Town of Lincoln
Official Plan

This is an Office Consolidation of the OFFICIAL PLAN for the Corporation of the Town of Lincoln adopted by the Council of the Town of Lincoln on xx, xx, xxxx and as approved by the Province ~~Ministry of Municipal Affairs and Housing~~ with modifications on xx, xx, xxxx
For accurate reference, recourse should be made to the original Official Plan list of modifications.

CONSOLIDATED VERSION
xx, xxxx

BACKGROUND

The Town of Lincoln was established in 1970 upon the creation of the Regional Municipality of Niagara, from the former municipalities of the Town of Beamsville, Township of Clinton and part of the Township of Louth. In January 1990 the Town adopted its first Official Plan, a policy document that was approved by the Province ~~Ministry of Municipal Affairs and Housing~~ on December 18, 1992, with subsequent approvals in 1994 and 1996.

Over the past decade, a number of major planning initiatives have been implemented by the Province which has significant implications for the Town. These initiatives included:

- An update to the *Greenbelt Protection Act* and Plan in 2017 and 2024;
- The implementation of the Provincial Planning Statement (PPS) 2024 which came into effect in October 2024 and included the revocation of the Provincial Policy Statement (2020) and Growth Plan for the Greater Golden Horseshoe (2017);
- Legislative reforms to the Planning Act, R.S.O. 1990, c.P.13, as amended, which have introduced significant changes to municipal land use planning policy, *development* approvals, and planning authority in Ontario.

In addition, the Niagara Official Plan was approved in November 2022. In compliance with its statutory obligation to conform to these provincial and regional policies and in recognition of the jurisdiction of the Niagara Escarpment Commission over the Niagara Escarpment Plan Area within Lincoln, the Town has undertaken to update the Official Plan. As part of Bill 185, the *Cutting Red Tape to Build More Homes Act,* the Region of Niagara become an upper-tier municipality without planning responsibilities. As such, the Niagara Official Plan approved in 2022 has been consolidated into the Town of Lincoln's Official Plan.

The planning landscape for the Town has shifted considerably over the past decade. The Town continues to be a predominately Greenbelt community with fixed urban boundaries and limited options for growing its population outside of existing urban areas. That said, the growth forecast for the Town includes significant growth that will be directed towards the urban areas. Otherwise, it has long been a focus of the Town to foster agricultural excellence, innovation, and diversification, coupled with a strong local tourism sector that leverages the Town's unique setting. Therefore, it was critical to implement an Official Plan to respond to these circumstances while conforming to the hierarchy of policies. This Plan achieves that goal.

Organization of the Plan

The Town of Lincoln Official Plan is divided into three volumes as described below. This Plan, in its entirety (Volume 1, Volume 2, Volume 3, and the Appendices), is the policy of Town of Lincoln Council. It is intended that this Plan shall be read in its entirety. The schedules and appendices form part of this Plan.

VOLUME 1: Strategic Directions and Town-Wide Policies

Volume 1 contains text for the Town-wide policy framework that applies to all lands within the Town unless otherwise specified. Volume 1 ~~The Official Plan~~ consists of ten parts as follows:

Part 1 Introduction
Part 2 Rural Area Land Use Policies
Part 3 Urban Area Land Use Policies
Part 4 Environmental & Water Management Resource Policies
Part 5 Economic Strategy
Part 6 Transportation
Part 7 Municipal Servicing
Part 8 Community Design Guidelines
Part 9 Administration
Part 10 Definitions

VOLUME 2: Secondary Plans

Volume 2 contains area-specific policies that apply to defined Secondary Plan areas. The Secondary Plan areas are identified in Schedule B.

Volume 2 Secondary Plans shall be read in conjunction with Volume 1 and Volume 3. That Volume 2 policies provide more specific direction than that found in Volume 1 policies, and therefore where Volume 1 policies conflict with Volume 2 policies, the Volume 2 policies shall prevail, except where stated in this Plan.

Part 1 ~~Campden Secondary Plan;~~ Prudhommes Secondary Plan; and
Part 2 ~~Prudhommes Secondary Plan;~~ Beamsville GO Transit Station Secondary Plan.
~~**Part 3** Jordan Secondary Plan;~~
~~**Part 4** Jordan Station Secondary Plan; and~~
~~**Part 5** Beamsville GO Transit Station Secondary Plan.~~

Volume 3: Schedules and Appendices

Volume 3 contains Schedules that illustrate this Plan's policies in map form. Volume 3 also includes appendices that form part of this Plan.

Schedule A ~~–~~ – Land Use Plan
Schedule A1 – Land Use Plan
Schedule A2 – Beamsville ~~Urban Area~~
Schedule A3 ~~–~~ – Vineland and Vineland East ~~Urban Area~~
Schedule A4 – Prudhommes ~~Urban Area~~
Schedule A5 ~~–~~ – Special Area Policies~~Jordan and Jordan Station Urban Area~~
Schedule A6 – Jordan and Jordan Station Special Area Policy

Schedule A7 – Campden Special Area Policy
Schedule B – Secondary Plan Areas
Schedules B1-B12: Secondary Plan Schedules *(Applicable only within the boundaries of the corresponding Secondary Plan area)*

- Schedule B1 – Prudhommes Secondary Plan Land Use
- Schedule B2 – Prudhommes Maximum Building Storeys
- Schedule B3 – Prudhommes Urban Design Features
- Schedule B4 – Prudhommes Active Transportation
- Schedule B5 – Prudhommes Shoreline Stabilization Area
- ~~Schedule B6 - Campden Secondary Plan Land Use~~
- Schedule B6~~7~~ – Beamsville GO Transit Station Secondary Plan Land Use
- Schedule B7~~8~~ – Beamsville GO Transit Station Maximum Building Storeys
- Schedule B8~~9~~ – Beamsville GO Transit Station Planned Road Network and Improvements
- Schedule B9~~10~~ – Beamsville GO Transit Station Planned ~~Planned~~ Active Transportation Network
- Schedule B10~~1~~ – Beamsville GO Transit Station Public Realm Improvements
- Schedule B11~~2~~-1 – Beamsville GO Transit Station: Cross Section - Ontario Street
- Schedule B11~~2~~-2 – Beamsville GO Transit Station: Cross Section – Greenlane Road
- Schedule B11~~2~~-3 – Beamsville GO Transit Station: Schematic Representation of Building Stepback for a Mid-Rise Building

Schedule C – Municipal Structure
Schedule D1 – M~~ M~~ajor Roads Plan
Schedule D2 – Trail and Bikeway Plan
Schedule D3 – Trail and Bikeway Plan (Beamsville Area)
Schedule D4 – Trail and Bikeway Plan (Vineland, Vineland East, Jordan & Jordan Station Area)
Schedule D5 – Trail and Bikeway Plan (Prudhommes Area)
Schedule E1 – Natural Environment System: Individual Components and Features
Schedule E2 – Key Hydrologic Areas Overlay
Schedule E3 – Aggregate Resources
Schedule E4 – Hazard Lands
Schedule E5 – Tertiary and Quaternary Watersheds
Schedule E6 – Areas of Archaeological Potential

Appendix A – Requirements for Complete Application

TABLE OF CONTENTS

PART 1 *INTRODUCTION* 31

1.1. THE COMMUNITY VISION 31

1.2. SUSTAINABILITY 32

1.3. GOALS AND OBJECTIVES 34

1.3.1 Agriculture 34

1.3.2. Protection of Small Town Character 35

1.3.3. Climate Change 36

1.3.4. The Economy 37

1.3.5. Growth and Settlement 39

1.3.6. Natural Resources 40

1.3.7. The Natural Environment 40

1.3.8. Cultural Heritage 42

1.4. SETTLEMENT AREA STRATEGY 42

1.4.1. Population Forecast 42

1.4.2. Housing Forecast 43

1.4.3. Employment Forecast 43

1.4.4. Land Supply 44

1.5. TOWN STRUCTURE AND LAND USE 45

1.5.1. Rural Area 45

1.5.2. Urban Area 46

1.6. CONCEPTS GUIDING FUTURE DEVELOPMENT IN THE URBAN AREAS 47

1.6.1. Urban Area Boundaries 47

1.6.2. Designated Growth Areas 47

1.6.3. Strategic Growth Area 48

1.6.4. Intensification Target 49

1.6.5. Intensification Corridors 49

1.6.6. Urban Area Expansion 49

PART 2 *RURAL AREA LAND USE POLICIES* 51

2.1. SPECIALTY CROP AND PRIME AGRICULTURAL AREAS 51

2.1.1. Introduction 51

2.1.2. Objectives 52

2.1.3. Permitted Uses 54

2.1.4. General Policies in the Specialty Crop Area and Prime Agricultural Area Designations 61

2.1.5. Consent Policies 66

2.1.6. Special Provisions 69
2.2. RURAL SETTLEMENT 73
2.2.1. Introduction 73
2.2.2. Objectives 73
2.2.3. Permitted Uses 73
2.2.4. General Policies 74
2.3. MINERAL AGGREGATE RESOURCE AREA 76
2.3.1. Introduction 76
2.3.2. Objectives 76
2.3.3. Permitted Uses 77
2.3.4. Policies 77
2.4. NIAGARA ESCARPMENT PLAN AREA 85
2.4.1. Introduction 86
2.4.2. Objectives 86
2.4.3. Policies 86
2.4.4. Special Policy Area 87
PART 3 *URBAN AREA LAND USE POLICIES* 88
3.1. RESIDENTIAL 88
3.1.1. Introduction 88
3.1.2. Objectives 88
3.1.3. Permitted Uses 88
3.1.4. General Policies 89
3.1.5. Residential Development Policies 93
3.1.6. Additional Residential Units 95
3.1.7. Bed and Breakfast Establishments 96
3.1.8. Additional Needs Housing 96
3.1.9. Home Based Business 96
3.1.10. Institutional Uses 96
3.1.11. Neighbourhood Commercial Uses 97
3.1.12. Parks and Open Space 98
3.1.13. Residential Intensification 98
3.1.14. Monitoring of Housing 99
3.2. MIXED USE 100
3.2.1. Introduction 100
3.2.2. Objectives 100
3.2.3. Permitted Uses 101
3.2.4. Policies 101

3.3. CENTRAL BUSINESS DISTRICT 101
3.3.1. Introduction 101
3.3.2. Objectives 102
3.3.3. Permitted Uses 102
3.3.4. Policies 102
3.4. GENERAL COMMERCIAL 104
3.4.1. Introduction 104
3.4.2. Objectives 105
3.4.3. Permitted Uses 105
3.4.4. Policies 105
3.5. EMPLOYMENT 107
3.5.1. Introduction 107
3.5.2. Objectives 107
3.5.3. General Policies 108
3.5.4. Office Commercial Designation 112
3.5.5. Employment Area Designation 113
3.6. PARKS AND OPEN SPACE 116
3.6.1. Introduction 116
3.6.2. Objectives 116
3.6.3. Permitted Uses 117
3.6.4. Policies 117
3.7. NATURAL ENVIRONMENT AREA 123
3.8. NIAGARA ESCARPMENT PLAN AREA 123
3.9. SPECIAL POLICY AREA 123
3.9.1. Campden Special Area Policies 123
3.9.1.1. General Policies 124
3.9.1.2. Residential 124
3.9.1.3. Commercial 125
3.9.1.4. Institutional 125
3.9.1.5. Parks and Open Space 125
3.9.1.6. Servicing and Transportation 125
3.9.2. Jordan Special Area Policies 126
3.9.2.1. General Policies 126
3.9.2.2. Residential 127
3.9.2.3. Mixed Use 127
3.9.2.4. Central Business District 127

