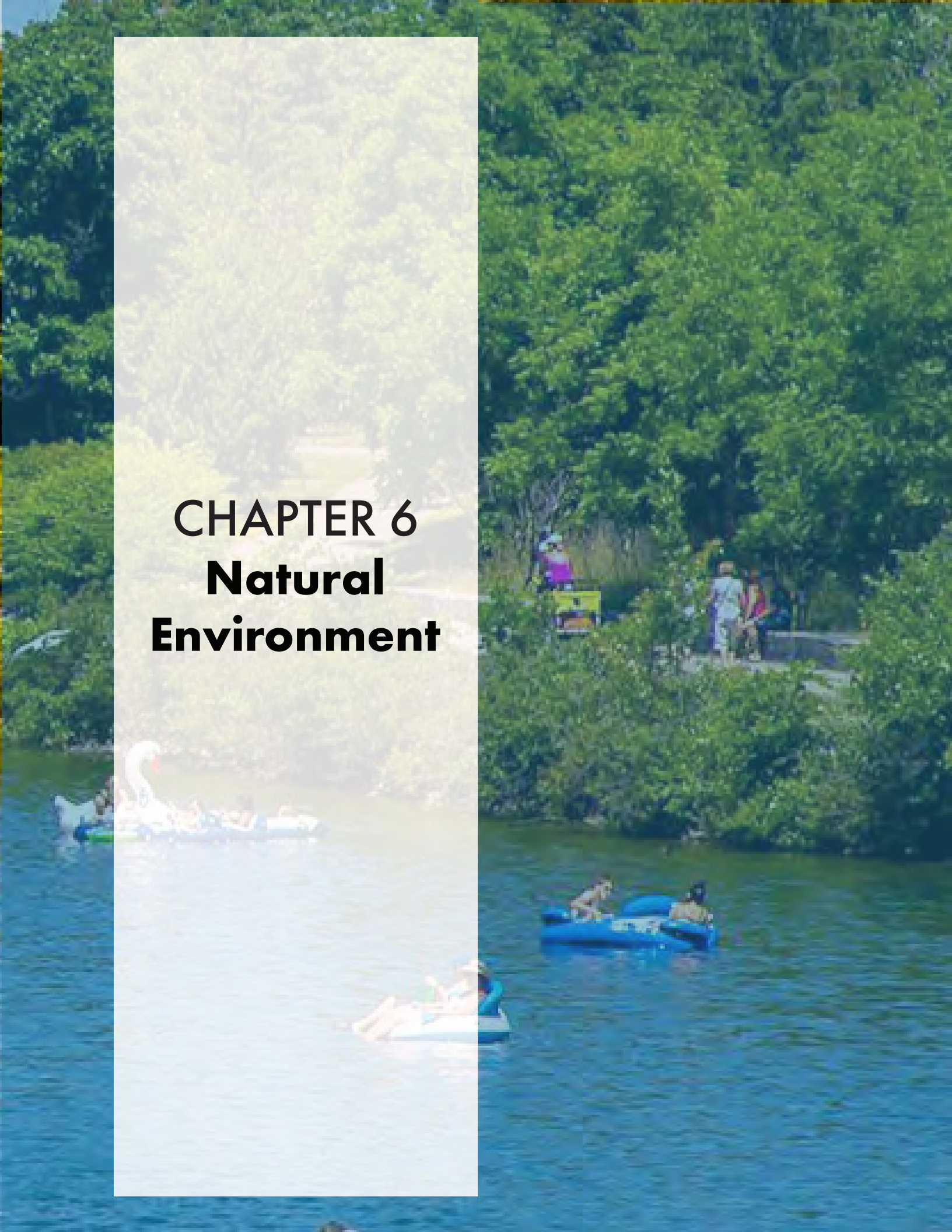
5.4.3.7 Implementation

5.4.3.7.1 Servicing

New *development* shall not require the extension of City services. The cost of providing ancillary services, such as storm drainage, snowplowing, road maintenance, possible road paving, garbage and refuse pick-up, school bus services, etc., will be reviewed when considering the approval of any rural residential *development* in the Rural area.

5.4.3.7.2 Zoning

Rural residential *development* shall be zoned in a separate zoning classification on the implementing Zoning By-law.



CHAPTER 6
Natural Environment

6 NATURAL ENVIRONMENT

6.1 PLANNING OBJECTIVES.

6.1.1 Maintain a Healthy Natural Environment for Present and Future Generations

The City endeavors to maintain a healthy natural environment for present and future generations.

6.1.2 Conserve Welland's Distinctive Natural Character

The City ~~aims to~~ will conserve Welland's distinctive natural character by protecting its N~~n~~atural Environment ~~heritage~~ S~~s~~ystem from degradation and inappropriate *development*.

6.1.3 Apply an Ecosystem-Based Approach to Planning and Decision-Making

In making decisions, the City will apply an ecosystem-based approach to planning and *development*.

6.1.4 Foster and Promote Cooperation

The City will work with public agencies, private landowners and community groups to foster and promote cooperation related to protecting and enhancing the natural environment.

6.1.5 Support and Encourage Environmental Stewardship and Restoration

The City will lead, and continue to support and encourage, environmental stewardship and restoration within Welland.

6.1.6 Support and Encourage Tree Conservation

To conserve mature trees, the City shall prepare forestry guidelines.

6.2 GENERAL POLICIES

6.2.1 Natural Environment

The Natural Environment is made up of and the *Water Resource System*, which are ecologically linked, rely on and support each other, as well as have many overlapping components.

6.3 ~~LAND USE POLICIES~~ NATURAL ENVIRONMENT SYSTEM

6.3.1 Planned Function of the Natural Environment System

The planned function of the ~~Core~~ Natural Environment ~~Heritage~~ System is to provide for the protection, maintenance, restoration and, where possible, enhancement of Welland's natural systems, ecological health, integrity and biodiversity. The ~~Core~~ Natural Environment ~~Heritage~~ System is also intended to provide a framework for establishing the *linkages* among natural environment ~~heritage features, within the system and major surface water resources.~~

6.3.2 Natural Environment System

The Natural Environment System is comprised of various natural features, areas, *wetlands* and *linkages* as mapped on Schedule C. The components of the Natural Environment System support the natural process and function of the system, while maintaining the biological diversity of the ecosystem. The individual components of the Natural Environment System within Welland are set out below:

i. *Provincially Significant Wetlands*;
ii. Other *Wetlands* and Non-Provincially *Significant Wetlands*;
iii. Habitat of *Endangered Species* and *Threatened Species*;
iv. *Fish Habitat*;
v. *Significant Valleylands*;
vi. *Significant Woodlands*;
vii. Other *Woodlands*;
viii. Significant *wildlife habitat*;
ix. *Permanent* and *Intermittent streams*;
x. *Linkages*; and
xi. *Supporting Features and Areas* including *enhancement areas*.

6.3.3 Permitted Uses

Permitted uses within the ~~Core~~ Natural Environment ~~Heritage~~ System include:

i. Forest, *fish* and wildlife management uses, conservation, and flood or erosion controls and/or protection projects where it has been demonstrated that they are necessary and/or are in the public interest and ~~the~~ alternatives have been considered ~~are not available.~~;
ii. Conservation and flood or erosion control projects, subject to demonstrating the project is necessary, in the public interest, and all alternatives have been considered;
iii. *Infrastructure* authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the Environmental Assessment Act;
iv. *Mineral aggregate operations* and *wayside pits and quarries* in accordance with Provincial policies;
v. Existing *agricultural uses* ~~are also permitted to continue within the Core Natural Heritage System.~~;
vi. ~~In addition to the above,~~ Ssmall scale, passive recreational uses, ~~and~~ accessory uses, and structures such as trails, boardwalks, footbridges, fences, docks and picnic facilities which

will have no significant negative impact on natural features or *ecological functions* of the ~~Core~~ Natural Environment ~~heritage~~ System and *water resource system* are permitted.

vii. Expansion of existing buildings and structures, accessory structures and uses, and conversions of legally existing uses, subject to demonstrating that the use does not expand into the Natural Environment System or buffer unless there is no alternative, in which case any expansion will be limited in scope and kept within close proximity to the existing structure;

viii. 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 subject to demonstrating that:

a. there is no alternative, and that 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

b. The impact of the expansion or alteration on the feature and its *ecological functions* is minimized and mitigated to the maximum extent possible.

ix. ~~Activities within these lands may be subject to a permit from the Conservation Authority, (refer to NPCA Regulation 155/06, as amended).~~

6.3.4 Location of the Natural Environment System

The extent of the mapped Natural Environment System is shown on **Schedule C1**, which shows the known locations of the following Natural Environment System features:

~~*i. Natural Heritage System* of the Growth Plan;~~

i. *Provincially Significant Wetlands*;

ii. Other *Wetlands*;

iii. *Fish Habitats*;

iv. *Significant Valleylands*;

v. *Significant Woodlands*;

vi. Other *Woodlands*;

vii. *Permanent* and *Intermittent streams*; and

viii. *Linkages*.

~~**6.3.5 Expansion to an Existing Use**~~

~~Subject to other Policies in this Plan, an expansion to an existing use located within an Environmental Conservation Area or *Fish Habitat* or *adjacent lands* to a Core *Natural Heritage System* Component as identified in **Table 6-1** may be permitted if it will have no significant negative impact on the natural feature or its ecological functions. If the expansion involves a substantial *intensification* in~~

~~land use, or increase in the land area devoted to the use, the proponent shall prepare an Environmental Impact Statement. Expansions to existing uses within the Core *Natural Heritage System* may require a permit from the Niagara Peninsula Conservation Authority.~~

~~**6.3.6 Components of the Core Natural Heritage System**~~

~~The Core *Natural Heritage System* of:~~

~~xii. Core Natural Areas, classified as either Environmental Protection Areas or Environmental Conservation Areas;~~

~~xiii. Natural Heritage Corridors connecting the Core Natural Areas;~~

~~xiv. *Fish Habitat*.;~~

6.3.5 Delineation ~~of~~ or Modifications of Features ~~and Modifications~~

The boundaries of ~~Core~~ the Natural Environment System ~~Areas, Natural Heritage Corridors and *Fish Habitat*~~may be defined more precisely or modified through subw~~W~~atershed or Environmental Planning Studies, Environmental Impact Studies, hydrologic evaluations, or other studies in accordance with approved guidelines and prepared to the satisfaction of ~~the Region,~~ the City of Welland in consultation with ~~the Region, and~~ the ~~Niagara Peninsula~~ Conservation Authority if required. Features may also be mapped in more detail in secondary pland and Zoning By-laws. ~~Significant modifications, such as a change in the classification of a Core Natural Area, or a *significant* change in the spatial extent or boundaries of afeature, requires an amendment to this Plan unless otherwise provided for in this Plan. Only minor~~ B~~b~~oundary adjustments and modifications ~~to Environmental Protection Areas~~ will be permitted without Amendment to this Plan.

6.3.6 Mapping of the Natural Environment System

The features and areas that make up the Natural Environment System listed in 6.3.4 have been identified and mapped on Schedule C1, based on available information and access, of the feature.

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. Additional Natural Environment System features may be identified through the planning and development review process. Including through an EIS, hydrogological study and/or a wetland evaluation using the Ontario Wetland Evaluation System. Where such features are identified through an environmental impact study, hydrologic evaluation or subwatershed study., the policies of Chapter 6 shall apply to the identified Natural Environment System features.

~~**6.3.8 Additional Features Not Mapped**~~

~~Where, through the review of a planning application, it is found that there are important environmental features or functions which have not been adequately evaluated, the applicant shall have an evaluation prepared by a qualified biologist in consultation with the City of Welland, the Region of Niagara Region, the Niagara Peninsula Conservation Authority and, where appropriate, the Ministry of Natural Resources. If the evaluation finds one or more natural heritage features meeting the criteria for identification as Core *Natural Heritage System* components, the appropriate Core *Natural Heritage System* policies shall apply.~~

6.3.7 Assessment of Linkages

~~*Linkages* shown on Schedule C1, outside of the City's Urban Boundary shall be screened during a subwatershed study to assess the *ecological function*, appropriate boundary, and potential compatible uses. The subwatershed study may also make refinements to the boundary, add additional *linkages*, or remove the *linkages* if necessary through a site specific analysis.~~

When undertaking a subwatershed study for a secondary plan or when *development*/*site alteration* is proposed in, or within 30 metres of, a linkage shown on Schedule C1, an evaluation shall be completed that:

- Assesses the ecological features and functions of a linkage, including its vegetative, wildlife, and/or landscape features or functions;
- Identifies appropriate boundaries/widths that permit the movement of wildlife between nearby key natural environment features, and key hydrologic features;
- 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;
- Assesses the potential for compatible uses including, but not limited to, stormwater management ponds, passive recreational uses, and trails within the linkage while ensuring the intended *ecological functions* of the linkage can be maintained or enhanced;
- Assesses potential impacts on the linkage as a result of the *development*;
- Makes recommendations on how to protect, enhance, or mitigate impacts on the linkage and its *ecological functions* through planning, design, and construction practices; and
- Makes recommendations on additional *linkages*, where appropriate, or the removal of the linkage.

6.3.8 Permitted Uses within Linkages

Notwithstanding the outcomes of the required assessment of policy 6.3.7 the full range of existing and new *agricultural uses*, *agriculture-related uses*, *on-farm diversified uses*, and *normal farm*

practices are permitted within *linkages* shown on Schedule C1, provided such uses are permitted by the underlying designation.

6.3.9 Mineral Aggregate Operations

The policies of 6.3.10 do not apply to new or expanding *mineral aggregate operations*.

6.3.10 Consideration of Refinements

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.

~~In considering both refinements and significant modifications to the mapping or classification of the *natural heritage system* features shown on the **Schedule C** and **Schedule C1**, the City of Welland shall consult with the Region, the Conservation Authority and:~~

~~i. The Ministry of Natural Resources respecting changes to Environmental Protection Areas; or,~~

~~ii. The Ministry of Natural Resources and the Department of Fisheries and Oceans or its designate respecting changes to *Fish Habitat*.~~

6.3.11 Development and Site Alteration within Provincially Significant Wetlands and Woodlands

Development and *Site Alteration* is not permitted in either *Provincially Significant Wetlands* or *Significant Woodlands*, except for the permitted uses described in Policy 6.3.3 of this Official Plan. *Development* and *Site Alteration* within these lands may require a permit from the Conservation Authority.

6.3.12 Development and Site Alteration of Fish Habitat

Development or *site alteration* shall not be permitted in *fish habitat* except in accordance with Federal and Provincial requirements. In order to determine whether a *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 City.

6.3.13 Development and Site Alteration of Habitat of Endangered and Threatened Species

Development or *site alteration* shall not be permitted in a *Habitat of Endangered and Threatened Species* except in accordance with Federal and Provincial requirements.

6.3.14 Development and Site Alteration within the Natural Environment System

Development and *Site Alteration* within the Natural Environment System outside of the features listed in 6.3.12, and 6.3.13, shall not be permitted unless it has been demonstrated to the satisfaction of the City, and where applicable, the Conservation Authority that there will be no *negative impacts* on the natural features or their *ecological function*. ~~f~~~~First priority is to be given to avoiding negative environmental impacts. If *negative impacts* cannot be avoided, then appropriate mitigation measures shall be identified required through an Environmental Impact Study.New development, including infrastructure, should be designed to maintain or enhance the natural features and functions of a site.~~

6.3.15 General Development and Site Alteration of ~~within~~ lands adjacent to the ~~Core~~ Natural Environment ~~Heritage~~ System ~~and *Adjacent Lands*~~

Development and *site alteration* ~~within the Core~~ on lands adjacent to components of the n~~N~~atural h~~H~~eritage s~~S~~ystem ~~and in *adjacent lands*, where potentially permitted by policies elsewhere in this Plan,~~ in accordance with the distances out in Table 6-1, shall demonstrate through an environmental impact study and/or hydrological evaluation that there is no negative impact on the adjacent feature's *ecological function* or *hydrologic function* after mitigation. The *development* and *site alteration* shall also be subject to the Healthy Landscape Policies of 6.3.36 ~~in Section 6.3.2 as well as the Core *Natural Heritage System* Policies~~.

Table 6-1: ~~Core~~ *Adjacent Lands* to the Natural Environment ~~Heritage~~ System ~~Components and *Adjacent Lands*~~

~~Core~~ Natural Heritage System Components	*Adjacent Lands* Where an EIS Shall Be Required for DevelopmentApplications.
~~**Environmental Protection Area**~~	
~~Provincially *Significant* Life Science Areas of Natural and Scientific Interest~~	~~All lands within 50 metres.~~
Provincially Significant Wetland	All lands within 120 metres.
Significant Woodland	All lands within 120 metres.
Other Woodland	All lands within 50 metres.
Significant Valleyland	All lands within 50 metres.
Significant Wildlife Habitat	All lands within 50 metres.

Habitat of Threatened and *Endangered Species*	All lands within 50 metres.
Linkage	All lands within 30 metres (refer to subsection 6.3.10).
~~Environmental Conservation Area~~	~~All lands within 50 metres.~~
Fish Habitat	All lands within 30 metres of the top of bank.

6.3.16 Waiving an Environmental Impact or Hydrologic Evaluation for Minor Site Alteration or Development

Notwithstanding Table 6-1, the requirement for an *environmental impact study* and/or *hydrological evaluation* may be scoped 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 approved guidelines.

6.3.17 Waiving and Scoping of Environmental Impact Study or Hydrologic Evaluation

The City in consultation with other commenting bodies shall review proposed developments in accordance with the policies of this Plan and Provincial polices and may scope or waive the requirements of an Environmental Impact Study and or Hydrologic Evaluation. Waiving the requirement for an environmental impact study and/or hydrological evaluation may be subject to conditions.

An Environmental Impact Study and or Hydrologic Evaluation is not required for uses authorized under the environmental assessment process.

6.3.18 Limits of a feature or component refined through an Environmental Impact Study

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 shall continue to be designated based on the adjacent land use designation, unless otherwise determined through an Environmental Impact Study.

6.3.19 Buffers

Buffers will consist of natural self-sustaining vegetation.

6.3.20 Buffers in Urban Area

Within the urban area of the City as shown on Schedule A City Structure, *buffers* are required from ~~all~~ Natural Environment System feature components shown on Schedule C1. The appropriate width of the buffer will be determined through an environment impact study and or/hydrologic evaluation at the time an application is made for *development* or *site alteration*, or through a subwatershed study in support of a secondary plan or large-scale *development*. The width of the buffer shall be based on the sensitivity of *the ecological functions* from the proposed *development* or site alternation, and the potential for impacts to the feature and *ecological functions* as a result of the proposed change in land use.

6.3.21 Buffers outside the Urban Area

For lands outside the urban area of the City as shown on Schedule A City Structure, a minimum *buffer* is required to all Natural Environment System feature components shown on Schedule C1 as set out below;

i. *Provincially Significant Wetland*: 30 metres;
ii. *Permanent* and *Intermittent Stream*: 30 metres;
iii. *Significant Woodland*: 20 metres;
iv. Other *Woodland*: 10 metres; and
v. *Significant Valleyland*: 15 metres.

For features not listed in Policy 6.3.21, an appropriate width of the buffer will be determined through an environment impact study and or/hydrologic evaluation at the time an application is made for *development* or *site alteration*.

6.3.22 Development and Site Alteration within Buffers

Development or *site alteration* shall not be permitted in *buffers*, except uses permitted in Policy 6.3.3 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.

6.3.23 Development and Site Alteration within the ~~Core~~ Natural Environment ~~Heritage~~ System and *Adjacent Lands*

~~*Development* and *site alteration* may be permitted without an amendment to this Plan in Environmental Conservation Areas, Natural Heritage Corridors, and on all *adjacent lands* (set out~~

~~in Table 6-1) if it has been demonstrated that, there will be no negative impact on the natural features or their ecological functions.~~

~~The proponent of the *development* shall be required to prepare an Environmental Impact Study (EIS) in accordance with the Policies of this Plan (see Policy 7.11.5~~

Where it is demonstrated that all, or a portion of the ~~Environmental Conservation Area~~ Natural Environment System does not meet the criteria for a designation under this Plan and thus the site of a proposed *development* or *site alteration* no longer is located within the ~~Environmental Conservation Area~~ Natural Environment System or adjacent land, then the restrictions on *development* and *site alteration* set out in this Policy do not apply.

~~*Development and Site Alteration within Natural Heritage Corridors*~~

~~Where *development* or *site alteration* is proposed in, or near, a Natural Heritage Corridor shown on **Schedule C1**, the Corridor shall be considered in the *development* review process. *Development* should be located, designed and constructed to maintain and, where possible, enhance the *ecological functions* of the Corridor in linking Core Natural Areas or an alternative corridor should be developed.~~

6.3.24 Development and Site Alteration on Adjacent Lands, Minimum Buffers and Linkages

Notwithstanding policies 6.3.7, 6.3.15, 6.3.19, 6.3.20, 6.3.21, and 6.3.23, the following *development* and *site alteration* is permitted on lands adjacent to features listed in 6.3.15, the associated minimum *buffers*, and *Linkages* shown on Schedule C1, without an evaluation:

- New accessory buildings to a residential use (garage, workshop, etc.) up to 50 m^2 in area;
- Expansions to existing accessory buildings to a residential use up to 50 percent of the size of the original building;
- Expansions to existing residential buildings up to 50 percent of the size of the original building;
- Reconstruction of an existing residential dwelling of the same size in the same location; and
- Existing or new agriculture uses, agriculture related uses, agricultural related buildings and structures.

~~**6.3.25 Development and Site Alteration within the Core Natural Heritage System and Adjacent Lands:**~~

~~*Development* and *site alteration* within the Environmental Protection Area is prohibited.~~

~~*Development* and *site alteration* shall not be permitted within Environmental Protection Areas except for the following:~~

~~a) forest, *fish* and wildlife management;~~

~~b) conservation and flood or erosion control projects where it has been demonstrated that they are necessary in the public interest and other alternatives are not available; and~~

~~c) small scale, passive recreational uses and accessory uses such as trails, boardwalks, footbridges, fences, docks and picnic facilities that will have no significant negative impact on natural features or *ecological functions* of the Core *Natural Heritage System*.~~

~~Where such uses are proposed, the proponent shall be required to prepare an Environmental Impact Study (EIS) to the satisfaction of the City in accordance with the Policies of this Plan (see Policy 7.11.5).~~

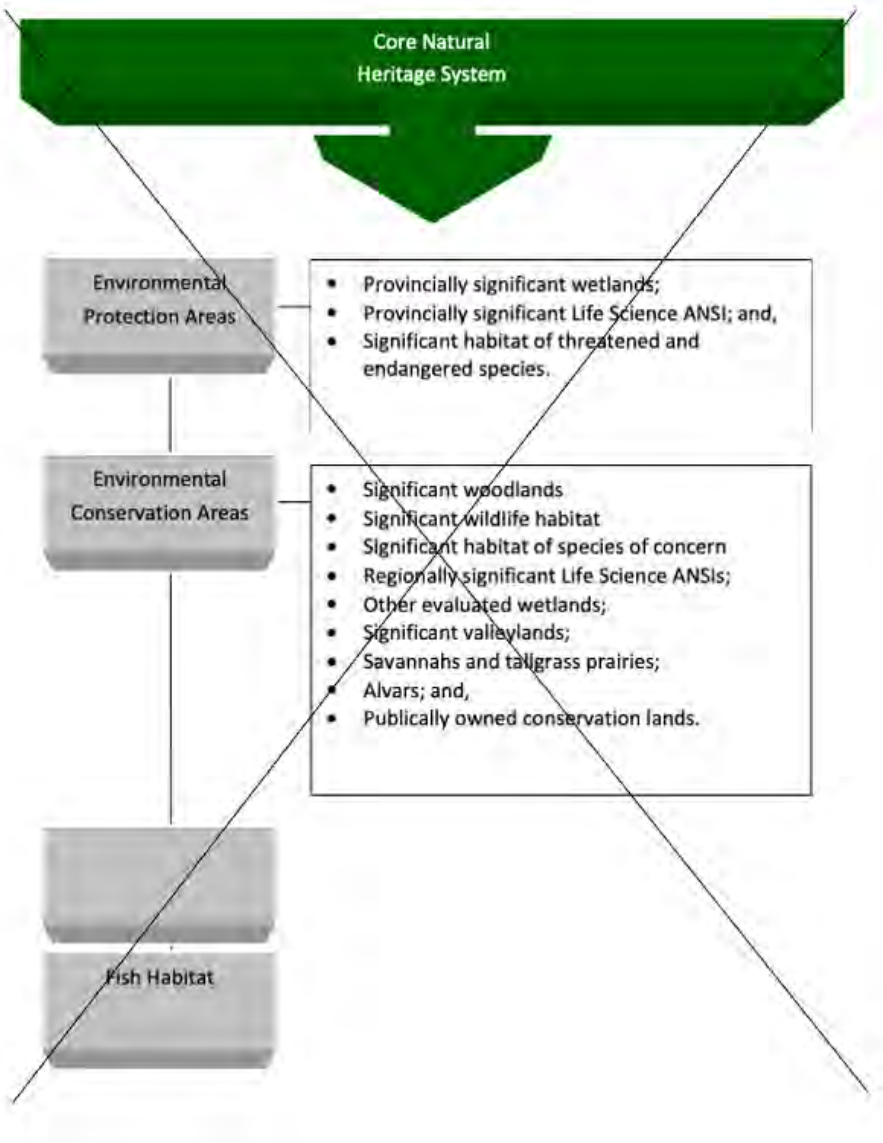
6.3.25 Significant Habitat of Threatened and Endangered Species

Mapping of the *significant habitat of threatened* and *endangered species* is not included in **Schedule C** and **Schedule C1**. The *significant habitat of threatened* and *endangered species* will be identified through the Planning and Development review process. Where such habitat is identified, *development* and *site alteration* shall be subject to the applicable policies ~~for~~ of this Plan ~~Environmental Protection Areas~~.

~~**6.3.26 Policy Framework**~~

~~The overall policy framework for the Core *Natural Heritage System* is graphically illustrated in Figure 6.1 for explanatory purposes~~

~~Figure 6.1: Components of the Core *Natural Heritage System*~~



~~6.3.27 Environmental Protection Area~~

~~Environmental Protection Areas include *provincially significant wetlands*; provincially significant Life Science Areas of Natural and Scientific Interest (ANSIs); and significant habitat of threatened and endangered species.~~

~~6.3.28 Environmental Conservation Area~~

~~Environmental Conservation Areas include significant *woodlands*; *significant wildlife habitat*; *significant* habitat of *species of concern*; regionally *significant* Life Science ANSIs; other evaluated *wetlands*; *significant valleylands*; savannahs and tall grass prairies; alvars and publicly owned conservation lands.~~

~~**6.3.29 Natural Heritage Corridors**~~

~~Natural Heritage Corridors are natural and open space *linkages* between the Core Natural Areas. They include naturally vegetated stream corridors, *valleylands*, shorelines, *woodlands*, *wetlands*, natural vegetation communities and other features which provide *linkages*.~~

~~**6.3.30 Fish Habitat**~~

~~*Fish Habitat* includes spawning grounds and nursery, rearing, food supply and mitigation areas on which *fish* depend directly or indirectly to carry out their life processes.~~

~~**6.3.31 Location**~~

~~The Core *Natural Heritage System* shown on the **Schedule C** indicates provincially and regionally significant natural features and provides the land use planning framework for natural heritage planning and *development* review in the Welland. The *Fish Habitats* shown on **Schedule C** is part of the Water Resources System, but other key hydrological features have not been identified and mapped. These features will be identified through the planning and *development* review process and through future studies. **Schedule C1** provides additional details, describing the features within the Environmental Protection and Environmental Conservation Areas.~~

6.3.26 Wetland Offsetting

The Conservation Authority may permit off setting of *wetlands* under its policies and permitting process in accordance with its regulatory role.

6.3.27 Implementation of Buffers in the Zoning By-law

Where an individual feature or component of the Natural Environment System includes a mandatory buffer, both the feature and buffer shall be implemented through a proposed site-specific Zoning By-law amendment in a manner that implements this Plan.

~~Where a minimum buffer is not prescribed in this Plan, no buffer or *vegetation protection zone* will be zoned. The buffer will be determined when a site-specific Zoning By-law amendment is proposed, and the Zoning By-law will be updated accordingly.~~

6.3.28 Dedication of Natural Environment Features

The municipality will consider opportunities to obtain components of the Natural Environment System into public ownership through dedications during the *development* approval process.

6.3.29 Native Species Plantings

Individuals and Agencies are required to use native plant species when planting within the Natural Environment System, or in adjacent *buffers*.

6.3.30 Invasive Species

The City will work with the Conservation Authority to develop 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 Nnatural Eenvironment Ssystem

~~**6.3.31 Natural Features in Abutting Municipalities**~~

~~In supporting ecological restoration by the City of Welland, Niagara Peninsula Conservation Authority and other groups, priority shall be given to those projects which will enhance the features of the Core *Natural Heritage System* and water resources.~~

~~This Section of the Plan shall apply W~~when development, or site alteration, is proposed on lands ~~in Welland which are adjacent to a *significant* natural area in an adjoining municipality which is designated in that municipality's Official Plan, or is shown on the Region's Core Natural Heritage Map designated in that municipality's Official Plan, or has been identified by the Ministry of Natural Resources.~~

6.3.31 Lands Regulated By the ~~Niagara Peninsula~~ Conservation Authority

Some lands within the City of Welland are regulated by the ~~Niagara Peninsula~~ Conservation Authority. Lands in the regulated area that contain a *watercourse* will be subject to the Conservation Authority buffer requirements. Reductions to a buffer may be considered within the Urban Boundary where supported by a site-specific study approved by the City and Conservation Authority.

Development, *site alteration*, construction and filling within lands regulated by the ~~Niagara Peninsula~~ Conservation Authority ~~will~~ may require ~~a permit~~ approval from the Conservation Authority. ~~Refer to the Conservation Authority Regulation 155/06 as amended for additional details.~~

6.3.32 Resolving Conflicts

Where more than one Policy in Section 6 applies to a planning a~~A~~pplication, all of the applicable Policies are to be addressed, with the more restrictive Policies applying where there are conflicts.

6.3.33 New Lot Creation and Lot Boundary Adjustment

Where *development* or *site alteration* is approved in, or adjacent to, the ~~Core~~ Natural ~~Heritage~~ Environment System, new lots thus created shall not extend into either the area to be retained in a natural state as part of the ~~Core~~ Natural ~~Heritage~~ Environment System, or the buffer ~~zone~~ as identified through an Environmental Impact Study prepared in accordance with the Policies of this Plan. The lands to be retained in a natural state and the adjacent buffer ~~zone~~ shall be maintained as a single block and Zoned to protect their natural features and *ecological functions*. In addition, applications for a lot boundary adjustment shall avoid fragmentation of the Natural Environment System where possible and practical.

6.3.34 Residential Lot Creation

If a proposed single residential lot is to be located entirely ~~within~~ outside of the Natural Environment System but on lands adjacent to ~~a~~ the ~~Core~~ nNatural hHeritage Environment sSystem, then the Director of Planning and Development Services may waive the requirement of an Environmental Impact Study if standard mitigation measures can avoid *negative impacts* to the feature.

~~= then the requirement for an Environmental Impact Study may be waived if the Director of Planning and Development Services is satisfied, that standard mitigation measures can avoid *negative impacts* on the natural features and *ecological functions* of the Core adjacent *Natural Heritage System*~~ .

6.3.35 Existing Lot of Records

A new residence and accessory uses may be permitted on an existing lot of record located in whole, or in part, within the Natural Environment System ~~an Environmental Conservation Area~~ or *adjacent lands* thereto as set out in **Table 6-1** if they are located, designed and constructed to minimize *negative impacts* on the natural features and *ecological functions* of the nNatural ~~Heritage~~ heritage sSystem. Where *development* is proposed to occur on lands regulated by the ~~NPCA~~ Conservation Authority, a permit ~~is~~ may be required before *development* can take place.

6.3.36 Healthy Landscape

In making decisions concerning planning, *development* and conservation, the City of Welland will employ an ecosystem approach addressing:

i. The interrelationships among air, land, water, plant and animal life, and human activities;

ii. The health and integrity of the broader landscape, including impacts on the natural environment in neighbouring jurisdictions; and,

iii. The long-term and cumulative impacts on the ecosystem.

6.3.37 Compensation Plan

Where *development* or *site alteration* is permitted, and the removal of features within the Natural Environment System cannot be avoided, minimized, or mitigated on site, the City may consider compensation. Any proposed compensation shall be evaluated in consultation with the Conservation Authority, where applicable, and shall comply with provincial regulations. A Compensation Plan must be prepared by a qualified professional.

~~**6.3.37 Linear Uses**~~

~~Notwithstanding other Policies in this Plan, essential public uses and/or services of a linear nature including *utilities*, communication/telecommunication facilities and transportation routes such as the Niagara – GTA Corridor, may be permitted within the Core *Natural Heritage System* or *adjacent lands* where an Environmental Assessment for the proposed use has been approved under Provincial or Federal legislation, where required. In limited circumstances where an essential public service of a linear nature that is not subject to an Environmental Assessment is proposed to cross the Core *Natural Heritage System* or *adjacent lands*, the *infrastructure* shall be subject to detailed design approval from the City.~~

~~**6.4 Natural Heritage System of the Growth Plan**~~

~~*6.4.1 Permitted Uses*~~

~~Permitted uses are outlined in 6.3.3.~~

~~*6.4.2 Development and Site Alteration Within the Natural Heritage System of the Growth Plan*~~

~~*Development* or site alteration shall demonstrate:~~

~~i. No *negative impacts* to the function of Natural Heritage Features or Key Hydrologic Features.~~

~~ii. Connections between Natural Heritage Features or Key Hydrologic Features within 240 metres of each other will be maintained, where possible and enhanced with native plantings.~~

~~iii. Removal of features within the *Natural Heritage System* of the Growth Plan not identified as Natural Heritage Features or Key Hydrologic Features should be avoided, where possible.~~

~~iv. Disturbed areas, including any buildings and structures, will not exceed 25 per cent of the *total developable area*, and the impervious surface will not exceed 10 per cent of the *total developable area*.~~

~~v. A minimum of 30 per cent of the *total developable* area will remain or be returned to natural *self-sustaining vegetation*, except where specified in accordance with this plan.~~

6.4 Water Resource System

6.4.1 Water Resource System

The *Water Resource System* is made up of ground *water features* and *surface water features*, which sustain a healthy aquatic and terrestrial system as well as safe drinking water.

6.4.2 Maintaining the ~~Quantity and Quality of~~ Water Resources ~~System~~

Where d~~D~~*evelopment* and *site alteration* is proposed that includes features comprising the *Water Resource System*, a Hydrological evaluation or other studies as identified by the City and, where applicable, the Conservation Authority, may be required to demonstrate no net *negative impacts* to water quality and quantity. Mitigative measures and monitoring programs may be required and implemented through the *development* approval process.

~~shall only be permitted if they will not have negative impacts, including cross-jurisdictional and cross-*watershed* impacts, through the completion of a subwatershed study or hydrologic evaluation with respect to on:~~

~~i. The quantity and quality of surface and ground water;~~

~~ii. The functions of ground water recharge and discharge areas, aquifers andheadwaters;~~

~~iii. The natural hydrologic characteristics of *watercourses* such as base flow;~~

~~iv. Surface or ground water resources adversely impacting on natural features or *ecological functions* of the Core *Natural Heritage System* or its components;~~

~~v. Natural drainage systems, stream forms and shorelines.~~

~~*Development* and *site alteration* shall be restricted in the vicinity of *vulnerable* surface and *ground water features* of importance to municipal water supplies so that the safety and quality of municipal drinking water will be protected or improved.~~

~~*Development* and *site alteration* shall be restricted in the vicinity of *vulnerable*surface and *ground water features* of importance to municipal water supplies so that the safety and quality of municipal drinking water will be protected or improved.~~

~~**6.4.3 Water Resource Mitigation**~~

~~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 ground water features*, and their *hydrologic functions*. The City may require the establishment of appropriate *development* conditions and monitoring programs through the *development* approval process.~~

6.4.3 The Welland Water Treatment Plant Intake Protection Zone

The Welland Water Treatment Plant is located on Merritt Island in between the Welland River and the Old Welland Canal. The ~~Niagara Peninsula~~ Conservation Authority's Source Water Protection Study identified an Intake Protection Zone covering the areas to the north and west of the Treatment Plant. The Intake Protection Zone is located on ~~**Map 1 in**~~ Appendix 1 to this Plan. *Development* and *Site Alteration* within the intake protection zone will be subject to a study which identifies that there will be no impact on the water quality and quantity as a result of the proposed *development* and/or *site alteration*.

6.4.4 ~~**Source Water Protection, Groundwater and Watershed Studies**~~ **Vulnerable Groundwater Protection**

Vulnerable groundwater areas within Welland are shown on Appendix 2 to this Plan. *Development* and *site alteration* within *vulnerable* groundwater areas shall address the potential for *negative impacts* where the proposed *development* or *site alteration* is perceived to have potential to impact water quality or water quantity.

6.4.5 Efficient and Sustainable Use of Water

Efficient and sustainable use of water resources systems shall be promoted, including practices to conserve water and protect, or enhance, water quality. In addition, water and wastewater facilities shall be designed to reduce energy and greenhouse gas emissions.

6.4.6 Combined Sewer Overflows

Combined sewer overflows have significant environmental impacts on water quality. ~~Elimination of overflows shall be a priority of the City.~~ Existing municipal combined sewer and storm drainage systems shall be separated, where technically and financially feasible. *Development* is not permitted to connect a new storm outlet to an existing combined sewer.

6.4.7 Stormwater Management and Sediment and Erosion Control Plan

A Stormwater Management Plan, and a Sediment and Erosion Control Plan prepared and signed by a qualified engineer, may be required for an application for *development* or *site alteration*. ~~depending on:~~

~~i. The scale and nature of the proposal; and,~~

~~ii. Site-specific environmental conditions.~~

6.4.8 ~~General~~ Stormwater Management ~~Practices~~

The City will ensure that stormwater management plans ~~practices~~ for *development* applications in urban areas help to minimize stormwater volumes and contaminant loads by maintaining or increasing the extent of permeable and vegetative surfaces.

6.4.9 Stormwater Management and Sediment and Erosion Control Plans ~~Guidelines~~

Stormwater Management Plans and Sediment and Erosion Control Plans shall be prepared in accordance with the ~~Ontario~~ Ministry of the Environment, Conservation and Parks, Stormwater Management Planning and Design Manual, and the Greater Golden Horseshoe Conservation Authorities' Erosion and Sediment Control Guideline for Urban Construction or their successors, and in accordance with any *watershed* and/or environmental planning studies for the area.

A Stormwater Management Plan and a Sediment and Erosion Control Plan shall not be required for a new *mineral aggregate operation* or an expansion to an existing operation, where these matters are adequately addressed through studies prepared to meet the requirements of the *Aggregate Resources Act*.

A Stormwater Management Plan shall demonstrate that the proposal will minimize vegetation removal, grading and soil compaction, erosion and sedimentation, and impervious services.

6.4.10 Stormwater Management Plans

Where required, stormwater management plans will address, but are not limited to, the following:

i. Be informed by *watershed* planning or equivalent;
ii. Be integrated with planning for *sewage and water services* and ensure that systems are optimized, feasible and financially viable over the long term;
iii. Minimize, or, where possible, prevent increases in contaminant loads;
iv. Minimize erosion and changes in water balance, and prepare for the impacts of climate change through the effective management of stormwater, including the use of green *infrastructure*;
v. Mitigate risks to human health, safety, property, and the environment;
vi. Maximize the extent and function of vegetative and pervious surfaces;
vii. Promote stormwater management best practices, including stormwater attenuation and re-

use, water conservation and efficiency, and low impact *development*;

viii. Consider green *infrastructure* and other measures which address the impacts of climate change; and

ix. Include an implementation and maintenance plan.

6.4.11 Location of Stormwater Management Facilities

Generally, Stormwater Management Facilities shall not be constructed in ~~Core~~ the Natural Environment System or hazard lands ~~Heritage Areas, *Fish Habitat* or key hydrologic features~~ except in *buffers* and outfalls to a stream.

6.4.12 Permits to Take Water and EASR Registration

Prior to any planning approvals, new *development* a~~A~~pplications requiring a Provincial Permit to Take Water shall satisfy the City of Welland that the water taking will not have *negative impacts* on natural ecosystems or the *quality and quantity of water* to meet existing and future ~~planned~~ uses. In accordance with applicable provincial legislation, water taking activities may be required to be registered on the Environmental Activity and Sector Registry (EASR) instead of obtaining a Permit to Take Water.

~~**6.4.13 No Significant Adverse Impacts**~~

~~*Development* and *site alteration* shall not have significant adverse impacts on ground water quality or quantity. In areas where *development* and *site alteration* could significantly affect ground water quality or quantity, the City shall require that an assessment of potential groundwater impacts be submitted with the *development* application.~~

6.4.13 Municipal Drains

The City recognizes that the primary function of the Municipal Drains is to provide drainage for agricultural lands. These drains also may be used to convey irrigation water for agricultural use. Welland supports design, construction and maintenance of Requisition and Petition Drains authorized under the *Drainage Act* in accordance with Best Management Practices to avoid significant detrimental effects on farmland, water resources, natural areas and *fish* and *wildlife habitat*. The City of Welland supports ongoing drain maintenance and shall carry out drain maintenance in accordance with the Federal Department of Fisheries and Oceans' Class Authorization System for Agricultural Municipal Drains. Where *development*, *site alteration* or building is proposed adjacent to a Municipal Drain, then a setback of 15 metres in width measured from the stable top of bank shall be required to provide access for drain maintenance, protect the integrity of the drains and protect environmental health. A narrower setback may be permitted

where it has been demonstrated, to the satisfaction of the City in consultation with and the ~~Niagara Peninsula~~ Conservation Authority, that there will not be a significant negative impact on the maintenance and functioning of the drain.

6.5 ~~Natural Vegetation and Wildlife~~ Other Natural Environment System Policies

6.5.1 Forest Cover ~~Targets~~

Welland will support the protection, restoration, and enhancement of tree and forest cover to achieve a minimum 30 percent forest cover across the municipality by 2051. ~~support efforts to achieve the following targets through the *development* and implementation of *watershed* and environmental planning studies encourage and through voluntary landowner stewardship and restoration that maintains and enhances forest cover.:~~

~~i. 30% of the land area in Welland in forest cover or wetland, with at least 10% of each subwatershed in wetland; and,~~

~~ii. A 30 metre wide naturally vegetated buffer along 70% of the length of the first to third order streams in Welland.~~

6.5.2 Existing Agricultural Uses

Agricultural uses may operate within ~~this~~ natural heritage features and associated *buffers*. *Agricultural uses* are encouraged to employ best management practices to protect the features.

6.5.3 Woodland Protection and Conservation

~~i. Enacting and maintaining a tree cutting By-law regulating the destruction or injuring of trees in *woodlands* less than 1.0 hectare in size; and,~~

~~ii.~~ Where a *woodland* is greater than 0.5 hectares in size is located on, ~~or adjacentto~~, lands which are the subject of an application for a plan of subdivision, a consent, site plan approval or a *development* permit, the applicant shall be required to prepare a Tree Saving Plan as a condition of approval. A grading orbuilding permit shall not be issued unless the Tree Saving Plan has beenapproved by the City. If an Environmental Impact Study has been approved forthe *development*, the Tree Saving Plan shall be in accordance with the recommendations of the EIS and in accordance with the City and Regional By- laws as well as Policy 6.5.5 ~~6.1.2.3.i)~~.