3.9.2.5. Servicing and Transportation 127
3.9.2.6. Jordan Urban Design Guidelines 129
3.9.2.6.1. Setbacks 129
3.9.2.6.2. Larger Scale Redevelopment and Infill Development 129
3.9.3. Jordan Station Special Area Policies 131
3.9.3.1. General Policies 131
3.9.3.2. Residential 132
3.9.3.3. General Commercial 132
3.9.3.4. Employment 132
3.9.3.5. Servicing and Transportation 132
3.9.3.6. Jordan Station Urban Design Guidelines 132
3.9.3.6.1. Setbacks 132
3.9.3.6.2. Redevelopment and Infill 133
PART 4 *ENVIRONMENTAL & WATER* 134
4.1 CLIMATE CHANGE AND ENERGY CONSERVATION 134
4.1.1 Introduction 134
4.1.2 Objectives 134
4.1.3 Policies 135
4.2 NATURAL ENVIRONMENT SYSTEM 137
4.2.1. Introduction 138
4.2.2. Objectives 138
4.2.3 Components of the Natural Environment System 139
4.2.4. Refinements to the Limits of the Natural Environment System 140
4.2.5. Existing Lots & Lot Creation 141
4.2.6. Permitted Uses 141
4.3 LANDS IN THE NIAGARA ESCARPMENT PLAN AREA 142
4.4 LANDS OUTSIDE OF THE GREENBELT PLAN NATURAL HERITAGE SYSTEM AND OUTSIDE NIAGARA ESCARPMENT 143
4.4.1. Development and Site Alteration in Natural Heritage Features and Areas outside of a Greenbelt Plan Natural Heritage System 144
4.4.2. Development and Site Alteration in Adjacent Lands outside of a Greenbelt Plan Natural Heritage System 146
4.4.3. Buffers Outside of Settlement Areas and Outside of a Greenbelt Plan Natural Heritage System 147
4.4.4. Buffers in Settlement Areas 149
4.5 LANDS WITHIN THE GREENBELT PLAN NATURAL HERITAGE SYSTEM 149
4.5.1. Development and Site Alteration in Adjacent Lands within a Greenbelt Plan Natural Heritage System 151

4.5.2. Development and Site Alteration within a Greenbelt Plan Natural Heritage System 152
4.6 SPECIAL POLICY FOR NIAGARA PENINSULA TENDER FRUIT AND GRAPE AREA IN THE GREENBELT PLAN 153
4.7 OTHER NATURAL ENVIRONMENTAL SYSTEM POLICIES 154
4.7.1 Key Hydrologic Areas, Key Hydrologic Features, and Other Important Water Resources 154
4.7.2 Other Woodlands 156
4.7.3 Fish Habitat 157
4.7.4 Habitat of Endangered Species and Threatened Species 157
4.7.5 Provincially and Regionally Significant Earth Science Areas of Natural and Scientific Interest 158
4.7.6 Supporting Features and Areas 158
4.7.7 Enhancement Areas 159
4.7.8 Linkages 160
4.7.9 Natural Features that have been Disturbed 162
4.7.10 Enhancements to the Natural Environment 163
4.7.11 Aquatic Species at Risk 164
4.7.12 Cumulative Impacts 164
4.7.13 Natural Hazards 164
4.7.14 Woodland Cover 166
4.7.15 Wetland Cover 167
4.7.16 Riparian Vegetation Cover 167
4.7.17 Native and Non-Native Species 167
4.8 WATER RESOURCE MANAGEMENT 168
4.8.1 Protection of the Resource 168
4.8.2 Impact Assessment 169
4.8.3 Vulnerable Ground water Areas 169
4.9 ENVIRONMENTAL IMPACT STUDIES AND HYDROLOGICAL EVALUATIONS 169
4.9.1 Waiving and Scoping of an Environmental Impact Study and/or Hydrological Evaluation 170
4.9.2 Terms of Reference for an Environmental Impact Study and/or Hydrological Evaluation 171
4.10 WATERSHED PLANNING 171
4.10.1 Informing Land Use Planning 172
4.10.2 Subwatershed Planning 172
4.11 CONTAMINATED SITES 173
4.12 REQUIREMENTS FOR AN AGRICULTURAL IMPACT ASSESSMENT 174
4.13 SOLID WASTE DISPOSAL AREAS 174
4.14 GAS AND PETROLEUM WELLS 175

4.15 LAND USE COMPATIBILITY 176
PART 5 *ECONOMIC STRATEGY* 178
5.1. ECONOMIC STRATEGY 178
5.1.1. Introduction 178
5.1.2. Goals 178
5.1.3. Objectives 179
5.1.4. Policies 179
PART 6 *TRANSPORTATION* 182
6.1. TRANSPORTATION 182
6.1.1. Introduction 182
6.1.2. Objectives 182
6.1.3. Transportation Corridors 183
6.1.4. Road Network 184
6.1.4.1. Provincial Highways 185
6.1.4.2. Regional Roads 185
6.1.4.3. Municipal Roads 188
6.1.5. Bikeway Network 189
6.1.6. GO Transit 189
6.1.7. Freight Rail Service 189
6.2. ACTIVE TRANSPORTATION 190
6.2.1. Introduction 190
6.2.2. Objectives 190
6.2.3. Policies 191
PART 7 *MUNICIPAL SERVICING* 194
7.1. SERVICING AND INFRASTRUCTURE 194
7.1.1. Introduction 194
7.1.2. Objectives 194
7.1.3. Urban Settlement Areas 195
7.1.4. Outside Urban Settlement Areas 196
7.1.5. Water Supply and Sanitary Sewers 196
7.1.6. Stormwater Management 199
7.1.7. Waste Management 202
7.1.8. Utility Services 203
7.1.9. Emergency Management Facilities 205
7.1.10. Phasing of Development 205
7.1.11. Development Charges 206
7.1.12. Greenhouse Municipal Water Supply Policies 206

7.1.13. Green Energy Infrastructure 207
7.1.14. Regional Infrastructure 209
PART 8 *COMMUNITY DESIGN GUIDELINES* 210
8.1. GENERAL 210
8.2. HERITAGE CONSERVATION 210
8.2.1. Introduction 210
8.2.2. Objectives 210
8.2.3. Policies 211
8.3. PROPERTY MAINTENANCE 215
8.3.1. Introduction 215
8.3.2. Objectives 215
8.3.3. Policies 215
8.4. COMMUNITY IMPROVEMENT PLANS 216
8.4.1. Introduction 216
8.4.2. Objectives 216
8.4.3. Policies 218
8.4.4. Contents of a Community Improvement Plan 220
8.5. URBAN FOREST 220
8.5.1. Preamble 220
8.5.2. Objectives 221
8.5.3. Policies 222
8.6. URBAN DESIGN 223
8.6.1. Introduction 223
8.6.2. Urban Design Principles 224
8.6.3. Policies 225
PART 9 *ADMINISTRATION* 240
9.1. ADMINISTRATION 240
9.1.1. How To Read the Official Plan 240
9.1.2. Determining Applicability and Conformity 240
9.1.3. Policies Represent Minimum Standards 240
9.1.4. Provide Direction on Plan Interpretation 241
9.2. CONSULTATION AND ENGAGEMENT 242
9.2.1. Transparent Decision Making Based on Inclusive Input 242
9.2.2. Communication and Engagement Tools and Techniques 242
9.3. ZONING BY-LAW 242
9.4. DEVELOPMENT PERMIT SYSTEM 243

9.5. CONDITIONAL ZONING 243
9.6. HOLDING BY-LAW 244
9.7. INTERIM CONTROL BY-LAW 244
9.8. TEMPORARY USE BY-LAWS AND GARDEN SUITES 245
9.8.1. Temporary Use By-laws 245
9.8.2. Garden Suites 245
9.9. COMMUNITY BENEFITS 246
9.10. SUBDIVISION CONTROL 246
9.11. SITE PLAN CONTROL 248
9.11.1 249
9.11.2 250
9.11.3 250
9.11.4 250
9.11.5 251
9.11.6 252
9.11.7 252
9.12. ADDITIONAL NEEDS HOUSING 252
9.12.1 252
9.13. HOME BASED BUSINESS 253
9.13.1. Permissions 253
9.14. BED AND BREAKFAST 254
9.15. NON-CONFORMING STANDARDS OF DEVELOPMENT AND NON-CONFORMING USES 255
9.15.1. General 255
9.15.2. Non-Conforming Standards of Development 255
9.15.3. Non-Conforming Uses 255
9.16. COMMITTEE OF ADJUSTMENT 256
9.17. COMPLETE APPLICATION POLICIES 256
9.17.1. 256
9.17.2. 257
9.17.3. 257
9.17.4. 257
9.17.5. 258
9.17.6. Requirements for Complete Application 258
9.17.7. Requirements for Additional Information 262
9.18. PUBLIC PARTICIPATION AND NOTIFICATION 262

9.18.1. 263
9.18.2. 263
9.18.3. 263
9.18.4. First Nations and Indigenous Engagement 264
9.19. MONITORING, PLAN REVIEW AND AMENDMENTS 265
9.20. INTERPRETATION 265
9.21. DELEGATED AUTHORITY 265
PART 10 *DEFINITIONS* 267
~~PART 1 *INTRODUCTION* 27~~
~~1.1. THE COMMUNITY VISION 27~~
~~1.2. SUSTAINABILITY 28~~
~~1.3. GOALS AND OBJECTIVES 30~~
~~1.3.1 Agriculture 30~~
~~1.3.2. Protection of Small Town Character 31~~
~~1.3.3. Climate Change 32~~
~~1.3.4. The Economy 34~~
~~1.3.5. Growth and Settlement 35~~
~~1.3.6. Natural Resources 36~~
~~1.3.7. The Natural Environment 37~~
~~1.3.8. Cultural Heritage 38~~
~~1.4. SETTLEMENT AREA STRATEGY 39~~
~~1.4.1. Population Forecast 39~~
~~1.4.2. Housing Forecast 39~~
~~1.4.3. Employment Forecast 40~~
~~1.4.4. Land Supply 41~~
~~1.5. TOWN STRUCTURE AND LAND USE 41~~
~~1.5.1. Rural Area 42~~
~~1.5.2. Urban Area 42~~
~~1.6. CONCEPTS GUIDING FUTURE DEVELOPMENT IN THE URBAN AREAS 43~~
~~1.6.1. Urban Area Boundaries 43~~
~~1.6.2. Designated Growth Areas 44~~
~~1.6.3. Strategic Growth Area 45~~
~~1.6.4. Intensification Target 45~~
~~1.6.5. Intensification Corridors 46~~
~~1.6.6. Urban Area Expansion 46~~
~~PART 2 *RURAL AREA LAND USE POLICIES* 47~~

2.1. SPECIALTY CROP AND PRIME AGRICULTURAL AREAS 47
2.1.1. Introduction 47
2.1.2. Objectives 48
2.1.3. Permitted Uses 50
2.1.4. General Policies in the Specialty Crop Area and Prime Agricultural Area Designations 57
2.1.5. Consent Policies 63
2.1.6. Special Provisions 66
2.2. RURAL SETTLEMENT 69
2.2.1. Introduction 69
2.2.2. Objectives 69
2.2.3. Permitted Uses 70
2.2.4. General Policies 70
2.3. MINERAL AGGREGATE RESOURCE AREA 73
2.3.1. Introduction 73
2.3.2. Objectives 73
2.3.3. Permitted Uses 73
2.3.4. Policies 74
2.4. NIAGARA ESCARPMENT PLAN AREA 82
2.4.1. Introduction 82
2.4.2. Objectives 83
2.4.3. Policies 83
2.4.4. Special Policy Area 84
PART 3 *URBAN AREA LAND USE POLICIES* 85
3.1. RESIDENTIAL 85
3.1.1. Introduction 85
3.1.2. Objectives 85
3.1.3. Permitted Uses 85
3.1.4. General Policies 86
3.1.5. Residential Development Policies 90
3.1.6. Additional Residential Units 92
3.1.7. Bed and Breakfast Establishments 93
3.1.8. Additional Needs Housing 93
3.1.9. Home Based Business 93
3.1.10. Institutional Uses 93
3.1.11. Neighbourhood Commercial Uses 94
3.1.12. Parks and Open Space 95
3.1.13. Residential Intensification 95

3.1.14. Monitoring of Housing 96
3.2. MIXED USE 97
3.2.1. Introduction 98
3.2.2. Objectives 98
3.2.3. Permitted Uses 98
3.2.4. Policies 98
3.3. CENTRAL BUSINESS DISTRICT 99
3.3.1. Introduction 99
3.3.2. Objectives 99
3.3.3. Permitted Uses 99
3.3.4. Policies 100
3.4. GENERAL COMMERCIAL 102
3.4.1. Introduction 102
3.4.2. Objectives 102
3.4.3. Permitted Uses 102
3.4.4. Policies 103
3.5. EMPLOYMENT 104
3.5.1. Introduction 104
3.5.2. Objectives 105
3.5.3. General Policies 105
3.5.4. Office Commercial Designation 109
3.5.5. Employment Area Designation 111
3.6. PARKS AND OPEN SPACE 113
3.6.1. Introduction 113
3.6.2. Objectives 113
3.6.3. Permitted Uses 114
3.6.4. Policies 114
3.7. NATURAL ENVIRONMENT AREA 121
3.8. NIAGARA ESCARPMENT PLAN AREA 121
3.9. SPECIAL AREA POLICIES 121
3.9.1. Campden Special Area Policies 121
3.9.1.1. General Policies 121
3.9.1.2. Residential 122
3.9.1.3. Commercial 122
3.9.1.4. Institutional 123
3.9.1.5. Parks and Open Space 123