6.5.4 Tree Saving Plan

Where *development* or *site alteration* is approved within the ~~Core~~ Natural Environment ~~Heritage~~ System ~~or *adjacent lands*~~ as set out in Schedule C ~~**Table 6-1**~~, ~~then~~ the applicant shall submit a Tree

Saving Plan maintaining, or enhancing, the remaining natural features and *ecological functions* to be retained as part of Site Plan application. The Plan shall be prepared by a professional arborist ~~forester~~ in accordance with the Niagara Region ~~Regional~~ Tree and Forest Conservation By-law ~~and the City's Tree Conservation By-Law and its implementation monitored by a member of the Ontario Professional Forestry Association~~.

6.5.5 Tree Saving Plan Requirements

The Tree Saving Plan will:

i. Establish an Inventory and assess the health and significance of the trees in the *woodland*;
ii. Identify the trees to be removed, based on the reasons for removal and the methods to be used;
iii. Identify the trees to be retained and the measures required to prevent detrimental impacts on those trees; and,
iv. Recommend a program to monitor the health of the trees to be retained and implement measures to ensure that trees and shrubs found through the abovemonitoring to be dead or in poor health shall be replaced.

~~**6.5.6 Integration of Natural Features and Use of Native Species**~~

~~New development, *site alteration* including municipal *Infrastructure* and facilites should maintain or enhance the natural features, and functions of a site, including the are encouraged to planting of native species.~~

6.5.6 Aquatic Species at Risk

Where *development* or *site alteration* is proposed that could have an impact on aquatic species at risk an Environmental Impact Study shall be required in accordance with the Species at Risk Act and this Official Plan.

6.5.7 Cumulative Impacts

Consideration of cumulative impacts shall be required when an Environmental Impact Study, Hydrological Evaluation, or *Subwatershed* study is undertaken in support of *development*.

~~**6.5.8 Wetland Cover**~~

~~*Wetlands* shall be maintained and restored, where possible in the City.~~

6.5.8 Riparian Vegetation Cover

Naturally vegetated riparian areas adjacent to *permanent* and *intermittent streams*, *wetlands*, and other waterbodies shall be maintained or enhanced, where possible in the City to support the protection and maintenance of aquatic functions.

6.5.9 Cultural and Regenerating Woodlands

In some instances, *significant woodlands* or other *woodlands* in *settlement areas* may be substantially compromised as a result of prior land use activity. In these circumstances, subject to Environmental Impact Study, these features may be reclassified as a *cultural and regenerating woodland*. The removal of a *cultural and regenerating woodland*, or a portion, may be permitted subject to preparing a woodland enhancement plan.

6.5.10 *Urban Forest*

The *urban forest* shall be maintained or enhanced in the City by 2051. The City supports opportunities for enhancement of the *urban forest*, which may be achieved through a number of means including, but not limited to:

i. the development and implementation of Urban Forestry Guidelines and any recommendations contained therein;
ii. City efforts of tree planting, as well as tree planting programs of the Conservation Authority and other public or private organizations;
iii. private land stewardship that includes protection of existing tree cover and tree planting efforts;
iv. land acquisition or dedication of private land to the City, Conservation Authority, or other public or private organizations for tree planting and reforestation efforts;
v. identification of woodland *enhancement areas* through the completion of *watershed* plans, subwatershed studies, or similar plans; and
vi. required tree and woodland protection and planting through the application process for *development* or *site alteration*.

6.5.11 Collaboration

Welland will collaborate with the Niagara Region, the ~~Niagara Peninsula~~ Conservation Authority and other appropriate stakeholders, in developing and maintaining an environmental data base and monitoring program to assess ecosystem health and integrity and recommend improvements, where necessary, to this Plan.

6.5.12 Priorities for Ecological Restoration

In supporting ecological restoration by the City of Welland, ~~Niagara Peninsula~~ Conservation Authority and other groups, priority shall be given to those projects which will maintain or enhance the features of the ~~Core~~ nNatural environment ~~Heritage~~ sSystem and water resources systems.

~~**6.6 Air Quality and Climate Change**~~

~~*6.6.1 Energy Conservation*~~

~~Welland shall encourage and support energy conservation, district heating and combined heat and power and the on-site use of alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies and regulations, and where all potential negative impacts to *adjacent lands* are mitigated. Welland will also encourage the application of energy conservation measures in the design and construction of new buildings and in the rehabilitation and upgrading of existing buildings and structures. Refer to Policy 6.5.2.8 for additional direction on energy conservation.~~

~~*6.6.2 Flexibility in Development Approvals Process*~~

~~Increased flexibility in Zoning and site planning may be considered in order to accommodate variances in building orientation, landscaping designs, lot coverage and other site or building characteristics to provide for increased energy efficiency.~~

~~*6.6.3 Climate Change*~~

~~Recognizing that some climate change may be unavoidable, the City shall develop and implement plans to adapt to potential impacts in collaboration with Niagara Region, the Niagara Peninsula Conservation Authority and other stakeholders.~~

6.6 Landforms, Geology and Soil

~~**6.6.1 Development and Site Alteration**~~

~~*Development* and *site alteration* may be permitted within an Earth Science Area of Natural and Scientific Interest (ANSI) and *adjacent lands* within 50 metres if it has been demonstrated that there will be no *negative impacts* on the earth science features for which the area was identified or on *ecological functions* related to the ANSI. Where an amendment to the City's planning documents, or a major *development* is proposed within an Earth Science ANSI, adequate information shall be submitted with the application respecting:~~

~~i. Site topography, significant geological features and stratigraphic exposures; and,~~

~~ii. Planning and design measures recommended to avoid *negative impacts* on the feature and its *ecological functions* or, if not possible, to mitigate them.~~

~~**6.6.2 Linear Public Utilities**~~

~~Linear public *utilities* and *infrastructure* may be permitted within an Earth Science ANSI if there is no reasonable alternative location and they are designed to avoid, or minimize, *negative impacts*.~~

6.6.1 Site Alteration By Law

~~Recognizing that activities such as the dumping or placing of fill, grading of land and removal of topsoil can result in flooding and erosion, property damage, poor water quality, degradation of farmland and adverse impacts on natural areas, the City will enact a *Site Alteration* By-law regulating such activities.~~ As a condition of *development* approval, the City may require measures to conserve topsoil and reduce or mitigate soil erosion in accordance with the Site Alteration By-law.

6.6.2 Excess Soil Management

Welland shall incorporate best management practices for the management of *excess soil* generated and fill received during *development* or *site alteration*, including the *development* of municipal and Regional *infrastructure*, to ensure that: a) the Zoning By-law identifies appropriate sites for *excess soil* storage and processing; and b) Site Plan approval is utilized for new or expanding soil storage or processing sites.

6.7 Natural Hazards

6.7.1 Natural Hazards

Hazardous lands ~~and sites identified and mapped~~are regulated by the ~~Niagara Peninsula~~ Conservation Authority ~~and the Region of Niagara~~ as ~~are~~ shown on Schedule C2. ~~Schedule C2 provides additional information indicating the specific types of *hazardous lands* and sites designated at each location.~~

6.7.2 Delineation of Natural Hazards

Hazardous Lands should be delineated in the City's Zoning By-law. The extent of a natural hazard may be refined in Schedule C2 without an amendment to this Plan through municipally led studies, hydrologic evaluations, floodplain evaluations, or site-specific studies completed as part of a *development* application.

6.7.3 Natural Hazard Study

Where an application for *development* or *site alteration* is made, and ~~such~~ natural hazard mapping is not available, the location and extent of *hazardous lands* or sites shall be ~~as~~ determined by ~~the Conservation Authority after considering~~ an appropriate study prepared, and signed, by a qualified engineer and submitted with the application to the satisfaction of the Conservation Authority.

6.7.4 Development and Site Alteration in Hazard Land

Development shall generally be directed, in accordance with Provincial policy, to areas outside of:

- *hazardous lands* adjacent to *river, stream and small inland lake systems* which are impact by *flooding hazards* and /or *erosion hazards*;
- areas that are rendered inaccessible during times of *flooding hazards*, *erosion hazards*; and
- *hazardous sites*.

~~*Development* and *site alteration* may be permitted within floodplains if it has been demonstrated, to the satisfaction of the Conservation Authority that it is in accordance with the Conservation Authority's Regulation 155/06 or its successor, and subject to the Conservation Authority's approval~~.

6.7.5 Permitted Development and Site Alteration in Hazard Land

Notwithstanding Policy 6.7.4 *development* and *site alteration* in hazard lands may be permitted in accordance with Conservation Authority policies in certain areas associated with *flood plains* in accordance with policy 6.7.9, where the *development* is limited to the uses that by their nature must be located within the *flood plain*, including flood and/or erosion control works or minor additions or passives non-structural uses that do not affect flood flows.

6.7.6 Permitted Development and Site Alteration adjacent to Valleylands

Along *valleylands*, where the valley bank height is equal to or greater than 3 metres, the following provisions apply:

i. A minimum setback of 7.5 metres from the stable top of the valley slope, as surveyed by the applicant and approved by the Conservation Authority, shall be required for all new *development* and *site alteration*.

ii. Where the Conservation Authority finds evidence of potential slope instability, ~~or where the angle of the valley slope exceeds 3:1 (Horizontal Distance: Vertical Distance)~~ a

geotechnical report prepared by a qualified engineer shall be submitted with an application for new *development* or *site alteration*. An appropriate setback will be determined, if required, through the review process ~~greater than 7.5 metres may be required where the Conservation Authority has determined, after considering the geotechnical report, that an increased setback is needed to address site specific conditions~~. The valley shallbe maintained in a natural state and there shall be no disturbance of grades orvegetation below the top of bank or within the setback area from the top of bank.

iii. Within the Urban Area, the City supports the maximum use of land for *development* while avoiding hazardous conditions. A reduced setback may be considered where an existing lot provides insufficient depth to accommodate the required setback, provided that a geotechnical report submitted by the applicant, and approved by the Conservation Authority, finds that the reduced setback, with mitigative measures, will maintain long-term bank stability with no adverse environmental impacts, will not create new hazards or increase existing ones, and that no *development* or *site alteration* will be permitted below the top of the valley bank.

iv. Existing vegetation should be maintained within the setbacks required under this Policy. Vegetation below the top of the valley slope shall not be disturbed.

v. ~~For newly created lots on Greenfield or *brownfield sites*, the rear lot lines or side lot lines (as the case may be) shall be set back 7.5 metres from the Authority approved top of slope.~~ The City of Welland shall encourage dedication of these lands for conservation purposes, either to the appropriate local municipality or to another public agency where there is a willing recipient.

vi. For newly created infill lots within the Built-u~~U~~p Area, a reduction in valleyland setback may be considered where the new lots do not require the construction of new roads (public or private), and adequate municipal water and sewer capacityis available on the existing road frontage ~~and the subject site does not result in the creation of more than two lots~~. Furthermore, a Geotechnical investigation shall demonstrate that infringement within the setback area, with mitigative measures, can be accommodated on-site while maintaining bank stability and no adverse environmental impacts. In no case shall *development* be permitted beyond the top of bank down the slope.

6.7.7 Hazardous Sites

On *hazardous sites*, *development* and *site alteration* will not be permitted unless a geotechnical study, prepared and signed by a qualified engineer, has demonstrated,to the satisfaction of the Conservation Authority, that applicable Policies can be met.

6.7.8 Prohibited Uses on Hazard lands

On *hazardous lands* and *hazardous sites*, the following uses shall not be permitted:

i. Institutional uses associated with hospitals, nursing homes, pre-school, schoolnurseries, day care or schools;

ii. Essential emergency services such as those provided by fire, police andambulance stations and electrical substations; and

iii. Uses associated with the disposal, manufacture, treatment or storage of *hazardous substances*.

6.7.9 Permitted Uses on Hazard lands

Notwithstanding policy 6.7.4 and 6.7.8, *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 can be mitigated in accordance with Provincial standards, and the following criteria is demonstrated:

~~Where, under this Plan, development and *site alteration* may be permitted on portions of *hazardous lands* or *hazardous sites*, then the Conservation Authority must be satisfied that the effects and risk to public safety are minor and can be managed ormitigated so that.~~

i. *Development* and *site alteration* will be in accordance with provincial flood proofing standards, *protection works standards* and *access standards*;

ii. Vehicles and people have a way of safely entering and exiting the area duringtimes of flooding, erosion and other emergencies;

iii. New ~~on-site or off-site~~ hazards will not be created, or existing ones aggravated; and

iv. No adverse environmental impacts will result.

6.7.10 New Lot Creation and Lot Boundary Adjustment

New lot creation and lot boundary adjustments should avoid the fragmentation of hazard lands where possible and practical.



CHAPTER 7

Open Space and Recreation

7 ~~PARKS,~~ OPEN SPACE AND RECREATION

7.1 PLANNING OBJECTIVES

7.1.1 Fulfill the City's Long-Term Parks, Open Space and Recreation Vision

The City will plan and seek opportunities to expand ~~for an integrated~~ its system of parks, open spaces and recreational opportunities which serve a wide range of citizens.

7.1.2 Plan and Maintain a Hierarchy of Parks

The City will plan and develop facilities to maintain a hierarchy, and equitable distribution, of parks, open spaces and recreational opportunities throughout the municipality.

7.1.3 Links Important Destinations

The City will ensure the provision of a continuous path / open space system to physically link important destinations within the City as outlined in the City's Community Trails Strategy.

7.1.4 Protect the Waterfront

The City will encourage the protection and management of waterfront lands throughout the City as important parks, recreational and open space areas.

7.1.5 Adapt to Citizen Needs

The City will encourage the *development* and *redevelopment* of accessible facilities and public amenities which are multi-purpose, support a range of activities, and are adaptable over the life cycle of the facility or amenity. ~~so that investments in open space and recreation are cost-effective for the municipality over the long-term and are able to continually meet the needs of Welland's changing demographic base~~.

7.1.6 Support Efforts which Help to Achieve the Vision in the Welland Parks, Recreation & Culture Master Plan ~~Welland Recreational Waterway Master Plan~~

The City will ~~support~~ efforts which help to achieve the vision put forth in the Welland Parks, Recreation & Culture Master Plan with respect to economic development, quality of life, public access, conservation, and heritage ~~Welland Recreational Waterway Master Plan~~.

~~**7.1.7 Maintain Public Access to the Waterfront**~~

~~The City will ensure that public access to the waterfront along the Welland Recreational Waterway is maintained so that all of the City's citizens have the opportunity to enjoy the waterfront area.~~

~~**7.1.8 To Support Economic Development and Quality of Life Improvements**~~

~~The City will encourage the completion of the Welland Recreational Waterway Master Plan as a means to support local economic development, conservation, recreation, education, and heritage for the benefit of citizens.~~

~~**7.1.9 To Support the Greater Niagara Circle Route and Welland Canals Parkway**~~

~~The City will encourage the completion of the Welland Recreational Waterway Master Plan as a means to support local economic development, conservation, recreation, education, and heritage for the benefit of citizens.~~

7.1.7 To Enhance Residents' Sense of Place

The City will enhance its parkland system by providing for a range of recreational, social, cultural and community activities within its parks which create vibrant public spaces for all ages and abilities and enhance residents' sense of place within their community.

7.1.8 Support Urban Agriculture

The City will support *urban agriculture* through encouraging community gardens and the developing City-wide guidelines.

7.1.9 Support Climate Change Initiatives

The City will consider initiatives that mitigate and reduce the impacts of climate change when planning for parks, open space and trails, including opportunities for green *infrastructure* and planting consistent with Chapter 8 of this Official Plan.

7.2 LAND USE POLICIES FOR PARKS, OPEN SPACES AND RECREATION

7.2.1 Parks, Open Spaces and Recreation ~~Facilities~~

7.2.1.1 Planned Function

The Parks, Open Space and Recreation designation includes lands used for active and passive leisure activities. In addition, open spaces are intended to contribute to the enhancement of the natural environment through the provision of green space and vegetation.

7.2.1.2 Permitted Uses

Permitted uses include indoor and outdoor active and passive recreational uses including parks, trails, golf courses, arenas, curling rinks, sports fields and other similar uses as well as open space areas. Compatible uses, such as public and/or private *utilities*, environmental conservation, and community gardens may also be ~~allowed~~ permitted.

Small scale, ancillary commercial activities which are associated and complementary to the function of a park or recreational area, such as cafes, refreshment booths, sporting goods rentals/sales, ~~taverns,~~ restaurants, outdoor patios, and outdoor theatres ~~assembly halls, and drugless practitioners~~ may also be permitted, provided that they do not undermine the function of the park/recreational area.

~~*(VARIOUS CITY-OWNED PROPERTIES/FACILITIES)*~~

7.2.1.3 Park Hierarchy

In general terms, the following hierarchy for parks will be maintained in Welland:

i. Neighbourhood Parks: Serve the immediate *recreation* needs of a neighbourhood and are within walking distance of the area being served;
ii. City-wide parks: Serve the *recreation* needs of the residents of Welland; and,
iii. Regional parks: Intended to serve the *recreation* needs of the residents of Welland and also attract tourists from other areas of Niagara and beyond.

7.2.1.4 Open Space Linkages

The City, wherever possible, shall develop a well-maintained open space system which links important destinations, such as the Downtown, activity centres, residential neighbourhoods, workplaces, waterfront areas, and parks using trails, natural areas, bicycle paths and sidewalks in accordance with the City's Community Trails Strategy and Appendix 4.

7.2.1.5 Standards of Provision

The City intends to achieve an overall ratio of 4 hectares of park space per 1,000 persons of population within Welland. Table 6-2 provides a breakdown of the City's planned standard by park type.

Table 6-2: Standard of Provision for Parks	
Type of Park	Standard of Provision
Neighbourhood Park[1]	1.0 hectare (2.5 acres) per 1,000 people
City-wide Park[2]	2.6 hectares (6.5 acres) per 1,000 people
Regional Park[3]	0.4 hectares (1.0 acre) per 1,000 people
Total	4.0 hectare (10 acres) per 1,000 people

[1] Generally, Neighbourhood Parks should be tableland. Any lands acquired for Neighbourhood Parks that are not tableland should be in addition to the recommended standard. Connecting walkways are included within the Neighbourhood level of parkland.

[2] ~~An undetermined portion of the City-wide Parks shall be comprised of lands within the City's~~ The City's Natural Environment ~~Heritage~~ System will supplement the City-wide park standards.

[3] ~~Portions of the Regional Park are supplemented significantly by lands under the jurisdiction of the Welland Recreational Canal Corporation. Allowance has been made for the acquisition of parkland in the Woodlawn Road/River Road area, which, due to its proposed use for high level sports facilities, should be classified as a Regional Park.~~

7.2.1.6 Design of New Parks and Facilities

The following policies shall apply to the provision of new open spaces and facilitiesthroughout the City:

i. Parks, ~~and~~ trails, open spaces and community facilities shall be integrated into the overall design of an area to ensure an optimal location for the citizens being served;

ii. The design of open spaces should focus on building design, public realm, encouragement for public art;

iii. Any landscaping and topographical modifications as may be required in the provision of parks by a developer shall be coordinated, as soon as possible, by the developer prior to the dedication of the lands for park purposes;

iv. Landscaping of parks, where appropriate, should use native plantings and species;

v. Efforts shall be made to alleviate any *negative impacts* (e.g., light pollution) to *adjacent lands*;

vi. The design of parking areas shall take into consideration the users of the openspace or recreational facilities and minimize conflicts between vehicular and pedestrian traffic;

vii. The open space or facility shall have reasonable street frontage and be accessible;

viii. New open spaces will be coordinated with school sites, wherever feasible, to facilitate joint use of recreational amenities;

~~ix. In areas where more than 30% of the land is still vacant, open space in accordance with the standards of provision will be required;~~

ix. In neighbourhoods where there is a deficiency of open space, the creation of open space from underutilized or *brownfield sites* may be considered on a site-by-site basis or as part of a secondary plan;

x. The design and programming of open spaces and recreational facilities will consider and implement techniques to optimize the safety and security of all users including through accessibility and age-friendly design; and,

xi. Guidelines for the design of open spaces and recreational facilities which address elements of Crime Prevention Through Environmental Design (CPTED) may be prepared in consultation with the public, stakeholder groups,and the Niagara Regional Police. The following CPTED principles will be considered:

- Natural Surveillance,
- Access Control,
- Territorial Reinforcement, and
- Mechanical Forms of Surveillance and Access Control.

7.2.1.7 Temporary Public Realm Enhancements

Short-term and temporary streetscape enhancements that expand the public realm will be encouraged such as sidewalk patios and temporary urban squares or plazas.

7.2.1.8 Redesignation of Lands

The redesignation of open space lands to ~~Core~~ nNatural environment e sSystem due to the existence of any *significant* or unique natural features as defined by the Ministry of Natural Resources and Forestry, the ~~Regional Municipality of Niagara Region,~~ or the ~~Niagara Peninsula~~ Conservation Authority will not require an Amendment to this Plan.

7.2.1.9 Trail Connections

Where a trail linkage in an open space system crosses an arterial or collector road, it shall be located where a safe crossing can ~~a marked pedestrian/bicycle crossing, grade-separated crossing, or other crossing safe guard shall~~ be provided.

7.2.1.10 Golf Courses

A golf course shall only be permitted through a site-specific zoning by-law amendment which demonstrates that: ~~upon circulation of the *development* Application to, and consultation with, the Region, Niagara Peninsula Conservation Authority, and any relevant provincial agencies. Furthermore, a golf course shall only be permitted under the following circumstances, which will be addressed through special studies required at the time of a *development* Application:~~

i. All buildings, structures, landform alterations and works are located outside the ~~Core~~ nNatural environment sSystem;

ii. The *development* ensures that natural ecological systems and processes are maintained and enhanced;

iii. The *development* minimizes disruption to existing landforms, landscape features and natural features, and demonstrates how all features are being *conserved* ~~preserved~~ to the greatest possible degree;

iv. Maintains or enhances the quality and quantity of ground and surface water resources~~s~~ systems;

v. Maintains or enhances the site's ground water recharge function;

vi. Maintains or enhances the site's existing aquatic ecosystem and terrestrial ecosystem functions;

vii. Issues with traffic and servicing have been adequately addressed;

viii. The buildings and structures are appropriate in terms of scale, location, character, and architectural design;

ix. A sustainable design strategy ~~describing~~ describes what measures will be implemented, including, but not limited to, water conservation and nutrient management measures, to reduce the golf course's environmental impact during operations;and,

x. The *development* complies with the ~~M~~*minimum* ~~D~~*distance* ~~S~~*separation formulae*.

7.3 ADDITIONAL POLICIES FOR OPEN SPACE AND RECREATION

7.3.1 Public Park Land Dedication

7.3.1.1 Required Dedication or Contribution

In accordance with the *Planning Act*, as a condition of *development* approval, the City of Welland may require the applicant to dedicate up to 2% of the land for commercial or industrial developments and in all other cases 5% of the gross developable area of the land.

City Council may use an alternative rate of one (1) hectare for every 600 dwelling units for the provision of public open space~~, other than roads, in residential developments, and up to 2% of the land for commercial or industrial developments~~.

7.3.1.2 Maximum Dedication or Contribution

The parkland dedication permitted under the alternative rate shall not exceed 10% of the land or the value of the land for sites that are five hectares or less, and for sites greater than five hectares, the dedication shall not exceed 15% of the land or the value of the land.

7.3.1.3 Cash-in-lieu Contribution

~~Also, i~~In accordance with the *Planning Act*, as a condition of *development* approval, the City of Welland may require cash-in-lieu payment to the City's reserve fund instead of land, at a rate of 2% of the land value for commercial or industrial developments and in all other cases 5%, or one (1) hectare for each 1,000 net residential units~~ require the applicant to dedicate one (1) hectare for every 300 dwelling units. This required dedication may take the form of land or as a cash-in-lieu payment to the City's reserve fund to be~~ calculated based on the rates applicable at the date of approval of an amendment or site plan control application, or date of building permit application (when there is not amendment or site plan control application), but paid ~~as of~~ the day prior to the issuance of a Building Permit.

7.3.1.4 Parkland dedication for larger sites

On large sites, the City may require conveyance of parkland over cash-in-lieu for *development* or *redevelopment* applications including but not limited to applications for Plans of Subdivision. Parkland dedication will particularly be required in areas of the City where it is determined that there is need for a park or other public recreational purposes by consulting the City's Parks, Recreation, and Culture Master Plan or its successor plan, the Community Trails Strategy or its successor plan, or the Northwest Welland Secondary Plan.

7.3.1.5 Application of Surpluses

Land and/or funds accepted by the City as a condition of *development* approval will be used for the acquisition and *development* of parks in the area; however any surplus after the needs of the neighbourhood have been met may be applied to help relieve deficiencies in other areas or other public recreational purposes, including the erection or repair of buildings and the acquisition of machinery for park or other public recreational purposes.

7.3.1.6 Collaboration with Partners

The City will work closely with the ~~Region of~~ Niagara Region, the private sector, ~~Niagara Peninsula~~ Conservation Authority and other agencies to continue to improve and enhance the City's open space and recreational resources.

7.3.1.7 Evaluation of Public Lands

The City will evaluate public lands being disposed 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.

~~7.4 WELLAND RECREATIONAL WATERWAY~~

~~7.4.1 Planning Objectives~~

~~7.4.1.1 Support Efforts which Help to Achieve the Vision in the Welland Recreational Waterway Master Plan~~

~~The City supports efforts which help to achieve vision put forth in the Welland Recreational Waterway Master Plan.~~

~~7.4.1.2 Maintain Public Access to the Waterfront~~

~~The City will ensure that public access to the waterfront along the Welland Recreational Waterway is maintained so that all of the City's citizens have the opportunity to enjoy the waterfront area.~~

~~7.4.1.3 To Support Economic Development and Quality of Life Improvements~~

~~The City will encourage the completion of the Welland Recreational Waterway Master Plan as a means to support local economic development, conservation, recreation, education, and heritage for the benefit of citizens.~~

~~7.4.1.4 To Support the Greater Niagara Circle Route and Welland Canals Parkway~~

~~The City will encourage the completion of the Welland Recreational Waterway Master Plan as a means to support local economic development, conservation, recreation, education, and heritage for the benefit of citizens.~~

7.4 LAND USE POLICIES FOR THE WELLAND RECREATION CORRIDOR~~WATERWAY~~

7.4.1 Vision

~~Through the Welland Recreational Canal Corporation, the~~ The City of Welland has established the Welland Recreational Corridor to ~~Waterway as~~ "an exciting, attractive, well used and self-sustaining recreational waterway which is fully integrated into the fabric and life of the City of Welland," as articulated in the Welland Parks, Recreation & Culture Master Plan ~~Welland Recreational Waterway Master Plan~~.

7.4.2 Planning in Conformance with the Master Plan

The planning and *development* of the Welland Recreational Corridor ~~Waterway~~, and the *development* of lands adjacent to the Welland Recreational Corridor ~~Waterway~~, shall generally

be in conformance with the Welland Parks, Recreation & Culture Master Plan ~~Welland Recreational Waterway Master Plan~~. Planning and *development* within these lands may require a permit from the ~~Niagara Peninsula~~ Conservation Authority.

7.4.3 Permitted Uses

Permitted uses within the lands designated as Welland Recreational Corridor ~~Waterway~~ include all uses permitted within the Parks, Open Space and Recreation and General Institutional designations. In addition to this, ~~medium~~ mid and high-density residential *development* is also permitted subject to the Policies of Sections 7.4.4 and 7.4.5 ~~6.3.2.4 and 6.3.2.5~~ of this Plan.

7.4.4 Design

7.4.4.1 Provide a clean and safe environment

The land and the water within the Corridor ~~Waterway~~ should be free of contaminants which impair the beneficial uses by people and other living entities. People should be ableto swim in the water and engage in other water activities without risk of illness.

7.4.4.2 Development which Supports the Healthy Landscape Policies of this Plan

Planning and management of land and water assets should restore and renew natural habitats and communities; enhance and maintain natural ecological processes; and ensure environmental sustainability by introducing more vegetation along the shoreline.

7.4.4.3 Support a Mix of Uses

Development of lands within the Welland Recreational Corridor ~~Waterway~~ should allow for a mix of land uses, both public and private.

7.4.4.4 Diversity of Uses

Uses within the Welland Recreational Corridor ~~Waterway~~ include a range of facilities, activities and experiences for residents and visitors of all ages, cultures and genders.

7.4.4.5 Maintain Public Access

Development of lands within the Welland Recreational Corridor ~~Waterway~~ shall be undertaken in a manner which maintains continuous public access to the waterfront along its length.

7.4.4.6 Link Neighbourhoods to the Corridor ~~Waterway~~

Development of the lands within, and adjacent to, the Welland Recreational Corridor ~~Waterway~~ should enhance existing linkages and provide new pedestrian linkages.

7.4.4.7 Support a Variety of Modes

Development of the lands within the Welland Recreational ~~Waterway~~Corridor, in particular within activity nodes, should be accessible by a variety of transportation modes, including transit, cycling, pedestrians and vehicles.

7.4.4.8 Safe and Accessible

Development of the lands within the Welland Recreational ~~Waterway~~Corridor should ensure safe and accessible access for all persons, where feasible.

7.4.4.9 Attractive Design

Planning and *development* of lands within the Welland Recreational ~~Waterway~~Corridorshould:

i. Provide distinctive and memorable places;
ii. Protect and enhance views and vistas;
iii. Optimize the relationship between facilities, open space and water;
iv. Be consistent and compatible with the design of the overall Waterway;
v. Where possible, reflect Welland's diverse culture and history throughattractive design.
vi. Be consistent with the other policies of this Plan

7.4.4.10 Archaeological Conservation ~~Preservation~~

The City has a special regard for the Welland Canals System. Any proponent for *development*, *redevelopment* or *site alteration* on lands within or adjacent to the Welland Canals System, ~~will~~ may require an archaeological assessment in accordance with the policies of Section 9.2 of this Plan. *Significant archaeological resources* shall be *conserved* by removal and documentation, or by conservation ~~preservation~~ on site, and other measures may be required to ensure that the heritage integrity of the Canals system is *conserved* ~~preserved~~ and promoted.

7.4.5 Residential Development

A limited amount of medium and high-density residential *development* may be permitted within the Welland Recreational ~~Waterway~~ Corridor designation, provided that the proposed *development*:

i. Is compatible with the surrounding land uses;
ii. Does not compromise the recreational function of the waterfront area;
iii. Maintains public access to the waterfront area; and,
iv. Is consistent with all other policies of this Plan, including Policies of Sections 7.4.4 of this Plan.

7.4.6 Downtown Node

It is intended that those portions of the Welland Recreational ~~Waterway~~ Corridor and the Welland River through Downtown shall be treated as special features / amenities and, as such, shall be functionally and visually integrated with other Downtown uses.

7.4.7 ~~Multi-Use~~ Community Trails

An open space / park land system incorporating ~~a~~ multi-use trails shall be developed in consistency with the City's Community Trails Strategy and the Welland Parks, Recreation & Culture Master Plan, ~~wherever possible,~~ with a focus along the Welland Recreational Corridor ~~Waterway~~ and Welland River within the Downtown area.

7.4.8 Impacts of Adjacent Development

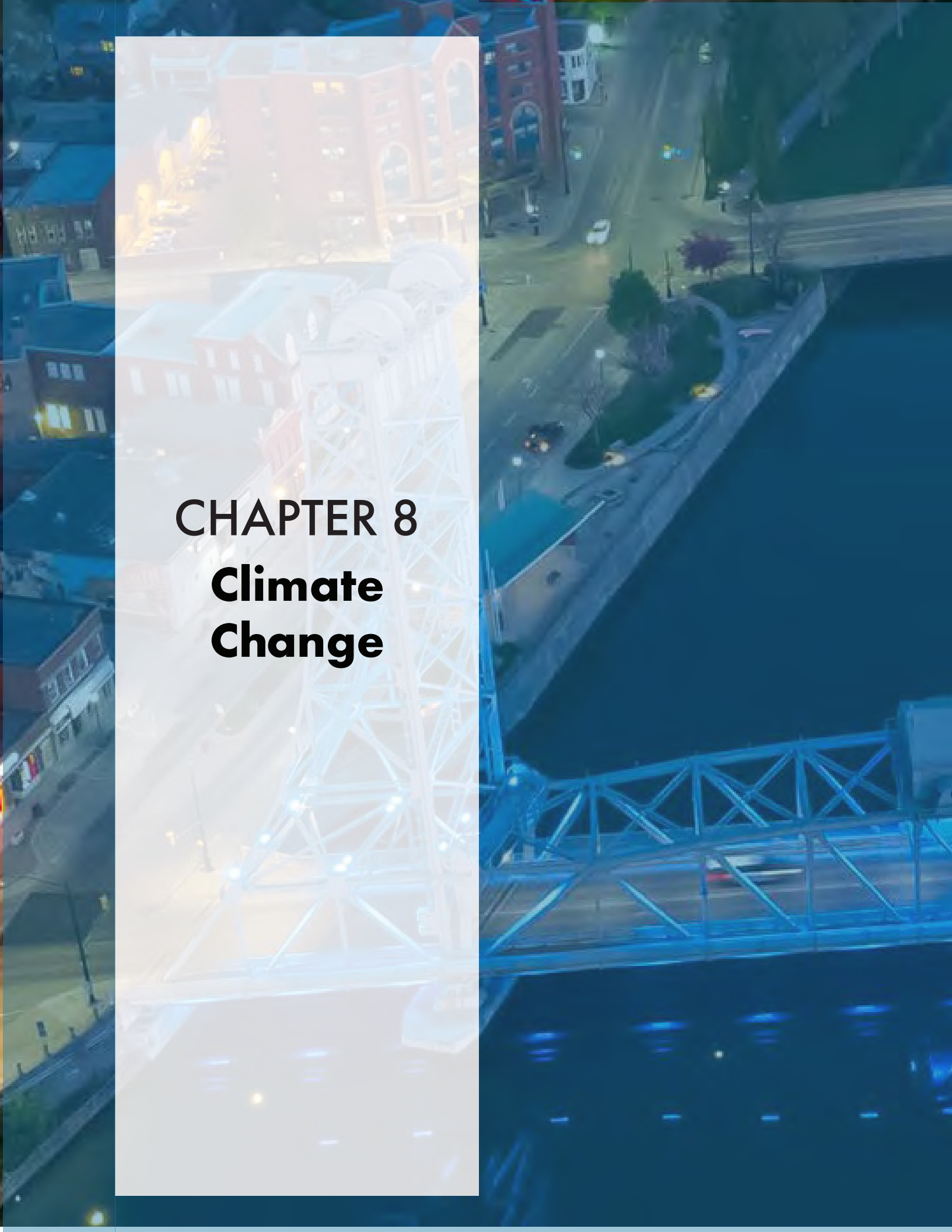
To further assist in supporting the Welland Recreational ~~Waterway~~ Corridor, the City will consider the impacts of future *development* adjacent to the corridor and require the proposed *development* to implement measures which ensure that the vision for the Welland Recreational ~~Waterway~~ Corridor is not compromised.

7.4.9 Environmental Constraints

Proponents of d~~D~~*evelopment* and *site alteration* within the Welland Recreational ~~Waterway~~ Corridor shall ~~be consistent~~ consult with the ~~Niagara Peninsula~~ Conservation Authority's ~~Regulation 155/06. *Development* and *site alteration* shall also conform with all other applicable Policies of this Plan (such as the Policies for~~ with respect to ~~Natural~~ *Hazards*~~ous Lands~~, ~~Core nNatural environment sSystem, Cultural Heritage, Archaeology,~~and Intake Protection Zone for the Welland Water Treatment Plant~~)~~.

7.4.10 Financial Support

Where possible, lands or funds from parkland dedication obtained from *development* near to the Welland Recreational Waterway will be directed to enhancing or subsidizing the *infrastructure*, facilities, and equipment for the Welland Recreational Waterway.



CHAPTER 8
Climate Change

8 CLIMATE CHANGE

8.1 PLANNING OBJECTIVES

8.1.1 Prioritize the Reduction of Greenhouse Gas Emissions

The City will prioritize the reduction of greenhouse gas emissions, improve air quality and increase resiliency to climate change by carefully managing the built and natural environment through the *development* process.

8.1.2 A Resilient City

The City will encourage building design and green initiatives that help meet the current and future needs of the City making Welland resilient to future effects of climate change.

8.1.3 Sustainable Practices

The City will encourage the use of sustainable materials and designs that can easily integrate with the environment to help mitigate effects of climate change.

8.1.4 Energy Conservation

The City shall encourage and support energy conservation, district heating and combined heat and power and the on-site use of alternative and renewable energy sources ~~developed in accordance with Provincial and Federal legislation, policies and regulations, and where all potential *negative impacts to adjacent lands* are mitigated.~~ Welland will also encourage the application of energy conservation measures in the design and construction of new buildings and in the rehabilitation and upgrading of existing buildings and structures.

8.1.5 Waste Reduction and Energy Generation

During the *development* review process the City will promote opportunities for waste reduction, composting and recycling initiatives, including the identification of new opportunities for energy generation from waste, source reduction, reuse, and diversion. ~~including during demolition and construction stages.~~ Consideration shall also be given to increased convenience and access to waste diversion collection programs to promote participation.

8.1.6 Changing Climate

The City recognizes that some aspects of climate change may be unavoidable, the City shall develop and implement plans, where appropriate, to adapt to potential impacts in collaboration with Niagara Region, the ~~Niagara Peninsula~~ Conservation Authority and other stakeholders.

8.2 Climate Change Policies

8.2.1 Clean Air Initiatives

The City may establish clean air initiatives in relation to *development* and future *infrastructure* projects to achieve air quality that is safe and considers the impacts of climate change.

8.2.2 Green Infrastructure

To ensure the growth of a resilient City, green *infrastructure* such as green roofs, bioswales, permeable pavements, public charging *infrastructure*, and LEED practices etc. will be encouraged where possible.

8.2.3 Support the Transition of Net-Zero Development

The City should develop a target to support achieving net zero *development* and encourage all *development* to use resilient building material to mitigate and adapt to climate change.

8.2.4 Green Development Standards

The City will develop Green Development Standards that facilitate sustainable designs for new privately and City owned developments. The Green Development Standards will be updated every 5 years. The Green Development Standards will support the City's Net-Zero Goal.

8.2.5 Support Flexibility in Development Approvals Process

The City will promote Zoning provisions and site planning standards to accommodate flexibility in building orientation, landscaping designs, lot coverage and other site or building characteristics to provide for the opportunity for increased energy efficiency.

8.2.6 Tree Canopy

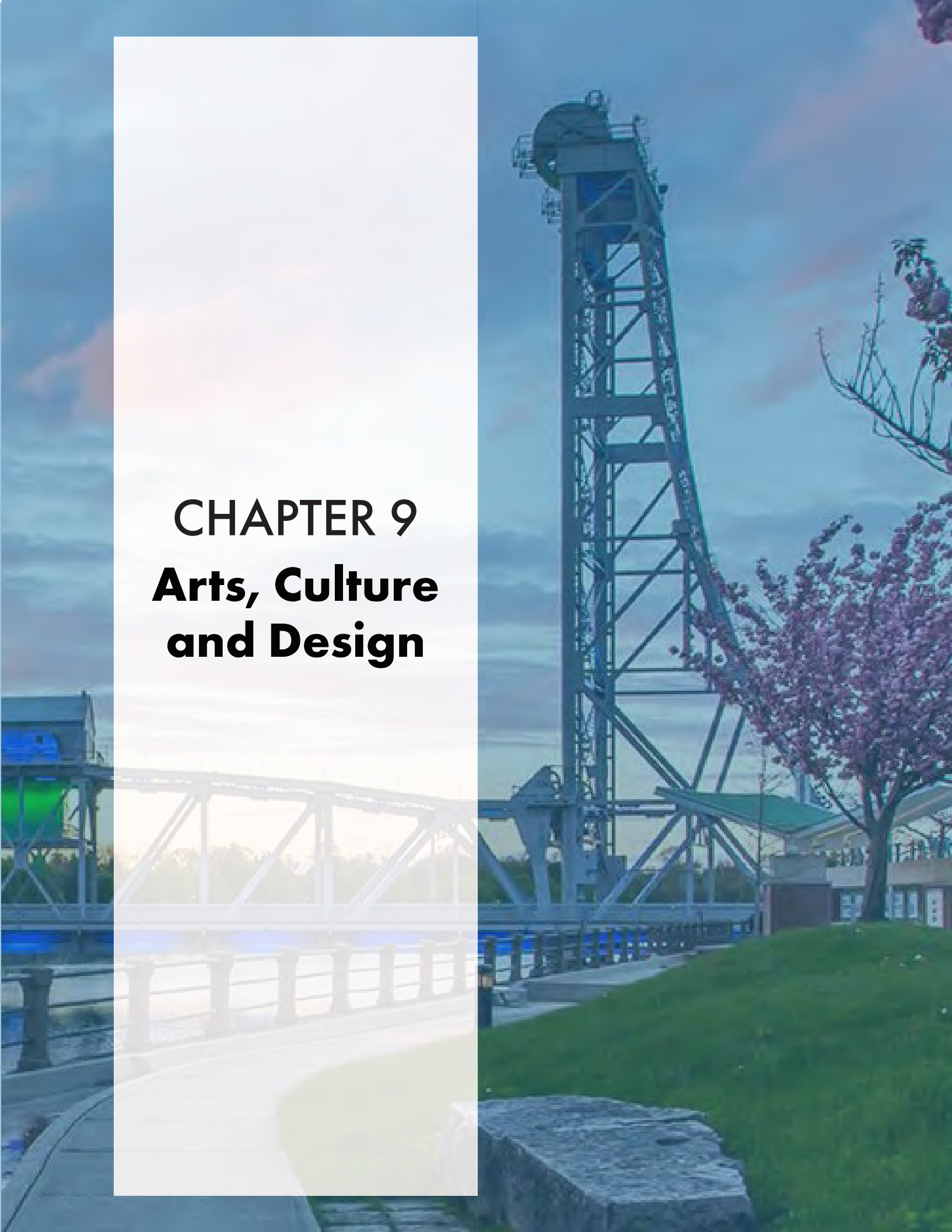
The City will prioritize the protection of mature and healthy trees and encourage the expansion of the overall urban tree canopy. The City shall include a tree canopy target to ensure tree canopy is protected and enhanced.

8.2.7 Stormwater Management Planning

Stormwater Management Planning is encouraged to incorporate best practices, including green *infrastructure* and/or low impact developments designs.

8.2.8 Renewable Energy Facilities

New or expanding renewable energy generation facilities will be subject to a compatibility study in accordance with Regional and Provincial requirements to determine mitigation measures, if required.



CHAPTER 9
Arts, Culture and Design

9 ARTS, CULTURE AND ~~HERITAGE~~ DESIGN

9.1 PLANNING OBJECTIVES

9.1.1 Maintain and Enhance our Cultural and Heritage Resources and Landscapes

The City will encourage the conservation, ~~protection,~~ and enhancement of the City's Cultural heritage resources, including landscapes, archaeological sites, important views and vistas, buildings and structures of historic, cultural, and architectural value.

9.1.2 Encourage Quality Design

The City will encourage growth and *development* which promotes the conservation ~~protection~~ and sympathetic treatment and use of heritage resources.

9.1.3 Recognize ~~Districts~~ Neighbourhoods with Cultural Heritage Attributes

The City will encourage the conservation ~~protection~~ and awareness of the rich heritage of the City's Downtown area as well as the various ethnic cultures and neighbourhoods.

9.1.4 Increase the Profile of and Support for Arts and Culture

The City recognizes the social and economic benefits of supporting arts and cultural initiatives and heritage and aims to greatly increase the City's profile in this area. In support of this, the City will consider opportunities for cultural expression and the recognition of Indigenous communities within park planning and public space design.

9.1.5 Placing Urban Design in the Forefront

The City will ensure, where applicable, that urban design principles and guidelines are considered and a focus of land use planning decisions.

9.1.6 Encourage Quality Design

The City will encourage a high quality and consistent level of urban design for public and private realms including but not limited to building design.

9.1.7 Accessibility and Age Friendly Design

The City will ensure community design practices are accessible, age-friendly and barrier-free to promote inclusivity, human health and well-being.

9.1.8 Streetscape Design

The City will encourage human scale design and compact built form that is massed, designed and oriented to create well-defined, appropriately transitioned, comfortable, well-designed, functional, and attractive public spaces and streetscapes.

9.1.9 Sustainable Practices

The City will encourage sustainable forms of *development* and designs through the Green Development Standards, refer to policy 8.2.4.

9.1.10 Public Realm

The City will endeavour to ensure elements of public realm be designed to the highest quality possible and located to provide interest, safety, diversity and focal points within the community.

9.2 POLICIES FOR CULTURAL HERITAGE CONSERVATION

9.2.1 General Conservation

Conservation of landscapes, important views and vistas, sites, buildings or structures of cultural heritage, historical, architectural, or archaeological merit shall be encouraged throughout the City, ~~wherever possible~~ to foster a sense of place and benefit communities, including First Nations and Métis communities.

9.2.2 Advisory Committee

~~Heritage Welland~~ The City of Welland Heritage Advisory Committee shall be consulted on matters relating to heritage resources as required by the Ontario Heritage Act.

9.2.3 ~~Heritage Inventory~~ Municipal Register

The City shall maintain an inventory of ~~buildings~~ properties of ~~architectural and/or historic~~ cultural heritage value or interest~~, for the purposes of designating~~. Non-designated properties of interest may be listed to the Municipal Register if City Council believes the property to contain cultural heritage value or interest found in O.Reg. 9/06 Criteria for Determining Cultural Heritage Value or Interest of the Ontario Heritage Act.

Property owners shall be consulted with prior to the listing of any non-designated properties on the Municipal Register.

~~For the purpose of designating ,by By-law, selected properties for preservation and protection from alteration pursuant to the *Ontario Heritage Act*.~~

9.2.4 **Identifying Cultural Heritage Resources**

The evaluation of properties with cultural heritage value or interest must employ the criteria of Regulation. 9/06 Criteria for Determining Cultural Heritage Value or Interest of the Ontario Heritage Act.

9.2.5 **Timelines for Identifying Cultural Heritage Resources**

In accordance with the Ontario Heritage Act, the City may issue a notice of intention to designate a property listed on the Municipal Registry upon a notice of complete official plan amendment, zoning by-law amendment or plan of subdivision application.

Designations must occur within the time frame outlined in the Ontario Heritage Act after a notice of intention to designate subject to exceptions contained in the Ontario Heritage Act. The City will notify the Region of newly or listed features of cultural heritage value or interest.

9.2.6 **Removal of Non-designated Heritage Properties from the Municipal Register**

Existing and Non-designated properties or buildings included in the City's Municipal Register, shall be removed from the Register if the following occur:

i. If City Council does not give the notice of intention to designate~~d~~ the property within the prescribed timelines outlined in the Ontario Heritage Act of the property being included in the register;
ii. If City Council withdraws the notice of intention to designate~~d~~ a property;
iii. If City Council issues notice of intention, but does not pass a By-law within the prescribed timeline outlined in the Heritage Act;
iv. If City Council issues a notice of intention, and passes a By-law, but the By-law is repealed at the Ontario Land Tribunal.

If a property or building is removed from the Municipal Register, the property or building shall be removed from the Register in accordance with the Ontario Heritage Act.

9.2.7 **~~Use of~~ Heritage Designation**

Heritage ~~features~~ properties shall be appropriately designated using relevant provincial legislation including the *Ontario Heritage Act*, the *Planning Act*, the *Municipal Act* and other

applicable statutory legislation in order to conserve ~~preserve and enhance~~ the City's cultural heritage resources.

~~**9.2.8 Heritage Designations for Specific Properties**~~

~~Individual properties and areas of unique cultural, architectural and historical significance may be recognized through designation pursuant to the *Ontario Heritage Act*.~~

9.2.8 Heritage ~~Designations for~~ Conservation Districts

~~Special studies may be undertaken for districts having heritage potential.~~ Should an area be found to meet the applicable criteria of Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest of the Ontario Heritage Act, a Heritage Conservation District may be established pursuant to the *Ontario Heritage Act*. ~~All new *development* within a Heritage Conservation District will be required to maintain the character of the area~~.

9.2.9 Heritage Conservation District Assessments

Prior to designating a new Heritage Conservation Area District under the Ontario Heritage Act, the City shall undertake a study with a qualified professional in accordance with the Ontario Heritage Act to:

i. Assess the feasibility of establishing a Heritage Conservation District;
ii. Examine the character, appearance and cultural heritage significance of the Study area including vistas, contextual elements, buildings, structures, and other property features to determine if the area should be *conserved* as a heritage conservation district;
iii. Recommend the geographic boundaries of the area to be designated and the objectives of the designation;
iv. Recommend changes required to be made to the City's Official Plan and By-laws; and
v. Share the intent and scope of study to residents, landowners and the public at large.

9.2.10 Conservation Easements

Conservation easements are voluntary legal agreements between a heritage property owner and the City that conserves *significant* cultural heritage value of a property. The use of a conservation easement registered on title of a property is encouraged if designation under the *Ontario Heritage Act* is not ~~appropriate~~ feasible.

9.2.11 Alteration of Heritage Properties

Alterations may be made to properties designated by By-law as having historical significance provided that the alterations do not affect the *heritage attributes* ~~reasons for the designation~~, and

are in keeping with the Policies of this Plan~~, and meet the requirements of the Zoning By-law, other City By-laws and applicable municipal and provincial policies and codes~~. Additions or alterations that affect *heritage attributes* may be approved by Council in accordance with the Ontario Heritage Act.

9.2.12 Partnership Funding for Heritage

Council shall endeavour to obtain funds for the conservation and restoration of buildings through all available sources with the assistance of applicable agencies~~ such as the Ontario Heritage Foundation~~.

9.2.13 Regard for Heritage Resources during Development

Where appropriate, ~~All~~ all new *development* shall have regard for heritage resources by conserving, accommodating and incorporating heritage resources in *development* and *redevelopment* proposals. Existing landmark or heritage trees, tree lines, hedge lines, or fence lines shall be considered, evaluated, and where possible, integrated in the design of any *development* or *redevelopment*.

9.2.14 ~~Retention~~ Conservation of Designated Heritage Properties

Designated properties shall be ~~retained~~ *conserved* as part of any new *development* or *redevelopment* to ensure that the cultural heritage value or interest of the building and/or lands is not adversely impacted ~~compromised~~, unless Council or its designate approves removal in accordance with the Ontario Heritage Act.

9.2.15 Public Works Compatibility with Heritage Resources

Consideration shall be given to the effects of public works and *development* on *significant* cultural heritage resources ~~buildings, infrastructure, sites and areas of historical, architectural, scenic or archaeological importance prior to the approval of public works and proposals for development. At the discretion of the Director Manager of Planning and Development Services, emergency repairs to *infrastructure* within buildings, sites and areas of historical, architectural, scenic or archaeological importance may not require a permit~~.

~~**9.2.16 Mobility and Accessibility Improvements to Heritage Buildings**~~

~~The *redevelopment* of heritage buildings shall address the need to improve the accessibility and mobility for all individuals.~~

9.2.16 Roadway Changes and Heritage Resources

In the extending of streets and other necessary road improvements, including realignment and widening, consideration shall be given to the impact of such extensions or improvements on heritage resources, especially the character of streetscapes.

9.2.17 Development and Site Alteration within Areas of Archaeological Resources or Areas of Archaeological Potential

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 the assessment being entered into the Ontario Public Register of Archaeological Reports. Mapped *areas of archaeological potential* are shown on Schedule G.

An archaeological assessment or any other archaeological investigation may not be required for *development* and *site alteration within areas of archaeological potential* if the site has been subjected to recent, extensive or intensive disturbance.

The boundaries of *areas of archaeological potential* may be defined more precisely or modified through an archaeological assessment. Boundary adjustments and modifications to *areas of archaeological potential* in Schedule G will be permitted without amendment to this Plan.

9.2.18 Development and Site Alteration of land adjacent to Archaeological Resources

Development and *site alteration* on *adjacent lands* to *protected heritage property* is not permitted, unless the *heritage attributes* of the *protected heritage property* will be *conserved*.

9.2.19 Archaeological ~~Resource~~ Assessment

A minimum Stage 1 Archaeological Assessment will be required and submitted to the Province ~~and the Region of Niagara~~ within the prescribed timeline for review where *development* is proposed on lands with archaeological potential. 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.

The archaeological assessment will follow the applicable guidelines and processes as dictated by the Province such as the Heritage Act.

~~**9.2.20 Additional Archaeological Resource Assessments**~~

~~Depending on the aforementioned Stage 1 Archaeological Assessment, the City may require that Stage 2 to Stage 4 Assessments be conducted. The findings and recommendations of Archaeological Assessments shall be adhered to and, where appropriate, incorporated into *development* plans.~~

9.2.20 Additional Archaeological ~~Resource~~ Assessment

Depending on the aforementioned Stage 1 Archaeological Assessment, the City may require that a Stage 2, Stage 3 and ~~to~~ Stage 4 Assessment~~s~~ be conducted. The findings and recommendations of Archaeological Assessments shall be adhered to and where appropriate, incorporated into *development* plans.

9.2.21 Heritage Impact Assessment

The City may require a heritage impact assessment be prepared by a qualified professional to the satisfaction of the City for any proposed alteration, construction or any *development* of:

- A property on the Municipal Register;
- A potential cultural heritage resource, which has been evaluated, or is being evaluated, but not yet formally designated and is listed on the Municipal Register;
- A potential cultural heritage resource identified through the *development* approval process or *site alteration*.

In reviewing a Heritage Impact Assessment prepared in support of an alteration, or a *development* proposal for a property on the Municipal Register, consideration will be given to, but not limited to, the criteria outlined within Heritage Act.

9.2.22 Marine Archaeological Assessment

The City may require a Marine Archaeological Assessment for the *development* or *redevelopment* of marine archaeological sites, and sites adjacent to or that utilize the waterways in the City.

9.2.23 Environmental Assessment

If the City undertakes an Environmental Assessment, it will review the *areas of archaeological potential* as identified by Schedule G and determine if archaeological assessments are required as part of the Environmental Assessment process. Where a project is within an area of archaeological potential, an archaeological assessment may be required as part of the study process.

9.2.24 Unexcavated Archaeological Sites

Unexcavated archaeological sites and *archaeological resources* shall be protected against disturbance until all required archaeological assessments and requirements from the Province have been completed.

9.2.25 Unexpected Discoveries

The emergency protocol for the unexpected discovery of *archaeological resources* as detailed in the Region's Archaeological Management Plan or an applicable City policy shall be followed during unexpected discoveries. The emergency protocol will be implemented as a standard clause included in all draft plan approvals and *development* agreements.

9.2.26 Celebrating Ethnic Composition

Council encourages and promotes the City's ethnic composition through festivals, exhibits, ethnic days, themed streetscaping of neighbourhoods, etc.

9.2.27 Supporting the Arts, Culture and Heritage

The City will endeavour to support initiatives which enhance, expand and support existing and new arts and cultural activities in Welland.

9.2.28 Public Art

The City encourages and supports the display of art in public places as a means of enhancing the public realm, enriching the visual experience of residents and visitors and promoting Welland's culture. The utilization of public art will celebrate Welland's cultural heritage resources as well as enhance existing cultural heritage resources where appropriate. The City will promote the creation of public art that reflects the City's cultural diversity and heritage by:

i. Encourage public art initiatives on properties and within buildings;
ii. Encourage the inclusion of public art in all significant public and private sector developments;
iii. Promote the concept of soliciting gifts of cash and gifts in-kind to the Town to implement public art initiatives; and
iv. Encourage the implementation of temporary public art, murals, and interactive displays with the potential for them to become permanent.

9.2.29 Cultural Master Plan

The City will prepare cultural master plan that identifies cultural resources to inform decision making. The cultural master plan will review existing and planned City projects to determine if

they are subject to the Environmental Assessment Act, and if it will impact potential *archaeological resources*.

9.3 POLICIES FOR URBAN DESIGN

9.3.1 Urban Design Guidelines

The City recognizes the value of pedestrian-friendly streetscapes and vibrant neighbourhoods and should therefore ensure consistency with both the City and the Niagara Region's Urban Design Guidelines.

9.3.2 Public Realm Design

9.3.2.1 Streetscapes

Streetscapes shall be designed to:

a) Respect the predominant character and function of the surrounding area; and

b) Provide and/or maintain opportunities for vistas and view corridors.

The City will facilitate a complete streets design approach when considering streetscape design. Streetscapes and public spaces shall be designed to prioritize the pedestrian environment with elements such as high-quality landscaping, street furnishings, patios, public art, lighting, signage or other distinct placemaking elements that are complimentary to and emphasize the existing character of the street.

9.3.2.2 Pedestrian Environment

The pedestrian environment should be comfortable, safe and secure in public places which include roads, parks and open spaces, schools, public transit routes and public activity areas of buildings. Measures that are necessary include:

- The design and siting of new buildings shall provide visibility and ease of access to adjacent roads, parks and open spaces;
- Appropriate lighting and visibility shall be provided for all walkways, parking lots, garages and outdoor amenity areas;
- Public-oriented spaces and activity areas shall be oriented toward public roads; and
- A consistent level of landscape design shall be provided incorporating elements such as paving, planting, fencing, lighting and signage, as appropriate.

9.3.2.3 Crime Prevention Through Environmental Design (CPTED)

The City will incorporate the following Crime Prevention Through Environmental Design (CPTED) principles into proposed and existing public realm projects:

- Natural Surveillance,
- Access Control,
- Territorial Reinforcement, and
- Mechanical Forms of Surveillance and Access Control.

9.3.2.4 Roads and Lanes

Roadways and lanes should be enhanced through landscaping and streetscape treatments. The streetscape along roads and lanes can be improved through several features such as:

- Sidewalks with width appropriate for the streetscape;
- Shade trees and boulevard planting;
- Improved street furnishings and lighting; and
- Public Art.

9.3.2.5 Built Form

New *development* should be compatible with its adjacent context and surrounding character with regard to building scale and site design. The siting and massing of new buildings should not result in adverse impacts on adjacent properties in regard to privacy and shadow.

9.3.3 Placemaking

The City will encourage the implementation of placemaking features, along main streets and within public spaces, entryways to the community, vistas and heritage areas that contribute to a distinct sense of place. Place making features include but are not limited to public art installations, unique paving, signage and banners, distinctive street furniture, street vendors, and special landscape treatment plantings.

9.3.4 Public Art

The City will encourage the implementation of temporary public art, murals and interactive displays with the potential for these installations to become permanent at key locations within the community.



CHAPTER 10
Integrated Transportation

10 INTEGRATED TRANSPORTATION

10.1 PLANNING OBJECTIVES

10.1.1 To Provide a Transportation System which Supports a Variety of Modes

The City aims to reduce dependence on the automobile and develop a diverse multimodal transportation system which ~~supports~~ includes a comprehensive active transportation network, an interconnected public transit system, an efficient goods movement network ~~a variety of transportation modes, including road, rail, transit, cycling, pedestrian modes~~ and transportation demand management modes.

10.1.2 To Provide an Integrated Transportation System

The City will encourage and plan for an integrated transportation system which allows for cost-effective and efficient movement of people and goods in a sustainable manner that is compatible with existing and future planned land uses.

10.1.3 To Create a Connected ~~Responsible~~ Transportation System

The City will encourage a transportation system in Welland which supports economic development ~~and social inclusion with minimum social and environmental disruption~~.

10.1.4 To Ensure a Coordinated Transportation System

The City will encourage coordination among other municipalities, the Niagara Region, the Province, agencies, and stakeholders in developing a ~~the transportation system to~~ coordinated and ~~cooperate towards~~ ~~optimizing~~ optimized ~~the~~ transportation system.

10.1.5 To Protect Future System Needs

The City will anticipate, designate and protect transportation rights-of-way and areas required for future transportation facilities in cooperation with the Province, Niagara Region, where applicable, and neighbouring municipalities.

10.1.6 To Plan for a Safe Transportation Network

The City will plan its transportation network as a safe and accessible system. Additionally, the City will coordinate with the Region to ensure that its transportation network also provides fast and efficient routes for emergency response purposes.

10.1.7 Attracting Tourism

The City will enhance Welland's position within the Niagara Region as a destination for recreational activity bringing new tourism and economic development.

10.1.8 To Promote Active Transportation Uses

The City will promote the use of active transportation such as transit, walking and cycling to reduce the dependence on the automobile.

10.1.9 A Healthy and Active Lifestyle for Citizens

The City will promote an active and healthy lifestyle through the active transportation network.

10.1.10 A Sustainable Active Transit System

The City will promote a *multi-modal transportation system* that prioritizes active transportation.

10.1.11 To Plan for a Safe and Accessible Active Transportation Network

The City will ensure the active transportation system is maintained and designed for all users and mobility needs, where possible.

10.1.12 Rural Active Transportation Connections

The City will promote active transportation connections between rural and urban areas.

10.1.13 Way Finding

The City will promote the use of wayfinding to create a transportation network that is easy to navigate. Wayfinding signage along Regional Roads will be coordinated with the Region to ensure consistent implementation.

10.1.14 To Plan for Complete Streets

The City will promote and facilitate a complete streets design approach to new and existing streets that balance the needs of multiple modes of travel, as well as individuals of varying ages and abilities.

10.2 GENERAL TRANSPORTATION POLICIES

10.2.1 General Policies

10.2.1.1 Carpooling and other Transportation Demand Management (TDM) Initiatives

Carpooling, park and ride lots, paid parking initiatives and workplace-based commuter programs

will be encouraged and expanded throughout the City.

10.2.1.2 Protecting Corridors

The City shall plan for and protect corridors and rights-of-way for *infrastructure*, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs. The City, in consultation with the Niagara Region, where applicable, shall not permit *development* in *planned corridors* that could preclude or negatively affect the use of or functionality of the *planned corridors*.

10.2.2 Roads

10.2.2.1 Road Classification

All roads within the municipality are classified according to their function as provincial highways, regional roads, arterial roads, collector roads ~~expressways, arterials, collectors~~ and local roads as shown on Schedule "E". This hierarchy of roads is intended to optimize the roadway network and provides the following:

i. Accommodation of intra-city, regional and inter-city traffic with minimal disruption to the quality of life of local residents;
ii. Direct large volumes of commercial and truck traffic around residential areas;
iii. Allow for logical vehicular movement throughout the City; and,
iv. Facilitate the establishment of public transit and on-street cycling routes.

10.2.2.2 Definitions for Roadway Classifications

The following definitions shall serve as guidelines for roadway classifications within the City:

i. Provincial Highway: a divided or undivided roadway with partial or full access control serving large volumes of inter-city and provincial traffic at high speeds.
ii. Regional Road: a roadway that provides strategic links in the regional and local road network and fulfills an arterial road function carrying large volumes of traffic within and through the City and may have restricted or controlled property access.
iii. Arterial Road: a divided or undivided road primarily used for traffic movement and servicing moderate to large volumes of inter-City and/or through traffic at moderate speeds and may have restricted or controlled property access.
iv. Major Collector Road: an undivided road where traffic movements and land access are of equal importance and serving moderate volumes of traffic at moderate speeds and may act as local transit corridors.
v. Minor Collector Road: an undivided road where traffic movements and land access are of equal

importance and serving low/moderate volumes of traffic at low speeds.

vi. Local Road: an undivided road primarily used for land access and serving low volumes of traffic at low speeds.

~~vii. Expressway: a median or fully divided provincial highway or undivided provincial highway with full access control serving large volumes of inter-city traffic at high speeds.~~

~~viii. Arterial Road: a divided or undivided road primarily used for traffic movement and servicing moderate to large volumes of inter-City and/or through traffic at moderate speeds.~~

~~ix. Collector Road: an undivided road where traffic movements and land access are of equal importance and serving moderate volumes of traffic at moderate speeds.~~

~~x. Local Road: an undivided road primarily used for land access and serving low volumes of traffic.~~

10.2.2.3 Right-of-way Widths

~~Generally, t~~The planned minimum right-of-way widths for municipal roads identified on Schedule E Road Hierarchy ~~should~~ will be:

~~30.0~~ 26 metres for City arterial roads;

~~24.5~~ 23 metres for minor and major City collector roads; and,

20.0 metres for City local roads.

The minimum right-of-way widths ~~in Policy 6.4.2.1.C~~ indicate the amount of land which may be required by the City as part of the *development* approval process in accordance with the Planning Act. Regional Roads shown on Schedule E may be subject to the right-of-way widths and minimum sight triangle dimension requirements for regional roads identified on Schedule E1.

10.2.2.4 Alternative Designs

In circumstances where a road is proposed to be less than these minimum standards, the City will ensure that:

i. The planned function of the road is capable of accommodating anticipated travel demand;

ii. Municipal services, including maintenance and emergency services can be delivered in a safe and efficient manner;

iii. The proposed right of way is consistent with planned adjacent land uses;and,

iv. The road design is consistent with the Objectives and Policies of Section 10.1 ~~6.4~~ of this Plan.

Rear lane *development* may be considered at the discretion of the Director of Planning and Development Services in consultation with the Director of Infrastructure Services. Where a *development* incorporates rear lanes the frontage of the lot will support a pedestrian friendly street design in accordance with Section 10.3 of this Official Plan.

~~**10.2.2.5 Planned Widenings**~~

~~The right-of-way widths in Policy 6.4.2.1.C indicate the amount of land which may be required as part of the *development* approval process.~~ ~~**Schedule F** shows the location of the planned road widenings.~~ ~~**Table 6.3** lists roads which may require widenings to achieve their right-of-way widths.~~ ~~Also refer to the Regional Policy Official Plan for additional information on Regional Road widenings.~~

~~Table 6-3: Planned Road Widenings, City of Welland~~

~~Atlas Avenue~~
~~Biggar Road – East of Moyer Road~~
~~Broadway~~
~~Brown Road~~
~~Burgar Street~~
~~Canal Bank Street – Ontario Road to Forks Road~~
~~Clare Avenue – Gaiser Road to North City Limit~~
~~Colbeck Drive~~
~~Crowland Avenue~~
~~Division Street~~
~~Doans Ridge Road~~
~~East Main Street~~
~~Elm Street~~
~~First Avenue~~
~~Fitch Street – West of First Avenue~~
~~Forks Road – Kingsway to west limits of the City of Welland~~
~~Gaiser Road – South Pelham Road to Colbeck Drive~~
~~Hagar Street – Burgar Street to Wellington Street Hellems Avenue~~
~~Humberstone Road – West of Prince Charles Drive South~~
~~Humberstone Road – Townline Tunnel Road east to Southworth Street~~
~~Keefer Road King Street Lincoln Street~~
~~Memorial Park Drive Miller Road~~
~~Moyer Road~~
~~Netherby Road – East to Townline Tunnel Road Netherby Road – Reaker Road to Rusholme Road Niagara Street~~
~~Ontario Road Plymouth Road~~
~~Prince Charles Drive North and South~~
~~Quaker Road – South Pelham Road to St. Lawrence Drive~~
~~Reaker Road – South of Netherby Road~~
~~Rice Road~~
~~Ridge Road – Rusholme Road to Highway No. 140 River Road~~
~~Riverside Drive Ross Street Schisler Road South Pelham Road~~
~~Southworth Street Thorold Road~~
~~Townline Tunnel Road Webber Road Wellington Street West Main Street~~
~~Willson Road – North of Endicott Terrance to Willsonway~~
~~Willsonway~~
~~Woodlawn Road~~

10.2.2.5 Development Subject to Widening

No new *development* or *redevelopment* will be permitted which does not front on a public road of an acceptable standard of construction. As a condition of *development* approval, the City will require that sufficient lands be conveyed to provide for a road right-of-way in accordance with the classification set out above.

10.2.2.6 Lands to be Dedicated

Unless otherwise specified in this Plan, a dedication of land to widen a roadway will be taken equally from both sides of the road allowance measured from the centreline of the roadway. In certain circumstances, where factors such as topography and existing *development* dictate, it may be necessary to require more than half of the widening on one side of the road allowance.

10.2.2.7 Prioritizing Road Improvements

All existing roads shall be brought up to the approved municipal standards for roadways. However, it is recognized that, due to the expense of undertaking such works, this may not be achieved for many years. Priority will be given to those areas where the residents or businesses indicate that they are prepared to assist the City through the application of the *Local Improvement Act*, or where it is desirable to carry out the improvements in conjunction with other public works in the vicinity.

10.2.2.8 Road Improvement Criteria

Notwithstanding the above, road improvements can have a significant impact on the character of the neighbourhood. Therefore, the City shall undertake road improvements when:

i. ~~The need is demonstrated through an~~ It is determined that a road is not operating safely and efficiently ~~analysis and public consultation regarding the safety, efficiency, affordability, diversity, land use impact, and integration of the transportation system~~;

~~ii. The resulting road improvements through the design process shall improve the liveability of affected residential areas by:~~

~~a. Reducing the use of local streets in residential areas by cut-through traffic;~~

~~b. Minimizing conflicts between local and through traffic; and,~~

~~c. Minimizing any adverse impacts on the social and natural environment of adjacent lands.~~

10.2.2.9 Roadway Functional Principles

To improve the designated functions of the roadway system, the following general principles shall be used:

i. Where feasible, direct access from individual properties on arterial roads will be restricted to enhance the flow of traffic and minimize the negative impacts on abutting properties and pedestrian movement;

ii. The spacing of intersections between arterial and collector roads will be appropriate to accommodate traffic control devices;

iii. The spacing and possible reduction of driveways on arterial roads through the use of controlled joint access and common off-street parking facilities;

iv. Discouraging the intersection of local roads with arterial roads;

v. Controlling the number and design of driveways for multi-residential and commercial uses on collector and arterial roads;

vi. Encouraging service roads or rear lanes for low-density residential uses abutting arterial roads, and, where appropriate, collector roads~~; and,~~

~~vii. Consideration of various traffic calming and management measures to reduce through-traffic on local streets and to promote safer streets.~~

10.2.2.10 Traffic Calming Designs

Traffic calming designs will be introduced on roads as per the recommendations of the Transportation Master Plan and other applicable City policies.

10.2.2.11 Provisions for Road Designs

Where appropriate, the design of roads shall include provisions for:

i. Pedestrians, by way of sidewalks to promote safety and reduce pedestrian- vehicle conflicts;

ii. Bicycles and other non-motorized vehicle traffic, by way of bicycle lanes, ~~pre-paved boulevards,~~ shared use lanes and other feasible measures ~~etc.~~

iii. Aesthetic and noise reducing applications, by way of tree planting, landscaping, street furniture, berms, ~~etc.~~, ~~where~~ and other feasible measures ~~necessary~~;

iv. Universal access and ease of movement with minimal physical and psychological obstacles, by way of sloped curbs, level entranceways, minimal grade changes, and other feasible measures; ~~etc~~

v. Traffic calming measures; and

vi. Accommodating agricultural equipment and activities in order to promote safety.

10.2.2.12 Truck Traffic Management

Truck traffic shall be managed by:

i. Directing it away from, or around, residential or sensitive areas where the road capacities are inadequate or where there is a potential for noise and/or safety hazards, and, in particular, designate, establish and monitor truck routes in coordination with the Region;
ii. Encouraging the relocation of existing land uses (which generate volumes of truck traffic which contribute to current noise and safety hazards) to more suitable locations in the City
iii. Discouraging the movement of heavy truck traffic on all collector and local streets in residential areas.

10.2.3 Transit

10.2.3.1 Promote Transit Usage

In the interests of overall energy conservation, environmental protection, and public mobility, the City shall promote the use of public transit, wherever possible.

10.2.3.2 Transit within Walking Distance

~~The City shall facilitate the provision of local transit services within a reasonable walking distance of all urban land uses.~~ The City may require that 90% of the new residential and non-residential units in a proposed subdivision to occur along arterial, collector, and regional roads that may be serviced by transit ~~are within 400 metres of a transit stop~~.

10.2.3.3 Linking Land Uses with Transit and Active Transportation Infrastructure

~~In the planning of transit service, the~~ The City shall promote ~~consider the location of~~ the following ~~types of~~ uses ~~and the appropriateness of transit linkages~~ to occur along arterial, collector, and regional roads with exiting or planned frequent transit ~~between these uses~~:

i. Concentrations of transit-supportive housing, employment and retail;
ii. Concentrations of schools and other developments which may generate high volumes of transit users;
iii. Terminals for inter-city *transportation systems*;
iv. Major medical, social service, or community service facilities;
v. Active transportation *infrastructure*; and
vi. Major recreational facilities, ~~multi-use trails,~~ theatres, museums, and other arts, culture, and *recreation* facilities.

10.2.3.4 Tools to Encourage Transit Use and Active Transportation

The City in collaboration with the Region shall encourage the use of public transit and active transportation by:

i. Encouraging transit-supportive *intensification* in the vicinity of established transit routes, as well as in, and around, the Welland Transit Terminal;
ii. Requiring that new *development* provide convenient and direct access topublic transportation facilities;
iii. Integrating pedestrian linkages, trails, and intersections of major road ways with transit stops;
iv. Providing for universal access so that users with varying needs have the fullest access possible to the transit system; and,
v. Supporting an on-going investment in transit vehicles which provide transit user safety and comfort, and takes advantage of new technology.

~~**10.2.3.5 Design of Stops and Transfer Locations**~~

~~New transit stops and transfer locations will be designed to offer comfort, amenities and safety considerations (including, but not limited to, seating areas, weather protection, and lighting). A program of upgrading existing transit stops and transfer locations to standards, as applicable, is encouraged.~~

10.2.3.5 Reducing Automobile Reliance

New major *development* or *redevelopment* will incorporate transit and pedestriansystems aimed at reducing the reliance on the automobile.

10.2.3.6 Parking Reductions to Support Ridership

Reduced parking requirements may be supported for *development* within *intensification* areas identified on Schedule A ~~fronting corridors which have major transit service~~, as a means to encourage transit ridership and transit cost-effectiveness.

10.2.3.7 Considering Transit in Road Design

Roadway design proposals shall consider and incorporate transit service needs and requirements.

10.2.3.8 Niagara Region Transit

The Regional Transit Commission, where required shall be consulted on *development* applications, secondary plans and other land use plans to ensure integration of land use planning and public transit.

10.2.4 Railways

10.2.4.1 Rail to Support Industry

The City shall support the location of rail service to meet the needs of industrial uses within the City. It will further encourage multi-modal connections to rail as ameans of supporting economic development.

10.2.4.2 Surplus Railway Lands

The City, together with the railway authority, will identify potential reuse of railway lands which becomes surplus to the railway's needs. Where appropriate, the City will consider the use of surplus railway lands for new trails and open spaceuses.

10.2.4.3 Mitigating Conflicts with Rail

The City, together with the railway authority, ~~the Region,~~ and other agencies, will identify where conflicts exist between rail, vehicles, cyclists, pedestrians, and adjacent land uses and will implement appropriate measures to mitigate the conflict, wherever possible.

10.2.4.4 Level Crossings

The City ~~will identify those level crossings requiring grade separations and seek appropriate government assistance for such construction. At the same time, the City will identify those level crossings which are hazardous to public safety and~~ will seek appropriate measures to improve and/or create close level crossings~~.~~ where it is hazardous to public safety.

10.2.4.5 Required Studies

Where *development* is proposed adjacent to a rail corridor, the City together with the railway authority, will consider the impact of the *development* on the rail corridor and may require studies (including, but not limited to~~, snow,~~ noise, vibration, air quality studies) to demonstrate that the rail corridor's function is not negatively impacted and that potential negative impacts of the rail corridor on theproposed land use can be mitigated in accordance with applicable guidelines, standards, and procedures".

10.2.4.6 Major Goods Movement

10.2.4.6.1 **Protecting Major Goods Movement**

The City recognizes the importance of efficient freight, road, and ports system for the City's economic development and will set out opportunities to improve the movement of goods within the City. The City also recognizes the importance of protecting land near *Major goods movement facilities and corridors* for employment uses that rely on the facilities and corridors. As such,

development proposals for *sensitive land uses* within proximity to these corridors will be subject to the compatibility requirements outlined in Section 4.3.3.9 of the Official Plan.

10.2.4.6.2 **Major Goods Movement Study**

The City will work with the Region to prepare a Goods Movement Study, that will identify priority routes for goods movement, where feasible, to take advantage of cross-border trade opportunities, including the Foreign Free Trade Zone, maximize the use of the Niagara Gateway Economic Zone and Niagara Gateway Economic Centre, and facilitate the movement of goods into and out of *employment areas*.

10.2.5 The Welland Canal

10.2.5.1 Authority

The St. Lawrence Seaway Management Corporation has jurisdiction for the area within the Welland Canal. The City will work with Transport Canada and the St. Lawrence Seaway Authority on matters related to the Welland Canal which affects the City and its citizens.

10.2.5.2 Importance of the Welland Canal

The City recognizes the significance of the Welland Canal as an important goods movement corridor ~~and the environmental benefits of shipping as a mode of goods movement.~~

10.2.5.3 Canal-Side Development

The City, where possible, will encourage and support the St. Lawrence Seaway Management Corporation ~~Authority~~ and Transport Canada in its on-going efforts to improve the economic and environmentalimpacts of the Welland Canal. In particular, the City will encourage *development* adjacent to the canal which supports this Plan's strategic goals and objectives related to establishing a multi-modal economic driver in Welland.

10.2.5.4 ~~Mitigation of Impacts~~

~~The City will require that new development, which may be considered a sensitive land use and is located adjacent to the canal, shall be subject to appropriate~~

10.2.5.5 Mitigation of Impacts

The City will require that new *development*, which may be considered a *sensitive land use* and is located adjacent to the canal, shall be subject to appropriate technical studies and that appropriate mitigation measures are provided as a condition of *development* approval.

10.2.5.6 Heritage Value

The Welland Canal is recognized as having a built and cultural heritage value to the City and opportunities will be sought to promote and celebrate this heritage.

10.2.5.7 Partnership

Dialogue between the City of Welland, ~~Regional Municipality of~~ Niagara Region, and the St. Lawrence Seaway Management Corporation ~~authority~~ is encouraged on matters of mutual interest where the potential solutions will benefit from partnership and cooperation.

10.2.6 Accessibility

10.2.6.1 Mobility for All Persons

The City shall strive to improve the mobility of all persons to make conditions safe for walking, persons using mobility devices, including wheelchairs and scooters, and people utilizing accessible conventional transit, specialized transit and accessible taxis.

10.2.6.2 Accessible Design for New Buildings

All new public, commercial, residential, recreational, and institutional buildings and facilities will incorporate accessible design, including, but not limited to, escalators/elevators where appropriate, automatic door openers, and ramps at building entrances, where required.

10.2.6.3 Development Review Considerations

In the review of *development* Applications, the City will address accessibility needs by:

i. Requiring driveway and sidewalk slopes at a maximum ratio of 1:12, height to length;
ii. Requiring sidewalk curb cuts at all intersections;
iii. ~~Requiring that paving changes (e.g. interlocking brick, tactile strips, etc.) be incorporated at grade changes and intersections;~~
iv. ~~Requiring designated parking spaces for persons with disabilities, as specified in the Zoning By-law;~~
v. ~~Encouraging any other features appropriate to ensure that barrier-free design is provided and,~~
vi. Requiring that paving changes (e.g. ~~interlocking brick,~~ tactile strips, where feasible) be incorporated at grade changes and intersections;
vii. Requiring designated parking spaces for persons with disabilities, as specified in the Zoning By-law;
viii. Encouraging any other features appropriate to ensure that barrier-free design is provided and,

ix. Where appropriate, circulating the Application to an Accessibility Advisory Committee for comment.

10.2.6.4 Preparation of Guidelines

The City may prepare specific design guidelines for accessibility and/or ensure that accessible design is addressed when preparing design guidelines for neighbourhoods.

10.3 ACTIVE TRANSPORTATION POLICIES

10.3.1 Active Transportation and Transit

10.3.1.1 Prioritizing Transit and Cycling

The City will support the construction of transit and cycling *infrastructure* line with a complete streets design approach when streets are being upgraded or new streets are being planned.

10.3.1.2 Roads and Lanes

Roads shall be oriented in a grid of regional roads, arterial roads, collector roads and local roads that organize *development* that is pedestrian and bicycle friendly and is highly connected and supports transit.

10.3.1.3 Connecting Active Transportation Infrastructure

When introducing new active transportation *infrastructure*, the City will consider the Community Trails Strategy, the Parks, Recreation & Culture Master Plan, Appendix 4, and other applicable documents to support a connected network.

10.3.1.4 Mobility

The City will encourage supportive environments for car sharing programs and car ride share platforms to reduce personal and business costs for transportation.

10.3.1.5 Transportation Master Plan

A Transportation Master Plan will be prepared by the City to further support the advancement of active transportation within the community and Region. The Transportation Master Plan will provide direction for creating a safe and convenient active transportation network within the City. This will include facilitating connections from neighborhoods to strategic growth areas, transit stations, *employment areas*, tourism destinations, community services, institutions, and Regional connections through upgrades to existing roads and planned future roads.

~~**10.3.1.6 Phasing**~~

~~An implementation strategy should be developed including project phasing and cost estimates for all future proposed networks. The approach should build upon existing assets while prioritizing new connections for completion according to community need and fiscal capacity.~~

10.3.2 Cycling

10.3.2.1 Cycling System for Welland

The City shall implement, in a staged program, the *development* of a continuous and safe system of on-street and off-street cycling network ~~trails~~.

10.3.2.2 Supportive Site Design

Pedestrian and cycling supportive site design shall be encouraged and shall provide safe pedestrian and cycling opportunities for all ages and abilities in all new developments.

10.3.2.3 Cycling Consideration during Road Project

The design of new, and reconstruction of existing, arterial and collector roads shallconsider bicycle movements and facilities ~~by ensuring that such projects incorporate cycling facilities~~. New on-street cycling routes on arterial or collector roads will be designed to buffer the effect of high traffic volumes by applying the most appropriate principles and standards. ~~through wide cycling lane widths, paving materials, special demarcation, etc.~~

10.3.2.4 Cycling Considerations at Bridge Crossings

The City will consider and accommodate, as much as possible, the needs of cyclists on bridge crossings.

10.3.2.5 Cycling Considered during Development

Development applications shall be reviewed to ensure that cycling linkages are incorporated into the design of the *development* in a safe and efficient manner, wherever warranted. In all new *development* and *redevelopment*, consideration shall be given to safe and secure bicycle movements and bicycle parking facilities.

10.3.2.6 Zoning requirements for Cycling

The Zoning By-law may require *development* in certain Zones to provide a minimum number of bicycle parking facilities and may specify whether these facilities are required to be weather-protected.

10.3.2.7 Active Transportation ~~Cycling~~ Advisory Committee

The City will consult with its Active Transportation Advisory Committee on City projects incorporating active transportation and to seek advice and input on issues related to cycling, from time-to-time.

10.3.2.8 Funding Support for Cycling Trails

The City may provide funding for implementing a cycling trails system by allocating a portion of the City's budget on an annual basis for this purpose.

10.3.3 Pedestrians

10.3.3.1 A Safe, Convenient and Attractive System

Transportation facilities, including the construction of new roads and reconstruction of roads, shall include safe, convenient and attractive pedestrian systems such as sidewalks, corner ramps, pedestrian signals and appropriate lighting. A continuous sidewalk/walkway system providing accessible, safe, convenient and enjoyable walking for all users shall be developed and maintained.

10.3.3.2 Pedestrian-Friendly Streets

The *development* of pedestrian-scale streets and streetscapes which are safe, convenient and attractive will be supported through measures such as providing wide sidewalks, sheltered transit stops, street furniture, canopies on buildings, landscaping, locating retail and personal service uses at street level, and supporting building design which provides shelter and other amenities.

10.3.3.3 Required New Sidewalks and Walkways

The City will require that new subdivisions provide sidewalks and walkways, as per the City's municipal standards manual, as deemed appropriate. Pedestrian crossing signals will be required at all signalized intersections.

10.3.3.4 Transition between Sidewalks and Walkways

There should be a smooth transition between sidewalks and pedestrian walkways with appropriate signage provided for pedestrian walkways.

10.3.3.5 Connection to Transit Stops

Sidewalks will be required to link directly to new transit stops.

10.3.3.6 Reducing Walking Distances

Sidewalks, walkways, and trails shall be designed in a manner to reduce thewalking distances between residential *development* and transit, recreational/community facilities, schools and commercial facilities. ~~This requirement shall be evaluated at a variety of scales.~~

10.3.3.7 Sidewalk Requirements within the Right of Way

For new or reconstruction, sidewalks shall be provided as follows:

i. On both sides of arterial roads;
ii. On both sides of collector roads; ~~and,~~
iii. On at least one side of all local roads, and,
iv. On a cul-de-sac where required by City standards.

10.3.3.8 Sidewalks Serving Certain Land Uses

Sidewalks ~~are considered essential near bus stops, schools, community facilities, and institutions, and s~~hould be provided on both sides of the streets adjacent to schools, community facilities and institutions, where feasible.

10.3.3.9 Extension of Sidewalks

As a condition of approval, a sidewalk shall be required beyond the limits of a proposed subdivision to complete connection to the following:

i. An existing sidewalk;
ii. Isolated sections of sidewalk created by *development*; and,
iii. An intersection, walkway or logical ending point where the length of the sidewalk is reasonable.

10.3.3.10 Upgrading Pedestrian Facilities

The City will undertake a program of sidewalk reconstruction to upgrade existing sidewalk and trails in established areas.

10.3.3.11 Multi-Use Paths

The City may consider the provision of multi-use paths in lieu of sidewalks or on-street cycling facilities.

10.3.4 Trails

10.3.4.1 Community Trails Strategy

Connectivity between trail networks, sidewalks and on-road cycling routes will be enhanced to create an integrated, connected system of trails and active transportation *infrastructure* in accordance with the City's Community Trails Strategy.

10.3.4.2 Safety and accessibility

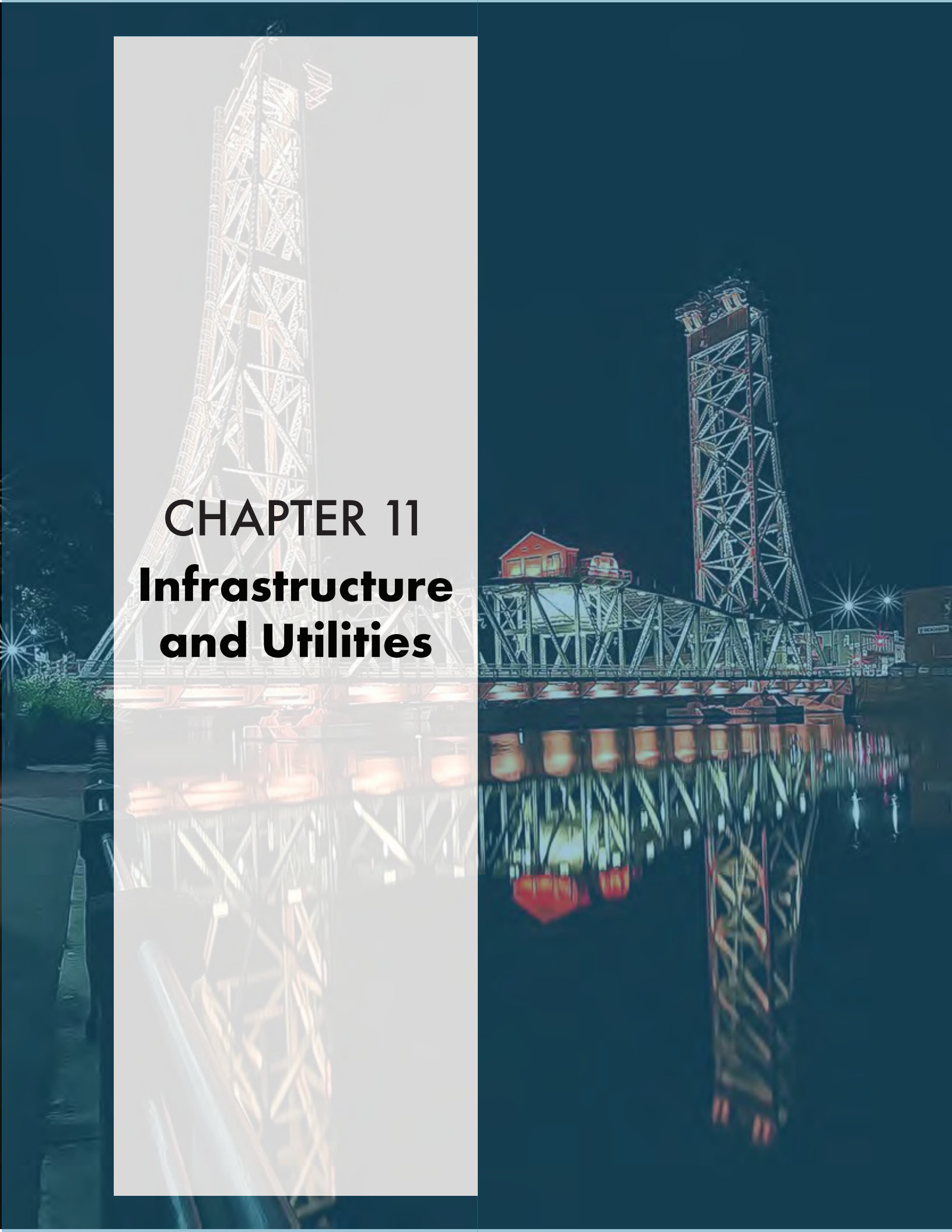
Trails will be continuous, safe, accessible, well-maintained, and convenient for all ages and abilities.