3.9.1.6. Servicing and Transportation 123
3.9.2. Jordan Special Area Policies 124
3.9.2.1. General Policies 124
3.9.2.2. Residential 125
3.9.2.3. Mixed Use 125
3.9.2.4. Central Business District 125
3.9.2.5. Servicing and Transportation 125
3.9.2.6. Jordan Urban Design Guidelines 126
3.9.2.6.1. Setbacks 126
3.9.2.6.2. Larger Scale Redevelopment and Infill Development 126
3.9.3. Jordan Station Special Area Policies 128
3.9.3.1. General Policies 128
3.9.3.2. Residential 128
3.9.3.3. General Commercial 128
3.9.3.4. Industrial 128
3.9.3.5. Servicing and Transportation 128
3.9.3.6. Jordan Station Urban Design Guidelines 129
3.9.3.6.1. Setbacks 129
3.9.3.6.2. Redevelopment and Infill 129
PART 4 *ENVIRONMENTAL & WATER* 130
4.1 CLIMATE CHANGE AND ENERGY CONSERVATION 130
4.1.1 Introduction 130
4.1.2 Objectives 131
4.1.3 Policies 131
4.2 NATURAL ENVIRONMENT SYSTEM 134
4.2.1. Introduction 134
4.2.2. Objectives 134
4.2.3 Components of the Natural Environment System 135
4.2.4. Refinements to the Limits of the Natural Environment System 137
4.2.5. Existing Lots & Lot Creation 137
4.2.6. Permitted Uses 138
4.3 LANDS IN THE NIAGARA ESCARPMENT PLAN AREA 139
4.4 LANDS OUTSIDE OF THE GREENBELT PLAN NATURAL HERITAGE SYSTEM AND OUTSIDE NIAGARA ESCARPMENT 140
4.4.1. Development and Site Alteration in Natural Heritage Features and Areas outside of a Greenbelt Plan Natural Heritage System 140

4.4.2. Development and Site Alteration in Adjacent Lands outside of a Greenbelt Plan Natural Heritage System 143
4.4.3. Buffers Outside of Settlement Areas and Outside of a Greenbelt Plan Natural Heritage System 144
4.4.4. Buffers in Settlement Areas 145
4.5 LANDS WITHIN THE GREENBELT PLAN NATURAL HERITAGE SYSTEM 146
4.5.1. Development and Site Alteration in Adjacent Lands within a Greenbelt Plan Natural Heritage System 148
4.5.2. Development and Site Alteration within a Greenbelt Plan Natural Heritage System 149
4.6 SPECIAL POLICY FOR NIAGARA PENINSULA TENDER FRUIT AND GRAPE AREA IN THE GREENBELT PLAN 150
4.7 OTHER NATURAL ENVIRONMENTAL SYSTEM POLICIES 151
4.7.1 Key Hydrologic Areas, Key Hydrologic Features, and Other Important Water Resources 151
4.7.2 Other Woodlands 153
4.7.3 Fish Habitat 154
4.7.4 Habitat of Endangered Species and Threatened Species 154
4.7.5 Provincially and Regionally Significant Earth Science Areas of Natural and Scientific Interest 155
4.7.6 Supporting Features and Areas 155
4.7.7 Enhancement Areas 156
4.7.8 Linkages 157
4.7.9 Natural Features that have been Disturbed 159
4.7.10 Enhancements to the Natural Environment 160
4.7.11 Aquatic Species at Risk 160
4.7.12 Cumulative Impacts 161
4.7.13 Natural Hazards 161
4.7.14 Woodland Cover 163
4.7.15 Wetland Cover 164
4.7.16 Riparian Vegetation Cover 164
4.7.17 Native and Non-Native Species 164
4.8 WATER RESOURCE MANAGEMENT 165
4.8.1 Protection of the Resource 165
4.8.2 Impact Assessment 166
4.8.3 Vulnerable Ground water Areas 166
4.9 ENVIRONMENTAL IMPACT STUDIES AND HYDROLOGICAL EVALUATIONS 167
4.9.1 Waiving and Scoping of an Environmental Impact Study and/or Hydrological Evaluation 168
4.9.2 Terms of Reference for an Environmental Impact Study and/or Hydrological Evaluation 168
4.10 WATERSHED PLANNING 169

4.10.1 Informing Land Use Planning 169
4.10.2 Subwatershed Planning 170
4.11 CONTAMINATED SITES 171
4.12 REQUIREMENTS FOR AN AGRICULTURAL IMPACT ASSESSMENT 171
4.13 SOLID WASTE DISPOSAL AREAS 171
4.14 GAS AND PETROLEUM WELLS 172
4.15 LAND USE COMPATIBILITY 173
PART 5 *ECONOMIC STRATEGY* 175
5.1. ECONOMIC STRATEGY 175
5.1.1. Introduction 175
5.1.2. Goals 175
5.1.3. Objectives 176
5.1.4. Policies 176
PART 6 *TRANSPORTATION* 179
6.1. TRANSPORTATION 179
6.1.1. Introduction 179
6.1.2. Objectives 179
6.1.3. Transportation Corridors 180
6.1.4. Road Network 181
6.1.4.1. Provincial Highways 181
6.1.4.2. Regional Roads 182
6.1.4.3. Municipal Roads 185
6.1.5. Bikeway Network 186
6.1.6. GO Transit 186
6.1.7. Freight Rail Service 186
6.2. ACTIVE TRANSPORTATION 187
6.2.1. Introduction 187
6.2.2. Objectives 187
6.2.3. Policies 188
PART 7 *MUNICIPAL SERVICING* 190
7.1. SERVICING AND INFRASTRUCTURE 190
7.1.1. Introduction 190
7.1.2. Objectives 190
7.1.3. Urban Settlement Areas 191
7.1.4. Outside Urban Settlement Areas 192
7.1.5. Water Supply and Sanitary Sewers 192

7.1.6. Stormwater Management 195
7.1.7. Waste Management 198
7.1.8. Utility Services 200
7.1.9. Emergency Management Facilities 201
7.1.10. Phasing of Development 201
7.1.11. Development Charges 203
7.1.12. Greenhouse Municipal Water Supply Policies 203
7.1.13. Green Energy Infrastructure 204
7.1.14. Regional Infrastructure 206
PART 8 *COMMUNITY DESIGN GUIDELINES* 207
8.1. GENERAL 207
8.2. HERITAGE CONSERVATION 207
8.2.1. Introduction 207
8.2.2. Objectives 207
8.2.3. Policies 208
8.3. PROPERTY MAINTENANCE 212
8.3.1. Introduction 212
8.3.2. Objectives 212
8.3.3. Policies 213
8.4. COMMUNITY IMPROVEMENT PLANS 213
8.4.1. Introduction 213
8.4.2. Objectives 213
8.4.3. Policies 215
8.4.4. Contents of a Community Improvement Plan 218
8.5. URBAN FOREST 218
8.5.1. Preamble 218
8.5.2. Objectives 218
8.5.3. Policies 219
8.6. URBAN DESIGN 221
8.6.1. Introduction 221
8.6.2. Urban Design Principles 221
8.6.3. Policies 222
PART 9 *ADMINISTRATION* 238
9.1. ADMINISTRATION 238
9.1.1. How To Read the Official Plan 238
9.1.2. Determining Applicability and Conformity 238

9.1.3. Policies Represent Minimum Standards 238
9.1.4. Provide Direction on Plan Interpretation 239
9.2. CONSULTATION AND ENGAGEMENT 240
9.2.1. Transparent Decision Making Based on Inclusive Input 240
9.2.2. Communication and Engagement Tools and Techniques 240
9.3. ZONING BY-LAW 240
9.4. DEVELOPMENT PERMIT SYSTEM 241
9.5. CONDITIONAL ZONING 241
9.6. HOLDING BY-LAW 242
9.7. INTERIM CONTROL BY-LAW 242
9.8. TEMPORARY USE BY-LAWS AND GARDEN SUITES 243
9.8.1. Temporary Use By-laws 243
9.8.2. Garden Suites 243
9.9. COMMUNITY BENEFITS 244
9.10. SUBDIVISION CONTROL 244
9.11. SITE PLAN CONTROL 246
9.11.1 247
9.11.2 248
9.11.3 248
9.11.4 248
9.11.5 249
9.11.6 250
9.11.7 250
9.12. ADDITIONAL NEEDS HOUSING 250
9.12.1 250
9.13. HOME BASED BUSINESS 251
9.13.1. Permissions 251
9.14. BED AND BREAKFAST 252
9.15. NON-CONFORMING STANDARDS OF DEVELOPMENT AND NON-CONFORMING USES 253
9.15.1. General 253
9.15.2. Non-Conforming Standards of Development 253
9.15.3. Non-Conforming Uses 253
9.16. COMMITTEE OF ADJUSTMENT 255
9.17. COMPLETE APPLICATION POLICIES 255
9.17.1. 255

9.17.2. 255
9.17.3. 255
9.17.4. 256
9.17.5. 256
9.17.6. Requirements for Complete Application 256
9.17.7. Requirements for Additional Information 261
9.18. PUBLIC PARTICIPATION AND NOTIFICATION 261
9.18.1. 262
9.18.2. 262
9.18.3. 262
9.18.4. 263
9.19. MONITORING, PLAN REVIEW AND AMENDMENTS 263
9.20. INTERPRETATION 263
9.21. DELEGATED AUTHORITY 264
PART 10 *DEFINITIONS* 265
PART 1 *INTRODUCTION* 12
1.1. THE COMMUNITY VISION 12
1.2. SUSTAINABILITY 13
1.3. GOALS AND OBJECTIVES 14
1.3.1 Agriculture 14
1.3.2. Protection of Small Town Character 16
1.3.3. Climate Change 17
1.3.4. The Economy 18
1.3.5. Growth and Settlement 19
1.3.6. Natural Resources 20
1.3.7. The Natural Environment 21
1.3.8. Cultural Heritage 21
1.4. SETTLEMENT AREA STRATEGY 22
1.4.1. Population Forecast 22
1.4.2. Housing Forecast 23
1.4.3. Employment Forecast 23
1.4.4. Land Supply 24
1.5. TOWN STRUCTURE AND LAND USE 25
1.5.1. Rural Area 25
1.5.2. Urban Area 25
1.6. CONCEPTS GUIDING FUTURE DEVELOPMENT IN THE URBAN AREAS 26
1.6.1. Urban Area Boundaries 26

1.6.2. Designated Growth Areas 27
1.6.3. Strategic Growth Area 27
1.6.4. Intensification Target 28
1.6.5. Intensification Corridors 28
1.6.6. Urban Area Expansion 28
PART 2 *RURAL AREA LAND USE POLICIES* 30
2.1. SPECIALTY AGRICULTURAL AND PRIME AGRICULTURAL AREAS 30
2.1.1. Introduction 30
2.1.2. Objectives 31
2.1.3. Permitted Uses 32
2.1.4. General Policies in the Specialty Agricultural and Prime Agricultural Designations 39
2.1.5. Consent Policies 43
2.1.6. Special Provisions 46
2.2. RURAL SETTLEMENT 49
2.2.1. Introduction 49
2.2.2. Objectives 49
2.2.3. Permitted Uses 49
2.2.4. General Policies 50
2.3. MINERAL AGGREGATE RESOURCE AREA 51
2.3.1. Introduction 52
2.3.2. Objectives 52
2.3.3. Permitted Uses 52
2.3.4. Policies 53
2.4. NIAGARA ESCARPMENT PLAN AREA 61
2.4.1. Introduction 61
2.4.2. Objectives 61
2.4.3. Policies 61
2.4.4. Special Policy Area 62
PART 3 *URBAN AREA LAND USE POLICIES* 63
3.1. RESIDENTIAL 63
3.1.1. Introduction 63
3.1.2. Objectives 63
3.1.3. Permitted Uses 63
3.1.4. General Policies 64
3.1.5. Residential Development Policies 67
3.1.6. Additional Residential Units 69
3.1.7. Bed and Breakfast Establishments 70

3.1.8. Home for Special Care 70
3.1.9. Home Based Business 70
3.1.10. Institutional Uses 70
3.1.11. Neighbourhood Commercial Uses 70
3.1.12. Parks and Open Space 71
3.1.13. Residential Intensification 71
3.1.14. Monitoring of Housing 73
3.1.15. Secondary Plans 73
3.2. MIXED USE 197
3.2.1. Introduction 197
3.2.2. Objectives 197
3.2.3. Permitted Uses 197
3.2.4. Policies 198
3.3. CENTRAL BUSINESS DISTRICT 198
3.3.1. Introduction 198
3.3.2. Objectives 198
3.3.3. Permitted Uses 199
3.3.4. Policies 199
3.4. GENERAL COMMERCIAL 201
3.4.1. Introduction 201
3.4.2. Objectives 201
3.4.3. Permitted Uses 201
3.4.4. Policies 202
3.5. EMPLOYMENT 203
3.5.1. Introduction 203
3.5.2. Objectives 203
3.5.3. General Policies 204
3.5.4. Office Commercial Designation 208
3.5.5. Employment Area Designation 209
3.6. PARKS AND OPEN SPACE 211
3.6.1. Introduction 211
3.6.2. Objectives 211
3.6.3. Permitted Uses 212
3.6.4. Policies 212
3.7. NATURAL ENVIRONMENT AREA 218
3.8. NIAGARA ESCARPMENT PLAN AREA 218
PART 4 *ENVIRONMENTAL & WATER* 219

4.1 CLIMATE CHANGE AND ENERGY CONSERVATION 219
4.1.1 Introduction 219
4.1.2 Objectives 219
4.1.3 Policies 220
4.2 NATURAL ENVIRONMENT SYSTEM 222
4.2.1. Introduction 222
4.2.2. Objectives 222
4.2.3 Components of the Natural Environment System 223
4.2.4 Permitted Uses 224
4.3 LANDS IN THE NIAGARA ESCARPMENT PLAN AREA 225
4.4 LANDS OUTSIDE OF THE PROVINCIAL NATURAL HERITAGE SYSTEM AND OUTSIDE NIAGARA ESCARPMENT 226
4.4.1. Development and Site Alteration in Natural Heritage Features and Areas outside of a Provincial Natural Heritage System 226
4.4.2. Development and Site Alteration in Adjacent Lands outside of a Provincial Natural Heritage System 228
4.4.3. Buffers Outside of Settlement Areas and Outside of a Provincial Natural Heritage System 229
4.4.4. Buffers in Settlement Areas 230
4.4.5. Refinements to the Limits of the Natural Environment System 230
4.4.6. Existing Lots & Lot Creation 231
4.5 LANDS WITHIN THE PROVINCIAL NATURAL HERITAGE SYSEM 231
4.5.1. Development and Site Alteration in Adjacent Lands within a Provincial Natural Heritage System 233
4.5.2. Development and Site Alteration within a Provincial Natural Heritage System 234
4.5.3. Key Hydrologic Areas, Key Hydrologic Features, and Other Important Water Resources 235
4.5.4. Other Woodlands 236
4.5.5. Fish Habitat 237
4.5.6. Habitat of Endangered Species and Threatened Species 237
4.5.7. Provincially and Regionally Significant Earth Science Areas of Natural and Scientific Interest 238
4.5.8. Supporting Features and Areas 238
4.5.9. Enhancement Areas 239
4.5.10. Linkages 240
4.5.11. Natural Features that have been Disturbed 242
4.5.12. Enhancements to the Natural Environment 242
4.5.13. Aquatic Species at Risk 243
4.5.14. Cumulative Impacts 243

4.5.15. Natural Hazards 243
4.5.16. Woodland Cover 245
4.5.17. Wetland Cover 245
4.5.18. Riparian Vegetation Cover 245
4.5.19. Native and Non-Native Species 246
4.6 WATER RESOURCE MANAGEMENT 246
4.6.1. Protection of the Resource 246
4.6.2 Impact Assessment 247
4.6.3 Vulnerable Ground water Areas 247
4.7 ENVIRONMENTAL IMPACT STUDIES AND HYDROLOGICAL EVALUATIONS 248
4.7.1. Waiving and Scoping of an Environmental Impact Study and/or Hydrological Evaluation 249
4.7.2. Terms of Reference for an Environmental Impact Study and/or Hydrological Evaluation. 249
4.8 WATERSHED PLANNING 250
4.8.1. Informing Land Use Planning 250
4.8.2. Subwatershed Planning 250
4.9. CONTAMINATED SITES 251
4.10. REQUIREMENTS FOR AN AGRICULTURAL IMPACT ASSESSMENT 251
4.11. SOLID WASTE DISPOSAL AREAS 252
4.12. GAS AND PETROLEUM WELLS 253
4.13. LAND USE COMPATIBILITY 254
PART 5 *ECONOMIC STRATEGY* 255
5.1. ECONOMIC STRATEGY 255
5.1.1. Introduction 255
5.1.2. Goals 255
5.1.3. Objectives 256
5.1.4. Policies 256
PART 6 TRANSPORTATION 258
6.1. TRANSPORTATION 258
6.1.1. Introduction 258
6.1.2. Objectives 258
6.1.3. Transportation Corridors 259
6.1.4. Road Network 260
6.1.5. Bikeway Network 264
6.1.6. GO Transit 264
6.1.7. Freight Rail Service 265
6.2. ACTIVE TRANSPORTATION 265
6.2.1. Introduction 265
6.2.2. Objectives 265

6.2.3. Policies 266
PART 7 *MUNICIPAL SERVICING* 268
7.1. SERVICING AND INFRASTRUCTURE 268
7.1.1. Introduction 268
7.1.2. Objectives 268
7.1.3. Urban Settlement Areas 269
7.1.4. Outside Urban Settlement Areas 269
7.1.5. Water Supply and Sanitary Sewers 270
7.1.6. Stormwater Management 272
7.1.7. Waste Management 275
7.1.8. Utility Services 276
7.1.9. Emergency Management Facilities 277
7.1.10. Phasing of Development 277
7.1.11. Development Charges 278
7.1.12. Greenhouse Municipal Water Supply Policies 278
7.1.13. Green Energy Infrastructure 279
7.1.14. Regional Infrastructure 281
PART 8 *COMMUNITY DESIGN GUIDELINES* 282
8.1. GENERAL 282
8.2. HERITAGE CONSERVATION 282
8.2.1. Introduction 282
8.2.2. Objectives 282
8.2.3. Policies 283
8.3. PROPERTY MAINTENANCE 286
8.3.1. Introduction 286
8.3.2. Objectives 286
8.3.3. Policies 287
8.4. COMMUNITY IMPROVEMENT PLANS 287
8.4.1. Introduction 287
8.4.2. Objectives 287
8.4.3. Policies 289
8.4.4. Contents of a Community Improvement Plan 291
8.5. URBAN FOREST 291
8.5.1. Preamble 291
8.5.2. Objectives 292
8.5.3. Policies 292
8.6. URBAN DESIGN 294

8.6.1. Introduction 294
8.6.2. Urban Design Principles 294
8.6.3. Policies 295
PART 9 *ADMINISTRATION* 309
9.1. ADMINISTRATION 309
9.1.1. How To Read the Official Plan 309
9.1.2. Determining Applicability and Conformity 309
9.1.3. Policies Represent Minimum Standards 309
9.1.4. Provide Direction on Plan Interpretation 310
9.2. CONSULTATION AND ENGAGEMENT 310
9.2.1. Transparent Decision Making Based on Inclusive Input 310
9.2.2. Communication and Engagement Tools and Techniques 310
9.3. ZONING BY-LAW 311
9.4. DEVELOPMENT PERMIT SYSTEM 311
9.5. CONDITIONAL ZONING 312
9.6. HOLDING BY-LAW 312
9.7. INTERIM CONTROL BY-LAW 313
9.8. TEMPORARY USE BY-LAWS AND GARDEN SUITES 313
9.8.1. Temporary Use By-laws 313
9.8.2. Garden Suites 313
9.9. COMMUNITY BENEFITS 314
9.10. SUBDIVISION CONTROL 314
9.11. SITE PLAN CONTROL 316
9.11.1 317
9.11.2 317
9.11.3 317
9.11.4 318
9.11.5 319
9.11.6 319
9.11.7 319
9.12. HOMES FOR SPECIAL CARE 319
9.12.1 319
9.13. HOME BASED BUSINESS 320
9.13.1. Permissions 320
9.14. BED AND BREAKFAST 321
9.15. NON-CONFORMING STANDARDS OF DEVELOPMENT AND NON-CONFORMING USES 322
9.15.1. General 322
9.15.2. Non-Conforming Standards of Development 322
9.15.3. Non-Conforming Uses 322

9.16. COMMITTEE OF ADJUSTMENT 323
9.17. COMPLETE APPLICATION POLICIES 324
9.17.1. 324
9.17.2. 324
9.17.3. 324
9.17.4. 324
9.17.5. 324
9.17.6. 325
9.17.7. Requirements for Complete Application 325
9.18. PUBLIC PARTICIPATION AND NOTIFICATION 329
9.18.1. 329
9.18.2. 330
9.18.3. 330
9.18.4. 330
9.19. MONITORING, PLAN REVIEW AND AMENDMENTS 330
9.20. INTERPRETATION 331
9.21. DELEGATED AUTHORITY 331
PART 10 *DEFINITIONS* 333

PART 1
INTRODUCTION

1.1. THE COMMUNITY VISION

The vision for Lincoln is to foster agricultural excellence, innovation and diversification; a thriving tourism industry; and an inclusive community. This community is envisioned to value diversity, partnerships and entrepreneurial spirit. It will continue to evolve as a vibrant and successful Greenbelt *c*ommunity where rural and urban land uses are managed to foster agricultural and tourism related economic activity, protect resources for future generations and ensure a high quality of life for its residents.

In implementing this vision over the planning period to 2051, Lincoln will continue to be a preferred *settlement area* in the Region. According to Regional growth projections, it is anticipated that the population of the Town will increase by about 18,960 people over a 30-year period from 2021 to 2051. The majority of this growth will be directed to the three larger urban settlements of Beamsville, Vineland and Prudhommes. As a predominately rural community, new residents will be accommodated primarily within firm urban boundaries in existing planned neighbourhoods and through infill and *intensification*, as well as the *development* of vacant lands where they exist.

The balance of the Town will remain an intact, protected, *rural area* where the top priority is a continued focus on agricultural, agriculturally related and on-farm diversified *development* and related activities. Agricultural lands will be managed as a key feature of the *natural heritage system*. As a **Centre of Excellence for Agriculture** the Town recognizes respects and values the considerable ecological goods and services provided for the broader community by best farming practices. Orchards, vineyards, fields and woodlots provide important contributions to healthy hydrological function, air quality and *wildlife habitat*.

In articulating a vision, the Town consulted with its citizens about the qualities they value in their community. These values include a full suite of environmental goods and services incorporating specialty crop lands, the rural landscape, Lake Ontario, the Niagara Escarpment and the creeks and streams that support diverse wildlife and plant communities. Citizens value the quieter and relaxed small-town *character* of existing lower density neighbourhoods located throughout the Town. They also value diversity in choices of housing, employment and services, the vibrant culture and being part of a Regional community that has tremendous social and economic opportunity. The Town's population base will continue to grow, and the housing stock will be further diversified as planned large scale *developments* are constructed. There are areas in Lincoln where higher forms of *intensification* are identified. Since Lincoln includes both existing stable neighbourhoods and areas where there is the highest potential for growth and transition, a balanced approach is necessary to accommodate new and more compact forms of housing while respecting the existing features of the surrounding area. As such, the municipality will transition strategically to accommodate an evolving landscape to build on existing character.

The Town, possessing a rich agricultural heritage, is located in the centre of Niagara Region, bounded by Lake Ontario and sheltered by the Niagara Escarpment. The benevolent climate supports a broad agricultural community that includes a unique cluster of wineries, tender fruit orchards and a burgeoning greenhouse and landscaping sector. Lincoln is home to a significant area of specialty crop land, a scarce non-renewable Canadian resource. Because of its strong agricultural resources and diversity of production, the community is home to a cluster of agricultural service support businesses, world class educational and research facilities, value added and agriculturally related businesses and an extensive network of food and wine related *agri-tourism* amenities. Lincoln is a focus for agri-businesses and diversification of farm operations is encouraged where appropriate.