10.3.4.3 Develop supportive partnerships and programs

Social *infrastructure* shall support trails use in addition to the physical *infrastructure*. The City shall provide opportunities to connect with the community and create programs that can help encourage trail use.

10.3.4.4 Conceptual Trails

The Welland Parks, Recreation & Culture Master Plan, Community Trail Strategy, and Appendix 4 identify conceptual trail linkages in the City that would connect its communities to the Welland Canal Recreational Corridor. These trails linkages shall be further studied to develop detailed mapping routes and phasing.



CHAPTER 11
Infrastructure and Utilities

11 INFRASTRUCTURE AND UTILITIES

11.1 PLANNING OBJECTIVES

11.1.1 To Provide an Adequate Amount of Space to Accommodate the Needs of Infrastructure and Utilities

The City will ensure there is a sufficient amount of land designated to accommodate *infrastructure* and *utilities*.

11.1.2 To Reduce Potential for Land Use Compatibility Issues Related to Infrastructure

The City will ensure issues related to land use compatibility are addressed.

11.1.3 To Ensure the Safe and Efficient Provision of Power, Cable and Telecommunication Facilities

The City will work with the appropriate providers to ensure the safe and efficient provision of power, cable and telecommunications in an environmentally acceptable manner.

11.1.4 To Ensure that there is a Sufficient Planned Supply of Municipal Water and Sanitary Sewage Services in the Urban Boundary

The Region ~~of Niagara~~ is responsible for providing a supply of municipal sanitary sewer and water services within the City. The City will work closely with the Region to ensure there is a sufficient planned supply of sanitary and water services to meet long-term growth projections outlined in this Plan. The City recognizes the Region's Water and Wastewater Master Servicing Plan. ~~and Public Utilities Policies in the Regional Policy~~Official Plan~~, as amended from time to time.~~

11.1.5 To Ensure the Sustainable Planning, Design and Development of Water and Sanitary Sewage Services

The City will ensure that these systems are provided in a sustainable manner (i.e. they can be sustained by the water resources systems upon which such services rely) and that they are financially viable and protect human health and the natural environment.

11.1.6 To Ensure that all Development within the City is Appropriately Serviced

The City will ensure all new *development* within the Urban Area occurs on lands with access to full municipal services and necessary *utilities*. For lands outside of the Urban Area, the City will ensure

that *development*, where necessary, complies with the standards of, and are subject to, the approval of all applicable authorities / agencies.

11.1.7 Improve Water Quality and Reduce Stormwater Runoff

The City aims to improve water quality and reduce stormwater run-off by promoting proven innovative techniques for stormwater management.

11.1.8 Encourage Innovation and New Technology

In the provision of *infrastructure* and *utilities*, the City will encourage the use of proven innovative techniques and new technology.

11.2 POLICIES

~~**11.2.1 Planned Function**~~

~~The planned function of the *Infrastructure* and Utility designations is to allow for the efficient and effective use of land to accommodate *utilities* and infrastructure.~~

~~**11.2.2 Permitted Uses**~~

~~Uses include public and/or privately owned facilities, including water and sanitary sewage facilities, Stormwater Management Facilities, pumping stations, hydro corridors, communications/telecommunications *infrastructure* and facilities and transmission towers.~~

~~These facilities are permitted in all land use designations, subject to the Policies of this Plan.~~

11.2.1 New Infrastructure

Before consideration is given to developing new *infrastructure*, the City in collaboration with the Niagara Region shall optimize the use of existing *infrastructure* shown on Schedule D, and plan and direct growth in a manner that promotes efficient use of existing services.

11.2.2 Design

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. In addition, the ~~The~~ built form of new *infrastructure* and *utility* facilities will be in harmony with the character of the surrounding area and will be appropriately landscaped.

11.2.3 Necessary Public Utilities

New public *utilities* will be provided in accordance with the servicing needs of existing and future *development* and with economic, safety and environmental considerations.

11.2.4 Siting Renewable Energy Facilities

Subject to Provincial requirements, the City will review the siting of all renewable energy generation facilities within the context of the policies of this Plan.

11.2.5 Infrastructure Risk

The City and Niagara Region 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.

11.2.6 Water and Sanitary Sewage

11.2.6.1 General Water Supply

The City will work closely with the Niagara Region to ensure there is a sufficient planned supply of water capacity within the treatment plant to serve Welland and accommodate the long-term growth projections included in this Plan.

11.2.6.2 Water Supply within the Urban Area

All new *development* within the Urban Area is required to be connected to the water system as a condition of *development*. The water facilities shall be designed with considerations for reducing energy and greenhouse gas emissions.

11.2.6.3 Water Outside of the Urban Area

New *development* outside of the Urban Area which is consistent with other Policies of this Plan will only occur in instances where the City is satisfied that there is an on-site source of potable ~~clean and sustainable~~ water which is capable of serving the proposed *development*. The water facilities shall be designed with considerations for reducing energy and greenhouse gas emissions.

11.2.6.4 General Sanitary Sewerage

The City will work closely with the Niagara Region to ensure there is a sufficient reserve capacity within the sanitary treatment plant to serve Welland and accommodate the long-term growth based on the projections in this Plan.

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.

11.2.6.5 Sanitary Sewage Supply within the Urban Area

All new *development* within the Urban Area is required to be connected to the sanitary sewage system as a condition of *development*. The sanitary sewer facilities shall be designed with considerations for reducing energy and greenhouse gas emissions.

11.2.6.6 Sewage outside of the Urban Area

New *development* outside of the Urban Area which is consistent with other Policies of this Plan will only occur in instances where the City is satisfied that the proposed lot size, topography, soils, drainage and siting in accordance with the septic permit system. ~~will permit a Ministry approved sustainable on-site private waste collection system~~. The sanitary sewer facilities shall be designed with considerations for reducing energy and greenhouse gas emissions.

11.2.6.7 Infrastructure Planning

Infrastructure planning shall be aligned with land use planning, *infrastructure* investment and *watershed* planning.

11.2.6.8 Lot Creation and Sustainable Private Services

Outside the Urban Boundary, it is the objective of this Plan to ensure that all new lot creation establishes, and maintains in perpetuity, *sustainable private services* wherever municipal water and/or wastewater services are not available.

11.2.6.9 ~~Cisterns~~ Sewage Disposal Holding Tank

A privately maintained ~~cistern and~~ sewage disposal holding tank shall not be considered *sustainable private services* for the purposes of this Plan. No new lot creation shall be approved which is solely dependent upon the use of ~~a cistern and/or~~ a holding tank.

11.2.6.10 Sustainable Private Services

~~All new *development* located outside the Urban Area boundary shall provide *sustainable private services*.~~ The landowner is responsible for the maintenance, upkeep and repair of all private water supply and sewage disposal systems in accordance with applicable legislation.

11.2.6.11 Phasing

Schedule D shows the areas within the City which are serviced and those which will be serviced in the future.

11.2.6.12 Location

New water or wastewater facilities is the Niagara Region's responsibility and shall be located so as to reduce any potential negative impacts on surrounding uses and should not be located near *sensitive land uses*. The siting of new facilities is subject to requirements of the *Environmental Assessment Act*.

11.2.6.13 Communal Systems

Private communal sewage services and *private communal water services* are prohibited.

11.2.6.14 Default Responsibility Agreement

The City will not consider nor accept to becoming a party to a 'default responsibility agreement' for any private communal water supply or sewage treatment system as may be required pursuant to Ministry of the Environment, Conservation and Parks guidelines whether or not the existing or proposed *development* is permitted by this Plan or the Zoning By-law.

11.2.6.15 Service Failures

In the event that there are service failures of private systems outside of the Urban Area, the City will undertake a *comprehensive review* of its Official Plan and revisit the Growth Management Strategy to assess the implications of expanding full municipal services into rural areas where failures have occurred.

11.2.6.16 New or Expansion of Existing Municipal Water and Wastewater

Construction of new, or expansion of existing municipal water, and wastewater *infrastructure* should only be considered where the following conditions are met:

i. Where capacity exists;
ii. strategies for water conservation and other water demand management initiatives are being implemented in the existing service area;
iii. plans for expansion or for new services shall serve growth that achieves at least the minimum growth management targets and policies for *intensification* and density in this Plan; and
iv. 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.

v. Proposed construction or expansion is within the urban area boundary, except where otherwise permitted in this Plan.

11.2.6.17 Water licenses and sewage disposal system approvals

Where an extension of the existing water supply or sewage disposal systems is proposed consistent with Policy 11.2.6.16 of the Official Plan, the application will be subject to the City's or Region's water licenses and sewage disposal system approvals.

11.2.6.18 Lateral Connections

Lateral connections to Regional water or wastewater mains are discouraged within the urban area boundary, and are not permitted outside the urban areas' boundaries.

11.2.7 Stormwater

11.2.7.1 Stormwater Water Management Plan

A Stormwater Water Management Plan and Sediment Erosion Control Plan, prepared and signed by a qualified engineer, may be required depending on the scale, location and other site-specific issues related to a proposed *development*. Requirements for Stormwater Management and Sediment Erosion Control Plans are set out in Section 6 of this Plan.

11.2.7.2 Innovative Techniques

Where appropriate, ~~T~~the City encourages the use of innovative techniques to reduce the need for large S~~s~~tormwater M~~m~~anagement F~~f~~acilities, thereby reducing run-off and improving water quality. Innovative techniques and Low Impact Design practices include, but are not limited to, rainwater harvesting systems (rain barrels and cisterns), green roofs, landscape systems and vegetated swales, downspout disconnection and permeable surfaces.

11.2.7.3 Location

Stormwater Management Facilities should generally be located at the edge of neighbourhoods; at the interface with natural areas; and/or within large public open spaces, including community parks. Stormwater Management Facilities should not be located within the ~~Core~~ Natural ~~Heritage~~ Environment System or on *Hazardous Lands*.

11.2.7.4 Naturalization

Where appropriate, Stormwater Management Facilities shall be naturalized, making use of native plants and species in accordance with Chapter 6 The Natural Environment System.

11.2.7.5 Integration

Stormwater Management Facilities shall be designed to have a high level of public exposure and should be integrated in, and contribute to, the enhancement of the neighbourhood's public realm. Where appropriate, Stormwater Management Facilities should be designed so that approximately 50% of the perimeter is adjacent to public areas such as parks, trails and public road right of ways.

11.2.7.6 Safety

The design and layout of ~~stormwater management facilities~~Stormwater Management Facilities shall address issues related to safety and shall be designed with gentle slopes in areas with direct access. Areas with steeper slopes shall not have direct access and shall be designed to include overhangs, railings and dense plantings.

11.2.7.7 Guidelines

Stormwater Management Plans should be prepared according to the City's and ~~NPCA~~ Conservation Authority's current standards, and applicable guidelines. ~~including the NPCA's Stormwater Management Manual (or it predecessor) and the City of Welland's Municipal Standards Manual (or its predecessor)~~.

11.2.8 Power, Telecommunications, and Other Cabled Services

11.2.8.1 Location

New *development* within strategic growth areas including the Downtown, Local Growth Centres and Local Corridors will have local service power lines, communications/telecommunications *infrastructure* and other cabled services located underground in road rights-of-way, where feasible.

11.2.8.2 Land Use Compatibility

The City will encourage *utility* installations for telecommunications towers to be located outside of residential areas, where feasible. In instances where the facilities are of a scale and function which is perceived to present significant issues related to land use compatibility, *infrastructure* which must be located within residential areas or within close proximity to residential areas shall be designed to be compatible with the adjacent and surrounding land uses.

11.2.8.3 Design

Where feasible, the City will seek to have local service power lines, communications/telecommunications *infrastructure* and other cabled services located underground.

Above ground *utilities* shall be sited to reduce their visual impact on the streetscape and/or screened using street furniture and landscaping. The City encourages *utility* providers to consider innovative methods of containing *utility* services within streetscape features such as gateways, lamp posts, transit shelters, etc., when determining appropriate locations for large *utility* equipment and *utility* cluster sites.

11.2.8.4 Location and Siting of Large Utility Equipment

The City will ensure that appropriate locations for large *utility* equipment and cluster sites have been determined and that consideration be given to locational requirements for larger *infrastructure* within public rights of ways, as well as easements on private property.

11.2.8.5 Permissions

Utility infrastructure shall be permitted in all land use designations, subject to the policies of this Plan.

Utility providers proposing to locate, relocate, or replace a facility within a regional road allowance will require approval from the Niagara Region.

11.2.8.6 Servicing

The City will ensure that adequate *utility* networks, are or will be, established to serve the anticipated *development* through discussions with public and/or private *utility* providers.

11.2.8.7 Coordination

The City encourages all *utilities* to be planned for and installed in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruptions.

11.2.8.8 Joint Use of Rights-of-ways and Corridors

The joint use of rights-of-ways and corridors between private and public *utility* providers is encouraged wherever feasible to:

- To lessen the impact on the environment of uncoordinated alignments of multiple *utilities*; and
- Avoid land use and *development* conflicts.

11.2.9 Power Generation Facilities and Green Energy

~~Welland~~The City will encourage and support alternative and renewable-source energy generation facilities which are developed in accordance with this Plan, the Niagara Region, and Provincial and Federal legislation, policies, and regulations. Proposed developments will be

encouraged to locate in areas where their adverse impacts on *adjacent lands* and natural features are minimized and mitigated to the greatestextent possible. Where feasible and practical, power generation facilities which areprimarily buildings (e.g., cogeneration plant) may be encouraged to develop on *brownfield sites*. When evaluating proposals for alternative energy generation facilities, the City will consider the following:

i. Location of facility;
ii. Size and scale of proposed facility;
iii. Potential for land use compatibility issues with adjacent land uses and potential for adverse impacts related to air, noise, odour, vibration etc.;
iv. Potential for perceived risks to human health ~~and~~ , safety, and the environment; and,
v. Any additional considerations.

Developments which fall under the jurisdiction of the *Green Energy Act* do not require an Amendment to this Plan. *Development* may require a permit from the ~~Niagara Peninsula~~ Conservation Authority.

11.2.10 Energy and Water Conservation

~~Welland~~Where all potential *negative impacts* to *adjacent lands* are mitigated, the City shall encourage and support energy conservation, district heating and combined heat and power, and the on-site use of alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies, and regulations.~~, and where all potential *negative impacts to adjacent lands* are mitigated~~.

11.2.10.1 Energy Conservation Measures for Infrastructure

The City will also encourage the application of energy conservation measures in the*infrastructure* and *utility* servicing of new buildings and in the rehabilitation and upgrading of existing neighbourhoods, buildings and structures.

11.2.10.2 Water Conservation Measures

The City will encourage and support water conservation methods (such as efficient landscape irrigation, low water consumption fixtures, etc.) in the *development* of new sites and buildings and in the rehabilitation and upgrading of existing sites and buildings.

11.2.10.3 Passive Solar Gain

The City will encourage *development* to optimize opportunities for passive solar gain by providing guidance related to building orientation, the placement of trees and landscaping and the selection of building materials including but not limited to: cladding, energy-efficient glazing system, etc.

11.2.10.4 Energy Conservation Design Guidelines

The City may establish energy conservation design guidelines to encourage, ~~or require,~~ future *development* to implement energy conservation measures, that can include:

- reducing energy demands;
- promoting design and orientation to optimize passive solar energy gains;
- providing for on-site, renewable energy generation and co-generation and district energy systems;
- integrating green roofs into energy and water conservation strategies; and
- integrating active transportation and transit into *development* plans.

~~**11.2.11 Site Plan Control**~~

~~The *development* of all new *infrastructure* and *utilities* are subject to Site Plan Control.~~

11.2.11 Consultation

The City will consider the consultation protocols of the Indigenous communities that have traditional territory in this area, when engaging on planning matters or capital works projects.

11.2.12 Pipeline Infrastructure

11.2.12.1 Right of Way Crossings

TransCanada PipeLines Limited (TCPL) operates high pressure natural gas pipelines within its rights-of-way which cross through the City of Welland as identified in Schedule A.

11.2.12.2 TransCanada PipeLines Limited Regulation

TCPL is regulated by the Canada Energy Regulator (CER), which has a number of requirements regulating *development* in proximity to the pipelines, including approval for activities within 30 metres of the pipeline centreline.

11.2.12.3 TransCanada PipeLines Limited Consultation

New *development* can result in increasing the population density in the area, and may result in TCPL being required to replace its pipeline to comply with CSA Code Z662. Therefore, the City shall require early consultation with TransCanada for any *development* proposals within 200 metres of its facilities.

11.2.12.4 Setbacks from TransCanada PipeLines right-of-way

New *development* in proximity to a TCPL pipeline right-of-way shall incorporate appropriate setbacks in accordance with TCPL's development standards and the City's Zoning By-law.

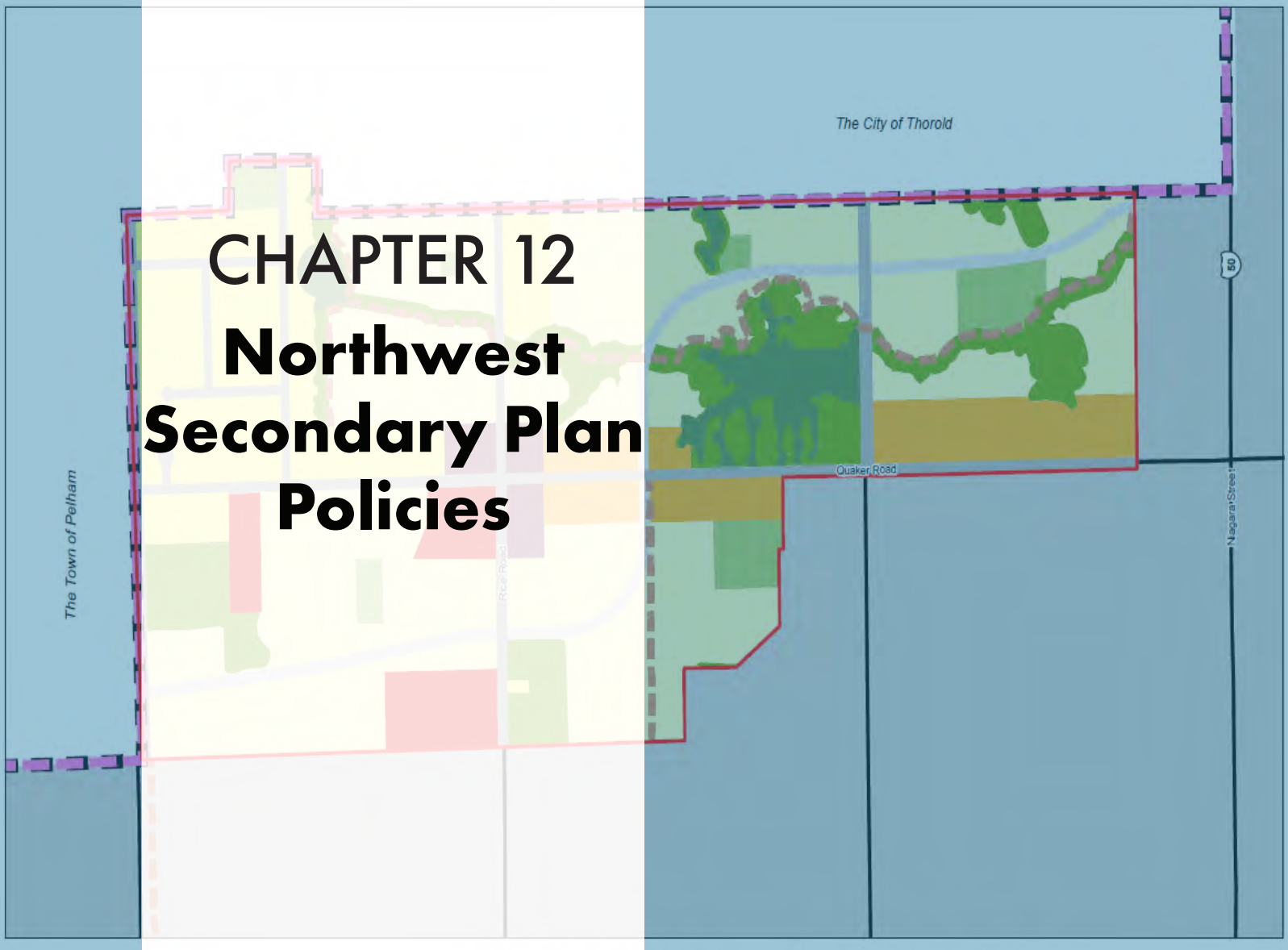
11.2.12.5 Uses of Right-of-Ways

The City will encourage the use of TCPL's right-of-way for passive parkland or open space subject to TCPL's easement rights.

11.2.13 Waste Management Facilities

11.2.13.1 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.

CHAPTER 12
Northwest Secondary Plan Policies



12 NORTHWEST SECONDARY PLAN POLICIES

12.1 BACKGROUND AND PLANNING CONTEXT

12.1.1 Northwest Welland is intended to accommodate future urban growth within the City through orderly, sequential and contiguous *Designated Growth Area development* along with infill in the *Built-up Area*. The Secondary Plan Area is well positioned for the establishment of a new complete community that will integrate with surrounding *Built-up areas*, provide connections, and effectively accommodate existing and planned *infrastructure*.

12.1.2 As delineated on Schedule F, the Northwest Welland Secondary Plan Area covers approximately 190 hectares of land along Quaker Road and is generally bound by the Town of Pelham and City of Thorold to the north, the Niagara College Welland Campus to the south, the rear lot lines of properties abutting Niagara Street to the east, and Line Avenue and Clare Avenue to the west.

12.1.3 Schedule F outlines the detailed land use designations for the Secondary Plan Area. Section 12.4 outlines the policies specific to each land use designation, which will direct *development* within the Secondary Plan Area, together with the vision and objectives for Northwest Welland as outlined in Section 12.2 and 12.3.

12.1.4 All *development* within Northwest Welland shall consider the design and built form direction of both the Welland Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.

12.1.5 The minimum density target for Welland's *Designated Growth Areas* shall be 50 residents and jobs combined per gross hectare.

12.2 Vision

Over time, Northwest Welland is envisioned to evolve into a complete community that will accommodate future growth and *development* in the City in a manner that respects the existing character and built form of the area, as well as the natural environment. New low-density residential areas will develop as extensions of existing established neighbourhoods within the community, and new medium-density residential growth will serve to intensify Quaker Road to the east of Rice Road, providing for a more walkable, transit supportive community close to parks, trails, and schools. The centralized mixed-use node located at the intersection of Quaker Road and Rice Road will provide intensified residential and commercial growth to help achieve a balanced community where residents can live, work, learn, and play.

12.3 Objectives

12.3.1 To protect and enhance natural heritage features, areas, and corridors of Northwest Welland within the City's broader linked *natural heritage system*.

12.3.2 To promote healthy and active living for all ages and abilities by providing active transportation options and developing a continuous and connected open space system, a safe and walkable pedestrian realm, and a trail system that links the community to destinations such as natural areas, parks, schools, stores, and *recreation* areas.

12.3.3 To create a unique and inclusive community for residents by providing for a diverse range of housing types and a variety of uses located within the area.

12.3.4 To maintain the low-density residential character of existing neighbourhoods, while developing a new community that is compact, connected, walkable, and diverse.

12.3.5 To reduce traffic congestion by providing a balanced road network for local residents, businesses, students, and visitors supportive of the public transit network.

12.3.6 To conserve, protect and integrate built and cultural heritage elements as per Section 6.~~.6~~ of this Plan.

12.3.7 To implement sustainable community design initiatives that ensure conservation of water resources and adaptation to climate change.

12.4 Land Use Structure

12.4.1 Low-Density Established Residential

12.4.1.1 **Planned Function**

The Low-Density Established Residential designation recognizes the existing residential neighbourhoods within the Secondary Plan Area.

12.4.1.2 **Permitted Uses**

Permitted uses for lands designated Low-Density Established Residential on Schedule F shall be in accordance with Section 4.2.2.2.2~~.~~ Low-Density Residential of this Plan.

12.4.1.3 **Scale**

Low-rise residential infill and *intensification* should respect and fit in with the character of existing low-density residential neighbourhoods, in terms of built form, scale and massing, in accordance with Section 4.2.2.2.3 and 4.2.3.1 Design Policies for Existing Neighbourhoods, and 4.2.3.6 Infill and *Intensification Development* of this Plan.

12.4.1.4 **Design**

i. The design of *development* for lands designated Low-Density Established Residential on Schedule F shall be in accordance with Section 4.2.2.2.4 Low-Density Residential of this Plan, except as modified below by the policies outline below.

ii. Low-density residential *development* within existing neighbourhoods shall reflect the design and built form direction of both the Welland's City-wide Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.

iii. Within the Low-Density Established Residential designation, new *development* shall reflect the predominant building type, height, scale, massing, and setbacks of the surrounding neighbourhood.

iv. Buildings should be street related, with consistent setbacks to create a harmonious relationship to the street.

v. Residential *development* shall be designed to retain existing trees and enhance existing vegetation wherever possible.

12.4.2 Low-Density Greenfield Residential

12.4.2.1 **Planned Function**

i. The Low-Density Greenfield Residential designation recognizes future low-density residential *development* areas on vacant designated lands.

ii. The density of lands designated Low-Density Greenfield Residential on Schedule F shall be planned in accordance with Section 4.2.2.2.1 Low-Density Residential of this Plan.

12.4.2.2 **Permitted Uses**

The permitted uses for lands designated Low-Density Greenfield Residential on Schedule F shall be in accordance with Section 4.2.2.2.2 Low-Density Residential of this Plan.

12.4.2.3 **Scale**

i. The scale of lands designated Low-Density Greenfield Residential on Schedule F shall be planned in accordance with Section 4.2.2.2.3 Low-Density Residential of this Plan.

ii. New low-density *development* should accommodate low-rise dwellings that are appropriately spaced and do not cause any adverse impacts from shadows or overlook and provide an appropriate transition of lot sizes adjacent to Low-Density Established Residential designations.

12.4.2.4 **Design**

i. The design of *development* for lands designated Low-Density Greenfield Residential on Schedule F shall be in accordance with Section 4.2.2.2.4 Low-Density Residential of this Plan, except as modified below by the policies outlined below.

ii. Low-density residential *development* within new neighbourhoods shall reflect the design and built form direction of both the Welland's City-wide Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.

iii. New residential *development* within the Low-Density Greenfield Residential designation shall be designed in accordance with Section 4.2.3.2 Design Policies for New Neighbourhoods of this Plan.

iv. Buildings should be street related, with consistent setbacks to create a harmonious relationship to the street.

v. Residential *development* shall be designed to retain existing trees and enhance existing vegetation wherever possible.

vi. Street plantings and additional on-site landscaping should be incorporated within new low-density residential neighbourhoods.

vii. Pedestrian safety and active transportation shall be supported in new neighbourhoods through the provision of sidewalks, walkways, trail connections, frequent intersections, attractive streetscapes, and landscaping.

viii. New lots are prohibited to back onto public streets.

ix. Where possible, buildings and lots are encouraged to front onto natural heritage features, parks, open spaces and trails.

12.4.3 Medium-Density Residential

12.4.3.1 **Planned Function**

i. The Medium-Density Residential designation is intended to provide for residential *development* at increased densities along Quaker Road, east of Rice Road within the Secondary Plan Area to support walkability, transit, and active transportation, as well as the viability of the future mixed-use node located at Quaker Road and Rice Road.

ii. The planned density of lands designated Medium-Density Residential on Schedule F shall be planned in accordance with Section 4.2.2.3.1 Medium-Density Residential of this Plan.

12.4.3.2 **Permitted Uses**

i. Permitted uses for lands designated Medium-Density Residential on Schedule F shall be in accordance with Section 4.2.2.3.2 Medium-Density Residential of this Plan.

12.4.3.3 **Scale**

i. Lands designated Medium-Density Residential shall have a maximum height of six storeys.

ii. The highest densities within this designation are encouraged to be developed adjacent to the Mixed-Use Designation area at Quaker Road and Rice Road.

12.4.3.4 **Design**

i. The design of *development* for lands designated Medium-Density Residential on Schedule F shall be in accordance with Section 4.2.2.3.4 Medium- Density Residential of this Plan, except as modified below by the policies outlined below.

ii. Medium-density residential *development* shall reflect the design and built form direction of both the Welland Urban Design Guidelines, as well as the Northwest Welland Urban Design Guidelines included as an addendum to the City-wide guidelines.

iii. *Development* within the Medium-Density Residential designation should provide appropriate transitions in heights, densities, and scale adjacent to the Low-Density Residential designation.

iv. Buildings should be oriented to front and define the street edge at a pedestrian scale. They should generally be placed on a site to respect a consistent setback and provide for continuity in built form that maintains a relationship to the street.

v. *Development* shall be designed and sited to provide a cohesive main street appearance along Quaker Road through the integration of landscaping and complementary built form elements.

vi. Direct vehicular access to individual dwelling units will not be permitted from Quaker Road. Buildings positioned to face Quaker Road should be accessed by rear lanes off a public street. Window streets are discouraged in order to allow dwellings to be located close to Quaker Road.

vii. The design and location of vehicular access points shall minimize their impact on the streetscape.

viii. Consolidated vehicular access points, paired driveways, and shared parking areas are encouraged on local streets to increase the boulevard space for street trees and on-street parking. Driveways are to be no wider than the width of the garage to minimize the amount of impermeable surfaces in front yards.

ix. New lots are prohibited to back onto arterial and collector roads.

x. Where possible, buildings and lots are encouraged to front onto natural heritage features,

parks, open spaces and trails.

12.4.4 Mixed Use

12.4.4.1 Planned Function

i. The intended function of the Mixed-Use Designation located at the corner of Quaker Road and Rice Road is to create a central mixed-use node that will provide a variety of retail opportunities to serve the needs of local residents living in close proximity to the area in a pedestrian and transit-oriented manner. The function of the Mixed-Use designation is also to provide opportunities for a range of higher density residential housing.

ii. The *development* of one or more privately-owned publicly accessible urban squares is encouraged at the intersection of Quaker Road and Rice Road. This space is envisioned to provide an internal focal point for the area and function as a public gathering space servicing the immediate neighbourhood and any visitors to the area.

12.4.4.2 Permitted Uses

i. The permitted uses for lands designated Mixed Use on Schedule F shall be developed in accordance with Section 4.4.2.5.2 Community Commercial Node of this Plan, except as modified by the policies outlined below.

ii. The intent of the Mixed-Use designation is to accommodate a mix of two or more permitted land uses on a site, either within the same building or integrated as separate buildings on the lot.

iii. Both stand-alone commercial buildings and mixed-use buildings accommodating commercial and residential uses are permitted within the Mixed-Use designation. Drive-through facilities will not be permitted.

iv. Permitted residential buildings shall be in the form of triplexes, fourplexes, townhouses, stacked townhouses, live-work buildings and low-rise apartment buildings.

12.4.4.3 Scale

i. Mixed use buildings are encouraged to be located closest to the intersection of Quaker Road and Rice Road. Buildings at this intersection should be the tallest within the Mixed-Use Designation, to a maximum height of 8 storeys.

ii. The minimum height for stand-alone commercial buildings shall be 2 storeys.

12.4.4.4 Design

i. The design of *development* for lands designated Mixed Use on Schedule F shall be developed in accordance with Section 4.4.2.5.4 Community Commercial Node of this Plan, except as modified by the policies outlined below.

ii. *Development* within the Mixed-Use designation shall reflect the design and built form direction of the Northwest Welland Urban Design Guidelines, included as an addendum to the Welland Urban Design Guidelines.

iii. Site and building planning should encourage the creation of a high-quality public realm within Northwest Welland's mixed-use node through the inclusion of landscaped areas, weather protective designs, building entrances and active built spaces and uses at the street line to enhance pedestrian safety and comfort.

iv. Buildings located at Quaker Road and Rice Road should be massed to establish a strong street edge and pedestrian environment.

v. All buildings should be located at or close to the street line and create a generally continuous building face to frame the street and to create a unified streetscape at a pedestrian scale.

vi. Principal building entrances, primary windows and signage shall face the sidewalk and provide direct access onto the public sidewalk.

vii. *Development* shall provide for a transition in heights and densities adjacent to Low-Density Residential areas and ensure that appropriate setbacks are proposed in relation to adjacent properties.

viii. Vehicular access points shall be consolidated where possible and common parking areas should be situated at the rear or side of lots. Where side yard parking is exposed to the street, it shall be screened by landscaping or built features in order to minimize impacts on streetscapes.

ix. Driveways to individual residential units along Quaker Road and Rice Road are not permitted, but consolidated driveways to commercial and mixed-use developments will be considered through the site plan approval process.

12.4.5 General Institutional

i. Institutional uses and sites within Northwest Welland are designated General Institutional on Schedule F. *Development* on these lands should be planned in accordance with Section 4.5 Institutional Areas of this Plan.

12.4.6 Parks, Open Space and Recreation

i. Lands designated Open Space and Recreation on Schedule F shall be developed in accordance with Section 7 ~~Parks,~~ Open Space and Recreation of this Plan, in addition to the policies outlined below.

ii. Within Northwest Welland, these lands should be developed and maintained as Neighbourhood Parks, which shall serve the immediate *recreation* needs of a neighbourhood within walking distance of the area being served.

iii. New Open Space and Recreation designations are symbolically shown on Schedule ~~F~~G and shall be further delineated at the time of *development* review and approval. *Development* of these lands should be designed in accordance with Section 7.2.1.6 Design of New Parks and Facilities of this Plan.

iv. While not shown on Schedule F, Parkettes should be also developed within the new low-density residential neighbourhoods of Northwest Welland in order to support increased access to greenspace for residents. The location of these areas will be further delineated throughout the *development* process. They should generally be located within a 200 to 400 metre walking distance of the neighbourhood area they serve.

12.4.7 Environmental Protection Area

i. Lands designated Environmental Protection Area on Schedule F shall be subject to the policies of Section 6 Natural Environment of this Plan.

12.4.8 Environmental Conservation Area

i. Lands designated Environmental Conservation Area on Schedule F shall be subject to the polices of Section 6 Natural Environment of this Plan.

ii. As shown on Appendix 5, a number of drainage features within Northwest Welland are identified as potential Headwater Drainage Features. A Headwater Drainage Feature Assessment shall be required to the satisfaction of the City and the Conservation Authority prior to approval of *development* adjacent to those drainage features. The assessment shall evaluate and classify the drainage feature status based on criteria established by the Conservation Authority and shall determine if the drainage features are to be maintained in-situ, can be relocated or can be removed.

iii. As shown on Appendix 5, a number of small *wetlands* less than 0.5 hectares in size are identified within Northwest Welland. Prior to *development*, evaluation of these *wetlands* should be undertaken to determine if they are *significant* and warrant protection.

iv. Where drainage features are to be removed, applications for *development* shall restore

lost functions through enhanced lot level controls as feasible.

v. Where drainage features are to be maintained or moved, applications for *development* shall use natural channel design techniques to maintain or enhance the overall productivity of the reach.

vi. Natural heritage corridors have been shown conceptually (not to scale) on Appendix 5. They follow natural features whenever possible and are intended to be of sufficient size, including *buffers*, to ensure the functionality and sustainability of the features within the *natural heritage system*.

vii. Any *development* or *site alteration* within a Corridor shall require the completion of an Environmental Impact Study which shall demonstrate how *development* can be located, designed and constructed to maintain and, where possible, enhance the *ecological functions* of the natural heritage corridor in linking the *natural heritage system* or where an alternative corridor can be accommodated.

viii. The following uses are permitted within natural heritage corridors:

- Trails,
- Stormwater management facilities, including Low Impact Development, if it can be demonstrated that these elements do not result in a negative impact on the *natural heritage system*, and;
- Streets, if they are designed with special features to facilitate safe movement of wildlife through the linkage. These features may include, but are not limited to, traffic calming measures, eco-passages, minimized road widths, naturalized zones along the road, reduced speed limits and speed humps, and special signage. Street design will be in accordance with urban design direction and the recommendations of supporting EIS work.

12.5 Other Policy Directions

12.5.1 Sustainability

i. New ~~D~~*development* should incorporate sustainable design features to conserve energy and resources, reduce greenhouse gas emissions and the urban heat island effect, prevent flooding, and protect drinking water supply.

ii. Green *infrastructure* and Low Impact Development measures for stormwater management are encouraged such as permeable paving, rain gardens, bioswales, green roofs and other techniques, shall be considered in the design of new *development* and implemented to the extent feasible, as determined by the *development* process.

iii. Land use patterns and transportation networks should be designed to support walking,

cycling and transit as preferred modes of transportation, in order to reduce traffic and encourage active and sustainable lifestyles for residents.

iv. A wide selection of native trees, shrubs and wildflowers should be used in landscaping, and the functional use of plant material in new *development* is encouraged to create microclimates that allow for energy conservation. Deciduous trees and shrubs should be chosen that shade windows from summer sun and allow sunlight to enter during the winter.

12.5.2 Transportation

i. The Northwest Welland Secondary Plan area shall be developed in accordance with Section 10 Transportation of this Plan.

ii. Detailed transportation impact analysis and studies are required to be submitted with planning applications for *development* along Rice Road and the future collector road. This analysis shall consider any impacts to the Regional Road network and consistency with any Regional study work.

iii. Any future access or road connection to a Regional Road is required to be reviewed and approved by the Region. Future access points shall be directed to the local road network instead of the Regional Road.

12.5.3 Infrastructure and Utilities

i. The Northwest Welland Secondary Plan area shall be developed in accordance with Section 11 Infrastructure and Utilities of this Plan.

ii. In addition to the policies of Section 11, the Secondary Plan area shall be serviced by a local sanitary collection system in accordance with the Northwest Welland Secondary Plan Municipal Servicing Conceptual Design Report dated May 2021, or any subsequent studies or updates as applicable.

iii. No individual servicing connections will be permitted to the Regional Trunk Sewer along Rice Road and Quaker Road.

12.5.4 Arts, Culture and Heritage

i. The Northwest Welland Secondary Plan area shall be developed in accordance with Section ~~9~~6.6 Arts, Culture and Heritage of this Plan, in addition to the policies outlined below.

ii. All proposed *development* within the Secondary Plan Area will require a Stage 2 Archaeological Assessment, which is to be submitted to the Province and Region of Niagara for review. The findings and recommendations of Archaeological Assessments

shall be incorporated into *development* plans where necessary and appropriate.

iii. Any proposed *development* on or adjacent to an identified or potential cultural heritage resource will require a Cultural Heritage Impact Assessment to further assess the cultural heritage value of the identified resource and to ensure that *significant* cultural heritage resources in the Secondary Plan Area are *conserved*.

12.5.5 Phasing of Development

i. *Development* shall progress in a logical, efficient, and fiscally responsible manner. Prior to the approval of any *development* applications within the study area, the City, in consultation with the Region, shall prepare a *phasing* plan demonstrating the cost-effective provision of municipal *infrastructure* and how the Secondary Plan area will build out over time.

ii. The phasing strategy for the Secondary Plan area shall consider:

- The integration of new *development* with existing *development*, resulting in a more contiguous, connected, and compact urban form;
- The provision of adequate municipal services (water, sanitary, stormwater) to accommodate the proposed growth in a cost-efficient manner;
- The ability of new growth to facilitate the provision of municipal services to existing privately serviced areas within the Urban Boundary;
- The provision of appropriate transportation facilities, and the availability of adequate capacity on the existing road network; and,
- The provision and adequacy of educational and social services, recreational facilities and other community services.

If one or more of these factors cannot be addressed to the satisfaction of the City and Region, the processing and/or approval of *development* applications may be held in abeyance, or deferred, until an appropriate service level or facilities can be provided.

iii. *Development* shall be phased in line with the timely provision of community facilities and *infrastructure* within each block represented by the existing boundary arterial roads.

iv. As a condition of approval of *development* in the Northwest Secondary Plan Area, where an application has been made for a *development* in advance of steps of the phasing plan, the City shall require the implementation of appropriate and reasonable measures and *development* agreements, which may include front ending agreements and/or cost sharing agreements, to ensure that the *development* in the Northwest Secondary Plan Area is coordinated and that the required commitments of funds, lands and services are secured and/or in place. These measures and agreements shall ensure that the reasonable costs

of the municipal and community *infrastructure*, land and/or facilities are fairly and equitably shared without adverse impact on the City's financial capability. The measures and agreements permitted by this policy shall be only those which are permitted by law and are otherwise agreed to by the landowner(s) and the City. The Cost Sharing Agreement and/or Front-Ending Agreement may deal with:

- Front-end or accelerated payment requirements;
- Local services as permitted in Sections 44(1) and 59(2) of the Development Charges Act;
- Matters to which the parties voluntarily agree; and/or,
- Other matters permitted by law.