All of these circumstances present an exciting opportunity for the Town to confirm its vision, long articulated in municipal policy and confirmed in consultation with residents and stakeholders, to be a "**Centre of Excellence for Agriculture**". Building on its base of protected *rural lands* that are part of an inclusive *natural heritage system*, the future will focus on building a strong agri-food industry supported by vibrant urban areas that balance offerings by providing a range of *housing options* and industrial, commercial and retail opportunities.

The Town of Lincoln will work with stakeholders, including Indigenous communities, in developing and implementing the policies of this Plan and strategies for the identification, wise use and management of cultural heritage resources.

1.2. SUSTAINABILITY

A *sustainable* community balances social well-being, resource protection, economic opportunities and environmental responsibility to meet the needs of the present without compromising the quality of life for future generations. In Lincoln, sustainability is linked to the vision of being a **Centre of Excellence for Agriculture** where the outstanding agricultural land base is the foundation for a vibrant and progressive local economy.

Decisions relating to land use, public works and capital expenditures shall be made with consideration for this vision and for the long-term well-being of the community, the economy and the environment. Scarce resources, including *prime agricultural lands and specialty crop areas* shall be protected for the future and all policies on *rural lands* will be interpreted with regard for their impact on agricultural operations and viability.

The goal of being a *sustainable* community is achieved by:

(a) Protection of agricultural lands and areas;

(b) Supporting the production of *locally grown* foods;

(c) Promoting "buy-local" initiatives;

(d) Promoting agricultural diversification and innovation;

(e) Conservation of agricultural and natural landscapes;

(f) Carefully managing natural resources including agricultural lands and soil;

(g) Providing choices and opportunities for housing, employment, transportation, social, recreational and cultural amenities;

(h) Building on the agricultural resources within the Town to generate economic prosperity;

(i) Promoting environmental stewardship and sustaining a healthy natural environment;

(j) Making efficient use of ~~its~~ *infrastructure* by focusing on a compact, mixed-use, walkable, bikeable and connected community;

(k) Promoting a healthy cohesive community and quality of life;

(l) Having vibrant downtowns and attractive public spaces;

(m) Promoting urban design guidelines to ensure a high quality of building and site design;

(n) Enhancing the existing *sense of place* and small-town *character of existing stable neighbourhoods*;

(o) Providing access and opportunity to the decision-making process;

(p) Encouraging design practises that address the accessibility needs of residents with disabilities;

(q) Reviewing opportunities for reducing the impact of climate change and improving air quality;

(r) Identifying specific opportunities for promoting energy conservation and reducing waste;

(s) Promoting the *adaptive re-use* of existing buildings and structures and the *redevelopment* of *brownfields* and *greyfields*; and

(t) Encouraging the protection of public and private trees to improve the Town's tree canopy.

1.3. GOALS AND OBJECTIVES

1.3.1 Agriculture

1.3.1.1. Goal

It is a goal of this Plan to promote Lincoln as a **Centre of Excellence for Agriculture** and foster innovation and diversification in the industry. All policies shall be considered in reference to their contribution to the protection of agricultural land and support of successful agricultural businesses.

1.3.1.2. Objectives

To protect ~~*Specialty*~~ *Specialty Crop Areas*, *Prime Agricultural* ~~*areas*~~ *Areas* and *prime agricultural land.*

(a) To ensure *agricultural uses* remain the dominant use in the Agricultural Area.

(b) To protect the *right to farm.*

(c) To support a full range of innovative and diverse agricultural operations.

(d) To support all types, sizes and intensities of *agricultural uses* so they can operate at their full potential.

(e) To recognize the ability of lands in the Town to produce crops not generally able to be produced elsewhere and to encourage production of those crops.

(f) To respect the contribution agricultural lands, make as an essential working landscape that is within and part of the Town *natural heritage system*.

(g) To reduce or where possible eliminate, the regulatory requirements associated with *normal farm practices.*

(h) To protect *agricultural uses* from incompatible activities and land uses that limit agricultural productivity or efficiency.

(i) To permit a full range of *agriculture-related uses* and *on-farm diversified uses*.

(j) To support a full range of *agri-tourism use* that showcases the sector while not inhibiting the ability to farm.

(k) To permit on farm *adaptive re-use.*

(l) To permit *sustainable* agricultural related business in the *rural area* on lands not suited to agriculture.

(m) To support the long-term rental of land for *agricultural use*s.

(n) To encourage a strong agricultural support service industry.

(o) To provide rural *infrastructure* appropriate to and supportive of agriculture.

(p) To sustain a linked *agricultural system* and strong rural communities.

(q) To ensure the long-term sustainability and function of uses.

(r) To protect prime and special areas from fragmentation.

(s) To provide for limited amount of non-ag residential *development*.

1.3.2. Protection of Small Town Character

1.3.2.1. Goal

Small Town *character* typically references the quiet and calm nature of existing stable neighbourhoods and communities that exist throughout the Town. It is a goal of this Plan to protect and enhance that *character* where it exists, while balancing the need to diversify *housing options* and consider more *compact built forms*, *intensification* and density targets, and also promoting the Town position as a **Centre of Excellence for Agriculture**. As such, the Town's *character* as a whole will continue to evolve, while recognizing that different areas of the Town have their own specific *character* elements and other areas are strategically earmarked for growth and *intensification* through land use considerations.

1.3.2.2. Objectives

(a) To maintain and enhance the *s~~S~~ettlement areas* as distinct, diverse, liveable, safe, accessible, attractive, and *complete communities* that provide a variety of *housing options* and places to work and shop.

(b) To respect the *character* of existing *development* and ensure that all applications for *development* are physically compatible with the *character* of the surrounding neighbourhood.

(c) To accommodate new and innovative housing types within and in proximity to the Central Business Districts.

(d) To encourage local employment so residents can work in close proximity to home.

(e) To improve the economic health of the Central Business Districts by encouraging *redevelopment* and a broad mix of compatible uses.

(f) To enhance the *character* and stability of existing and well-established residential neighbourhoods by ensuring that *development* and *redevelopment* is consistent with and/or provides appropriate transition to existing *development*.

(g) To protect stable residential neighbourhoods by directing higher density *development* in appropriate locations such as the Central Business Districts, ~~and~~ *intensification corridors*, and *strategic growth areas*. ~~within the *Built-up Area*.~~

(h) To encourage the *development* of neighbourhoods which support *active transportation* and provide a range and mix of housing types, unit sizes, and densities, community facilities, neighbourhood commercial centres and public open spaces.

(i) To foster a sense of civic identity through a high standard of urban design in public and private *development*.

(j) To recognize the contribution surrounding *rural areas* make to communities by providing green landscapes and to foster linkages between urban and rural communities.

1.3.3. Climate Change

1.3.3.1 Goal

It is a goal of this Plan to adapt and respond to a changing climate by building a more resilient, healthy, and equitable community. Niagara is projected to become warmer and wetter with more extreme weather events, such as extreme heat days and precipitation events due to climate change. Rising temperatures and extreme weather events have significant human and environmental costs, which disproportionately impact *vulnerable* populations, and increase financial risks to households, businesses and governments.

Land use planning is an important driver for mitigating and adapting to climate change to reduce human, environmental and financial risks. Mitigation refers to reducing sources of greenhouse gas emissions, such as the burning of fossil fuels for electricity, or enhancing carbon ‘sinks’ that

store these gases. Adaptation refers to preparing for the impacts of climate change to reduce *vulnerability* and building resiliency to recover from extreme weather events. Addressing climate change requires actions from all levels of government, the business community, households and individuals.

1.3.3.2 Objectives

(a) To build stronger community resiliency by implementing the vision, goals and actions of Lincoln's **Corporate Climate Change Adaptation Plan 2021**, including any subsequent updates.

(b) To integrate climate change considerations into the management of growth and land use planning policy directions to support the transition to net-zero, climate resilient communities and *infrastructure*.

(c) To develop climate change adaptation strategies to reduce *vulnerabilities* and improve resilience to extreme weather events and increased climate variability.

(d) To protect natural resources, promote *ecosystem* services, and minimize environmental degradation.

(e) To foster Lake Ontario shoreline resilience through planning, management and protection.

(f) To commit to establishing targets and strategies to reduce greenhouse gas emissions and monitor progress towards the achievement of targets.

(g) Reduce emissions from the Town's corporate operations to lead by example and support achievement of community-wide efforts.

(h) To support increased climate resiliency in the agri-food sector, such as adopting low-carbon technologies by transitioning to indoor agricultural facilities.

(i) To support continued enhancement of the Town's urban tree canopy.

1.3.4. The Economy

1.3.4.1. Goal

It is a goal of this Plan to support diverse and innovative economic activities with an emphasis on those related to food, farming, *affordable* housing and tourism which will create jobs, attract new employers and sustain a healthy community.

1.3.4.2. Objectives

(a) To promote Lincoln as a **Centre of Excellence for Agriculture** and attract a full range of business linked to or supportive of food and farming and all related activities.

(b) To endorse the **Golden Horseshoe Agriculture and Agri-Food Strategy Food & Farming: An Action Plan 2021** and, through an economic development strategy, to implement those actions in that plan that will support the continued progression of Lincoln as a **Centre of Excellence for Agriculture** within the larger Golden Horseshoe food and farming cluster.

(c) To maintain a competitive and positive "open for business" climate.

(d) To foster partnerships and facilitate cooperation among small businesses.

(e) To build on agriculturally related educational resources to attract businesses and generate employment.

(f) To develop a "made in Lincoln" economic development strategy with an emphasis on the agri-food and tourism industries.

(g) To build on tourism initiatives through formation of partnerships with existing associations.

(h) To facilitate the provision of a full range of goods and services to meet the needs of residents and visitors.

(i) To support a comprehensive transportation *infrastructure* that supports businesses, residents and tourists.

(j) To support *active transportation* such as walking and biking as a means to attract investment in the community.

(k) To encourage agri-tourism related and indirectly ~~un~~related to agriculture, *agriculture-related uses*, *on-farm diversified uses*, and agricultural *value retention uses* in the agricultural area.

(l) To actively encourage the *development* of additional employment, ~~and~~ retail and service commercial uses in the Central Business Districts.

(m) To encourage the *development* of home-based businesses and home industries provided the proposed use is compatible with adjacent uses.

(n) To optimize the long-term availability and use of land and resources.

(o) To support the provision of *affordable* housing.

(p) To encourage the *development* of an adequate supply and mix of ownership and rental housing for all stages of life.

(q) To support economic opportunities associated with climate change initiatives including green energy *infrastructure* and adaptation plans.

(r) To support the extension of broadband *infrastructure* to underserved areas to improve access to high-speed internet and support economic resilience.

1.3.5. Growth and Settlement

1.3.5.1. Goal

It is a goal of this Plan to direct the majority of new *development* to the Urban Areas where full municipal water and sewer services are available including *rural settlements* such as hamlets.

1.3.5.2. Objectives

(a) To direct residential *development* to areas where full municipal services and other community facilities exist.

(b) To provide for housing that is *affordable* and *attainable, accessible* and *equitable* to the community to meet the varying financial needs of existing and future residents.

(c) To encourage diversity in housing in an effort to accommodate the broadest range of income levels and household demographics.

(d) To reinforce the function of the Central Business District areas as the primary business, entertainment and commercial focal points of the community.

(e) To encourage *intensification, higher densities* and *redevelopment* within the Urban Areas specifically within and in proximity to the Central Business Districts and *sStrategic gGrowth Aarea*.

(f) To comprehensively plan for *infrastructure*, *public service facilities*, and related programs and services, in coordination with the Region where applicable, as needed

to support the population and employment allocations of this Plan in a phased manner.

(g) To strategically plan *public service facilities* to be co-located with one another, along with parks and open space where appropriate, to promote cost-effectiveness and facilitate service integration, access to transit and *active transportation*.

(h) To meet the population, housing, and employment growth targets of this Plan, as established by the Province.

(i) To support principles of *complete communities* by strategically directing growth through a balanced mix of *built forms*, ~~a mix of~~ land uses and *housing options*, and a vibrant *public realm* in our communities.

(j) To support and coordinate with public agencies to improve the delivery and location of educational, commercial, recreational and cultural uses.

1.3.6. Natural Resources

1.3.6.1. Goal

It is a goal of this Plan to ensure that natural resources are protected and used in a manner that has minimal impacts on the environment and *character* of the Town. Agricultural lands are considered an integral component of the Town natural resources.

1.3.6.2. Objectives

(a) To preserve ~~the Specialty Agricultural~~*Specialty Crop Area* lands and ensure that production on them is optimized using best management practices.

(b) To protect areas demonstrating high capability for agricultural production and to develop land use policies that do not allow for the further fragmentation of farmland nor its conversion to non-agricultural and/or incompatible land uses.

(c) To protect areas exhibiting high potential for aggregate extraction from incompatible land uses to ensure the potential future extraction of such deposits.

(d) To work with the aggregate industry and encourage operational extractive practices that are compatible with and respectful of the greater community and natural features and functions.

1.3.7. The Natural Environment

1.3.7.1. Goal

It is a goal of this Plan to maintain, restore and where possible, enhance a healthy, biodiverse, inclusive natural environment. The natural environment includes agricultural lands.

1.3.7.2. Objectives

(a) To recognize that the natural environment is a broadly based system incorporating natural and working landscapes.

(b) To respect the role agricultural lands have as an essential component of the *natural heritage system* in ~~preserving open spaces,~~ providing *linkages* and preserving open spaces and natural features.

(c) To make planning decisions that maintain~~s~~ the health and integrity of the natural environment and the broader landscape.

(d) To make planning decisions that mitigate~~s~~ negative, long-term and cumulative impacts on the natural environment and agricultural viability.

(e) To manage land uses to avoid *negative impacts* on water quality and on the hydrological and hydrogeological characteristics of *watercourses*, aquifers and *wetlands*.

(f) To promote efficient and effective use of water so there is sufficient supply for agricultural and urban uses.

(g) To support continuous improvement in the delivery of farm derived ecological goods and services, and ~~while growing~~ the productivity and quality of farm products.

(h) To maintain current trail systems, including the Bruce Trail.

(i) To respect the natural attributes of the Niagara Escarpment and promote compatible land uses such as agriculture.

(j) To encourage the establishment of an open space system that links agricultural, environmental and recreational resources.

(k) To foster and promote cooperation among public agencies, private landowners and community groups.

(l) To support and encourage environmental stewardship and restoration.

1.3.8. Cultural Heritage

1.3.8.1. Goal

It is the goal of this Plan to identify and, conserve ~~and promote enhancement of~~ *built heritage resources* and *cultural heritage landscapes* in the Town.

1.3.8.2. Objectives

(a) To maintain an inventory of the Town's *built heritage* and *cultural heritage landscapes*.

(b) To promote the protection and enhancement of the *character* of the Town by supporting the on-going maintenance and use of *built heritage resources* and *cultural heritage landscapes*.

(c) To encourage the owners of *built heritage resources* and *cultural heritage landscapes* to retain, maintain and use those resources for the benefit of future generations.

(d) To support the use of *built heritage resources* and *cultural heritage landscapes* as a tool to attract additional economic development, increase tourism opportunities and enhance the *character* and vitality of neighbourhoods and districts.

(e) To ensure that ~~the nature and location of~~ *built heritage resources*, ~~and~~ *cultural heritage landscapes* and *archaeological resources* are identified ~~known~~ and evaluated, and that *heritage attributes* of cultural heritage value or interest are ~~considered~~ *conserved*, as appropriate, before land use decisions are made.

(f) To recognize rural and agricultural landscapes as part of the Town's *cultural heritage landscapes*.

1.4. SETTLEMENT AREA STRATEGY

According to Regional growth studies resulting from Provincial allocations, the Town is projected to accommodate approximately 18,800 new residents and 4,570 new jobs during the life of this Plan. This level of growth will precipitate the need for approximately 9,800 new dwelling units. This Official Plan shall use these population and employment allocations as the basis for land use planning decisions to 2051, as required by Provincial policies.

1.4.1. Population Forecast

During the 10 year periods between 2011 and 2021, the population of the Town increased by about 3,800 people or at an annual growth rate of 1.5%. The growth management policies of this Plan are premised on a Regional population forecast that has allocated a 30-year population growth of 18,800 people, which represents an annual growth rate of approximately 1.8%. The Town's 30-year population projection is shown below.

Forecast Period	Total Population
2021	26,860
2026	29,300
2031	32,200
2036	35,100
2041	38,500
2046	42,000
2051	45,660

1.4.2. Housing Forecast

The growth management policies of this Plan are based on Provincial growth allocations combined with local forecasting that has allocated a 30-year housing growth of approximately 9,800 units as shown in the summary below.

Forecast Period	Total Units
2021	9,590
2026	11,000
2031	12,500
2036	14,100
2041	16,000
2046	17,700
2051	19,405

The Town's housing split is currently comprised of approximately 78% low density, 15% medium density, and 7% higher density dwelling unit types.
According to Regional growth allocations, 84% of new housing growth over the 30-year forecast period will be comprised of medium and higher density unit types. As such, the Town's 2051 housing split is forecast to consist of approximately 45% low density, 15% medium density, and 40% higher density dwelling unit types. ~~A Regional minimum of 60% of all residential units occurring annually will be within *Designated gGrowth aAreas.*~~

1.4.3. Employment Forecast

Regional growth allocations project future employment growth of approximately 3,830 new jobs in Lincoln over the next 30 years as shown in the summary below.

Forecast Period	Employment/Jobs
2021	11,390

2026	12,190
2031	12,600
2036	13,150
2041	13,740
2046	14,480
2051	15,220

A significant percentage of the Lincoln workforce is employed in the agricultural sector. According to Regional projections, it is anticipated that most new employment positions will be accommodated across:

(a) Population ~~-~~-related jobs such as commercial and retail services,

(b) Jobs that require *employment land*, such as manufacturing and production, and

(c) Jobs occurring in the *rural area*, such as greenhouses and *agricultural uses*.

~~(c)~~ ~~-~~The Regional projections anticipate limited employment growth in major freestanding office buildings. ~~Forecasted employment growth will be primarily accommodated within *Eemployment Aareas.*~~

Sector	2021		2051		Increase in Jobs
	Number of Jobs	% of Work Force	Number of Jobs	% of Work Force	
Major Office	120	1%	220	1%	100
Population-Related	2,850	25%	4,430	29%	1,580
Employment Land (Manufacturing)	3,040	27%	3,690	24%	650
Rural (Agriculture)	5,380	47%	6,880	45%	1500

1.4.4. Land Supply

In Aaccordanceing ~~to~~with the **Greenbelt Plan 2017**, and PPS policy 2.3.2.1, the Town's urban boundaries are set. The supply of residential lands shall comprise a mix of infilling and *intensification* within *settlement areas*~~the Built-up Area~~ and *development* within *designated growth areas* No new u~~U~~rban or ~~*R*~~rural *s~~S~~ettlement* a~~A~~reas are permitted at this time.

The Town will plan to maintain an adequate land and housing supply, at all times, based on the Town's population, housing and employment growth forecasts identified in Sections 1.4.1, 1.4.2 and 1.4.3 of this Plan. In order to do so, the Town shall:

(a) Maintain at all times an urban land supply for the ability to accommodate residential growth for a minimum of 15 years through *residential intensification*, *redevelopment* and lands *designated and available* for residential *development*; and

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

1.5. TOWN STRUCTURE AND LAND USE

As a **Centre of Excellence for Agriculture**, the Town is comprised of *rural lands*, the majority of which are under agricultural production, and surrounding urban areas that include fixed urban boundaries. This Plan intends to maintain and, in some cases, strengthen these characteristics by employing a structure comprised of the following categories of land use:

(a) The ~~*Agricultural*~~ Rural Area comprises land use designations that apply to lands outside of the Urban Area and includes lands with agricultural potential, resource potential, *rural settlement areas* as well as natural heritage features and natural hazard lands. An overlay approach is used to designate a Natural Environment Area that includes agricultural lands.

(b) The Urban Area comprises land use designations that apply to the settlements of Beamsville, Vineland, Vineland East, Prudhommes, Jordan, Jordan Station and Campden.

The land use designations in each category are intended to implement the Vision, Goals and Strategic Objectives of this Plan.

1.5.1. Rural Area

The Rural Area designations represent categories of land use outside of the primary *settlement areas*. The Rural Area designations are:

(a) *Prime Agricultural Area*;

(b) *Specialty Crop Area~~Agricultural~~*;

(c) *Rural Settlement Area*;

(d) Mineral Aggregate Resource Area;

(e) Natural Environment System and Greenbelt Plan Natural Heritage System;

(f) Niagara Escarpment Plan Area; and

(g) Natural Hazards.

1.5.2. Urban Area

The Urban Area designations represent categories of land use within full-service *settlement areas* which will be the focus for urban *development*. The land use designations within the Urban Area are listed below:

(a) Residential;

(b) Mixed Use;

(c) Central Business District;

(d) General Commercial;

(e) *Employment Area* and Office Commercial;

(f) Parks and Open Space;

(g) Natural Environment System~~Area~~;

(h) Niagara Escarpment Plan Area; and

(i) Natural Hazards.

1.5.2.1. Public Uses

Nothing in this Plan shall prevent the use of any land as a *public use* provided by or on behalf of or in partnership with the Town of Lincoln, Regional Municipality of Niagara, Province of Ontario, Government of Canada or any commission, board authority, agency, ministry, registered charitable organization or department established by or for any of the above, provided that:

(a) Any buildings or structures shall be in compliance with the relevant provisions of this Plan;

(b) Long term funding agreements for any purpose-built *affordable* housing and *attainable housing* will be registered on title;

(c) Any building, structure or use shall not adversely affect the *character* or amenity of the neighbourhood in which it is located; and

(d) The use is not industrial.

1.6. CONCEPTS GUIDING FUTURE DEVELOPMENT IN THE URBAN AREAS

This Plan was prepared at a time when the Province of Ontario completed many updates to the Provincial land-use planning legislation that is intended to direct growth and *intensification* to existing *settlement areas* but also ~~in~~ requiring that the *development* and utilization of ~~u~~Urban ~~a~~Areas occur in a more *sustainable*, efficient, and compact manner.

The land use designations listed in Section 1.5, which collectively comprise the Town Structure, are subject to several concepts which have been articulated in Provincial policy. These concepts are described below and represent primary building blocks, not only of this Plan, but of an overall Provincial strategy aimed at maximizing the use of urban land with access to full municipal services.

1.6.1. Urban Area Boundaries

The urban settlements in this Plan are delineated with an *urban area boundary*~~*Urban Area Boundary*~~. The purpose of the *urban area boundary* ~~*Urban Area Boundary*~~ is to spatially identify the limit of urban *development* for these settlements.

The Town's minimum *intensification* targets are outlined in Section 1.6.4 and Section 3.1.13 of this Plan.

1.6.2. Designated Growth Areas

Designated growth areas ~~*Growth Areas*~~ are areas planned to accommodate growth and include lands located ~~all areas~~ within the ~~Urban Boundaries~~ *settlement area boundaries* of Beamsville, Prudhommes, Vineland, Vineland East, Jordan, Jordan Station and Campden~~, as well as those lands within the *urban area boundaries* Urban Area Boundaries of Beamsville and Vineland~~, as delineated by the Province and the Niagara Region and on Schedule 'C'. The ~~D~~d*esignated growth area* ~~*Growth Area*~~ is important for measuring and monitoring *intensification* rates, as all growth which occurs within the ~~D~~d*esignated growth area* ~~*Growth Area*~~ is considered to be *intensification*. In accordance with Provincial policy, the Town has established a minimum density target of 50 residents and jobs per hectare for all future *development* occurring within the d~~D~~*esignated growth area* ~~*Growth Area* shall achieve a minimum density of 50 residents and jobs per hectare~~, excluding areas constrained by environmental features, *utility* corridors, and *employment areas*. While it is understood that not every single site will be able to achieve the density target, the Town will ensure that new *development* and *redevelopment is* ~~*dDesignated growth areas Growth Areas* are~~ planned in a way which supports the achievement of the overall target. The Town will monitor

development to ensure that the overall density target is achieved. In order to meet this target, the Town proposes to:

- Develop denser, more compact, mixed-use, *complete communities*, and *transit supportive* neighbourhoods in its ~~D~~d*esignated* *growth areas*~~Growth Areas~~, where feasible*,* that allow for the efficient use of land, *infrastructure* and *public service facilities*;
- Promote *development* that is sequential, orderly and contiguous within ~~D~~d*esignated* *growth areas*~~Growth Areas~~;
- Support a diverse range and mix of housing types, unit sizes and densities to accommodate current and future housing needs;
- Designate specific areas for low, medium and high-density housing in ~~D~~d*esignated* *growth areas* ~~Growth Areas~~ as shown on Schedules '~~C1~~A2', 'A3', 'A4', ~~and~~ 'A6~~5C2~~' and 'A7';
- Establish minimum residential density targets within the low, medium and high-density residential designations in ~~D~~d*esignated* *growth areas*~~Growth Areas~~;
- Establish residential density designations for potential vacant *development* sites to ensure compatibility with adjacent *development*;
- Permit and encourage the creation of *Additional Residential Units* in accordance with Section 3.1.6; and
- Monitor ~~D~~d*esignated* *growth areas* ~~Growth Areas~~ *development,* densities and *intensification* targets in accordance with Section 1.62.