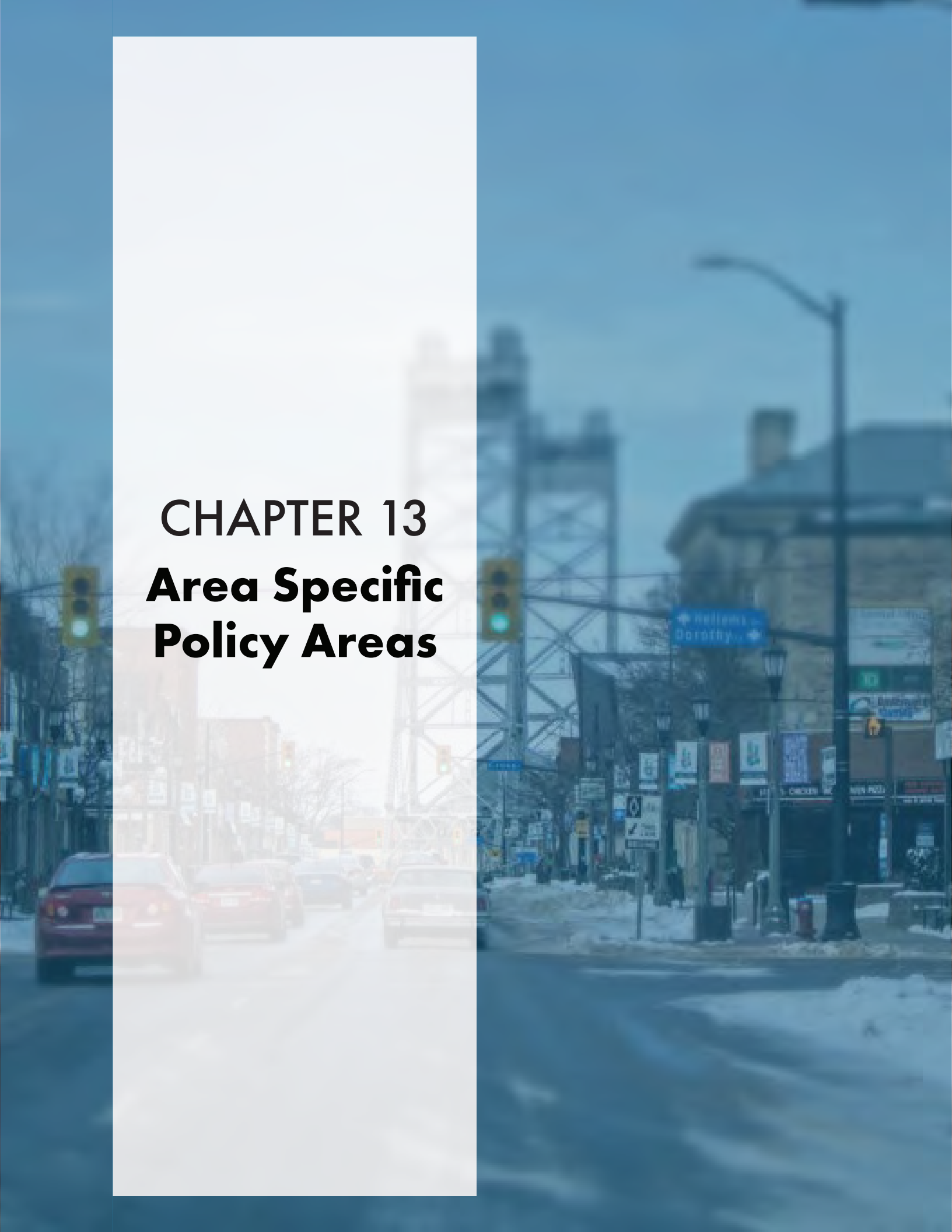
v. Nothing in this policy compels the City to enter into any agreements with any applicant landowner.

vi. Where an application has been made for a *development* in advance of the installation of *infrastructure* identified within this Secondary Plan as required to support the subject *development*, including both on-site and off-site services as well as upstream and downstream system requirements, Council may consider entering into a front-ending agreement with a developer, as a condition of approval, in accordance with City policies and procedures respecting such agreements.

vii. Planning applications within the Secondary Plan area shall be required to demonstrate how the proposal meets the intent of the phasing plan.

12.5.6 Implementation

The implementation of the Northwest Welland Secondary Plan will be in accordance with Section 14 Implementation of this Plan



CHAPTER 13
Area Specific Policy Areas

13 AREA SPECIFIC POLICIES

13.1 Area 1: Region of Niagara Landfill Site

13.1.1 Planned Function

Area 1 as shown on Schedule B, is the Humberstone landfill operated by the Regional Municipality of Niagara and is planned to function as a landfill for municipal household solid waste.

13.1.2 Permitted Uses

The permitted uses for Area 1 are limited to those uses which are associated with the operation of a landfill. The operations of the landfill site are subject to the legislative requirements of the *Environmental Protection Act.*

13.1.3 Design

The City encourages improvements to the design of the site which improve screening and buffering through the use of trees, vegetation and berming. The City also supports any improvements which help to reduce the potential for impacts associated with noise, dust and odour. Setbacks for adjacent land uses shall be consistent with the Ministry of the Environment policies and guidelines for landfill sites.

13.2 Area 2: Lyon's Creek East

13.2.1 Planned Function

Area 2 is an overlay designation which covers the limits of the Lyons Creek East Contaminated Sediment Strategy area. The Lyons Creek East Contaminated Sediment Strategy was developed as part of the Niagara River Remedial Action Plan, which identified portions of Lyons Creek East as having contaminated sediment on the creek bottom. This Policy provides direction for future land use change occurring on lands which fall within the limits and in the Subwatershed that flows into the Lyons Creek East Contaminated Sediment Strategy area, identified as Area 2 on Schedule B.

13.2.2 Permitted Uses

There are a range of land uses within Area 2, including Agricultural, ~~Core~~ Natural Environment System, Light Industrial, Gateway Economic Centre, Industrial, Transportation and Infrastructure. For a specific list of permitted uses, refer to corresponding land use designation and associated Policies contained within this Plan.

13.2.3 Design

Future *development* or *site alteration* of lands within and that drain into Area 2 shall have no impact on the existing deposits of contaminated sediments on the bottom of Lyons Creek East. During the planning and approval stage of any proposed *development* in the area of contaminated sediment, *redevelopment* or *site alteration*, specific consideration shall be given to the potential impacts of:

i. Stormwater flows and runoff;
ii. Construction; and,
iii. Maintenance and operations occurring on the lands of any new *development*.

For proposed *development*, *redevelopment* or *site alteration* that occurs on lands outside of, but drain into Area 2, consideration shall be given to the potential impacts of stormwater flows and runoff.

13.2.4 Other Policies

13.2.4.1 *Consideration of the Niagara River Remedial Action Plan and the Lyons Creek East Contaminated Sediment Management Strategy*

When undertaking any operations or projects within Area 2, the City will consider the Niagara River Remedial Action Plan and the Lyons Creek East Contaminated Sediment Management Strategy.

13.2.4.2 *Sediment Management and Remediation*

The City supports the management and remediation of contaminated sediments through natural recover, within Lyons Creek East.

13.3 Area 3: Lands South of Regional Road 58A and West of the Welland Recreational Canal

13.3.1 Planned Function

13.3.2 Area 3 is an interim designation for lands newly incorporated within the Urban Area. The interim planning function of the lands designated as Area 3 as shown on Schedule B are to:

- Indicate those lands for which the final land use designations and policies are awaiting the outcome of planning studies.
- Conduct secondary planning and/or major planning studies that establish long-term *development* policies for the subject lands.
- Establish interim *development* policies.
- Identify the requirements for the secondary planning and major planning studies.

13.3.3 Other Policies

13.3.3.1 Secondary Planning or an equivalent process shall be conducted for Area 3 in accordance with Section 14.3 of this Plan.

13.3.3.2 The secondary planning studies and/or major planning studies for Area 3 shall be conducted in accordance with Section 14.3.2 of this Plan.

13.3.3.3 The findings of the studies referred to in Section 14.3 shall be implemented through an amendment to this Plan.

13.3.4 Permitted Uses

Permitted uses in Area 3 are limited to existing uses, as well as those specifically identified in Sections 5.1.2.2 and 5.4.2.2.



CHAPTER 14
Implementation

14 IMPLEMENTATION

14.1 GENERAL

Where the Policies in this Section identify requirements or standards, they are intended to express the minimum expectations for implementation of this Official Plan and should specific land use Policies dictate higher standards elsewhere in this Plan, then those higher standards shall prevail.

14.2 PLANNING STUDIES

14.2.1 Studies, Resources and Findings

The City may undertake planning studies, from time-to-time, in order to monitor progress of planning initiatives, understand new trends, ensure an appropriate response is provided for issues which may arise, or for any other purpose deemed suitable by the ~~General Manager~~ Director~~,~~ of Planning and Development Services, Committee or Council. The City will dedicate sufficient resources, or seek partnership funding~~,~~ for planning studies so that the work can be undertaken with appropriate professional diligence. The City may implement the findings of a planning study with a follow-up Official Plan Amendment, a Secondary Plan, a Zoning By-law Amendment, a By-law or any mechanism deemed appropriate.

14.2.2 Studies by other agencies

Should other agencies undertake planning studies which may have implications to Welland, the municipality will encourage that its interests be represented on an advisory committee, steering committee, etc. If deemed appropriate, themunicipality may also contribute resources to assist with the study.

14.3 SECONDARY PLANS

14.3.1 Impetus for Secondary Plans

The City of Welland may undertake a planning study and implement a Secondary Plan in order to guide the *development* or *redevelopment* of a specified area of the municipality. The City may also require a proponent to undertake a planning process and prepare a Secondary Plan, to the satisfaction of the City, in order to guide *development* within a designated area. The Secondary Plan provides a greater level of detail than provided by the Official Plan. Examples of situations which may warrant a Secondary Plan include, but are not limited to:

i. New *Designated Growth Areas* 15 ha or larger introduced through Settlement Area Boundary Expansion ~~Large areas for Greenfield development~~;

ii. ~~Older r~~Residential, non-residential, or mixed-use areas which are in transition or experiencing land use compatibility issues;

iii. *Built-up areas* undergoing major change, including the Regional Growth Centre, and other areas identified for significant *intensification* or revitalization. ~~Residential, non-residential or mixed uses areas which are experiencing~~pressure for land use conversion or *intensification*; and/or,

iv. Areas which have been designated for heritage protection under the *Heritage Act*.

14.3.2 Scope and Requirements for Studies Supporting Secondary Plans

The City shall prepare a Terms of Reference in consultation with the Conservation Authority, where applicable, to determine the required planning studies. The planning study and resulting Secondary Plan will address, as appropriate:

i. Land use;

ii. Natural environment system;

iii. Natural and human-made risks;

iv. Transportation;

v. Water and wastewater servicing;

vi. Stormwater management (and a subwatershed or scoped subwatershed study);

vii. Mitigation of *negative impacts*;

viii. Climate change adaptation impacts;

ix. Sustainable design;

x. Urban design;

xi. Archaeology, built and cultural heritage;

xii. Culture;

xiii. *Utilities*;

xiv. Economics;

xv. Municipal finance; and,

xvi. Air Quality.

14.3.3 Cost Sharing and Front Ending Agreements

To advance the delivery of secondary plans or *infrastructure*:

i. Cost share agreements shall be entered into between landowners for the provision of public community and *infrastructure* facilities such as parks, collector roads, road improvements, internal and external services, stormwater management facilities, public/private *utilities* and school sites. Where a cost sharing agreement is in place for a specific area, the City shall require that, as a condition of *development* approval,

development proponents enter into one or more developers' group agreements to address the sharing of these costs.

ii. The City may enter into Front Ending Agreements for the provision of public *infrastructure* in advance of the Niagara Region or City's planned provision of the *infrastructure*, and such costs will be recuperated through Development Charges.

14.3.4 Stakeholder Consultation

The planning study will be undertaken with appropriate stakeholder consultation. A minimum of one Statutory Public Hearing and one Public Open House will be held in advance of the Secondary Plan's adoption.

14.3.5 Privately Initiated Secondary Plans

Privately initiated secondary plans should be undertaken based on terms of reference approved by the City, in consultation with the Conservation Authority where applicable, prior to development of the secondary plan.

14.3.6 Development Application in Advance of City Led Secondary Plan

Where an adopted Secondary Plan is required by this Official Plan is not yet in-effect and a *development* application is submitted within the Secondary Plan area, the *development* application shall demonstrate:

i. 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;

ii. 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;

iii. How the *development* contributes to:

- A diversity and mix of land uses;
- A mix of built form;
- High quality urban design and public realm;
- Provision of park and open space;
- Appropriate refinement implementation of the Natural Environment System;
- Adequate provision of *infrastructure*, including transit and active transportation;
- Planning approaches that support sustainable and resilient communities; and
- Co-location of *public service facilities* within community hubs, where appropriate,

and adapting existing *public service facilities* and spaces a priority.

iv. How the *development* will align with the requirements of:

- A subwatershed study where applicable;
- A functional servicing study or *infrastructure* review;
- A transportation study
- A *development* phasing plan, if applicable; and
- Any other studies determined through Pre-Consultation or as required.

14.3.7 Secondary Plan Monitoring

The City shall monitor the build out of secondary plan areas to determine how they are meeting any targets set out in the Secondary Plan.

14.3.8 Implementation of Secondary Plans

Lands part of a Secondary Plan approved prior to July 1, 2012, without an approved Draft Plan of Subdivision or Plan of Condominium shall be subject to the mapping and policies of this Official Plan.

14.4 ZONING BY-LAW

14.4.1 Conformity with Official Plan

14.4.1.1 Zoning to Conform

The Zoning By-law is one of the primary tools for implementing the Official Plan. In accordance with the *Planning Act*, the Zoning By-law shall be updated so that it is in conformity with the Official Plan.

14.4.1.2 Scope of Zoning Regulations

The Zoning By-law shall contain regulations to control the amount and type of *development* with respect to matters such as:

i. Permitted uses;
ii. Location of uses;
iii. Lot areas and dimensions;
iv. Floor areas;
v. Siting of *development* relative to the lot;
vi. The portion of the site which can be occupied by buildings or structures;
vii. Densities of residential land uses;
viii. Densities of non-residential land uses;

ix. The bulk and massing character of buildings;

x. Requirements of parking and loading areas;

xi. Requirements for landscaping; and,

xii. Any other such regulations or requirements which may be allowed to becontrolled through a Zoning By-law as enabled by the *Planning Act*.

14.4.1.3 Non-Conforming or Non-Compliant Development

The City shall ~~discourage~~ encourage applications to change the use of buildings or land from a legal non-conforming or legal non-compliant use where the present use is inconsistent with the policies of this Plan. However, the plan shall not prohibit the continued operation of legal non-conforming or legal non-compliant uses at the time this Plan is approved.

The passing of a by-law or amendment shall not recognize illegal uses which are inconsistent with the policies of this Plan.

Expansions to existing buildings and structures, accessory structures and existing uses, as well as conversions or *redevelopment* of legally existing uses that bring the legal non-conforming use more into conformity with this Plan, are permitted subject to demonstration of the following:

- New municipal services are not required; and
- The use does not expand into Natural Environment System and *water resource system*, 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.

14.4.2 Interim Control By-Law

14.4.2.1 Purpose of Interim Control By-Law

Where Council has, by By-Law or Resolution, directed that a study be undertakenregarding its land use planning policies or Zoning regulations for the City or any defined area or areas thereof, it may pass an Interim Control By-law prohibiting the use of land, buildings or structures within the area defined by the By-law, except for such uses as are set out in the By-law.

14.4.2.2 Time Limit of Interim Control By-Law

An Interim Control By-law shall apply for a limited period of time subject to the provisions of the *Planning Act*.

14.4.3 Minor Zoning By-law Amendments

14.4.3.1 Purpose of Minor Zoning By-law Amendments

Where Council has, by By-law or Resolution, delegated the authority to pass by-laws per of the Planning Act, that are minor nature, to the Director of Planning and Development Services. The Director of Planning and Development Services may pass by-laws related to:

- A by-law to assist in the interpretation of the Zoning By-law or for clerical changes; and
- Minor Zoning By-law Amendments.

14.4.3.2 Scope of Minor Zoning By-law Amendments

A minor Zoning By-law Amendment applies to the following:

- Extension of a zoning boundary where a property is dual zone or to reflect an addition of lands; and
- To permit a use not specified in the Zoning By-law but conforms to the Official Plan.

14.4.3.3 Criteria for Minor Zoning By-law Amendments

A Minor Zoning By-law Amendment in accordance with Policy 12.4.3.2, is subject to the following criteria:

i. An Official Plan Amendment is not required, and the proposal must conform to the City's Official Plan; and
ii. A Draft Plan of Subdivision is not required in accordance with the City's Official Plan.

14.4.4 Holding Provisions

14.4.4.1 Purpose of Holding

The Zoning By-law will incorporate provisions for Holding Zoning which may be applied on lands where the lands are pre-zoned for a use, but presently there exists a number of conditions which must be satisfied prior to *development*. Lands subject to Holding Zoning will be identified with an "H" symbol beside the land use symbol on the Zoning map.

14.4.4.2 Application of the Holding Provision

Holding provisions will be applied where there is a need for additional conditions which cannot be applied on a pre-zoning basis or through the Site Plan Approval process.

14.4.4.3 Interim Uses for Lands Subject to Holding

The Zoning By-law may specify interim uses which may be deemed compatible and/or permissible, even though lands are subject to a Holding Provision.

14.4.4.4 Lifting of the Holding Provision

The Zoning By-law will be amended to remove the Holding symbol when it has been determined that the conditions requiring the Holding have been satisfied. Such conditions may include, but are not limited to:

i. Completion of special studies related to the area, or site's opportunities or constraints, or the impact of *development* and mitigation thereof;
ii. The grading of the site;
iii. The provision of road *infrastructure*, including, but not limited to, the roadbase, streetlights, signage and traffic control signals;
iv. The provision of water, wastewater, or stormwater servicing for the lands;
v. Satisfying certain financial requirements of the municipality;
vi. Any other matter provided for by the provisions of the *Planning Act*.

14.4.4.5 Stakeholder Consultation

Consultation related to lifting of the Holding Provision will be done in accordance with the *Planning Act*.

14.4.5 Temporary Use By-Law

14.4.5.1 Purpose of Temporary Use By-Law

Provided the general intent and purpose of the Official Plan are maintained, Council may pass By-laws to authorize the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by this Plan, for renewable periods not exceeding three years, in accordance with the *Planning Act*.

14.4.5.2 Considerations

In enacting a Temporary Use By-law, Council shall have regard for the following matters:

i. compatibility of the proposed use with surrounding land uses;
ii. any requirement for temporary buildings or structures in association with the proposed use;
iii. any requirement for temporary connection to municipal services and *utilities*;
iv. the potential impact of the proposed use on transportation facilities and traffic in the immediate area;
v. access requirements for the proposed use;
vi. parking requirements for the proposed use, and the ability to provide adequate parking on-site; and,
vii. any potential long-term impacts associated with the proposed temporary use.

14.4.5.3 Temporary Uses

In general, temporary uses, buildings and structures that are not farm related shall not be permitted in Agricultural areas. Temporary uses shall be compatible with existing and future *agricultural uses*, will not compromise the properties intended agricultural use and no non-farm buildings or structures are proposed.

14.4.6 ~~Bonus Zoning Community~~ Benefits Charges

14.4.6.1 Purpose of ~~Bonus Zoning.~~ Community Benefit Charges

~~The City may use Bonus Zoning in accordance with the provisions of the *Planning Act* in order to permit increases in the height and/or density limits applicable to a proposed *development* in return for the provision of such facilities, services, or matters as are set out in the By-law.~~

The City may pass a Community Benefit Charge By-law in accordance with the provision of the *Planning Act* in order to cover the capital costs of facilities and services required as a result of *development* or *redevelopment*.

14.4.6.2 Scope of Community Benefit Charge

A Community Benefit Charge may apply to:

i. Approval of a Zoning By-law Amendment Application;
ii. Approval of a Minor Variance Application;
iii. Transfer of Land;
iv. Approval of a Plan of Subdivision;
v. Approval of a Consent Application;
vi. Approval of Plan of Condominium Application; and
vii. Approval of Building Permit.

14.4.6.3 Exclusion of Community Benefit Charge

A Community Benefit Charge does not apply to:

i. A *development*/*redevelopment* or proposed building or structure less than five storeys;
ii. A *development*/*redevelopment* of proposed building or structure with less than 10 residential units;
iii. A *development*/*redevelopment* of a building or structure intended for use as a long-term care home as defined by the Province;
iv. A *development*/*redevelopment* of a building or structure intended for the use as a retirement home as defined by the Province;

v. A *development*/*redevelopment* of a building or structure intended for the use of post-secondary institution including: a publicly-assisted university, college or university, and Indigenous institute;

vi. A *development*/*redevelopment* of a building or structure intended for the use as a hospice; and

vii. Non-profit housing *development* as defined by the Province.

~~**14.4.6.4 Applicable Land Uses**~~

~~Bonus Zoning provisions may be allowed for all forms of development; however, the City reserves the right to allow Bonus Zoning for only specific land use or area in order to achieve the goals of the Official Plan, Secondary Plan, etc.~~

~~**14.4.6.5 Benefits Suggested for Bonus Zoning**~~

~~Bonus Zoning may be offered for the provision of, but should not be expected foror may not be limited to:~~

~~i. Daycare facilities;~~

~~ii. The provision of underground parking;~~

~~iii. Parks facilities significantly above the minimums required by the City and the *Planning Act*;~~

~~iv. *Recreation* or community centres;~~

~~v. Specific types of housing, such as housing for low and moderate income groups,senior citizens and people with physical disabilities ;~~

~~vi. Substantial transit amenities or facilities significantly beyond those requiredby the City;~~

~~vii. Public art; and/or,~~

~~viii.The substantial conservation of natural, built or cultural heritage featuressignificantly beyond those required by the respective agencies.~~

~~**14.4.5.6. Mutual Benefit and Appropriate Scale**~~

~~The height or density bonus should be reasonably aligned to the cost/benefit provided by the facilities, services, or matters, and must result in a substantial net benefit to the general public. Under no circumstances will the height or density bonus result in a scale of development which is incompatible with adjacent uses orexceed the capacity of municipal services. To this end, the City may place a cap onany height or density bonus offered.~~

~~**14.4.5.7 Agreements**~~

~~As a condition to the application of Bonus Zoning provisions to a proposed development, the owner of the subject land will be required to enter into an Agreement with the City, to be registered against the title to the land. The Agreement will deal with the facilities, services, or matters which are to be provided, the timing of their provision, and the height or density bonus to be given.~~

~~14.4.7 Zoning with Conditions~~

~~14.4.7.1 Purpose of Zoning with Conditions~~

~~The City may use Zoning with Conditions, once Provincial regulations are established, in order to encourage the specific mixing of land uses which is planned to support development, *redevelopment*, revitalization, or *intensification* in certain areas.~~

~~14.4.7.2 Applicable Land Uses~~

~~It is anticipated that Zoning with Conditions will be principally used in mixed use areas or *redevelopment* areas in order to achieve the goals of the Official Plan, Secondary Plan, etc..~~

~~14.4.7.3 Use of Conditions~~

~~In Zoning categories which provide for Conditional uses, the Zoning By-law will stipulate which uses are permitted and which uses are Conditional upon the existence of certain permitted uses. The Zoning By-law may place a limit on the gross floor area, height, or density of any permitted or Conditional use in Zoning categories which provide for Conditional uses.~~

~~14.4.7.4 Change in Use~~

~~If the owner intends to change the land use in a *development* which was permitted through Conditional Zoning resulting in non-compliance of the *development* with the Conditional Zoning, then the new *development* will only be permitted if justified by a Zoning By-law Amendment and/or Official Plan Amendment.~~

~~14.4.8 Flexible Zoning~~

~~14.4.8.1 Mix of Housing Types~~

~~Flexible zoning refers to sites which are zoned to allow for a mix of housing types and may include any combination of two or more of the following:~~

~~i. Low density, including singles, semi-detached, and duplex houses;~~

~~ii. Medium density, including townhomes, triplexes, four-plexes and apartment buildings; and,~~

~~iii. High density, including medium and high-rise apartment buildings.~~

~~Where the City has applied flexible zoning standards to a residentially designated property an application to amend the Official Plan is not required to permit the mix of housing types permitted in the Zoning By-law.~~

~~*14.4.8.2 Mix of Densities*~~

~~Where the City has applied flexible zoning standards to a residentially designated property, the planned densities contained within the Residential Section of this Plan shall apply only to the portion of the property which is dedicated to the corresponding housing type.~~

14.5 GUIDELINES

14.5.1 Purpose of Guidelines

Guidelines may ~~will~~ be prepared and may contain standards and performance criteria which are too detailed or require interpretation beyond the Policies and regulations normally appropriate in an Official Plan or Zoning By-law, respectively. Guidelines may be prepared which provide, but are not limited to:

i. Specific direction for the preparation and review of *development* proposals;
ii. Specific direction for the preparation of supporting studies for *development* proposals;
iii. Themes, approaches or intentions related to the architectural or landscape treatment of the municipality, an area, neighbourhood, or site;
iv. Themes, intentions or approaches for the planning or design of public *infrastructure*; and/or,
v. Themes, approaches or intentions related to sustainable design, ecological design, or climate change adaptation for the municipality, area, neighbourhood or site.

14.5.2 Stakeholder Consultation

Guidelines will be prepared with appropriate stakeholder consultation. The City will also consider the consultation protocols of the Indigenous communities that have traditional territory in this area. A public open house or other public consultation may be conducted in advance of the guideline's acceptance.

14.5.3 Public Record

A record will be maintained of all guideline documents and copies of both the record and the guideline documents will be made available to the public.

14.5.4 Regional Guidelines

Where a guideline has been adopted by Regional Council, the City will have regard for the content and maintain consistency, where possible.

14.6 PLANS OF SUBDIVISION

14.6.1 Purpose of Plans of Subdivision

~~As the preferred method of lot creation,~~ Plans of Subdivision will be required for lot creation in situations where lot creation by consent is not appropriate.

14.6.2 Evaluation of Plans of Subdivision

Applications will be evaluated on the following minimum criteria:

~~Consistency~~

i. Conformity with the is Official Plan, ~~Official Plan,~~ Secondary Plan and any other applicable plans and policies;
ii. Availability of servicing without undue financial commitment by the City;
iii. Suitable provision of municipal services including, but not limited to, public streets, water, storm and sanitary sewers, waste collection and disposal in accordance with Region's Waste Management Strategic Plan, publicand/or private *utilities*, fire and police protection, parks, schools, and other community facilities;
iv. Exposure to noise, air pollution and other *negative impacts*, along with suitable mitigation measures;
v. Integration with surrounding land uses;
vi. Integration with the transportation network;
vii. Impacts to, and mitigation of, *negative impacts* on the natural environment;
viii. Optimization of the supply, means of supplying, efficient use and conservationof energy;
ix. The provision of appropriate urban design and landscaping for the proposed*development*;
x. Compliance with applicable City guidelines;
xi. ~~Exposure to nearby air pollution and mitigation of impacts~~; and
xii. Stormwater Management

14.6.3 Conditions of Approval

As a condition of draft plan of subdivision approval, the City may require proponents to satisfy certain conditions prior to final approval and registration of the plan. The applicant shall be required to meet the conditions within three yearswhich, if not met, may cause the approval to

lapse. To ensure that conditions are bound to the owner and the land, the City shall require the proponent to enter into a Subdivision Agreement which will be registered on title.

14.6.4 Extensions of Draft Approval

14.6.4.1 In considering a request for an extension to draft plan of subdivision approval, where appropriate, the City will ~~work with the Regional Municipality of Niagara and the Conservation Authority to~~ ensure that current conditions, based on new or updated policies, guidelines and community standards, are applied and determine if updates are required.

14.6.4.2 ~~Only one extension to~~ A lapsing draft plan of subdivision ~~shall~~ may be approved by City ~~Welland~~ Council or its delegate subject to it being demonstrated that concerted effort and progress has been made towards satisfying existing conditions of approval. ~~for a period of up to two years unless:~~

~~i. The draft plan meets the growth management and environmental policies of the Regional and Welland Official Plans.; and~~

14.6.5 ~~Existing Draft Approval~~ Plans of Subdivision Not Deemed Registered

The City will review existing plans of subdivision that have been registered for eight years or more, that have had no construction occur or *infrastructure* installed on-site, and do not meet the growth management objectives of this Plan, and where appropriate, the City may deem it not be a registered plan and may amend the site-specific designations and zoning accordingly.

14.7 PLANS OF CONDOMINIUM

14.7.1 Purpose of Plans of Condominium

Plans of Condominium will be required for the creation of units, common elements and exclusive use common elements through the registration of a Plan of Condominium in accordance with the *Condominium Act* and the *Planning Act*.

14.7.2 Types of Plans of Condominium

Plans of Condominium subject to policy 14.7.1 include:

- Standard Condominium
- Common Element Condominium
- Vacant Land Condominium
- Conversion from Rental to Condominium

14.7.3 Minimum Number of Units

The condominium will be developed with a minimum number of units to ensure adequate, reasonable, and independent operation of the condominium corporation.

14.7.4 Common Elements

Common elements in condominium corporations will be permitted unless the City requires public ownership of the lands for purposes of:

i. pedestrian or vehicular access, including any part of a public road allowance;
ii. the construction, maintenance and repair of public facilities and services;
iii. safeguarding *significant* natural features;
iv. planned trail systems; or,
v. the proposal is not otherwise in the public interest.

14.7.5 Vacant Land Condominium

The same considerations and requirements for the evaluation of draft plans of subdivisions shall apply to draft plans of vacant land condominiums.

14.7.6 Condominium Agreement

As a condition of draft plan of condominium approval, the City may require proponents to satisfy certain conditions prior to final approval and registration of the plan. The applicant may be required to meet the conditions within a specified time period, which, if not met, may cause the approval to lapse. To ensure that conditions are bound to the owner and the land, the City shall require the proponent to enter into an Agreement which will be registered on title.

14.8 SITE PLAN CONTROL

14.8.1 Site Plan Control Area

Council shall adopt a By-law to designate the entire area of the City as a Site Plan Control Area. All types of *development* or *redevelopment* shall be subject to Site Plan Control provisions with the exception of the operation of licensed pits and quarries, single-detached, semi-detached, residential developments of ten units or fewer~~three unit dwelling~~ or duplex dwellings, interior design, and additions or renovations thereto.

14.8.2 Development or Redevelopment

For the purposes of the Plan, *development* or *redevelopment* shall be defined as the construction, erection, or placing of one or more buildings or structures on land,or the making of an addition or alteration to a building or structure that has the effect of substantially increasing its size or usability, or the laying out and establishment of a commercial parking lot.

14.8.3 Site Plan Requirements

Plans showing the location of all buildings, structures, ~~and facilities~~ to be developed and areas of work, and drawings showing plan, elevation, and cross-section views for each building to be erected, will be required as part of the Site Plan Approval process. In accordance with the *Planning Act*, the requirement for the submission of drawings shall also include residential buildings containing more ~~than but less~~ than twenty-five dwelling units.

14.8.4 Site Plan Applicability

As it relates to Site Plan Applications and set out in the Planning Act, *development* subject to Site Plan Applications generally includes:

i. The construction, erection or placing of a building on land or alteration that increases the sizes or useability;
ii. Laying out and establishment of a commercial parking lot or the parking of three or more trailers (including mobiles homes)
iii. Construction, erection or building of three or more land lease community homes, meaning permanent structure where the owner of the dwelling leases land.

Site Plan Applications do not apply to the placement of portable classrooms on school sites of district school boards that existed prior to January 1, 2007, and the construction, erection or placing of a building/structure for residential purposes on a parcel of land that will contain no more than 10 residential units.

14.8.5 Evaluation of Site Plan Applications

The following will be considered in the evaluation of applications:

i. location, massing, and conceptual design of buildings and structures;
ii. location and design of vehicular and pedestrian access points;
iii. location and design of off-street parking and loading facilities;
iv. facilities for on-site pedestrian and vehicular circulation;
v. road widening;

vi. location and design of on-site exterior lighting which minimizes off-site impacts, landscaping, buffering, fencing,outdoor storage, and garbage disposal facilities;

vii. the use of dark sky compliant lighting from all structures;

viii. measures to minimize any loss of sunlight and privacy to adjacent properties;

ix. measures to minimize noise and odour to adjacent properties;

x. location and design of outdoor recreational areas;

xi. location of external facilities and works;

xii. easements over, and grading of, lands;

xiii. provisions for stormwater management and drainage;

xiv. the use of appropriate soils for on-site sewage systems;

xv. available capacity of municipal *infrastructure*;

xvi. facilities designed to have regard for accessibility for persons with disabilities;

~~xvii. matters relating to exterior design including elements pertaining to character,scale, appearance and design features of buildings and their sustainable design;~~

xvii. matters related to exterior access for *affordable* housing units;

xviii. the sustainable design elements on any adjoining roadway under the City's jurisdiction, including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and,

xix. green *infrastructure*, such as naturalized retention ponds and rain gardens to increase stormwater offset;

xx. maintenance of native tree cover and vegetation on the lot where the terrain and soil conditions permit;

xxi. provision for the City to enter into one or more Agreements with applicants, toensure that *development* proceeds in accordance with the proposal and City requirements~~.~~;-and

xxii. securities and processes to ensure implementation and long-term monitoring and compliance with site plan agreements and/or other agreements if required.

14.8.6 Site Plan Agreement

As a condition of Site Plan Approval, the City may require proponents to satisfy certain conditions. The applicant may be required to meet the conditions within aspecified time period, which, if not met, may cause the approval to lapse. To ensurethat conditions are bound to the owner and the land, the City shall require the proponent to enter into a Site Plan Control Agreement which will be registered ontitle.

14.9 CONSENT POLICY

14.9.1 Purpose of Consents

Consents may be allowed ~~for the creation of up to two (2) new lots~~ in the Urban Area, or in accordance with any land division Policies in the Agricultural and Rural Area.

14.9.2 Evaluation of Consents

Applications will be evaluated on the following minimum criteria:

i. Consistency with the Policies of this Official Plan;

ii. Consistency with a Secondary Plan (where appropriate), or guidelines, as well as compliance with the Zoning By-law;

~~iii. A Plan of Subdivision is not required;~~

iii. The prevailing size and configuration ~~shape~~ of ~~the~~ existing surrounding lots;

iv. The ~~road~~ access of the lots to existing roads and *infrastructure*;

v. The impact of the consent on the ability of adjacent lots to be developed;

vi. The impact of the consent on the natural environment; and,

vii. Adequacy of municipal services and *utilities*.

viii. The impact of the consent on the overall drainage of the existing surrounding areas.

14.9.3 Conditions of Approval

As a condition of approval, proponents may be required to satisfy certainconditions as authorized by the *Planning Act*, including but not limited to:

i. The dedication of parkland or cash-in-lieu of such dedication;

ii. The dedication of any road widenings and one-foot reserves as may be required by the City;

iii. Fulfillment of any financial requirements of the City;

iv. A servicing Agreement pertaining to any extension or upgrading of municipal services required by the City to accommodate the *development*;

v. Submission of a registered reference plan;

vi. Any other Agreements which may be necessary, and which may be registeredon title;~~.~~

vii. A plan showing the location of all existing services to the property relative to the proposed lot line(s).

~~14.9.4 Exceptions~~

~~That this application is exempt from the policies identified in section 7.9.1, which allow for only the creation of up to two (2) new lots in the Urban Area (South Side Forks Road)~~

14.10 COMMUNITY IMPROVEMENT PLANS

14.10.1 Community Improvement Plans

The *Planning Act* allows municipalities to identify Community Improvement Project Areas, prepare Community Improvement Plans, and provide incentive programs which stimulate *redevelopment* of lands as a means to maintain the vitality of the municipality.

14.10.1.1 Delegation

Where Council has, by By-law or Resolution, delegated the authority to approve Community Improvement Plan Applications per of the Planning Act and Municipal Act, to the Director of Planning and Development. The Director of Planning and Development may approve Community Improvement Plan Applications and enter into Community Improvement Plan agreements.

14.10.1.2 Alternative Measures

In accordance with the Planning Act, Council may by By-law or Resolution adopt alternative measures for informing and obtaining public input related to Community Improvement Plans.

14.10.2 Downtown and Health and Wellness Cluster Community Improvement Plan

14.10.2.1 Goals

The goal of ~~community improvement in the Downtown~~ the Downtown and Health and Wellness Cluster Community Improvement Plan (DHWC) is to reinforce the importance of the Downtown, aid in stimulating private sector *redevelopment*, and guide private sector *development* and *redevelopment*. The City may redefine the boundary of the DHWC without any amendment to this plan.

14.10.2.2 Programs, Eligibility and Funding

The DHWC ~~Downtown~~ CIP may offer a range of programs, including, but not limited to:

i. Grants for urban design, façade and building improvements; and

ii. Deferred tax and fee programs for planning applications and/or building permits.

~~iii. Facade Restoration and Improvement Loan Program;~~

~~iv. Development Charge Waiver/Exemption Program;~~

~~v. Refund of Local Planning and Building Fees Program~~

~~vi. Residential Conversion and *Intensification* Loan Program;~~

~~vii. Property Rehabilitation and *Redevelopment* Tax Increment Grant Program;~~

iii. Parking Requirements Reduction Program.

14.10.3 Brownfield Community Improvement Plan

14.10.3.1 Goals

The goal of community improvement on brownfield lands is to promote the remediation, rehabilitation, adaptive re-use, *redevelopment* and overall improvement of *brownfield sites*.

14.10.3.2 Programs, Eligibility and Funding

The Brownfield CIP may offer a range of programs, including, but not limited to:

i. Environmental Study~~Site Assessment~~ Grant Program;

ii. Brownfields Tax Assistance Program; ~~and,~~

iii. Brownfields ~~Rehabilitation~~ Tax Increment Grant Program~~.~~; and

iv. Brownfields Fee Grant Program.

~~The Brownfield CIP will describe the eligibility criteria to obtain funding through any of the CIP's programs. The program funding will be established by Council, butshall not place a burden on municipal finances.~~

14.10.4 Niagara Economic Zone and Centre Community Improvement Plan

14.10.4.1 Goals

The goal of the Niagara Economic Zone CIP is to promote private sector investment, *development*, *redevelopment* and construction activity on employment lands in the Gateway Community Improvement Project Area.

14.10.4.2 Programs, Eligibility and Funding

The Niagara Economic Zone CIP may offer a range of programs, including, but not limited to:

- Tax Increment Grant
- Fee programs for planning applications Development fees exemptions or deferrals

14.10.5 Affordable Rental Housing Community Improvement Plan

14.10.5.1 Goals

The goal of the Affordable Rental Housing CIP is to encourage the provision of *affordable* rental housing through establishing new partnerships with multiple providers and providing financial incentives

14.10.5.2 Programs, Eligibility and Funding

The Affordable Rental Housing CIP may offer a range of programs, including, but not limited to:

- Grants or forgivable loans for the construction of *affordable* housing,
- *Affordable* housing study grants,
- Tax Increment Grant
- Municipal planning applications and/or building permits fee grants, and;
- Special Land Programs for *affordable* housing projects

14.10.6 New Community Improvement Plan Areas

14.10.6.1 Criteria for New Areas

In considering the establishment of a new Community Improvement Plan Area, theCity will consider any of the following criteria:

i. Conditions of existing buildings;
ii. Land use issues;
iii. Aesthetic issues;
iv. Transportation or *infrastructure* issues;
v. Natural or human-made environmental issues;
vi. Social or community issues;
vii. Economic issues; and,
viii. Any other relevant issues which create barriers to the repair, rehabilitation or*redevelopment* of underutilized or dilapidated land/buildings.

14.10.6.2 Criteria for New Community Improvement Plans

New Community Improvement Plans shall contain:

i. a statement of purpose, goals, objectives,
ii. a description of the Community Improvement Project area,
iii. a description of all programs and/or projects,
iv. an implementation plan, and

v. a technical appendix justifying the delineation of the area and the need for the programs.

The preparation and adoption of new Community Improvement Plans shall meet the minimum requirements of the *Planning Act* for public consultation, unless Council adopts alternative measures as outlined in policy 1~~4~~2.10.1.2.

14.11 Community Planning Permit System

The community planning permit system is a planning tool that allows for the replacement and combining of the zoning amendment, minor variance and site plan approval processes, as well as the regulation of vegetation removal and *site alteration*, as well as other types of *development*. This system also offers opportunities to streamline the planning approvals processes and clearly establish rules and criteria for *development* within the by-law.

14.11.1 Community Planning Permit By-law

City Council may by by-law establish a community planning permit system within the City for any area or areas set out in the by-law.

14.11.2 Community Planning Permit By-law Transition

City Council will not pass a community planning permit by-law for any area in City unless, this Official Plan is in effect.

14.11.3 Community Planning Permit System Process

Within an area for which a community planning permit by-law has been enacted, both the City's Zoning By-law and site plan control will not apply.

If a community planning permit by-law is enacted, the use and *development* of land must comply with the permitted uses, standards and criteria set out in the community planning permit by-law as demonstrated by the issuance of a community planning permit, unless the proposed use or *development* is expressly exempted from a permit as indicated in the community planning permit by-law. Where existing site plan agreements are already registered on a property, those agreements may be amended as long as such amendments comply with the applicable provisions of the community planning permit by-law.

14.11.4 Scope of Community Planning Permit System

A community planning permit by-law will:

i. Contain a description of the area to which the by-law applies, which must be within the boundaries of the area identified in the Official Plan;
ii. Set out and define permitted and discretionary uses;
iii. Set out *development* standards with specified minimum and maximum standards;
iv. Set out any internal review for permit decisions;
v. Describe notification procedures for decisions;
vi. Set out criteria for determining whether a proposed use or *development* is permitted;
vii. Describe the process for amending development permits, development permit agreements and pre-existing site plan agreements;
viii. Outline any conditions of approval that may be imposed; and
ix. Set out the scope of delegated authority, including any limitations.

14.11.5 Implementing a Community Planning Permit System By-law

To permit passage of a community planning permit by-law for application to the entire City, the following policies shall apply:

i. A community planning permit area may include the entire City or any area or areas identified on Schedules attached to a community planning permit by-law; and
ii. Where a community planning permit area includes the entire City, the goals, objectives and policies of each designation in this Plan, the general policies for guiding growth and *development* in all designations and the vision and principles of the Plan shall be implemented within the community planning permit by-law to ensure any *development* and use of land will conform to the Official Plan and address the matters outlined in Section 14.11.4.

14.11.6 Community Planning Permit Application Review and Approvals

Upon consideration of a complete community planning permit application, the City may:

i. Approve the application and issue a permit with no conditions;
ii. Approve the application subject to conditions being met before the issuance of a permit;
iii. Approve the application and issue a permit with conditions attached;
iv. Approve the application subject to conditions being met before the issuance of a permit and with conditions attached; or
v. Refuse the application.

14.11.7 Community Planning Permit Application Delegation

Council may delegate its decision-making authority respecting community planning permit applications and its authority to execute, amend and release community planning permit agreements or pre-existing site plan agreements to a Committee appointed by Council or an employee of the City in the identified area. Any limits on the criteria for such delegation will be established in the community planning permit by- law.

14.11.8 Requirement For List of Studies, Criteria and Conditions

To ensure that the goals, objectives and policies of the City's Official Plan, and the matters outlined in Section 14.11.4 will be addressed to determine whether a *development* or use of land may be permitted by a community planning permit, the by-law shall set out criteria to be considered in such circumstances, study requirements, and types of conditions that may be imposed on a permit. The types of criteria, study requirements, and conditions set out are intended to address goals, objective and policies of the City's Official Plan, and the matters outlined in Section 14.11.4.

14.11.9 Community Planning Permit Application Criteria

The criteria for determining whether a *development*, use of land, discretionary use or variation to by-law provision may be permitted shall be set out in the community planning permit by-law and shall include demonstration of the following to the satisfaction of the City:

i. The proposal is appropriate for the lands;
ii. The proposal takes into account the unique characteristics of the property;
iii. The potential off-site and adverse impacts resulting from the proposal are identified and mitigated where appropriate;
iv. The proposal is compatible with the surrounding land uses;
v. The proposal is consistent with any applicable urban design guidelines;
vi. The proposal conforms to the Region of Niagara Official Plan and City's Official Plan; and
vii. The proposal is consistent with and conforms to Provincial policies.

14.11.10 Community Planning Permit Application Supporting Studies

A list of studies that may be required to be submitted at the time of application of a community planning permit application, such that it may be deemed complete, shall be set out in the community planning permit by-law, or in an appendix thereto, and shall include the materials and technical reports that may be required at the time of application as outlined in Section 14.8.2.

14.11.11 Community Planning Permit Application Conditions

A list of conditions that may be imposed on a community planning permit shall be set out in the community planning permit by-law, or in an appendix thereto, and shall include, but not be limited to, conditions:

i. They may be imposed pursuant to sections 34, 40, 41 and 42 of the Planning Act, in order to implement the vision, goals and objectives of the Official Plan;
ii. To require the implementation of actions or recommendations in technical reports that have been submitted in support of a Community Planning Permit application;
iii. To require the submission of supplemental technical reports where deemed required through application review; and
iv. To require the owner of land to enter into an agreement with the City respecting one or more conditions.