1.6.3. Strategic Growth Area

A ~~S~~s*trategic* ~~G~~g*rowth* a~~A~~*rea* is an area designated within the Urban Area where a particular focus of forecasted population growth will occur, in accordance with Regional and Provincial policies. *Strategic growth areas* include *protected major transit station areas* (PTMSA), Central Business Districts, and other areas where growth or *development* will be focused, that may include infill and *redevelopment*.

~~A~~p*Protected* m*Major* T*transit* s*Station* A*area* in Beamsville has been identified as a *Strategic Growth Area* (as delineated on Schedule 'A2').

Strategic g~~G~~*rowth* a~~A~~*reas* are the highest priority for *development* and *intensification*, as well as a primary location for major *public service facilities*, *major institutional uses*, high density and mixed-use *development*, *major office uses*, *major commercial uses* and *major recreational uses*.

The Region has delineated the boundaries of the planned Beamsville GO transit station area as a *protected major transit station area*, as shown on Schedule 'A2' and Schedule 'C'. The land use designations applicable within the PMTSA are identified on Schedule 'A2'. A minimum density target of 150 people and jobs per hectare, to be achieved by 2051, has been set for the Beamsville GO PMTSA ~~s*Strategic g*Growth A~~a*rea* in accordance with policies in the Provincial

Planning Statement. Further guidance and policy direction with respect to the ~~sStrategic Ggrowth Aarea~~ PMTSA is outlined in Volume 2, Section 5.4.5 ~~Section 3.1.15.5.4.14~~ of this Plan.

1.6.4. Intensification Target

When referenced in relation to urban land use, *intensification* means developing urban lands at a higher density than currently exists through *redevelopment*, infilling, using vacant or underutilized land or expansion of existing buildings. Provincial and Regional policies require municipalities to identify suitable lands as well as targets for *intensification* within the ~~D~~d*esignated growth area*s~~Growth Area~~.

Intensification is an appropriate means of accommodating growth since it makes better use of existing serviced land. The increase in housing units and employment created by *intensification* is also considered a good approach to maintaining and improving vibrancy in a community and protecting existing *rural areas*.

Intensification of residential and employment lands~~areas~~ will be encouraged since it offers opportunities for economic *development*, ~~and~~ takes advantage of already serviced but underutilized land and helps to improve the vibrancy of existing areas. *Intensification* is encouraged within the ~~D~~d*esignated growth area*s ~~Growth Area~~; however strategic locations for *intensification* should be focused within the Central Business District Areas, the Prudhommes site, the Beamsville GO *protected major transit station area*, and ~~i~~*intensification* ~~C~~c*orridors* within the Town.

A~~n~~ minimum residential *intensification* target for the Town of 90% within the ~~D~~d*esignated growth area*s, ~~Growth Area~~ equating to approximately 8,895 new units, has been ~~identified~~established by the Region. This target is to be accommodated between 2021 and 2051. Background studies prepared for this Plan have confirmed that the Town can meet or exceed this target. To this end, this Plan has identified potential *intensification* areas and has articulated policies that provide guidance and direction with respect to *intensification*, specifically Section 3.1.13.

1.6.5. Intensification Corridors

Intensification corridors are areas along major roads that have the potential to provide a focus for higher-density and mixed-use *development*. In the Town the areas identified as *intensification corridors* are the Central Business Districts and the Ontario Street Commercial Area (see Section 8.6.3.7) as shown on Schedules ‘A2’, ~~and Schedule~~ ‘A3’, and ‘A~~5~~6’. This Plan contains urban design guidelines specifically for these areas not only in the interest of better utilizing land and buildings but to do so in a way that creates a high-quality urban environment that provides diversity in housing and commerce.

1.6.6. Urban Area Expansion

Urban boundary expansion is not currently an option in Lincolnat the time of implication of this document. This is a result of all of the *urban area boundaries* *Urban Area Boundaries* being surrounded by lands designated as Protected Countryside in the **Greenbelt Plan 2017** or otherwise being located within the Niagara Escarpment Plan Area's *Aagricultural Ssystem*

The *rural area* outside of the urban boundaries comprises a continuous and permanent land base intended to support long-term agricultural production and associated economic activity. This area is comprised of extremely productive *Specialty Crop Area**Agricultural* and *Prime Agricultural Area land*, and is the permanent core feature of a **Centre of Excellence for Agriculture**.

PART 2
RURAL AREA LAND USE POLICIES

Rural Areas comprise the majority of Lincoln's land base and feature a wide range of agricultural and natural landscape features and land uses. With the exception of one *rural settlement area* and a small number of existing *Mineral Aggregate Operations*, the *rRural Aarea* in the Town is comprised primarily of *Specialty* Crop Area ~~Agricultural~~ and *Prime Agricultural* Area~~lands~~. Environmental features within the *Rural Area* are managed as part of the Natural Environment designation.

The following land use policies apply to manage and protect the unique features of the *Rural Area* so designated and identified on Schedule 'A' and Schedule 'A1' to this Plan.

- *Specialty* ~~*Agricultural*~~ *Crop Area*
- *Prime Agricultural Area*
- *Rural Settlement Area*
- Mineral Aggregate Resource Area (identified on Schedule 'E3' as Bedrock Resource Area and Sand and Gravel Resource Area and the areas identified as Licensed Pits and Quarries on Schedules 'A1' and 'E3')
- Natural Environment System and Greenbelt Plan Natural Heritage System
- Niagara Escarpment Plan Area
- Natural Hazards

2.1. SPECIALTY ~~AGRICULTURAL~~ CROP AND PRIME AGRICULTURAL AREAS

2.1.1. Introduction

Preserving the integrity of the *Rural Area* is essential to the ongoing sustainability of the agricultural sector and a key objective of this Plan. This includes maintenance and enhancement of geographically continuous agricultural land bases to supper and foster long-term economic prosperity and productive capacity of the *agri-food network*.

Maintaining a balance between the ability of agricultural operations to function efficiently and profitably and the protection and management of environmental features is essential to the ongoing sustainability of agriculture protection. The Town acknowledges that *natural heritage features* are a land use and may conflict with good farming practises. However, initiatives to restore lands to natural heritage status must have regard for impacts on farming. Where there are potential adverse impacts on the right to farm, the right of *agricultural uses* to continue will prevail.

Agricultural lands within the Town which comprise the *Rural Area* are diversified and support the production of a wide and evolving range of crops as well as the raising of livestock and poultry, where in compliance with applicable *minimum distance separation formulae*. These lands are an

important asset to the Town and will be preserved for the benefit of current and future generations. The agricultural sector in the Town is and will continue to be a major contributor to all aspects of the Town economy.

The agricultural lands in the Town are designated as ~~*Specialty Agricultural*~~*Specialty Crop Area* and *Prime Agricultural Area*. ~~The *Specialty Agricultural* designation implements the Province of Ontario's Greenbelt Plan and recognizes the importance of specialty croplands for their unique ability to produce a range of crops and for their importance in the Provincial, Regional and Town economies. The Prime Agricultural designation protects and maintains land suitable for agricultural production and permits uses which support and/or are compatible with agriculture.~~

The ~~Specialty Agricultural~~*Specialty Crop Area* designation includes lands within the Greenbelt Plan Area, both within The Niagara Peninsula Tender Fruit and Grape Area ~~of the Greenbelt Plan~~ as well as other areas identified as *specialty crop areas*. This designation offers the highest level of protection and recognizes the importance of specialty croplands for their unique ability to produce a range of crops and for their importance in the Provincial, Regional and Town economies.

The *Prime Agricultural Area* designation protects and maintains land suitable for agricultural production and permits uses which support and/or are compatible with agriculture.

2.1.2. Objectives

(a) ~~(a)~~ To promote and protect all types, sizes, and intensities of *agricultural uses* and *normal farm practices* on agricultural lands.

(b) To recognize, respect and value the full range of ecological goods and services delivered to the community through good farming practices.

~~(a)~~(c) Utilize an *agricultural system* approach, based on provincial guidance, to maintain and enhance a geographically continuous agricultural land base and support and foster the long-term economic prosperity and productive capacity of the *agri-food network*. ~~(b)~~

(d) To promote the preservation of agricultural lands as the highest priority for the Town.

(e) ~~(c)~~ To protect the integrity of agricultural lands from conflicting uses.

(f) ~~(d)~~ To manage natural heritage features as part of the *agricultural system* in a way that will protect the feature but not impact the ability to farm.

(g) ~~(e)~~ To acknowledge that agricultural land is an integral part of the natural environment and sustains vital *linkages*.

(h) ~~(f)~~ To support uses that enable farming and farmers to:

- Become more competitive and *sustainable*;
- Adapt to new and changing markets;
- Diversify into and take advantage of new agricultural opportunities;
- Improve the understanding of agriculture by the general public; and
- Broaden operations to diversify economic activity and add value to agricultural production.

(i) ~~(g)~~ To emphasize the value of agriculture as an essential part of the Town environment, economy, *character* and quality of life.

(j) ~~(h)~~ To support the provision of farm related *infrastructure* including water for irrigation and drainage works.

(k) ~~(i)~~ To encourage a wide range of *farm diversification* uses in appropriate locations and at a scale suitable to the farm and the agricultural area where they contribute to profitable and economically *sustainable* agriculture.

(l) ~~(j)~~ To encourage the preservation of agricultural lands for agricultural purposes and to direct non-farm uses to ~~*S*~~*settlement areas*.

(m) ~~(k)~~ To ensure non-farm uses do not conflict with agricultural activity.

(n) ~~(l)~~ To promote a vibrant *agri-food network* that includes the production of a range of commodities, to enhance opportunities for directly related employment and to continue as a major component of the economic base of Lincoln.

(o) ~~(m)~~ To minimize the impact of non-farm uses on the agricultural area.

(p) ~~(n)~~ To support *development* of rural based *infrastructure* that supports agricultural operations.

(q) ~~(o)~~ To encourage the further growth of the *agriculture-related* uses and *on-farm diversification uses* including *agri-tourism uses* in appropriate locations and at an appropriate scale relative to surrounding land uses.

(r) ~~(p)~~ To support the *development* of fair tax policies that address *value added uses* and economic diversification on farms.

(s) ~~(q)~~ To consolidate and simplify the regulations associated with farming on agricultural lands.

(t) ~~(r)~~ To ensure the conservation of existing rural housing stock in order to provide on farm housing accommodation for farmers and farm help.

2.1.3. Permitted Uses

Permitted uses in the ~~*Specialty Agricultural*~~*Specialty Crop Area* designation and the *Prime Agricultural Area* designation include:

(a) *Agricultural uses*;

(b) *Agriculture-related uses*;

(c) *On-farm diversification uses*;

(d) Single detached dwelling on an existing lot of record;

(e) Residential uses on lots created in accordance with Section 2.1.5.;

(f) Forestry and *conservation use*;

(g) Passive recreational uses such as *active transportation* trails and outdoor nature interpretation;

(h) Extraction of mineral aggregates and *petroleum resources* in accordance with the policies of this Plan in its entirety; and

(i) Licensed Cannabis Production Facilities in accordance with the *Cannabis Act* and subject to other relevant policies of this Plan may be permitted, subject to the Town's Zoning By-law and site plan control pursuant to the Planning Act, R.S.O. 1990, c.P. 13, as amended, and the Town of Lincoln Site Plan Control By-law.

All proposed uses in the ~~*Specialty Agricultural*~~*Specialty Crop Area* and *Prime Agricultural Area* designation shall be compatible with, and shall not hinder, surrounding agricultural operations.

2.1.3.1. Uses Prohibited in the Specialty ~~Agricultural~~ Crop Area and Prime Agricultural Area Designations

Land uses prohibited in the ~~*Specialty Agricultural*~~*Specialty Crop Area* designation and the *Prime Agricultural Area* designation include:

(a) Waste disposal sites, transfer stations and automotive recycling use, including tire storage and recycling uses;

(b) Compost and soil manufacturing facilities;

(c) Storage or processing of treated solid material that is leftover from municipal wastewater treatment processes and facilities; and

(d) Storage and/or processing of other non-*agricultural source materials* if the use is not primarily related to the farm operation on the lands.