14.11.12 Community Planning Permit Application Amendments

Any amendments to a community planning permit by-law shall be in conformity with the objectives and policies of this Plan and shall be considered in the context of the planned vision for all lands within the area or areas subject to the by-law. Further, an application to amend the community planning permit by-law must be supported by a comprehensive planning rationale, a strategy for consulting within the public, and the studies and information.

14.11.12.1 Community Planning Permit Discretionary Uses

A community planning permit may allow, as a discretionary use, any use not specifically listed as a permitted use in the community planning permit by-law, provided that the proposed use is similar to and compatible with listed permitted uses, would have no negative impact on adjoining properties, would meet applicable criteria within the by-law and maintain the intent, principles and policies of this Plan

14.11.13 Community Planning Permit Application Variation to Standards

A community planning permit may allow certain variations to the standards specified within the Community Planning Permit by-law. Such variations may be permitted only if they have satisfied the policies pertaining to applicable policies of this Plan.

14.12 SUPPORT STUDIES

Support studies may be required as part of planning studies or *development* proposals. The support studies, and when they are needed, are generally described below; however, the municipality may refine the scope or request that a support study be undertaken based on its discretion, the context of the proposed *development*, or input from appropriate agencies. Additional studies and peer reviews may also be required by other agencies, such as the ~~NPCA~~ Conservation Authority and Niagara Region.

14.12.1 Requirements for All Studies

All studies and information submitted to the City~~, Region or NPCA~~ shall be prepared by a qualified professional. Any study or report requested by the City, ~~Region or NPCA~~ may be subject to a peer review, where the applicant shall be responsible for all costs of peer review which shall be payable upon submission of an invoice from the City, Niagara Region and Conservation Authority. Supporting studies shall be submitted in an electronic and hard copy format. Additional studies and peer reviews may be required by other agencies, ~~including but not limited to the Region and NPCA,~~ the cost of which shall also be paid for by the applicant.

14.12.2 Subwatershed Plan

14.12.2.1 Need for a Subwatershed Plan

A Subwatershed Plan provides for the maintenance of *ecological function*, in particular the *ecological function* of *watercourses*. Major changes in land use, such as a boundary expansion or Secondary Plan for a Designated Growth ~~Greenfield~~ Area, shall require the preparation of a ~~Subwatershed~~ Plan by the City, based on terms of reference developed by the City in consultation ~~with the Niagara Peninsula Conservation Authority and~~ with affected agencies and landowners if appropriate. Subwatershed studies may proceed in advance of the completion of a quaternary *watershed* plan.

14.12.2.2 Implementing the Recommendations of a Subwatershed Plan

The findings and recommendations of a Subwatershed Plan shall be implemented through amendments to the Official Plan and, where appropriate, secondary plans, any plan produced under the *Planning Act* or the Zoning By-law. The Subwatershed Plan should provide specific direction for:

i. The future *development* of the new *Designated Growth Areas*;

ii. Servicing and *infrastructure*; ~~and,~~

iii. Opportunities for improvement and enhancement of the ~~N~~natural Environment ~~S~~systems, as

well as the *ecological function* and integrity of those systems.~~;~~

iv. Opportunities for protection, enhancement, or restoration of the *quality and quantity of water*; and

v. Identifying and refining the Natural Environment System of *Designated Growth Areas* and other large undeveloped areas.

14.12.2.3 Scope of Subwatershed Plan

A subwatershed study should be scoped with the City, the Region, Conservation Authority, and affected landowners, where required. It should include, but 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 outlined in this Official Plan;
- Refinement to the boundaries of the Natural Environment System;
- Identification of opportunities for, and constraints to *development*;
- Guidelines and best management practices for *development* design, environmental design, construction management, etc.;
- The recommendation of appropriate stormwater management techniques in accordance with Provincial, Regional and Local guidelines and industry best practices;
- An analysis the cumulative impact of *development*; and
- Implementation and adaptive monitoring plans.

14.12.3 Master Drainage Plan

14.12.3.1 Need for a Master Drainage Plan

A Master Drainage Plan provides for the maintenance of the stormwater and *ecological functions* of *watercourses* in a large area within a subwatershed. Where a Secondary Plan, Plan of Subdivision or any applicable plan under the *Planning Act*, is being undertaken, a Master Drainage Plan may also be required, based on terms of reference developed by the City in consultation with the Conservation Authority.

14.12.3.2 Implementing the Recommendations of a Master Drainage Plan

The findings and recommendations of a Master Drainage Plan shall be implemented through amendments to the Official Plan and, where appropriate, ~~a~~ Secondary Plans, Zoning By-law and other plans provided for under the *Planning Act* (such as a Plan of Subdivision or Site Plan).

14.12.4 Stormwater Management Plan

14.12.4.1 Need for a Stormwater Management Plan

A Stormwater Management Plan provides for the maintenance of the stormwater functions of *watercourses* based on the impacts of site-specific or area-specific *development*. Where a Plan of Subdivision, Site Plan or applicable plan under the *Planning Act* is being undertaken, a Stormwater Management Plan may also be required, based on terms of reference developed ~~in consultation with~~ to the satisfaction of the City in consultation with ~~and~~ the ~~Niagara Peninsula~~ Conservation Authority.

14.12.4.2 Implementing the Recommendations of a Stormwater Management Plan

The findings and recommendations of a Stormwater Management Plan shall be implemented through amendments to the Official Plan and where appropriate, Secondary Plans, Zoning By-law and other plans produced under the *Planning Act* (such as a Plan of Subdivision or Site Plan).

14.12.4.3 Stormwater Management Plan for developments

Proposals for *development* proceeding by way of a secondary plan, plan of subdivision, plan of condominium or site plan control will be supported by a stormwater management plan or equivalent at the discretion of City, that:

i. Conforms to the applicable subwatershed policies of this Official Plan;

ii. Is informed by any subwatershed plan or equivalent where applicable;

iii. 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;

iv. Establishes planning, design, and construction practices to minimize vegetation removal, grading and soil compaction, sediment erosion, and impervious surfaces;

v. Ensures stormwater management facilities are designed to support key features and *ecological functions* in the Natural Environment System, where possible; and

vi. Aligns with the stormwater master plan or equivalent for the settlement area, where applicable.

14.12.5 Environmental Impact Study

14.12.5.1 Need for an Environmental Impact Study

An Environmental Impact Study (EIS Study) is a technical assessment of a *development* proposal's environmental impacts on Nnatural Environment System ~~heritage~~ and hydrologic features and functions. Where *development* or *site alteration* is being undertaken within the guidelines put forth ~~in **Table 7.1,**~~ an Environmental Impact Study shall be required in both *settlement areas* and outside of *settlement areas* as required by the policies of this Plan.

~~Table 7-1: Core *Natural Heritage System* Components and *Adjacent Lands*~~	
~~Core Natural Heritage System Components~~	~~*Adjacent Lands* Where an EIS Shall Be Required for Development Applications.~~
~~**Environmental Protection Area**~~	
~~Provincially *Significant* Life Science Area of Natural and Scientific Interest~~	~~All lands within 50 metres.~~
~~Provincially *Significant* Wetland~~	~~All lands within 120 metres.~~
~~Habitat of Threatened and *Endangered Species*~~	~~All lands within 50 metres.~~
~~**Environmental Conservation Area**~~	~~All lands within 50 metres.~~
~~*Fish Habitat*~~	~~All lands within 30 metres of the top of bank.~~

14.12.5.2 Preparation and Submission

A draft terms of reference for an environmental impact study and/or hydrological evaluation shall be prepared in accordance with applicable guidelines, and in consultation with the Conservation Authority as appropriate.

Following the City's approval of the draft terms of reference a~~A~~n Environmental Impact Study shall be prepared and signed by a qualified ~~biologist or environmental planner~~ professional ~~in accordance with the Region of Niagara's~~Niagara Region's ~~Environmental Impact Study Guidelines or applicable guidelines at the time~~.

Environmental Impact Studies for lands within, or adjacent to, ~~Environmental Conservation Areas~~ the Natural Environment System ~~within the Urban Area~~ shall be prepared to the satisfaction of the City, ~~in consultation with the Conservation Authority and the Region of Niagara~~. ~~Environmental Impact Studies for lands adjacent to all other components of the Core *Natural Heritage System* shall be prepared to the satisfaction of the Region of Niagara, in consultation with the City and the Conservation Authority.~~ Refer to Section 6 of this Plan for additional details on EIS studies.

The City may require an independent peer review of an environmental impact study and/or hydrological evaluation, with the costs to be borne by the applicant.

14.12.5.3 Content of an Environmental Impact Study

~~The specific requirements for an EIS are outlined in the Region of Niagara's Environmental Impact Study Guidelines.~~ The ~~required~~ proposed content for an EIS must be approved by the City prior to submission. The contents may be scoped where the City is ~~reduced where the Region of Niagara has and/or the conservation authority have been~~ satisfied that:

i. The environmental impacts of a *development* application are thought to be limited; or,
ii. Other environmental studies fulfilling some or all requirements of an EIS have been accepted by the City ~~Region of Niagara~~.

14.12.5.4 Implementing the Recommendations of an Environmental Impact Study

The findings and recommendations of an Environmental Impact Study shall be implemented primarily through a Plan of Subdivision, Site Plan Control or other plans produced under the *Planning Act*. Amendments to the Official Plan or other plans may also be required.

14.12.5.5 Peer Review of Environmental Impact Study

The City may require an independent peer review of an environmental impact study and/or hydrological evaluation, with the costs to be borne by the applicant.

~~14.12.6 Market Impact Assessment~~

~~14.12.6.1 Need for a Market Impact Assessment~~

~~A Market Impact Study provides assurance that a proposed *development* is not premature and does not negatively impact the local or regional economy. Where an Official Plan Amendment, Secondary Plan, Plan of Subdivision or Site Plan is being undertaken, a Market Impact Study may also be required, based on the Policies of this Plan and terms of reference developed by~~

~~the City in consultation with the Regional Municipality of Niagara. The Market Impact Study may be subject to a peer review, the cost of which will be recovered by the City from the proponent.~~

~~**14.12.6.2 Implementing the Recommendations of a Market Impact Study**~~

~~The findings and recommendations of a Market Impact Study shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act* and, where required, amendments to the Official Plan, Zoning By-law and/or other plans.~~

14.12.6 Traffic Transportation Impact Study

14.12.6.1 Need for a Traffic Transportation Impact Study

A Transportation Impact Study provides for the maintenance of the City's transportation system given the demands in different transportation modes generated by a proposed *development*. Where an Official Plan Amendment, Secondary Plan, Plan of Subdivision, Site Plan or other plans produced under the *Planning Act* are being undertaken, a Transportation Impact Study may also be required, based on terms of reference developed by the City in consultation with the ~~Regional Municipality of~~ Niagara Region. The Transportation Impact Study may be subject to a peer review, the cost of which will be recovered by the City from the proponent.

14.12.6.2 Implementing the Recommendations of a Traffic Transportation Impact Study

A Transportation Impact Study provides for the maintenance of the City's transportation system given the demands in different transportation modes generated by a proposed *development*. Where an Official Plan Amendment, Secondary Plan, Plan of Subdivision, Site Plan or other plans produced under the *Planning Act* are being undertaken, a Transportation Impact Study may also be required, based on terms of reference developed by the City in consultation with the ~~Regional Municipality of~~ Niagara Region. The Transportation Impact Study may be subject to a peer review, the cost of which will be recovered by the City from the proponent.

14.12.7 Geotechnical Subsurface Investigation

14.12.7.1 Need for a Geotechnical Subsurface Investigation

A Geotechnical Subsurface Investigation provides for confirmation of the load- bearing capacity of soils to support *development*. Where a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act* is being undertaken, a Geotechnical Subsurface Investigation may be required, based on terms of reference developed by the City. A Geotechnical Subsurface Investigation may also be required by the Conservation Authority as a condition of *development* approval or permit approval to address slope stability.

14.12.7.2 Implementing the Recommendations of a Geotechnical Subsurface Investigation

The findings and recommendations of a Geotechnical Subsurface Investigation shall be implemented through a Plan of Subdivision, Site Plan other plans producedunder the *Planning Act*, and, where required, amendments to the Official Plan, Zoning By-law and/or other plans.

14.12.8 Archaeological ~~Resource~~ Assessment

14.12.8.1 Need for an Archaeological ~~Resource~~ Assessment

An Archaeological ~~Resource~~ Assessment provides for the documentation, ~~protection,~~ and conservation of the City's *archaeological resources*. An Archaeological ~~Resource~~ Assessment will be required in accordance with Section 9 ~~6.6~~ of this Plan.

14.12.8.2 Implementing the Recommendations of an Archaeological ~~Resource~~ Assessment

The findings and recommendations of an Archaeological ~~Resource~~ Assessment shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act*, and where required, amendments to the OfficialPlan, Zoning By-law and/or other plans.

14.12.9 Wetland Evaluation Study

14.12.9.1 Need for a Wetland Evaluation Study

A Wetland Evaluation Study provides for the delineation of a wetland or *wetlands* based on field survey of the wetland feature(s). A Wetland Evaluation Study may be required where an Environmental Impact Study is required. A Wetland Evaluation Study will be undertaken by qualified persons in accordance with the *Wetlands* Evaluation System for Southern Ontario.

14.12.9.2 Implementing the Recommendations of a Wetland Evaluation Study

The findings and recommendations of a Wetland Evaluation Study shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act* and where required, amendments to the Official Plan, Zoning By-law and/or other plans.

14.12.10 Record of Site Condition

14.12.10.1 Need for a Record of Site Condition

A Record of Site Condition where recommended by an Environmental Site Assessment, will be prepared and filed in accordance with the *Environmental Protection Act*, confirms the status of a site or lands with respect tocontamination. Where any *development* is proposed, a Record of Site Condition may be required.

14.12.10.2 Implementing the Recommendations of a Record of Site Condition

The findings and recommendations Environmental Site Assessment and confirmed by ~~of~~ a Record of Site Condition shall be implemented through a Plan of Subdivision, Site Plan other plans produced under the *Planning Act,* or Building Permit and, where required, amendments to the Official Plan, Zoning By-law and/or other plans.

14.12.11 Noise and/or Vibration Study

14.12.11.1 Need for a Noise and/or Vibration Study

A Noise and/or Vibration Study provides assurance that the proposed *development* meets Ministry of Environment, Conservation and Parks guidelines for the protection of *sensitive land uses* from noise and/or vibration. Where a Plan of Subdivision or Site Plan is being undertaken, a Noise and/or Vibration Study may also be required, based on terms of reference developed by the City in consultation with applicable agencies ~~the Regional Municipality of Niagara, and/or the Ministry of Environment~~. The Noise and/or Vibration Study may be subject to a peer review, the cost of which will be recovered by the City from the proponent.

14.12.11.2 Implementing the Recommendations of a Noise and/or Vibration Study

The findings and recommendations of a ~~Gas Well Location~~Noise and/ or Vibration Study shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act,* and where required, amendments to the Official Plan, Zoning By-law and/or other plans.

14.12.12 Gas Well Location Study

14.12.12.1 Need for a Gas Well Location Study

A Gas Well Location Study provides for the hazard assessment of known or suspected former petroleum wells. Where an Official Plan Amendment, Secondary Plan, Plan of Subdivision, Site Plan or other plans produced under the *Planning Act* are being undertaken, a Gas Well Location Study may also be required to demonstrate that the known or suspected hazard has been mitigated in accordance with the relevant provisions of the *Oil, Gas, and Salt Resources Act.*

14.12.12.2 Implementing the Recommendations of a Gas Well Location Study

The findings and recommendations of a Gas Well Location Study shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act,* and where required, amendments to the Official Plan, Zoning By-law and/or other plans.

14.12.13 Tree Savings Plan

14.12.13.1 Need for a Tree Savings Plan

A Tree Saving Plan is a plan prepared for the purposes of protecting and preserving trees on properties where *development* or disturbance of the natural forest cover is to occur. Tree Saving Plans should attempt to retain as many trees as possible. Requirements for Tree Saving Plans are provided in the Niagara Region Woodland Conservation By-law No. 220-79 ~~Region of Niagara Tree and Forest Conservation By-Law (30-2008)~~ as amended from time to time. A Tree Saving Plan may be required to support an application for *development* or *site alteration*, where the *development* may have impacts on a wooded area.

14.12.13.2 Implementing the Recommendations of a Tree Savings Plan

The findings and recommendations of a Tree Savings Plan shall be implemented through the appropriate planning mechanism, such as a site plan, a plan of subdivision or other plans produced under the *Planning Act*.

14.12.14 Planning Justification Report

14.12.14.1 Need for ~~an~~ Planning Justification Report

A Planning Justification Report shall be required to support any proposal for *development* or *site alteration* and should demonstrate how the proposal meets the Policies and Objectives of this Plan. Where appropriate, the Report should ~~also provide a synthesis of~~ address and justify planning and *development* issues for a site or area, where the proposed *development* requires a number of the above-noted studies. The Report should synthesize and integrate the various findings and propose recommendations, particularly where the findings and recommendations of one study or report overlap or have implications for another study.

14.12.14.2 Implementing the Recommendations of a Planning Justification Report

The findings and recommendations of a~~n Integrated~~ Planning Justification Report shall be implemented through a Plan of Subdivision/Condominium, Site Plan or other plans produced under the *Planning Act,* and where required, amendments to the Official Plan, Zoning By-law and/or other plans.

14.12.15 Cultural Heritage Impact Assessment

14.12.15.1 Need for a Cultural Heritage Impact Assessment

A Cultural Heritage Impact Assessment may be required to support any proposal where the *development*, ~~or~~ *site alteration*, or demolition has potential to negatively impact cultural heritage

resources. It can also demonstrate how the cultural heritage resource will be *conserved* in the context of *redevelopment* or *site alteration*. Mitigative or avoidance measures or alternative *development* approaches may alsobe recommended. A Cultural Heritage Impact Assessment shall be prepared by a qualified professional.

14.12.15.2 Implementing the Recommendations of a Cultural Heritage Impact Assessment

The findings and recommendations of a Cultural Heritage Impact Assessment shall be implemented through a Plan of Subdivision/Condominium, Site Plan or other plans produced under the *Planning Act*, or other applicable acts including the Ontario Heritage Act and where required, amendments to the Official Plan, Zoning By-law and/or other plans.

14.12.16 Community Services and Facilities Study ~~Social Impact Assessment~~

14.12.16.1 Need for a Community Services and Facilities Study ~~Social Impact Assessment~~

A Community Services and Facilities Study ~~Social Impact Assessment~~ may be required to support any proposal where *development* or *site alteration* has the potential to impact the City's social *infrastructure* required to support healthy, complete communities ~~negatively impact on social aspects of the City~~. The ~~Assessment~~ study ~~should document any potential positive and *negative impacts*~~ will generally consider the capacity of nearby schools, and childcare facilities, as well as access to nearby community facilities. ~~of the proposed development and recommend potential mitigative measures~~. The required content will be confirmed during the Pre-Consultation meeting.

14.12.16.2 Implementing the Recommendations of a Community Services and Facilities Study ~~Social Impact Assessment~~

The findings and recommendations of a Community Services and Facilities Study ~~Social Impact Assessment~~ shall be implemented through a Plan of Subdivision/Condominium, ~~Site Plan~~ or other plans produced under the *Planning Act*, or other applicable acts and where required, amendments to the Official Plan, Zoning By-law and/or other plans.

14.12.17 Visual Impact Assessment

14.12.17.1 Need for a Visual Impact Assessment

~~The findings and recommendations of a Visual Impact Assessment shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act*, or other applicable acts and where required, amendments to the Official Plan, Zoning By-law and/or other plans. The Assessment should make recommendations for minimizing any potential *negative impacts*.~~ A

Visual Impact Assessment may be required to support any proposal where *development* or *site alteration* has the potential to negatively impact views and vistas.

14.12.17.2 Implementing the Recommendations of a Visual Impact Assessment

The findings and recommendations of a Visual Impact Assessment shall be implemented through a Plan of Subdivision, Site Plan or other plans produced under the *Planning Act*, or other applicable acts and where required, amendments to the Official Plan, Zoning By-law and/or other plans. The Assessment should make recommendations for minimizing any potential negative impacts.

14.12.18 Growth Management Study

14.12.18.1 Need for a Growth Management Study

A Growth Management Study shall be required from time to time to assess the implications of future long-term population and/or employment growth. A Growth Management Study should assess the implications of future growth in relation to the City's urban boundary, strategic growth areas and *intensification* areas, land supply in the *Designated Growth* ~~*Greenfield*~~ *Areas* (~~and possibly nodes and corridors~~), impacts on the natural environment, transportation network, *infrastructure* and rural areas and any other major structural elements of the City.

14.12.18.2 Implementing the Findings of a Growth Management Study

The findings and recommendations of a Growth Management Study shall be implemented through a *comprehensive review* of the Official Plan and an Amendment or update to this Plan.

14.12.19 Other Studies

The City may require that any other special studies be undertaken in support of a *development* proposal. Where possible, the City will advise of the need for special studies during pre-consultation with the proponent regarding the proposed *development*. Any special study may be subject to a peer review, the cost of which will be recovered by the City from the proponent. Other potential studies which may be required might include, but are not limited to:

i. Built Heritage Impact Assessment ~~Study~~;
ii. Light and Shadow Study;
iii. Environmental Site Assessment;
iv. Farm Operation and Ownership Study;
v. Alternative Sites for Non-Agricultural Uses Study;
vi. Minimum Distance Separation Study;
vii. *Mineral Aggregate Resources* Study;

viii. Municipal Servicing Study;

ix. Hydrological Study;

x. Financial Impact Assessment;

xi. Floodplain and Hazards Lands Study; and,

xii. Traffic and Haul Route Impact Study~~.~~

xiii. Active Transportation Study;

xiv. Odour Impact Study; ~~and~~

xv. Market Study

xvi. Wind Study; and

xvii. *Agricultural Impact Assessment*.

~~14.13 DEVELOPMENT CHARGES~~

~~14.13.1 Development Charge By-law~~

~~Council shall adopt a by-law to levy development charges in the City as a means to ensure that the costs of growth are borne by growth. The Development Charge By-law shall define the classes of development subject to payment of a Development Charge and what amount is to be paid.~~

~~14.13.2 Development or Redevelopment~~

~~Development Charges shall apply to *development*, or the additional *development* created through *redevelopment*.~~

~~14.13.3 Waiver or Exemption of Development Charge~~

~~The municipality may waive some or all of the Development Charge or exempt certain *development* from the Development Charge as a means to promote specific *redevelopment* or revitalization.~~

14.13 CAPITAL BUDGETS

14.13.1 Alignment of Capital Budgets to the Official Plan

During the process of allocating capital budgets to short, medium, and long-term initiatives, Council will have regard for the Policies of this Plan. Where this Plan has identified priorities for change or implementation, Council will be encouraged to dedicate appropriate capital resources to these initiatives. Additionally, Council is encouraged to seek partnership capital funding to support priorities for change or implementation of this Plan's policies.

14.13.2 Capital Budget for Official Plan Updates

Council will ensure that sufficient capital budget is made available to support the required five-year reviews of this Plan and any supporting special studies.

14.14 UPDATING THE PLAN

14.14.1 Comprehensive Review

In accordance with the Provincial Policy Statement, the City will conduct a *comprehensive review* within ten years, if adopted as a new Official Plan, and every 5 years thereafter ~~for every five-year review of the Plan~~ (whether or not an expansion to the Urban Area Boundary is contemplated) in order to keep the Plan up to date. The scope of the *comprehensive review* will be discussed with Council ~~and/or the Regional Municipality of Niagara~~, and may be discussed with stakeholders through public consultation.

14.14.2 Conformity with Provincial and Regional Policies and Plans

The *comprehensive review* will include a discussion of provincial and regional policies and plans and identify where updates to the City's Official Plan are needed to ensure conformity to upper-tier policies and plans.

14.14.3 Indicators and Strategic Directions

The *comprehensive review* will consider key indicators and strategic directions to help the municipality understand past progress, its current situation, and identify new planning strategies to ensure that Welland is a progressive and sustainably- developed City.

14.15 AMENDING THE PLAN

14.15.1 Applications to Amend the Official Plan

From time-to-time, an amendment to the Official Plan may be deemed appropriate to provide for a proposed *development*. In considering the suitability of the Amendment, Council will consider the following criteria:

i. Provincial and regional policies and plans;
ii. The vision, strategic directions, and goals of this Plan;
iii. Whether the amendment creates an inappropriate precedent; and,
iv. The city, neighbourhood, and immediate area impacts of the proposed land use change.

14.15.2 Amendments to Implement Comprehensive Review

Where a *comprehensive review* has identified that changes to the Plan's policies are necessary to maintain the currency of the Plan, then Council may adopt an Amendment to this Plan.

14.15.3 Amendments to Implement Provincial or Regional Policies and Plans

Where changes to or new Provincial or Regional policies and plans come into effectthat require updates to this Plan, then Council may adopt an Amendment to this Plan.

14.15.4 Amendments to Implement Planning Studies

Where a planning study has been undertaken to address the needs of a specific area or recent trend, Council may adopt an Amendment to this Plan to implement the recommendations of the study.

14.15.5 Technical Revisions

The following revisions may be made to this Plan by the City of Welland at any time without the need for an Amendment:

i. Corrections to grammar, punctuation or typographical errors or formatting revisions that do not change the intent of these provisions;

ii. Additions or revisions to technical information on maps or schedules that do not affect the Land Use Designations of land including, but not limited to, matters such as updating and correcting base map information (roads, assessment parcels and labels), keys, legends or title blocks; and

iii. Changes to appendices, footnotes, headings, indices, marginal notes, tables of contents, illustrations, historical or reference information, page numbering footers and headers, which do not form a part of this By-law and are editorially inserted for convenience of reference only.

14.16 COMMITTEE OF ADJUSTMENT

14.16.1 Committee to ~~Deal with Variances~~ address variances and applications for consent

Council has appointed a Committee of Adjustment to review and make decisions onthe following matters:

i. Applications to allow a minor variance from the provisions of the Zoning By-law;

ii. Applications to allow a minor variance from the provisions of the Fence By-law;

iii. Applications to allow a minor variance from the provisions of the Sign By-law~~; and,~~

iv. Applications to allow a minor variance from the provisions of the Swimming Pool and Fence By-Law; and

v. Applications to allow for the subdivision of land through a consent.

14.17 REQUIREMENTS TO CONSULT

14.17.1 Statutory Required Consultation

The City will meet all statutory requirements for public consultation in accordance with the *Planning Act*.

14.17.2 Pre-Consultation before Application Submission

The City ~~requires~~ encourages all applicants ~~of *development* and *site alteration* proposals to pre-consultant with the City.~~ to consult with the municipality in advance of submission of an application for:

i. An Official Plan Amendment;

ii. A Zoning By-law Amendment;

iii. A Site Plan Approval;

iv. A Plan of Subdivision;

v. A Plan of Condominium.

vi. A Site Plan;

vii. Other applications as identified

~~Pre-consultation will determine what is required to be submitted for a complete application and will provide an opportunity to discuss the nature of the application, the need for supporting studies, such as those identified in Section 7.11, and the planning approvals process. Where appropriate, pre-consultation may also require the involvement of the Region of Niagara and Niagara Peninsula Conservation Authority.~~

14.17.3 Pre-Consultation ~~By-law~~

~~The City will pass a By-law requiring applicants to consult with the municipality in advance of submission of an application for:~~

~~i. An Official Plan Amendment;~~

~~ii. A Zoning By-law Amendment;~~

~~iii. A Plan of Subdivision;~~

~~iv. A Site Plan;~~

~~v. Minor Variance; and,~~

~~vi. Any other plan.~~

Prior to scheduling an optional Pre-Consultation, an applicant may submit to the Director of Planning and Development Services or their designate a completed Request for Pre-Consultation, which may include:

i. The general location and municipal address of the lands;
ii. The current use of lands;
iii. A summary of the proposed application;
iv. Conceptual Plan;
v. Any known environmental, servicing, and transportation issues known; and
vi. Other information as may be required by the Director of Planning and Development Services or their designate.

The Pre-Consultation will determine what is required to be submitted for a complete application and will provide an opportunity to discuss the nature of the application, the need for supporting studies, such as those identified in Section 12.11, and the planning approvals process. Following a pre-consultation, a checklist of required material in the form of a Record of Pre-Consultation will be circulated to the applicant.

Where appropriate, pre-consultation may also require the involvement of the ~~Region of~~ Niagara Region, ~~and Niagara Peninsula~~ Conservation Authority, and other applicable service provider agencies.

14.17.4 Complete Application

The Director of Planning and Development Services ~~General Manager Planning and Development Services~~ or their designate shall be responsible for determining whether a Planning Application is complete. If an Application is submitted without adequate supporting information and/or reports, and any Application review fees required by the City, or any other public agency, the Application may be deemed incomplete.

14.17.5 Coordination with Adjacent Municipalities

The City of Welland will work with its neighbouring municipalities, the Niagara Region and other agencies to address cross jurisdictional impacts, issues and opportunities associated with *development* in the City of Welland and, where appropriate, *development* outside of the City.

14.17.6 Coordination with the Niagara Region

The City will circulate the Niagara Region on the following planning projects and applications when required for the engineering review of regional water, wastewater, and transportation *infrastructure*:

i. Site Specific and Policy Specific Official Plan Amendments;
ii. Secondary Plans;
iii. Block Servicing Plans;
iv. Local Environmental Assessments;
v. Comprehensive Zoning By-laws;
vi. Zoning By-law Amendment;
vii. Draft Plans of Subdivision;
viii. Plans of Condominium;
ix. Consents;
x. Minor Variances; and
xi. Site Plan Control.

14.17.7 Coordination with Public Utilities

The City 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.

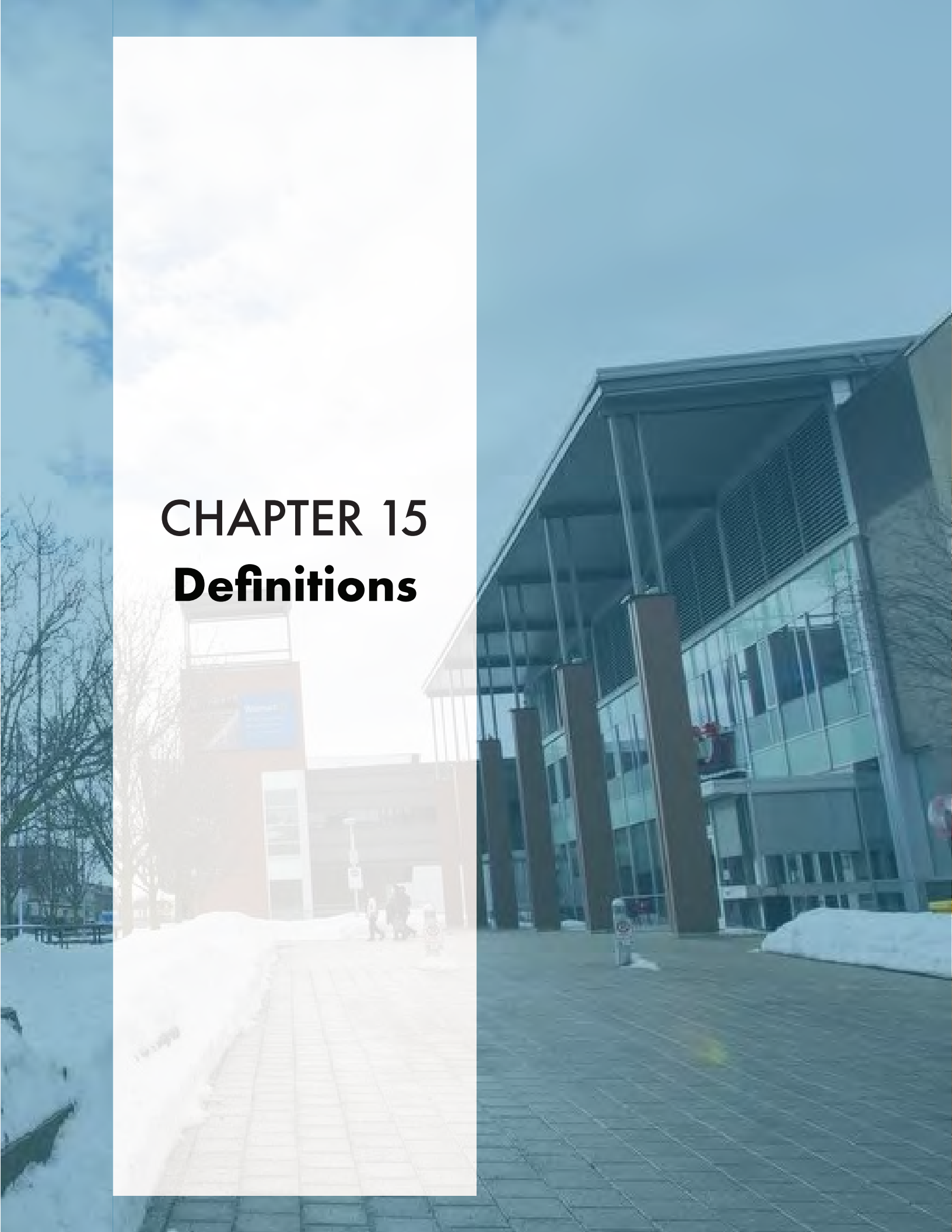
14.17.8 Coordination with Indigenous Communities

The City shall engage early with Indigenous communities and ensure their interest are considered when identifying, protecting, and managing *archaeological resources*, *built heritage resources*, and *cultural heritage landscapes*.

The City encourages proponents of *development* or *redevelopment* proposals to engage early with Indigenous communities that have territory in this area prior to submission of a *development* or *redevelopment* application.

14.17.9 Expiry of Record of Pre-Consultation

Where an application(s) has not submitted within one (1) year to the date of the Pre-Consultation meeting, a new Pre-Consultation meeting should be requested by the Applicant unless otherwise extended by the Director of Planning and Development Services or their designate.



CHAPTER 15
Definitions

15 DEFINITIONS

~~**Area of Natural and Scientific Interest**~~

~~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. There are two types of ANSIs.~~

~~i. Earth Science Areas of Natural and Scientific Interest means areas identified by the Ministry of Natural Resources~~ Province ~~as containing some of the most significant representative examples of the bedrock, fossil and landform features in Ontario, and includes examples of ongoing geological processes.~~

~~ii. Life Science Areas of Natural and Scientific Interest means areas of land and water identified by the~~ Province ~~Ministry of Natural Resources as containing significant representative segments of Ontario's biodiversity and natural landscapes including specific types of forests, valleys, prairies and *wetlands*, their native plants and animals, and their supporting environments.~~

Access standards

Methods or procedures to ensure safe vehicular and pedestrian movement, and access for the maintenance and repair of protection works, during times of *flooding hazards*, *erosion hazards* and/or other water-related hazards.

Additional Needs Housing

Means 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 of *additional needs housing* may 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.

Adjacent lands

~~Those lands contiguous to a specific natural heritage feature or area where it is likely that *development* or *site alteration* would have a negative impact on the feature or area.~~

For the purposes of *Major goods movement facilities and corridors*, this refers to lands contiguous to existing or *planned corridors* and transportation facilities where *development* would have a negative impact on the corridor or facility. The extent of the *adjacent lands* may be recommended in provincial guidance or based

on municipal approaches that achieve the same objectives.

For the purpose of the Natural Environment System, this refers to lands contiguous to a specific Natural Environment System feature or area where it is likely that *development* or *site alteration* would have a negative impact on the feature or area. The extent of the *adjacent lands* may be recommended by the Province or based on municipal approaches which achieve the same objectives.

Adverse effects

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

i. Impairment of the quality of the natural environment for any use that can be made of it;
ii. injury or damage to property or plant or animal life;
iii. Harm or material discomfort to any person;
iv. An adverse effect on the health of any person;
v. Impairment of the safety of any person;
vi. Rendering any property or plant or animal life unfit for human use;
vii. Loss of enjoyment of normal use of property; and
viii. Interference with normal conduct of business.

Affordable

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

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

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

i. a unit for which the rent does not exceed 30 percent of gross annual household income for *low- and moderate-income households*; or
ii. a unit for which the rent is at or below the average market rent of a unit in the ~~regional market area~~ City.

Agricultural system

means a system comprised of a group of inter-connected elements that collectively create a viable, thriving agri-food sector. It has two components:

a) An agricultural land base comprised of *prime agricultural areas*, including specialty crop areas. It may

also include *rural lands* that help to create a continuous productive land base for agriculture; and

b) An *agri-food network* which includes agricultural operations, *infrastructure*, services, and assets important to the viability of the agri-food sector.

Agricultural uses

The growing of crops, including nursery 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.

~~accommodation for full-time farm labour when the size and nature of the operation requires additional employment. *Agricultural uses* include value retention uses required to make a commodity saleable (i.e. Corn dryer, washing, sorting, packing and packaging).~~

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. ~~Farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.~~

Agricultural Impact Assessment

means the evaluation of potential impacts of nonagricultural uses on the *agricultural system*. An assessment recommends ways to avoid or if avoidance is not possible, minimize and mitigate adverse impacts.

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; agricultural operations including on-farm buildings and primary processing; *infrastructure*; agricultural services, farm markets, and distributors; and vibrant, agriculture-supportive communities.

Archaeological resources

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

Areas of archaeological potential

Means areas with the likelihood to contain *archaeological resources*, as evaluated using the processes and criteria that are established under the *Ontario Heritage Act*. ~~Areas with the likelihood to contain *archaeological resources*. Criteria for determining archaeological potential are established by the Province. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the *Ontario Heritage Act*.~~

~~**Areas of mineral potential**~~

~~Areas favourable to the discovery of *mineral deposits* due to geology, the presence of known *mineral deposits* or other technical evidence.~~

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.

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.

Brownfield sites

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.

Buffers

Buffer means an area of land located adjacent to Natural Environment System 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*.

Built up Area

The limits of the developed urban areas for the purpose of measuring the minimum *intensification* target in this Plan. The *Built-up Areas* is delineated in Schedule A.

Built heritage resources

One or more *significant* buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community, including an Indigenous community. These resources may be identified through designation or heritage conservation easement under the *Ontario Heritage Act*, or listed by the City, province or federal government.

Comprehensive review

An official plan review which is initiated by a planning authority, or an Official Plan Amendment which is initiated or adopted by a planning authority, which:

i. Is based on a review of population and growth projections and which reflect projections and allocations by upper-tier municipalities and provincial plans; considers alternative directions for growth; and determines how best to accommodate this growth while protecting provincial interests;
ii. Utilizes opportunities to accommodate projected growth through *intensification* and *redevelopment*;
iii. Confirms that the lands to be developed do not comprise specialty crop areas in accordance with policy 2.3.2; Is integrated with planning for *infrastructure* and *public service facilities*; and
iv. Considers cross-jurisdictional issues.

Conserved

~~The identification, protection, use and/or management of cultural heritage and *archaeological resources* in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.~~

Means 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 should be included in these plans and assessments.

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 of heritage significance which has been modified by human activities and is valued by a community. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a *significant* type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, heritage conservation districts designated under the *Ontario Heritage Act*; and villages, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.~~ means 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.

Deposits of mineral aggregate resources

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

Designated and available

Lands designated in the Official Plan for urban residential use.

Designated Growth Areas

Lands within the urban area but outside of *built-up areas* that have been designated in this Plan for *development* and are required to accommodate forecasted growth to the horizon of this Plan. *Designated Growth Areas* include lands that are *designated and available* for residential growth, as well as lands required for employment and other uses. *Designated Growth Areas* do not include excess lands, and are identified in Schedule A.

Designated vulnerable area

Areas defined as *vulnerable*, in accordance with provincial standards, by virtue of their importance as a drinking water source that may be impacted by activities or events.

Development

The creation of a new lot, a change in land use, or the construction of a building or structure, requiring approval under the Planning Act. It includes the construction of new, or significant expansion of existing, public *utilities* or *infrastructure* but does not include works subject to the Drainage Act.

Disability

Means any one of the following:

i. Any degree of physical *disability*, infirmity, malformation or disfigurement that is caused by bodily injury, birth defect or illness and, without limiting the generality of the foregoing, includes diabetes mellitus, epilepsy, a brain injury, any degree of paralysis, amputation, lack of physical co-ordination, blindness or visual impediment, deafness or hearing impediment, muteness or speech impediment, or physical reliance on a guide dog or other animal or on a wheelchair or other remedial appliance or device,

ii. A condition of mental impairment or a developmental *disability*,

iii. A learning *disability*, or a dysfunction in one or more of the processes involved in understanding or using symbols or spoken language,

iv. A mental disorder, or

v. An injury or *disability* for which benefits were claimed or received under the insurance plan established under the *Workplace Safety and Insurance Act*, 1997; ("handicap").

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.

Employment area

~~Those areas designated in the Official Plan for clusters of business and economic activities including, but not limited to, manufacturing, warehousing, offices, and associated retail and ancillary facilities.~~

Means those areas designated in the official plan for clusters of business and economic activities including manufacturing, research and development in connection with manufacturing, warehousing, goods movement, associated retail and office, and ancillary facilities. An employment area also includes areas of land that were lawfully established on the parcel of land before June 8, 2023. Uses that are excluded from *employment areas* are institutional and commercial, including retail and office not associated with the primary employment use listed above.

Endangered species

A species that is listed or categorized as an "Endangered Species" on the Ontario Ministry of Natural Resources official species at risk list or that is designated as Endangered by the Committee on the Status of Wildlife in Canada (COSEWIC), or as classified by the Committee on the Status of Species at Risk in Ontario (COSSARO) as identified on the Species at Risk Ontario (SARO) list, as updated and amended from time to

time.

Enhancement Areas

Ecologically supporting areas adjacent to Natural Environment System 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*.

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.

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.

Fish

As defined in S.2 of the *Fisheries Act*, c. F-14, as amended, includes fish, shellfish, crustaceans, and marine animals, at all stages of their life cycles.

Fish habitat

~~The spawning grounds and nursery, rearing, food supply and migration areas on which *fish* depend directly or indirectly in order to carry out their life processes and is as identified by the Provincial Ministry of Natural Resources.~~

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

Flood plain

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*.

Flooding hazard

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. Along *river, stream and small inland lake systems*, the *flooding hazard* limit is the ~~The~~ *one-hundred-year flood*~~; and~~.

- ~~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).~~

The Minister of Natural Resources, through Ontario Regulation 41/24, has specified that the 100-year flood is the regulatory flood event for the entirety of the City of Welland.

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 the Great Lakes - St. Lawrence River System and large inland lakes, and *flooding hazards* along *river, stream and small inland lake systems*.

Gross density

The total number of dwelling units per hectare divided by the developable portion of a property or site. *Gross density* does not include lands within the ~~Core~~ Natural Environment ~~Heritage~~ System, but would include other forms of non-residential *development* (such as roads, parks, *infrastructure*, etc.).

Ground water features

Refers to 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 hydrogeologic investigations.

Habitat of Endangered and Threatened Species

~~*Habitat of endangered and threatened species* refers to land that,~~

~~a) Is an area where individuals of an *endangered species* or a *threatened species* depend directly or indirectly, to carry on its life processes including life processes such as reproduction, rearing, migration or feeding and includes places in the area that are used by members of the species as dens, nests, hibernacula or other residences, live or have the~~

~~potential to live and find adequate amounts of food, water, shelter, and space needed to sustain their population, including an area where a species concentrates at a vulnerable point in its annual or life cycle and an area that is important to a migratory or non-migratory species, and~~

~~b) Has been further identified, by the Ministry of Natural Resources or by any other person, according to evaluation procedures established by the Ministry of Natural Resources, as amended from time to time.~~

means habitat within the meaning of section 2 of the Endangered Species Act, 2007.

Hazardous lands

~~Property or lands that could be unsafe for *development* due to naturally occurring processes. 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.~~

~~m~~Means property or lands that could be unsafe for *development* due to naturally occurring processes. Along *river, stream and small inland lake systems*, this means the land, including that covered by water, to the furthest landward limit of the *flooding hazard* or *erosion hazard* limits.

Hazardous sites

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

Hazardous substances

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

Heritage attributes

~~The principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a *protected heritage property.*~~

Means, as defined under the Ontario Heritage Act, in relation to real property, and to the buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest.

Housing Options:

means a range of housing types such as, but not limited to single-detached, semidetached, rowhouses, townhouses, stacked townhouses, multiplexes, additional residential units, tiny homes, laneway housing, garden suites, rooming houses and multi-residential buildings, including low-and mid-rise apartments. The term can also refer to a variety of housing arrangements and forms such as, but not limited to, life lease housing, co-ownership housing, co-operative housing, community land trusts, land lease community homes, *affordable* housing, *additional needs housing*, multigenerational housing, student housing, farm worker housing, culturally appropriate housing, supportive, community and transitional housing and housing related to employment, educational, or institutional uses, such as long-term care homes.

Hydrologic function

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

Individual on-site sewage services

~~Individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the *Building Code Act*, 1992 that are owned, operated and managed by the owner of the property upon which the system is located~~.

Means sewage systems, as defined in O. Reg. 332/12 under the Building Code Act, 1992, that are owned, operated and managed by the owner of the property upon which the system is located.

Individual on-site water services

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

Infrastructure

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

Intensification

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

i. *Redevelopment*, including the reuse of *brownfield sites*;
ii. The *development* of vacant and/or underutilized lots within previously developed areas;

iii. Infill *development*; and

iv. The expansion or conversion of existing buildings.

Intermittent streams

Means 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.

Linkages

~~m~~Means 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 natural features and areas, and supports a range of community and ecosystem processes enabling plants and animals to move among Natural Environment System features, in some cases over multiple generations, thereby supporting the long-term sustainability of the overall Natural Environment System.

Low- and moderate-income households

In reference to ownership housing, low- and moderate-income households are households with incomes in the lowest 60 percent of the income distribution for the *regional market area*. In the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the *regional market area*.

Major goods movement facilities and corridors

Means transportation facilities, corridors and networks associated with the inter- and intraprovincial movement of goods. Examples include: inter-modal facilities, ports, airports, rail facilities, truck terminals, freight corridors, freight facilities, and haul routes, primary transportation corridors used for the movement of goods and those identified in provincial transportation plans. Approaches that are freight-supportive may be recommended in provincial guidance or based on municipal approaches that achieve the same objectives.

Major Office

Major office is generally defined as a freestanding office building of 10,000m2 or greater, or with 500 jobs or more.

Mineral aggregate operation

Lands under license or permit, other than for *wayside pits and quarries*, issued in accordance with the *Aggregate Resources Act*, or successors thereto;

i. For lands not designated under the *Aggregate Resources Act*, established pits and quarries

that are not in contravention of municipal zoning by Zoning By- laws and including adjacent land under agreement with or owned by the operator, to permit continuation of the operation; and

ii. associated facilities used in extraction, transport, beneficiation, processing or recycling of *mineral aggregate resources* and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral aggregate resources

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

Mineral deposits

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

Minimum distance separation formulae

Formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.

Multi-modal 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.

Municipal sewage services

A sewage works within the meaning of Section 1 of *the Ontario Water Resources Act* that is owned or operated by a municipality.

Municipal water services

A municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act*, 2002.

Natural heritage features and areas

~~Features and areas, including *significant wetlands*, *significant* coastal *wetlands*, *fish* habitat, *significant woodlands*, *significant valleylands*, *significant* 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.~~

Means features and areas, including *significant wetlands*, *significant* coastal *wetlands*, other coastal *wetlands* in Ecoregions 5E, 6E and 7E, *fish habitat*, *significant woodlands* and *significant valleylands* in Ecoregions 6E and 7E (excluding islands in Lake Huron and the St. Marys River), 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.

~~**Natural heritage system**~~

~~A system made up of *natural heritage features and areas*, linked by natural corridors which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems. These systems can include lands that have been restored and areas with the potential to be restored to a natural state.~~

Negative impacts

~~Degradation to the *quality and quantity of water*, *sensitive surface water features* and *sensitive ground water features*, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities. In regard to *fish habitat*, the harmful alteration, disruption or destruction of *fish habitat*, except where, in conjunction with the appropriate authorities, it has been authorized under the *Fisheries Act*, using the guiding principle of no net loss of productive capacity. 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.~~

~~In regard to Earth Science Areas of Natural and Scientific Interest (ANSIs), degradation that, due to single, multiple or successive *development* or *site alteration* activities, threatens the integrity of the geological features, landforms or processes for which the ANSI was identified and their associated educational and interpretive functions.~~

In regard to water, degradation to the quality or quantity of surface or groundwater, and their related *hydrologic functions*, due to single, multiple or successive *development* or *site alteration* activities;

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

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.

Net Density

The total number of dwelling units per hectare divided by the developable portion of a property or site. *Net density* does not include lands within the ~~Core~~ Natural Environment ~~Heritage~~ System, parkland, roads and *infrastructure*.

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*.

Older Growth Forest

A relatively undisturbed forest stand containing trees over 100 years old. It may exhibit some of the characteristics of old growth forest such as an uneven-aged canopy; a range of size classes; gap succession processes; undisturbed soils; the presence of substantial standing and fallen deadwood, with the fallen deadwood present in a range of decay classes; or pit and mound topography.

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 1% chance of occurring or being exceeded in any given year.

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, *value-added* uses electricity generation facilities, transmission systems, and energy storage systems; compatible with surrounding agricultural operations.

Partial services

Municipal sewage services or *private communal sewage services* and *individual on-site water services* or *municipal water services* or *private communal water services* and individual on- site sewage services.

Permanent streams

~~m~~Means *watercourses* that contain water during all times of the year.

Personal Services

Personal service uses are those commercial services which provide a service to individuals, and may include uses such as dry cleaners, hairdressers and barber shops, car rental agencies, car dealerships, gas stations and auto and truck repair shops.

Planned corridors

~~Corridors identified through provincial plans or preferred alignment(s) determined through the *Environmental Assessment Act* process which are required to meet projected needs.~~

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

Portable asphalt plant

A facility 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, which is not of permanent construction, but which is to be dismantled at the completion of the construction project.

Portable concrete plant

A building or structure 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, which is not of permanent construction, but which is designed to be dismantled at the completion of the construction project.

Prime agricultural area

Areas where *prime agricultural lands* predominate. This includes: areas of *prime agricultural lands*and associated Canada Land Inventory Class 4-7 soils; and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. *Prime agricultural areas* may be identified by a planning authority based on provincial guidance or informed by mapping from the Ontario Ministry of Agriculture, ~~and~~ Food and Agribusiness and Ontario Ministry of Rural Affairs or any successor to those ministries. ~~using evaluation procedures established by the Province as amended from time to time, or may also be identified through an alternative agricultural land evaluation system approved by the Province.~~

Prime agricultural land

Land that includes specialty crop areas and/or Canada Land Inventory Classes 1, 2, and 3 soils, in this order of priority for protection.

Private communal sewage services

A sewage works within the meaning of Section 1 of the *Ontario Water Resources Act* that serves six or more lots or private residences and is not owned by a municipality.

Private communal water services

A non-municipal drinking-water system within the meaning of Section 2 of the *Safe Drinking Water Act*, 2002 that serves six or more lots or private residences.

Protected heritage property

~~Real property designated under Parts IV, V or VI of the *Ontario Heritage Act*; heritage conservation easement property under Parts II or IV of the *Ontario Heritage Act*; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.~~

Means property designated under Part IV or VI of the Ontario Heritage Act; property included in an area designated as a heritage conservation district under Part V of the Ontario Heritage Act; property subject to a heritage conservation easement or covenant under Part II or IV of the Ontario Heritage Act; property identified by a provincial ministry or a prescribed public body as a property having cultural heritage value or interest under the Standards and Guidelines for the Conservation of Provincial Heritage Properties; property protected under federal heritage legislation; and UNESCO World Heritage Sites.

Protection works standards

The combination of non-structural or structural works and allowances for slope stability and flooding/erosion to reduce the damage caused by *flooding hazards*, *erosion hazards* and other water-related hazards, and to allow access for their maintenance and repair.

Public service facilities

Land, 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, and cultural services. *Public service facilities* do not include *infrastructure*.

Quality and quantity of water

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

Is 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.

Recreation

Leisure time activity undertaken in built or natural settings for purposes of physical activity, health benefits, sport participation and skill development, personal enjoyment, positive social interaction and the achievement of human potential.

Redevelopment

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

Regional market area

~~Refers to an area, generally broader than a lower-tier municipality, that has a high degree of social and economic interaction. In southern Ontario, the upper or single-tier municipality will normally serve as the regional market area. Where a regional market area extends significantly beyond upper or single-tier boundaries, it may include a combination of upper, single and/or lower-tier municipalities.~~

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 systems

~~The production of electrical power from an energy source that is renewed by natural processes including, but not limited to, wind, water, a biomass resource or product, or solar and geothermal energy.~~

Means an energy source that is renewed by natural processes and includes wind, water, biomass, biogas, biofuel, solar energy, geothermal energy and tidal forces.

Residence surplus to a<u>n agricultural</u> ~~farming~~ operation

~~An existing 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).~~

A~~n one~~ single existing habitable farm residence such as a detached dwelling or any associated additional residential units, that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation)

Residential intensification

Intensification of a property, site or area which results in a net increase in residential units or accommodation and includes:

i. *Redevelopment*, including the *redevelopment* of *brownfield sites*;
ii. The *development* of vacant or underutilized lots within previously developed areas;
iii. Infill *development*;
iv. The conversion or expansion of existing industrial, commercial and institutional buildings for residential use; and

The conversion or expansion of existing residential buildings to create new residential units or accommodation, including accessory apartments, secondary suites and rooming houses.

River, stream and small inland lake systems

means all *watercourses*, rivers, streams, and small inland lakes or waterbodies that have a measurable or predictable response to a single runoff event.

Rural Lands

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

Secondary uses

Uses secondary to the principal use, including, but not limited to, home occupations, home industries, and uses that produce *value-added* agricultural products from farm operations.

Service Commercial

Generally refers to personal and professional commercial services.

Sensitive

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

Sensitive land uses

Buildings, amenity areas, or outdoor spaces where routine or normal activities occurring at reasonably expected times would experience one or more *adverse effects* from contaminant discharges generated by a nearby major facility. *Sensitive land uses* may be a part of the natural or built environment. Examples may include, but are not limited to: residences, day care centres, and educational and health facilities. With

respect to policies dealing with the identification and remediation of contaminated lands, means an institutional, residential, parkland or agricultural or other use defined in the Record of Site Condition Regulation 153/04.

Settlement areas

Urban areas within municipalities (such as cities and towns) that are:

i. *Built-up areas* where *development* is concentrated and which have a mix of land uses; and
ii. Lands which have been designated in the official plan for *development* over the long-term planning horizon.

For the purposes of this Plan, the term "urban area" shall mean "settlement area", and the term "urban boundary" shall mean the boundary of the settlement area (urban area).

Sewage and water services

Includes *municipal sewage services* and *municipal water services*, *private communal sewage services* and *private communal water services*, *individual on-site sewage services* and *individual on-site water services*, and *partial services*.

Significant

In regard to *wetlands*, coastal *wetlands* and *areas of natural and scientific interest*, an area identified as provincially *significant* ~~by the Ontario Ministry of Natural Resources~~ using evaluation procedures established by the Province, as amended from time to time.

In regard to the habitat of *endangered species* and *threatened species*, means the habitat, as approved by the Endangered Species Act Ontario Ministry of Natural Resources, that is necessary for the maintenance, survival, and/or the recovery of naturally occurring or reintroduced populations of *endangered species* or *threatened species*, and where they depend on life processes of reproduction, rearing, hibernation, migration and feeding those areas of occurrence are occupied or habitually occupied by the species during all or any part(s) of its life cycle.

In regard to *woodlands*, an area which is 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. These are to be identified using criteria and procedures established by the Province.

In regard to other features, ecologically important in terms of features, functions, representation or amount,

and contributing to the quality and diversity of an identifiable geographic area or the natural ~~heritage~~ environment system.

In regard to mineral potential, means an area identified as provincially *significant* through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time, such as the Provincially Significant Mineral Potential Index;

~~In regard to potential for petroleum resources, means an area identified as provincially significant through comprehensive studies prepared using evaluation procedures established by the Province, as amended from time to time.~~

In regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people. Processes and criteria for determining cultural heritage value are established by the Province under the authority of the Ontario Heritage Act.

~~In regard to a change in the spatial extent of a CoreNatural Heritage Component an increase or decrease of over 20% in the area within an Environmental Conservation Area or in the length or area of a *surface water feature* shown as *Fish Habitat*.~~

~~Criteria for determining significance for the resources identified in Sections (c)-(g) are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used.~~

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

Site alteration

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

~~**Special 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 of special needs housing may include, but are not limited to, housing for persons with disabilities such as physical, sensory or mental health disabilities, and housing for the elderly.~~

Species of Concern

Any species that is listed or categorized as a special concern species on the Ontario Ministry of Natural Resources Official Species at Risk list or that is designated as a special concern species by the Committee on the Status of Wildlife in Canada (COSEWIC) or that is not included on those lists but has been given a ranking of S3 imperiled or higher by the Ontario Natural Heritage Information Centre, as updated from time to time.

Supporting Features and Areas

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

Surface water feature

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

Sustainable private services

A sewage disposal system, other than a holding tank, that is designed and constructed in accordance with the Ontario Building Code Act and a water supply well designed and constructed in accordance with the Ministry of the Environment Guidelines or other guidelines approved by the City of Welland, which are located on the same property as the buildings to which the sewage disposal system and water well provide service.

Threatened species

~~Any species that is listed or categorized as a "Threatened Species" on the Ontario Ministry of Natural Resources official Species at Risk list or that is designated as Threatened by the Committee on the Status of Wildlife in Canada (COSEWIC) as updated from time to time.~~

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

Transportation systems

~~A system consisting of corridors and rights-of way for the movement of people and goods, and associated transportation facilities including transit stops and stations, cycle lanes, bus lanes, high occupancy vehicle~~

~~lanes, rail facilities, park'n'ride lots, service centres, rest stops, vehicle inspection stations, intermodal terminals, harbours, and associated facilities such as storage and maintenance.~~

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

Urban Agriculture

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

Urban Forest

Meaning tree-dominated vegetation and related features found within an urban area and includes woodlots, plantations, shade trees, fields in various stages of succession, wetland and riparian areas.

Utility (ies)

~~All public and/or private utilities (including, but not exclusive of cable television, hydro, communications/telecommunications, Canada Post etc.) or any similar works or systems necessary to the public interest.~~

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.

Value-Added

Uses that generally occur on-farm which add value to agricultural products and their sale and distribution and are intended to promote and sustain the viability of farming operations. Such uses are generally considered *agriculture-related uses*, and are required to be small scale and related to the farm activity. *Value-Added* Uses may be grouped into three major components: Support Uses, Production Uses and Marketing Uses:

i. Production uses: mean *value-added* farm related uses that include processing of agricultural products (including wineries, canneries, bakeries, cheese factories and similar uses); and distribution and warehousing of agricultural products.
ii. Marketing uses: mean *value-added* farm related uses that include a variety of methods of

increasing the sales of raw or finished farm products. Such uses may include road side produce stands and other retail facilities for the sale of products, pick your own facilities, agri-tourism uses (such as farm mazes,special events facilities (e.g. farm weddings) and educational facilities) and "experiential uses" (such as "working farm vacations" or culinary schools).

iii. Support uses: means uses that support day to day farm operation and may include machinery repairs, seed suppliers, and other uses not more appropriately accommodated in *settlement areas*. Support uses are intended toprimarily serve the farm operation and surrounding local farm operations andare intended to remain secondary to the principal farm operation."

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.

Vulnerable

Surface and groundwater that can be easily changed or impacted by activities or events, either by virtue of their vicinity to such activities or events or by permissive pathways between such activities and the surface and/or groundwater.

Waste management system

Sites and facilities to accommodate solid waste from one or more municipalities and includes landfill sites, recycling facilities, transfer stations, processing sites and hazardous waste depots.

Water Resource System

Means a system consisting of *ground water features* and areas, *surface water features* (including shoreline areas), Natural Environment System features and areas, and *hydrologic functions*, which are necessary for the ecological and hydrological integrity of the *watershed*.

Watershed

means an area that is drained by a river and its tributaries.

Watercourse

An identifiable depression in the ground in which a flow of water regularly or continuously occurs.

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.

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 *wetlands* being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be *wetlands* for the purposes of this definition.

Wildlife habitat

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

Woodlands

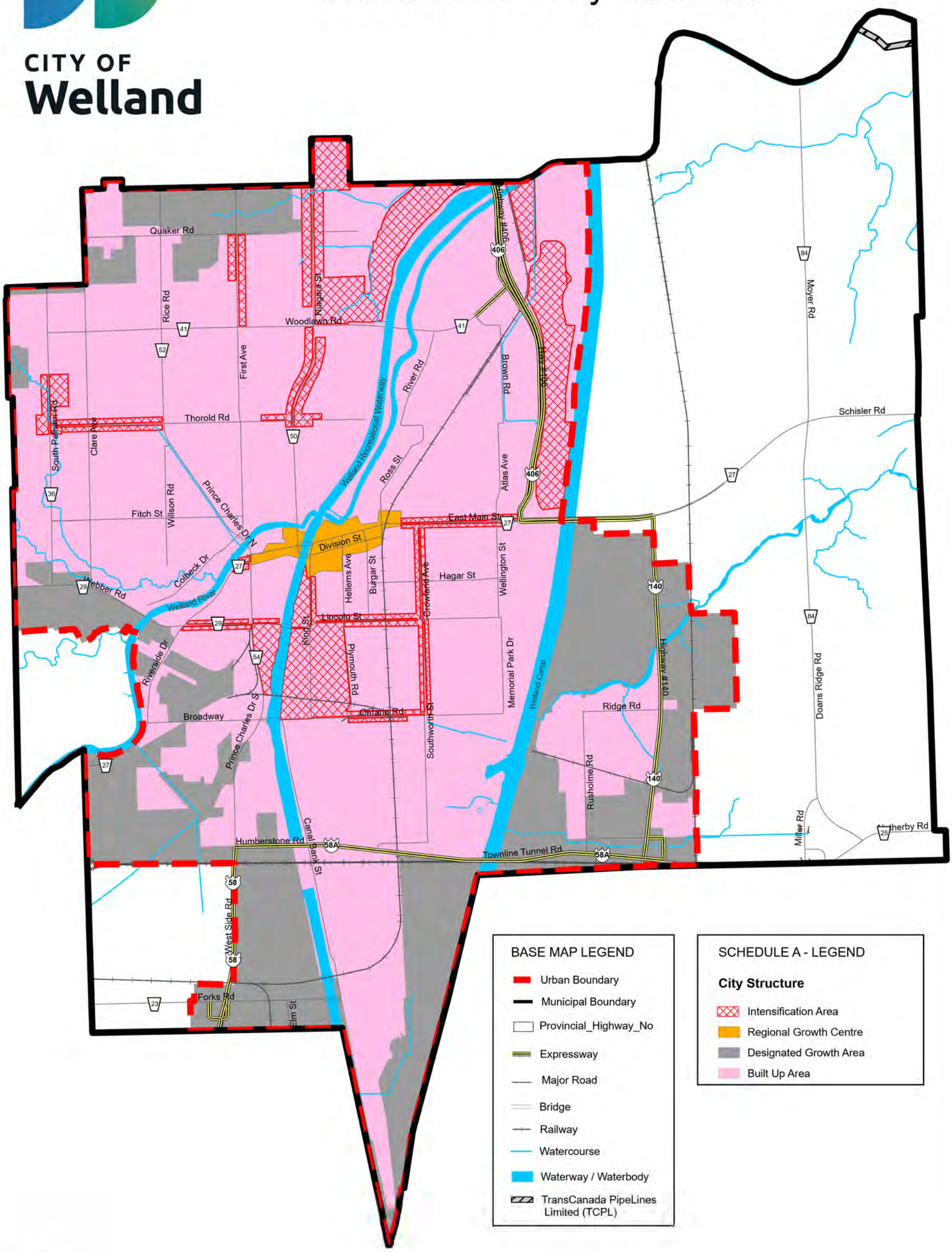
~~Treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of *wildlife habitat*, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels. They do not include cultivated fruit or nut orchards or plantations used for the purpose of producing Christmas trees.~~

Means 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* may be delineated according to the Forestry Act definition or the Province's Ecological Land Classification system definition for "forest."

CITY OF WELLAND OFFICIAL PLAN

Schedule 'A' - City Structure

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE A - LEGEND

City Structure

- Intensification Area
- Regional Growth Centre
- Designated Growth Area
- Built Up Area

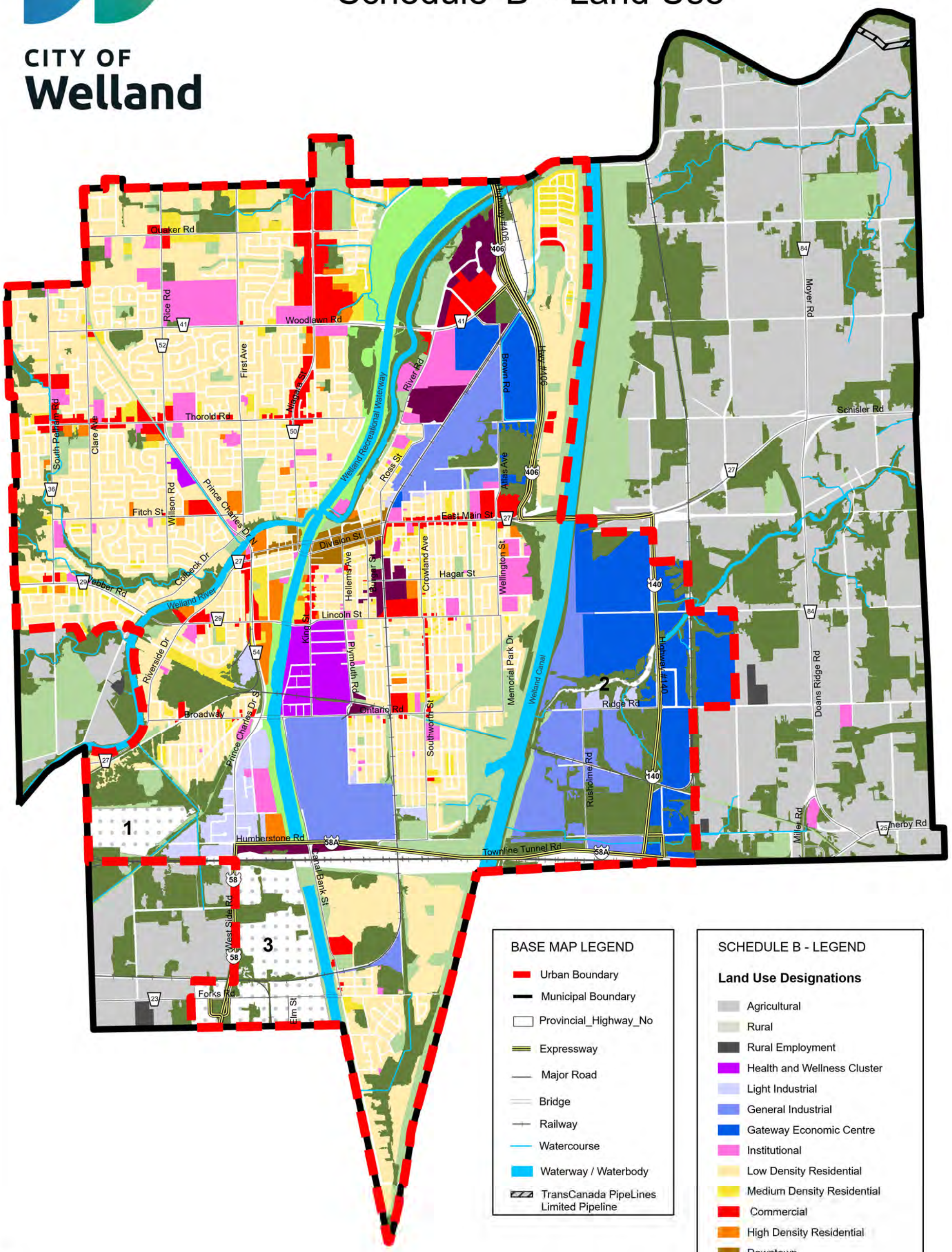
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'B' - Land Use

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited Pipeline

SCHEDULE B - LEGEND

Land Use Designations

- Agricultural
- Rural
- Rural Employment
- Health and Wellness Cluster
- Light Industrial
- General Industrial
- Gateway Economic Centre
- Institutional
- Low Density Residential
- Medium Density Residential
- Commercial
- High Density Residential
- Downtown
- Transitional Employment
- Natural Environment System
- Open Space and Recreation
- Welland Recreational Waterway
- Specific Policy (Areas 1-3)
- Site Specific Exceptions

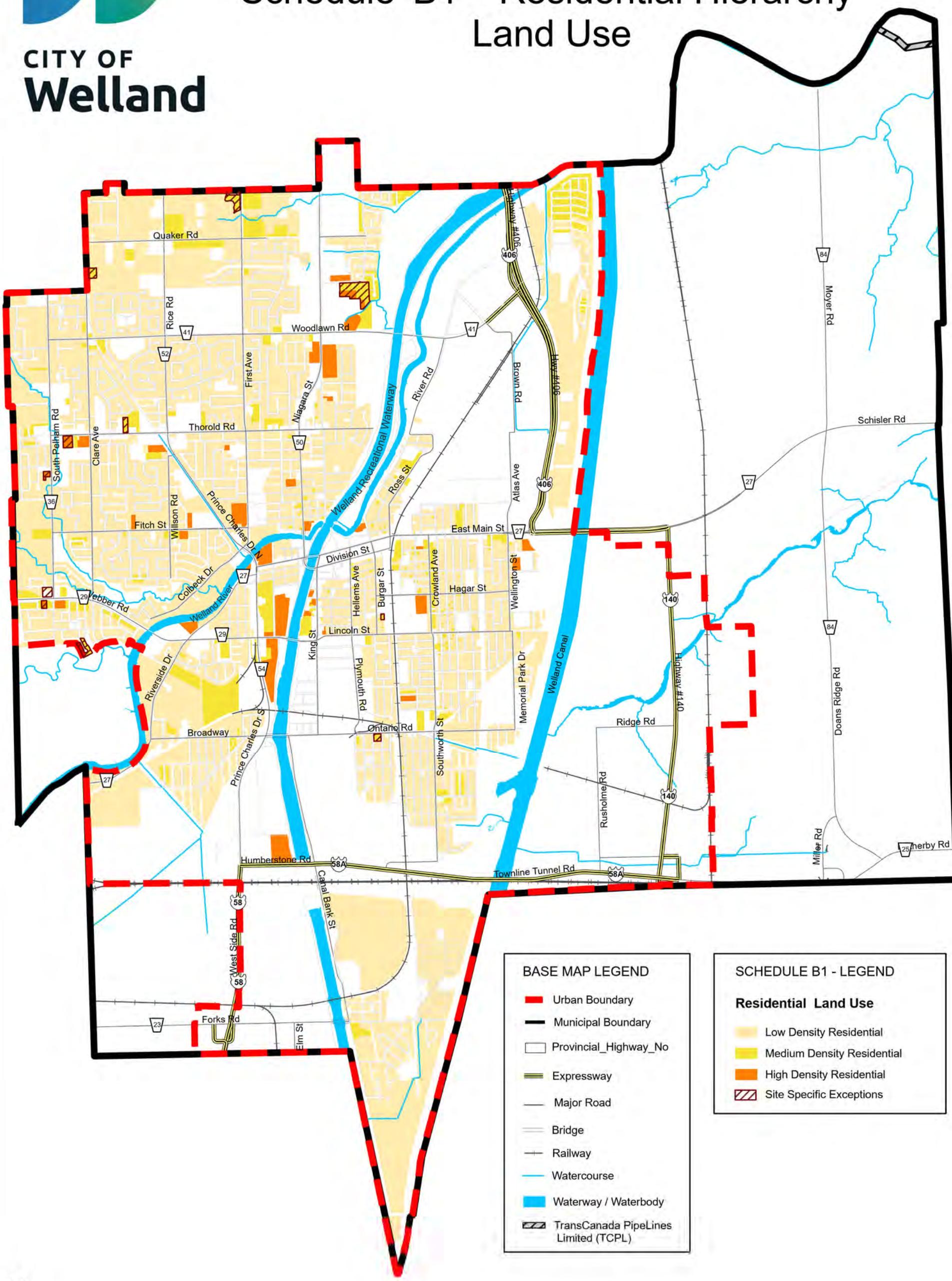
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'B1' - Residential Hierarchy
Land Use

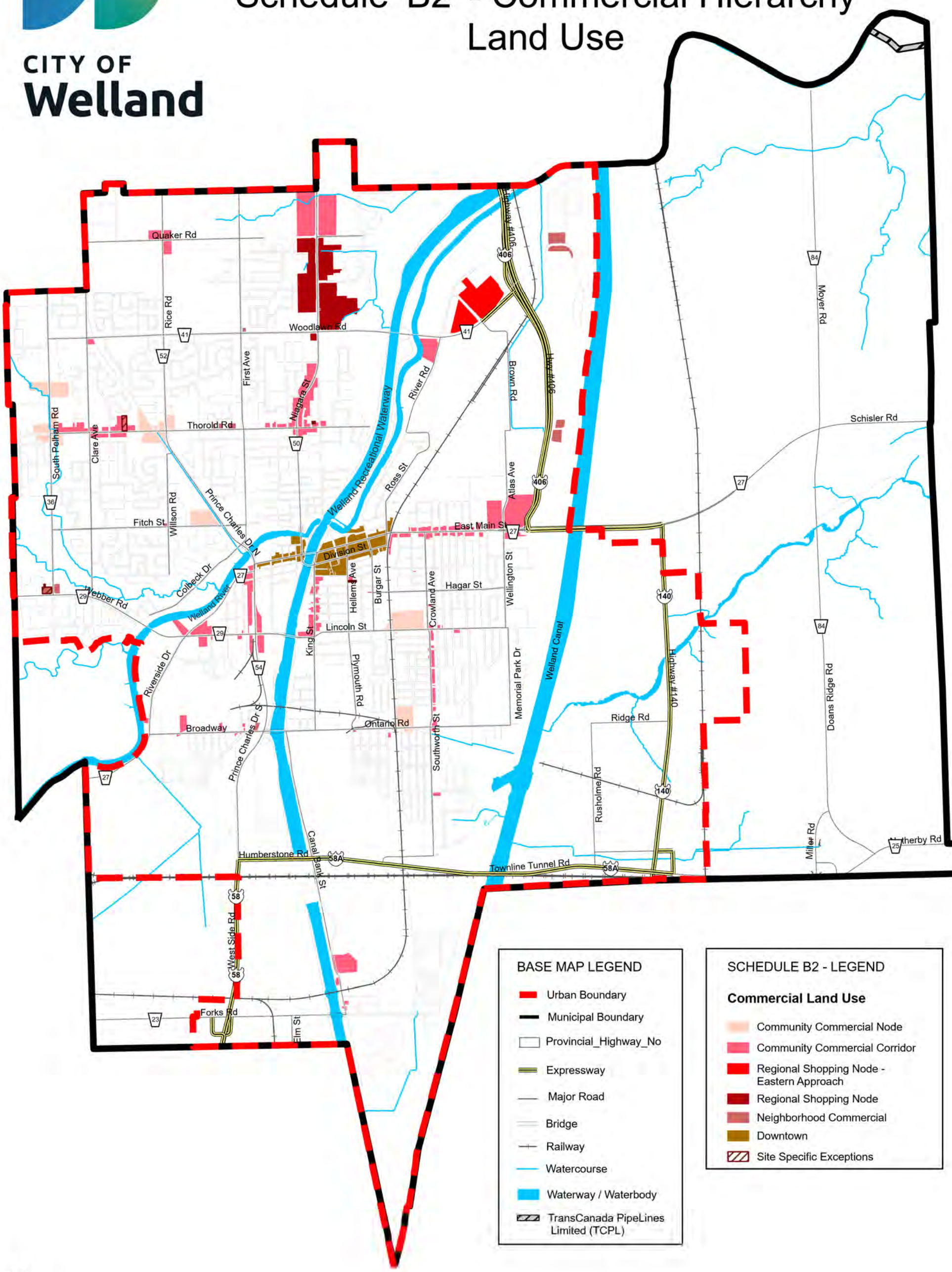
CITY OF
Welland



CITY OF WELLAND OFFICIAL PLAN

Schedule 'B2' - Commercial Hierarchy Land Use

CITY OF Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE B2 - LEGEND

Commercial Land Use

- Community Commercial Node
- Community Commercial Corridor
- Regional Shopping Node - Eastern Approach
- Regional Shopping Node
- Neighborhood Commercial
- Downtown
- Site Specific Exceptions

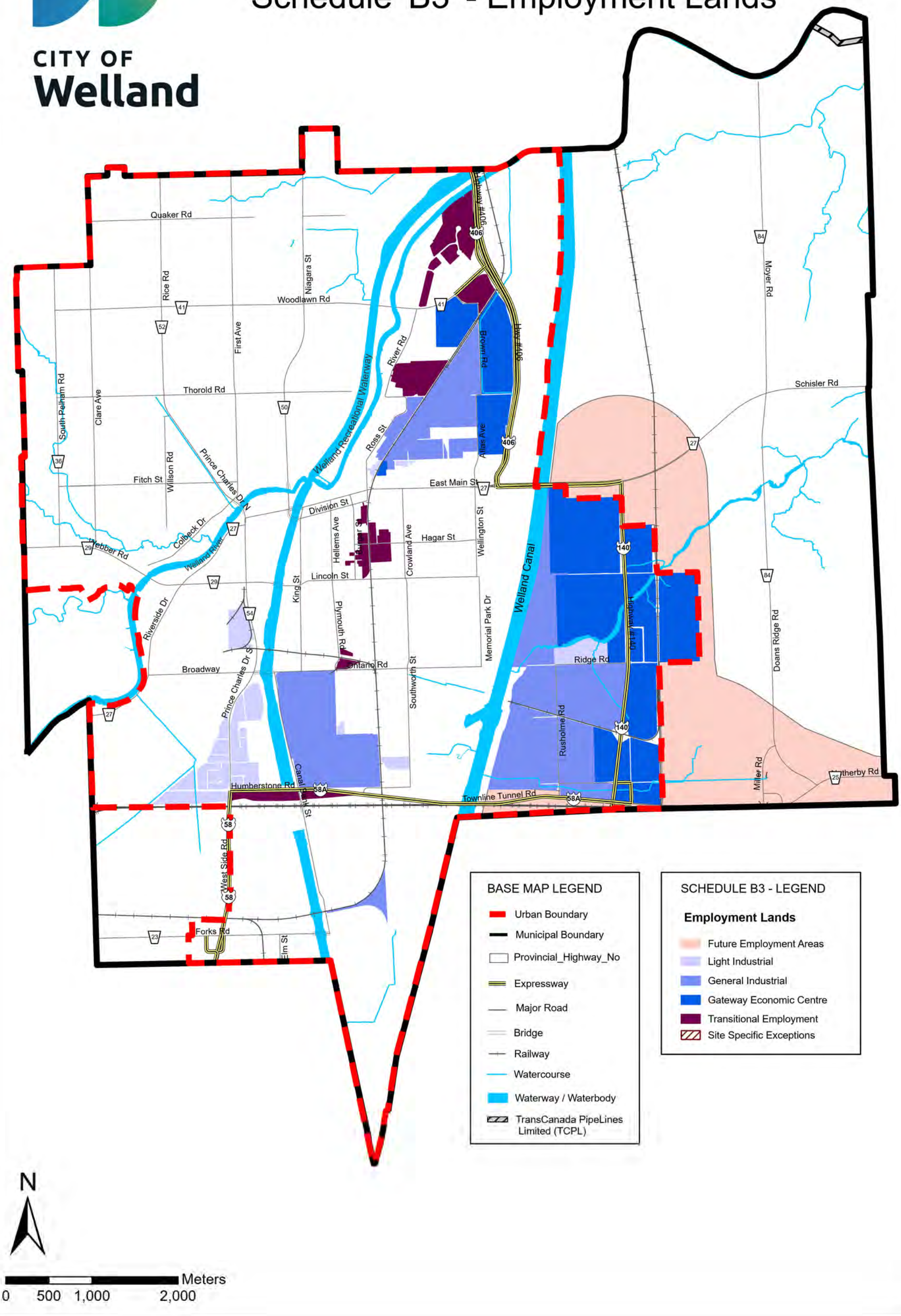
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'B3' - Employment Lands

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE B3 - LEGEND

Employment Lands

- Future Employment Areas
- Light Industrial
- General Industrial
- Gateway Economic Centre
- Transitional Employment
- Site Specific Exceptions

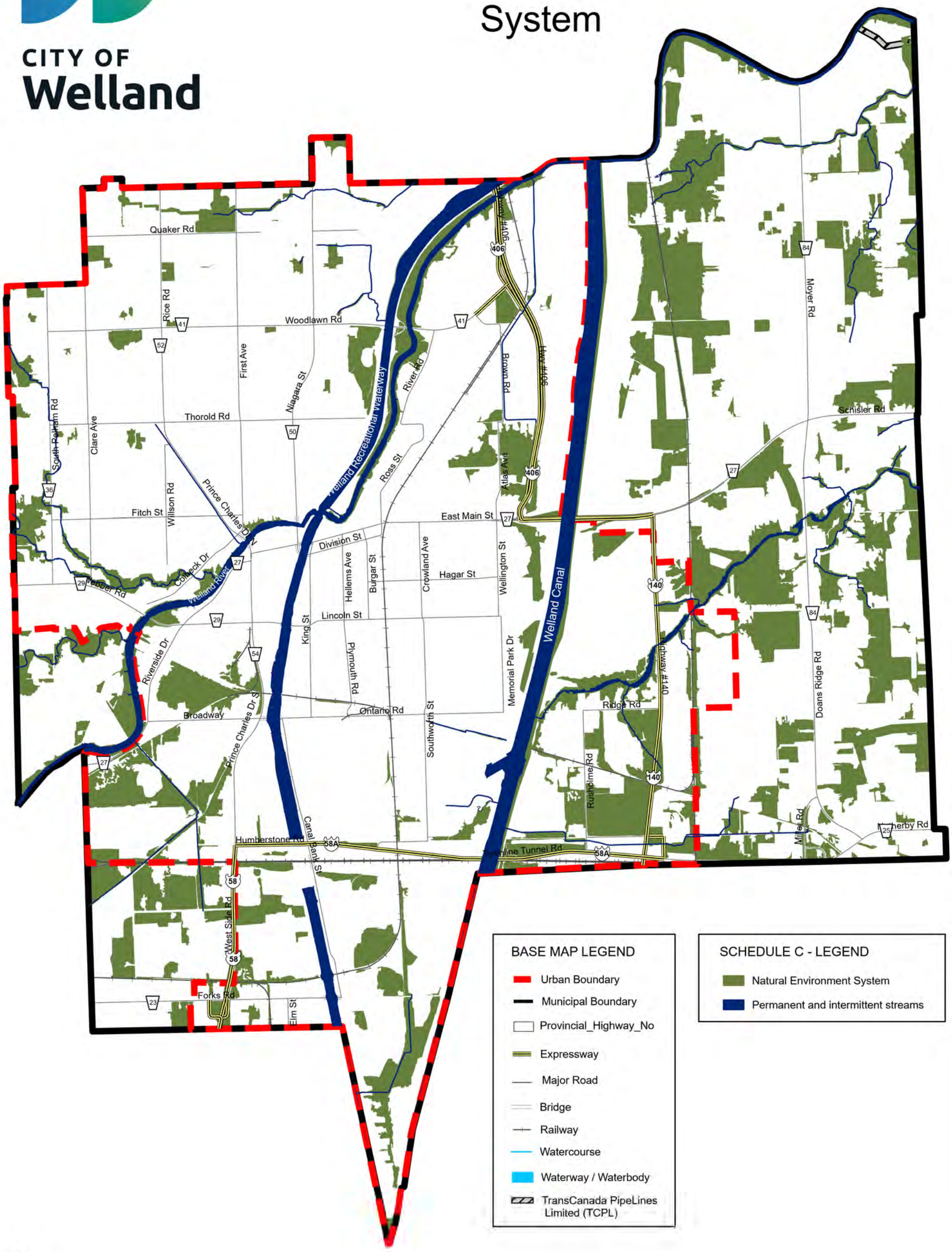
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'C' - Natural Environment System

CITY OF Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE C - LEGEND

- Natural Environment System
- Permanent and intermittent streams

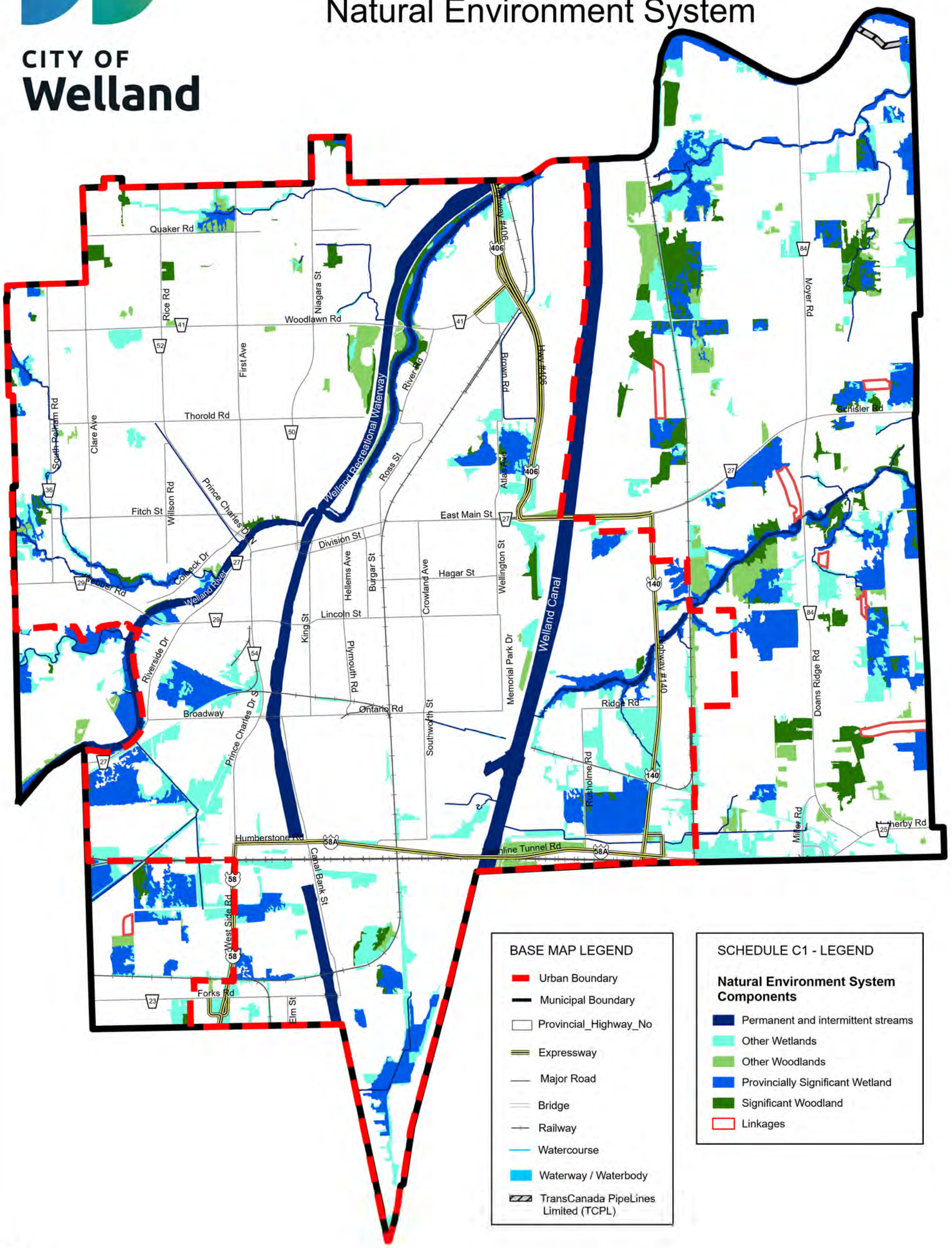
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'C1' - Components of the Natural Environment System

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE C1 - LEGEND

Natural Environment System Components

- Permanent and intermittent streams
- Other Wetlands
- Other Woodlands
- Provincially Significant Wetland
- Significant Woodland
- Linkages

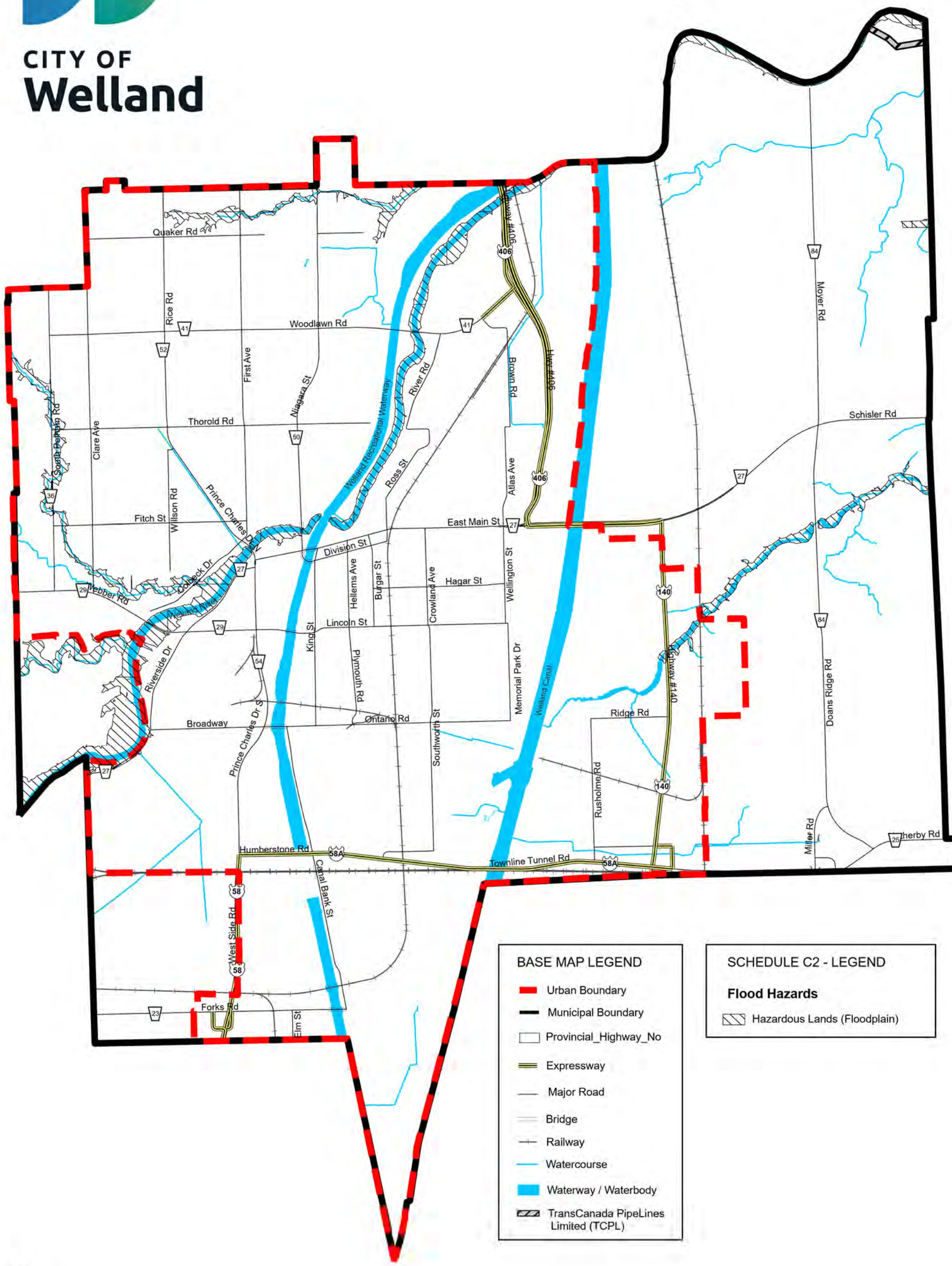
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'C2' - Floodplains

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE C2 - LEGEND

Flood Hazards

- Hazardous Lands (Floodplain)

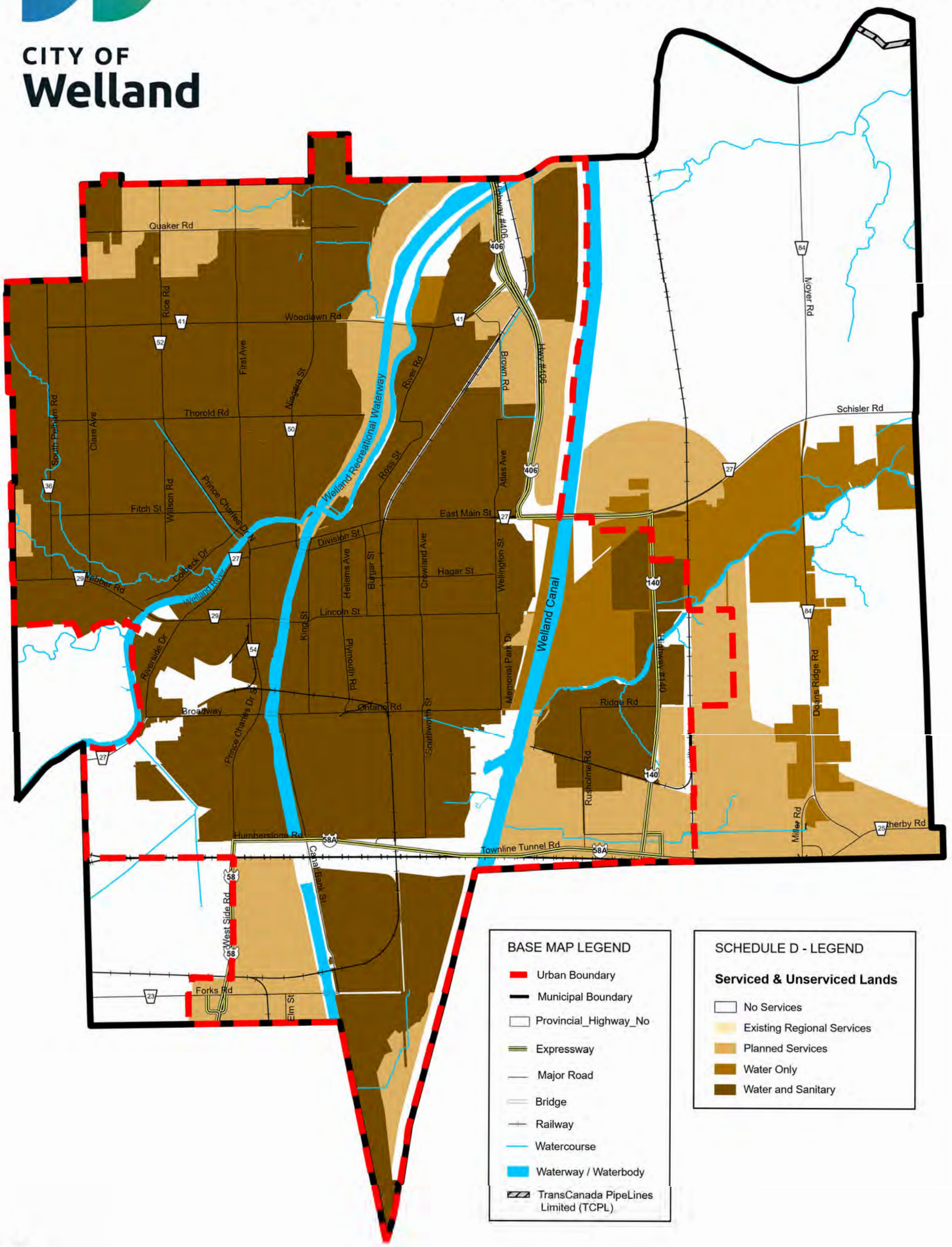
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'D' - Serviced & Unserviced Lands

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE D - LEGEND

Serviced & Unserviced Lands

- No Services
- Existing Regional Services
- Planned Services
- Water Only
- Water and Sanitary

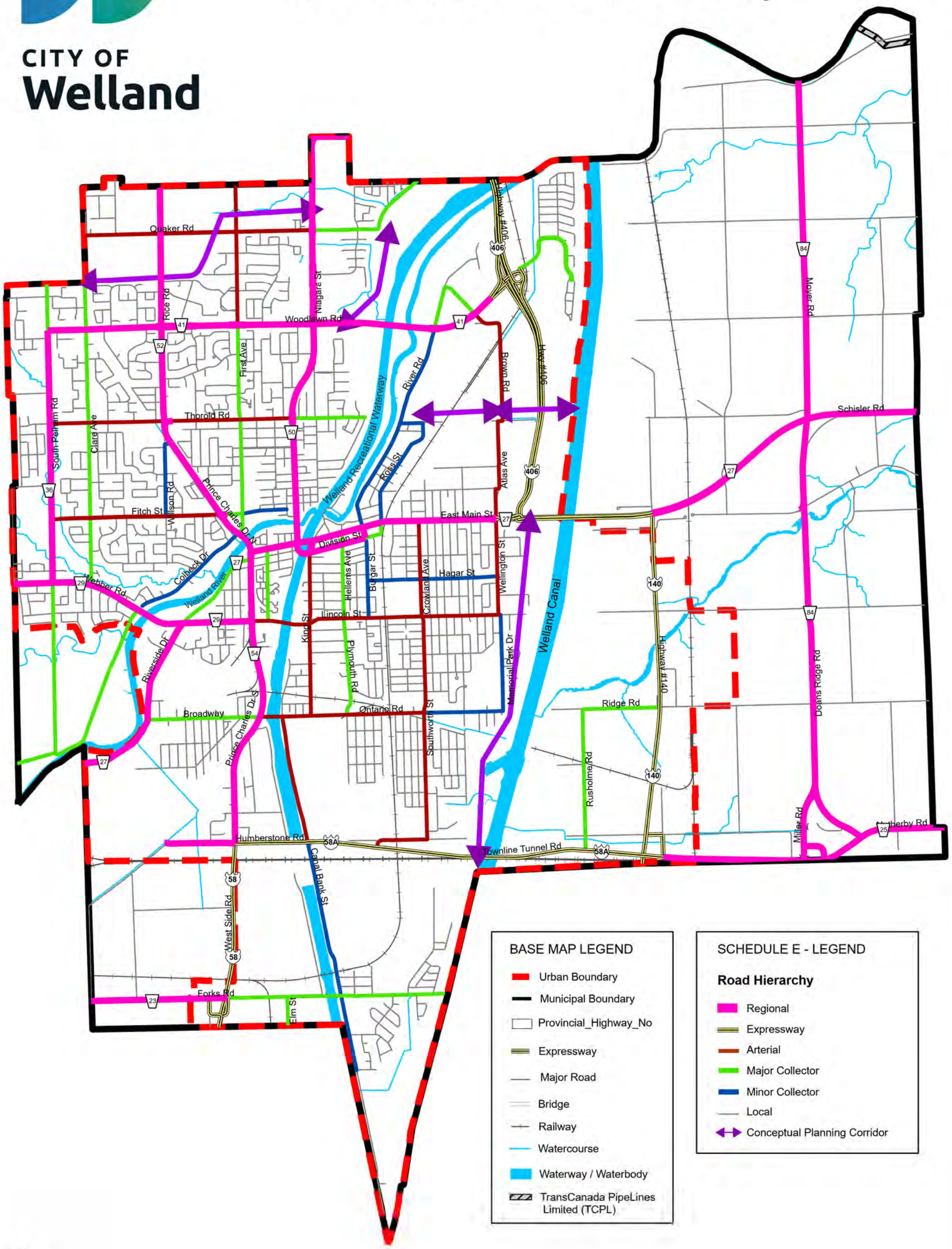
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'E' - Road Hierarchy

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE E - LEGEND

Road Hierarchy

- Regional
- Expressway
- Arterial
- Major Collector
- Minor Collector
- Local
- Conceptual Planning Corridor

N

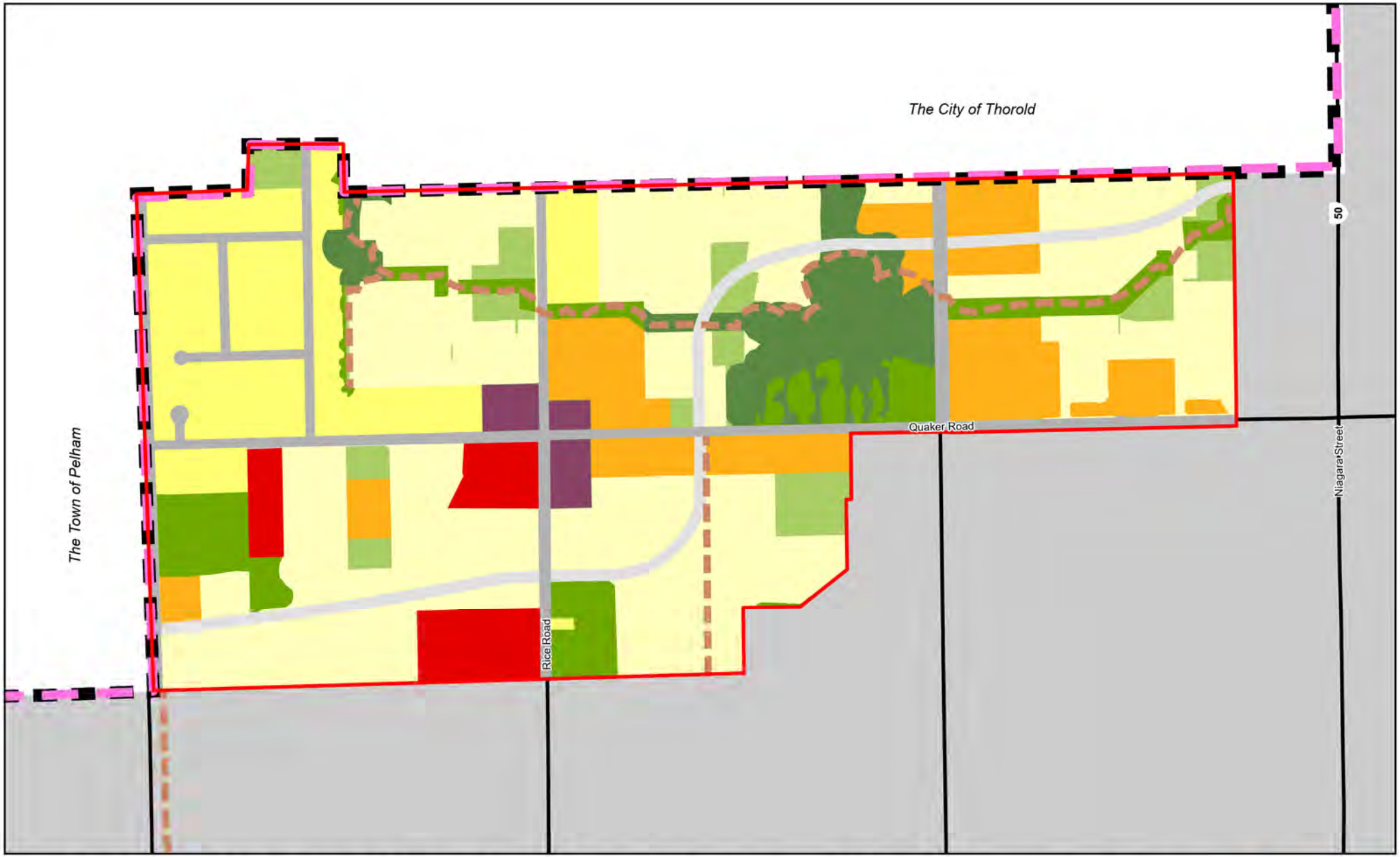
0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Schedule 'E1' -Niagara Regional Road Allowance Widths

Regional Road #	Road Name	Road Segment	Width in Metres
23	Forks Road	Western Boundary of Welland – Highway 58	26.2
25	Netherby Road	Doan's Ridge Road – Eastern Boundary of Welland	30.5
27	Riverside Drive	Western Boundary of Welland – Lincoln Street	26.2
		Lincoln Street – Prince Charles Drive	20.1
	West Main Street	Prince Charles Drive – King Street	20.1
	East Main Street	King Street – Ross Street	20.1
		Ross Street – Wellington Street	26.2
		Highway 140 – Moyer Road	36.6
		Moyer Road – Eastern Boundary of Welland	26.2
	Eastbound Ramp from Moyer Road	Regional Road 84 – Regional Road 27 Eastbound	35
29	Webber Road	Murdock Street – Riverside Drive	30.5
	Lincoln Street	Riverside Drive – Prince Charles Drive	26.2
33	Humberstone Road	Highway 58 – Feeder Road	26.2
36	South Pelham Road	Webber Road – Woodlawn Road	26.2
41	Woodlawn Road	South Pelham Road – Seaway Mall Entrance	26.2
		Seaway Mall Entrance – Highway 406	35.0
50	Niagara Street	West Main Street – Welland River	20.1
		Welland River – Thorold Road	23.2
		Thorold Road – Northern Boundary of Welland	26.2
54	Prince Charles Drive South	Highway 58 – Lincoln Street	30.5
	Prince Charles Drive North	Lincoln Street – Thorold Road	26.2
	Rice Road	Thorold Road – Quaker Road	30.5
		Quaker Road – Northern Boundary of Welland	26.2
68	King Street	Division Street East – East Main Street	23.2
84	Miller Road	Townline Road Tunnel Road – Netherby Road	26.2
	Doan's Ridge Road	Netherby Road – East Main Street	26.2
	Moyer Road	East Main Street – Welland River	30.5
525	Townline Tunnel Road	Highway 58A – Netherby Road	36.6
	Keefer Road	Townline Tunnel Road – Miller Road	35.0
527	Division Street	West Main Street – Burgar Street	20.1
	Burgar Street	Division Street – West Main Street	20.1

Regional Intersection Type	Minimum Sight Triangle Dimension Requirements
Urban (signalized)	10 metres x 10 metres
Urban (non-signalized)	6 metres x 6 metres
Rural	15 metres x 15 metres



CITY OF WELLAND OFFICIAL PLAN - Schedule 'F' - Northwest Welland Secondary Plan

- Secondary Plan Boundary
- Urban Boundary
- Welland Boundary Line
- Low Density Established Residential
- Low Density Greenfield Residential
- Medium Density Residential
- Mixed Use
- General Institutional
- Existing Roads
- Proposed Roads
- Trails
- Open Space & Recreation
- Environmental Conservation Area
- Environmental Protection Area

N

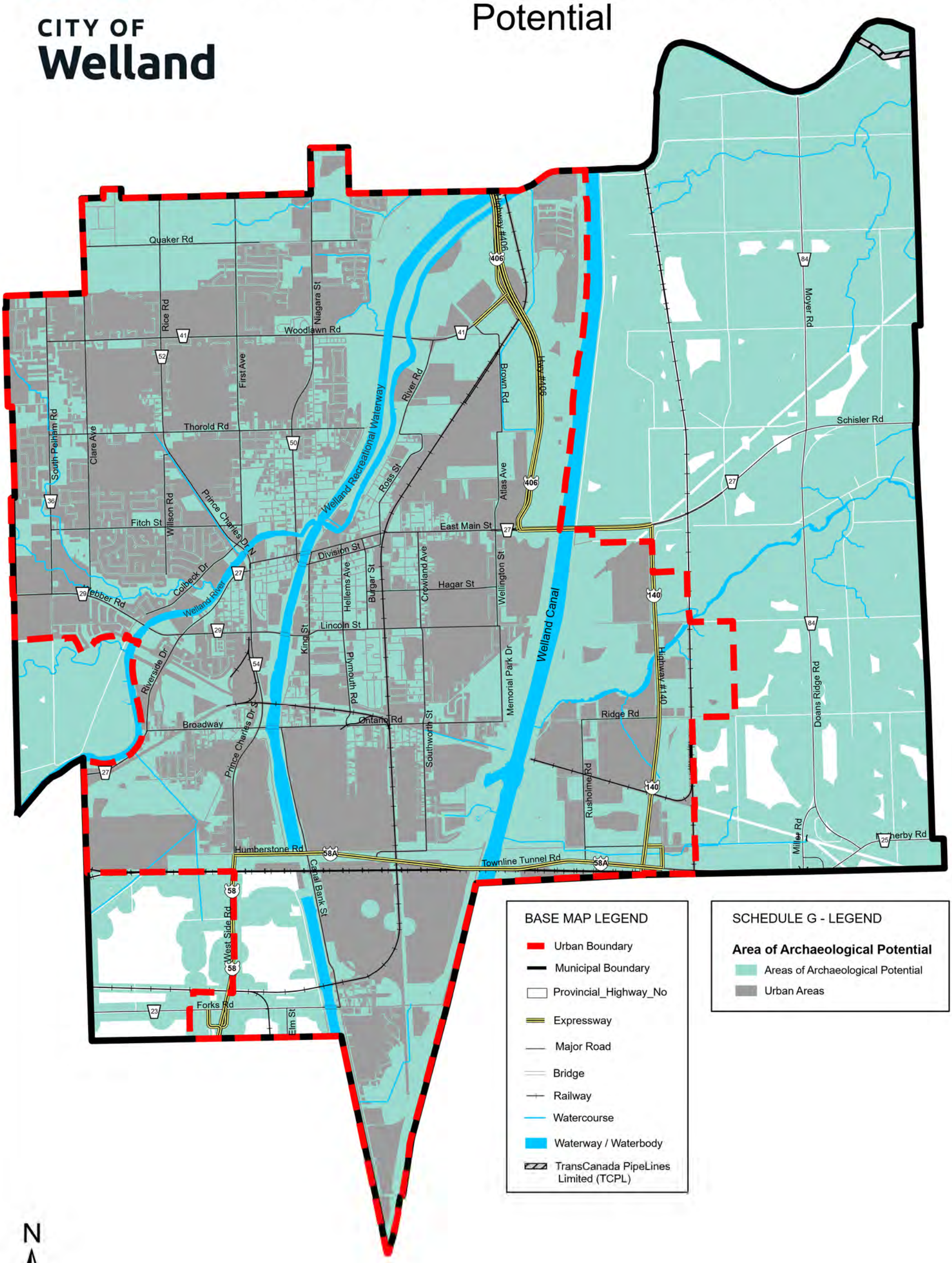
0 100 200 400 600 Meters

CITY OF Welland

CITY OF WELLAND OFFICIAL PLAN

Schedule 'G' - Area of Archaeological Potential

CITY OF Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

SCHEDULE G - LEGEND

Area of Archaeological Potential

- Areas of Archaeological Potential
- Urban Areas

N

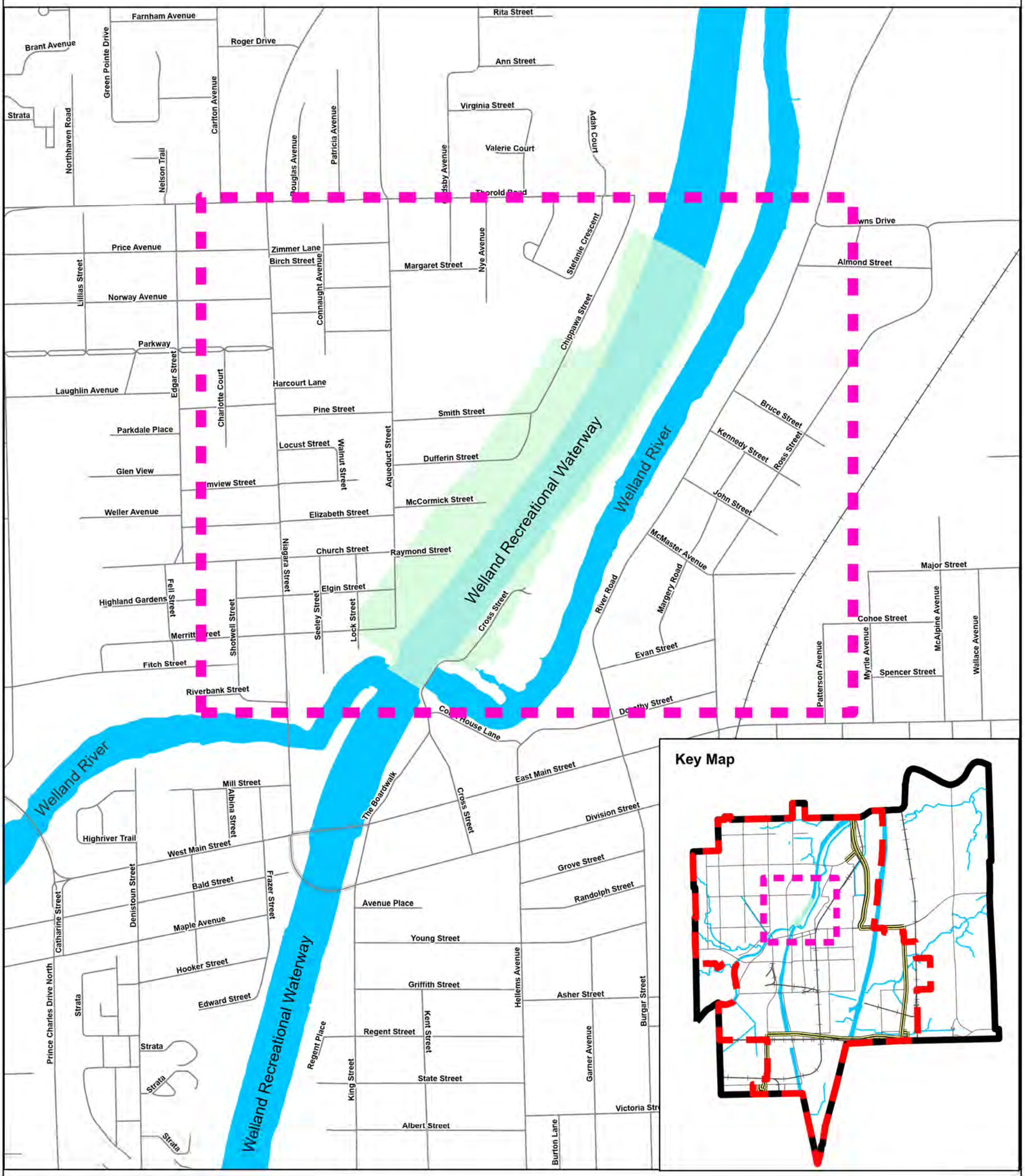
Meters

0 500 1,000 2,000

CITY OF Welland

CITY OF WELLAND OFFICIAL PLAN

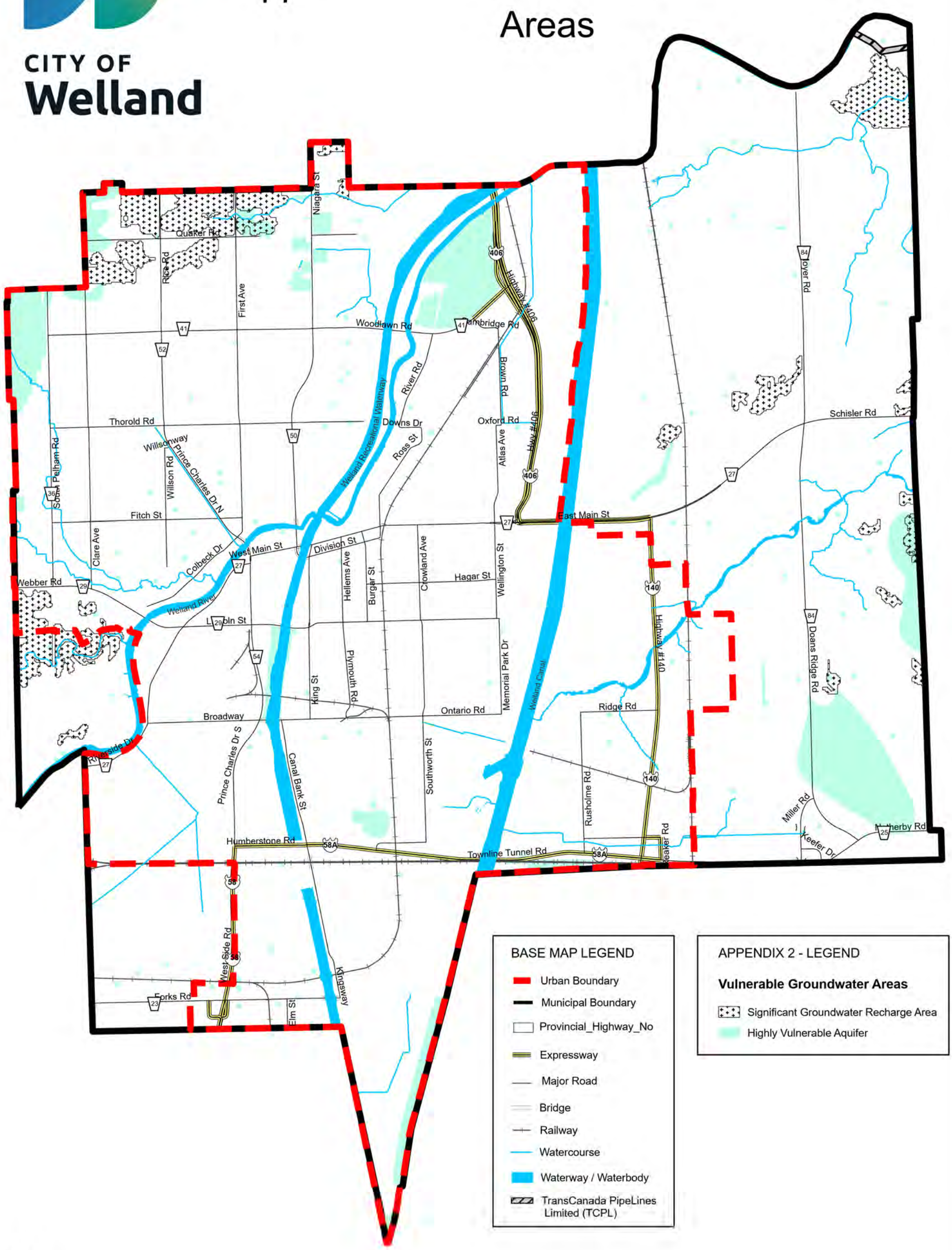
Appendix '1' - Welland Water Treatment Plant Intake Protection Zone



CITY OF WELLAND OFFICIAL PLAN

Appendix '2' - Vulnerable Groundwater Areas

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

APPENDIX 2 - LEGEND

Vulnerable Groundwater Areas

- Significant Groundwater Recharge Area
- Highly Vulnerable Aquifer

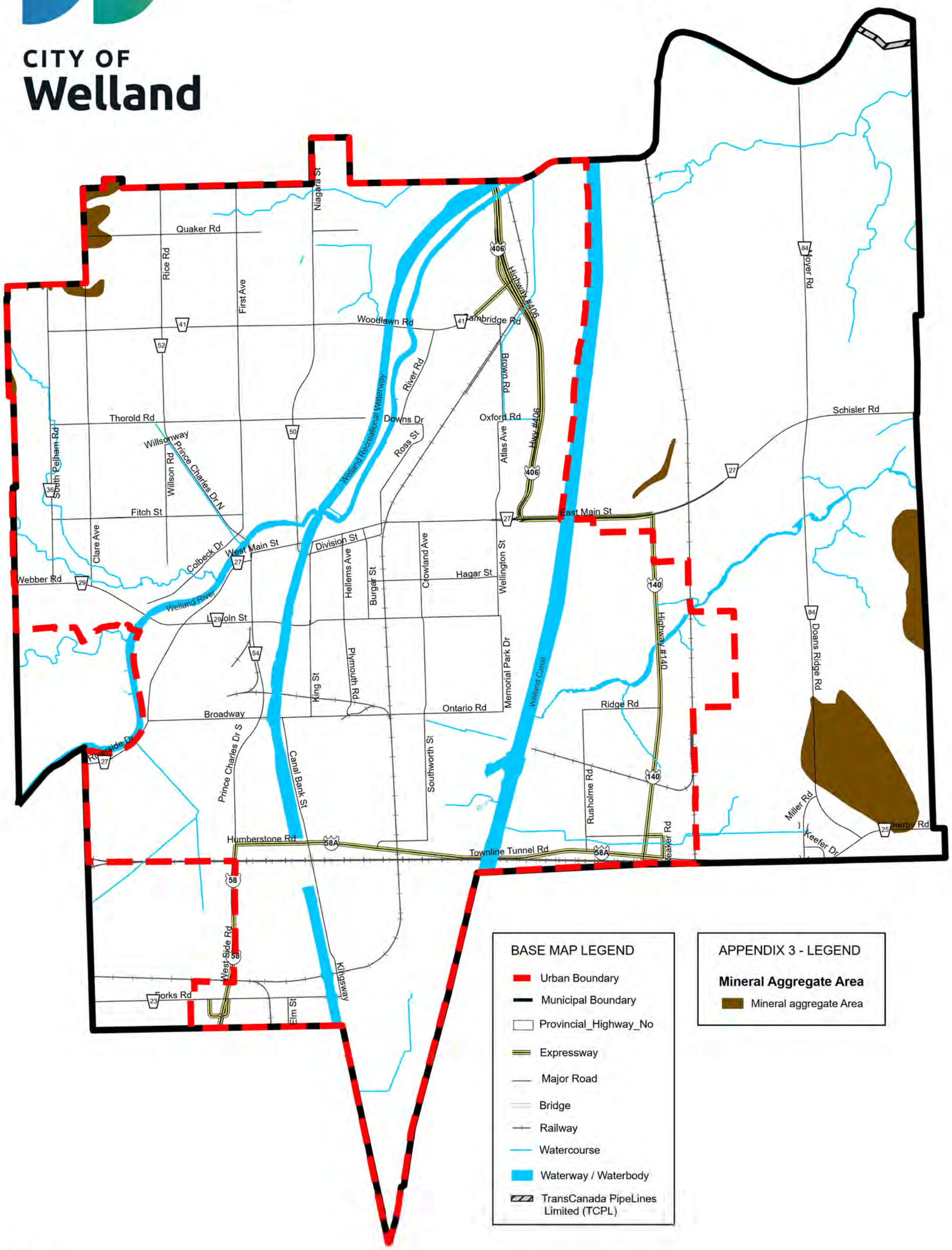
N

0 500 1,000 2,000 Meters

CITY OF WELLAND OFFICIAL PLAN

Appendix '3' - Mineral Aggregate Area

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

APPENDIX 3 - LEGEND

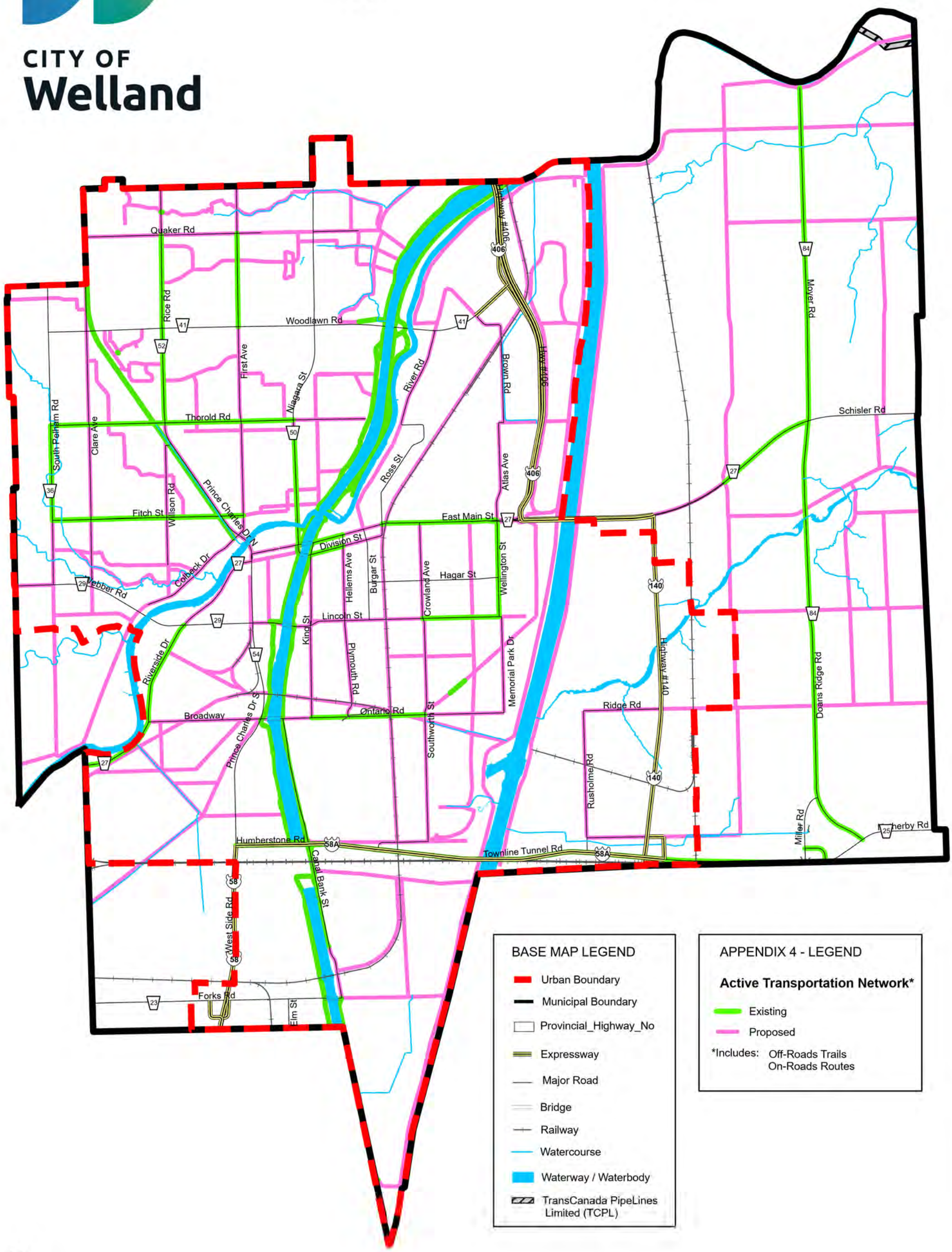
Mineral Aggregate Area

- Mineral aggregate Area

CITY OF WELLAND OFFICIAL PLAN

Appendix '4' - Trail Network

CITY OF
Welland



BASE MAP LEGEND

- Urban Boundary
- Municipal Boundary
- Provincial_Highway_No
- Expressway
- Major Road
- Bridge
- Railway
- Watercourse
- Waterway / Waterbody
- TransCanada PipeLines Limited (TCPL)

APPENDIX 4 - LEGEND

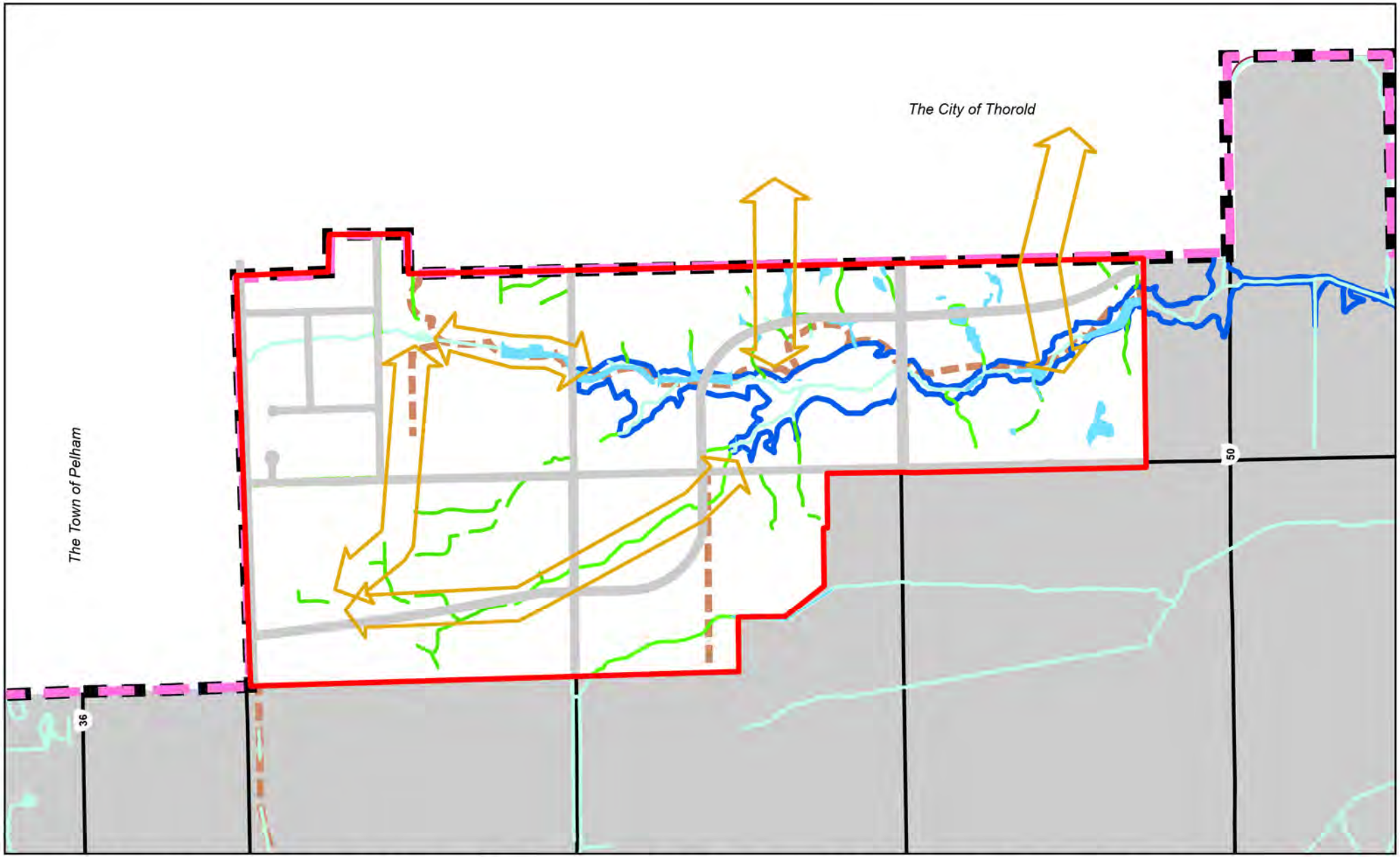
Active Transportation Network*

- Existing
- Proposed

*Includes: Off-Roads Trails
On-Roads Routes

N

0 500 1,000 2,000 Meters



CITY OF WELLAND OFFICIAL PLAN - Appendix '5' - Northwest Welland Hydrological Features

Secondary Plan Boundary
Urban Boundary
Welland Boundary Line
Watercourse
Headwater Drainage Features
Wetlands <0.5 ha outside of the EPA and ECA designations
Floodplain
Potential Corridor

N

0 100 200 400 600 Meters

CITY OF Welland