2.1.3.2. Site Alteration in the Specialty ~~Agricultural~~ Crop Area and Prime Agricultural Area Designations

The removal of topsoil in *specialty crop* and *prime agricultural areas* for activities not associated with *normal farm practices* is discouraged. The placement of fill in *specialty crop* and *prime agricultural areas* is prohibited except for *normal farm practices* conducted in accordance with Ontario Regulation 406/19, the Rules for Soil Management and Excess Soil Quality Standards and the Town's Site Alteration By-law.

2.1.3.3. Agricultural Uses

(a) Agricultural lands are delineated on Schedule 'A1' as either ~~Specialty Agricultural~~*Specialty Crop Area* or *Prime Agricultural Area*.

(b) The size of farm parcels shall be maintained in units which are large enough to maintain flexibility to adapt to economic conditions in agriculture in the future. Consolidation of farm parcels shall be encouraged.

(c) All types, sizes and intensities of *agricultural uses* shall be encouraged.

(d) The ~~*M*~~*minimum* ~~*D*~~*distance* ~~*S*~~*separation* ~~*F*~~*formulae,* as amended from time to time, shall be utilized for locating new *development* where permitted. Separation distances between new or expanding livestock operations and other land uses in the area shall also be in accordance with the ~~*M*~~*minimum* ~~*D*~~*distance* ~~*S*~~*separation* ~~*F*~~*formulae*.

(e) Additional permanent or portable farm labour housing may be permitted for full-time farm help where the size and/or nature of the farm operation makes the employment of such help necessary, subject to the following criteria:

(i) Both the farmer and the employee shall be employed full-time on the farm;
(ii) The farm labour housing will be located within the existing farm-building cluster so as not to have a significant effect on the tillable area of the agricultural operation or its viability;

(iii) *Sewage and water services* shall be as required by the Region;
(iv) A Building Permit from the Town is obtained*;* and
(v) The severance of a farm labour house is not permitted.

The Town may require that the *development* of farm labour housing be subject to Site Plan Control. In no case, shall any farm labour house use established in accordance with this Plan be subdivided or severed from the original parcel on which it was constructed.

2.1.3.4. Agriculture-Related Uses

(a) *Agriculture-related uses* may be permitted in accordance with the policies of this Plan. Allowing a range of appropriate on-farm uses contributes to economically *sustainable* agriculture in the Town which in turn facilitates broader access to local food and beverages, agricultural products and VQA wines and preserves the agricultural land base, supports the Town as a **Centre of Excellence for Agriculture** and maintains the scenic quality of the agricultural landscape.

(b) *Agriculture-related uses* include farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area. These uses support agriculture and benefit from being in close proximity to farm operations and provide direct products from and/or direct services to farm operations as a primary activity.

(c) *Adaptive re-use* of surplus farm facilities on existing farms for *agricultural-related uses* will be encouraged to conserve *built heritage resources* and *cultural heritage landscape*s that would otherwise disappear as a result of no longer being required for farm purposes.

(d) *Agriculture-related uses* must relate directly to farms in the area. It is recognized that in order to sustain market and allow for efficient operation of *agriculture-related uses,* products processed and/or sold by these businesses may be obtained from surrounding local farm operations or from further away. This is permitted provided the majority of product is from farm operations in the area. To assess whether a proposed *agriculture-related use* meets the test of providing direct products and/or services to farm operations as a primary activity, the Town may require evidence demonstrating that the use will service the local agricultural industry as the sole or main business activity.

(e) The size and scale of *agriculture-related uses* shall be regulated by the implementing Zoning By-law and shall be consistent with the Greenbelt Plan, OMAFRA's Guidelines as amended, and other applicable legislation and policies.

(f) The following criteria shall be considered when reviewing applications for a new or expanded *agriculture-related use*:

(i) Whether the use is more appropriately located in a nearby *settlement area*;
(ii) Whether the use is required on 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/or surrounding farming operations;
(iv) Whether the scale of the activity is appropriate to the site and/or the 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 shall be subject to site plan control in accordance with Section 9.11 in relation to entrances, parking, loading, signage, grading, drainage, buffering and landscaping;
(x) The use does not require significant improvements to *utilities* or *infrastructure* such as road or hydro services; and
(xi) The use complies with all of the policies of this Plan.

2.1.3.5. On-Farm Diversified Uses

(a) *On–farm diversification* uses may be permitted in accordance with the policies of this Plan. Allowing a range of appropriate on-farm uses contributes to economically *sustainable* agriculture in the Town which in turn facilitates broader access to local food and beverages, agricultural products and VQA wines and preserves the agricultural land base, supports the Town as a **Centre for Excellence for Agriculture** and maintains the scenic quality of the agricultural landscape.

(b) In determining what constitutes an *on-farm diversified use* reference shall be made to the definitions and policies of this Plan, the implementing By-law, Provincial policies including the PPS, OMAFRA's Guidelines on Permitted Uses in Ontario's *pPrime aAgricultural Aareas* as updated, and other applicable plans or policies.

(c) *On-farm diversified uses* must be both secondary to the principal *agricultural use* of the property and limited in area. The implementing By-law in conjunction with Provincial guidelines will determine the appropriate scale of new or expansions of existing *on-farm diversified uses*.

(d) *Adaptive re-use* of surplus farm facilities on existing farms for *on-farm diversified uses,* and *agri-tourism uses* at a scale that is appropriate to the farm operation and

will be encouraged to conserve *built heritage resources* and *cultural heritage landscapes* that would otherwise disappear as a result of no longer being required for farm purposes.

(e) Lot creation to accommodate *on-farm diversification* uses is not permitted.

(f) The following criteria shall be considered when reviewing applications for proposed *on-farm diversified uses*:

(i) Whether the use is more appropriately located in a nearby *settlement area*;
~~(ii) Whether the use is required on the agricultural property for it to support and complement~~complements ~~the agricultural activity~~ on the property~~;~~
(iii) Whether 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 the 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 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;
(viii) The use shall be subject to site plan control in accordance with Section 9.11 in relation to entrances, parking, loading, signage, grading, drainage, buffering and landscaping;
(ix) The use does not require significant improvements to *utilities* or *infrastructure* such as roads or hydro services;
(x) For special events, the use represents an occasional activity and is not a regular recurring activity;
(xi) The timing and duration of such uses do not hinder the agricultural operation on the site or on surrounding lands; and
(xii) The use complies with all of the policies of this Plan.

2.1.3.6. Wineries and Micro-Breweries

All *wineries* and micro-breweries permitted within the ~~*Specialty Agricultural*~~*Specialty Crop Area* designation and the *Prime Agricultural Area* designation, shall be subject to the following criteria:

(a) Wineries can be classified as an ~~A~~agriculture-related land use as they utilize grapes that are grown on the vineyard and fruit farm that is located on the same land as the winery as part of the farmer's own farm operation. Micro breweries are generally classified as an *on-farm diversified use* as they utilize crop inputs that can be grown

outside of the Greenbelt Plan's Niagara Tender Fruits and Grapes Area and *sSpecialty cCrop aArea*.

(b) New winery buildings should be *setback* sufficiently from a roadway in order to accommodate a suitable planting area to provide and maintain an agricultural setting;

(c) A hospitality room where wine and food are served, the retail sale of wine produced on site, and other forms of *on-farm diversified uses* will be permitted. The implementing Zoning By-law and applicable provincial Guidelines will set out specific lot coverage and gross floor area requirements;

(d) Generally, a minimum area equal to 60% of the land that is arable for viticulture and/or the production of fruit crops shall be planted. The Town will require the planting, as a condition of the site-specific amendment to the Zoning By-law, to be completed prior to the removal of the Holding Provision or prior to the issuance of a building permit. This is to provide an agricultural setting for the winery, minimize the impact on surrounding land uses, and provide sufficient crops for the production of wine.

(e) All accessory uses to a winery shall not detract from the principal *agricultural use* nor adversely affect surrounding land uses.

(f) Wineries and micro-breweries shall be subject to site plan control in accordance with Section 9.11;

(g) All wineries and breweries and accessory uses to the operation are expected to rely solely on private water services and sewage disposal systems that meet the requirements of the Niagara Region and/or the requirements of the Province~~Ministry of the Environment and Climate Change~~, should sewage and waste flows be in excess of 10,000 litres/day unless municipal water and/or sanitary sewer services are readily available across the frontage of the lands and connection is permitted under as per Regional policies ~~n~~;

(h) No new severance of an existing winery, brewery and/or an accessory use from the farm parcel shall be permitted;

(i) A special event may be permitted where it is directly related to the winery or brewery located on site and where it has been approved through an amendment to the Zoning By-law or Temporary Use By-law or if it is a special event in association with a main use or *secondary use* and the proponent has received the permission of the Town in advance of the event. The Town reserves the right to refuse permission or

limit an event where it is of the opinion that the event will create a nuisance, be offensive or incompatible with surrounding uses. This policy applies to events, without limitation.

2.1.3.7. Bed & Breakfast Establishments

Bed and breakfast establishments are permitted as an *on-farm diversified* use in accordance with the policies outlined in Section 9.14.

2.1.3.8. Home Based Business

Home based business are permitted in agricultural areas in accordance with the policies outlined in Section 9.13.

2.1.3.9. Forestry and Conservation Uses

Forestry and *conservation uses* are encouraged and in particular woodlots and windbreaks which control soil erosion and act as *ground water recharge* areas. Land use and *development* that degrade the natural *ecosystem* will not be permitted. However, this policy shall not restrict *normal farm practices*.

2.1.3.10. Passive Recreational Uses

Passive recreational uses, such as *active transportation* trails and outdoor nature interpretation centres are permitted on lands owned by a public authority. Abandoned hydro corridors should be used for passive trail purposes or offered to adjacent property owners in a similar manner as closed road allowances and not sold as separate building lots.

2.1.3.11. Cannabis Production Facilities

(a) Upon receipt of an application for the site plan control to permit a Cannabis Production Facility in the "~~Specialty Agricultural~~*Specialty Crop Area* or *Prime Agricultural Area*" designation, Council shall be satisfied that the following criteria is met:

~~(b)~~(i) Only new purpose-built facilities will be permitted, and any retrofit or use of existing agricultural buildings or structure is prohibited;

~~(c)~~(ii) That mitigation measures be taken to reduce impacts on nearby residential, institutional, recreational and other *sensitive land uses*, and, to determine the appropriate separation distance of the proposed facility to existing *sensitive*

land uses and zones, including commercial, institutional and recreational land uses frequented by members of the public;

~~(d)~~(iii) That buffering and screening will be required to preserve the agricultural *character* of the surroundings;

~~(e)~~(iv) That required facilities will be installed such as, but not limited to, on-site water storage and rate-of-flow control facilities and complete stormwater management facilities;

~~(f)~~(v) That a waste management plan will be submitted to the satisfaction of the Town describing the method and location of all generated waste; and

~~(g)~~(vi) That an odour control plan shall be submitted prior to the issuance of any license by the Town to demonstrate that odours generated from the Cannabis Production Facility will be mitigated.

The Town may establish, by by-law, regulations including a licensing framework and zoning regulations to regulate the nature and scale of Cannabis Production Facilities to ensure compliance with the policies of this plan, the zoning by-law and other pertinent by-laws related to land use compatibility and responsible business practices.

2.1.4. General Policies in the Specialty ~~Agricultural~~ Crop Area and Prime Agricultural Area Designations

2.1.4.1. Agricultural Uses

(a) Agricultural lands are delineated on Schedule 'A1' as either ~~*Specialty Agricultural*~~*Specialty Crop Area* or *Prime Agricultural Area*.

2.1.4.2. Specialty ~~Agricultural~~ Crop Area Designation

(a) The re-designation of lands in the ~~*Specialty Agricultural*~~*Specialty Crop Area* designation to another designation in this Plan is not permitted, except in accordance with the Greenbelt Plan or any amendment made thereto.

(b) All lands in the ~~*Specialty Agricultural*~~*Specialty Crop Area* designation shall be placed in an Agricultural Zone in the implementing Zoning By-law. Existing uses which are permitted by this Plan shall be placed in an appropriate exception zone if the Town is satisfied that the use has been in continuous operation since December 16, 2004, and the use does not pose a risk to public health or safety.

(c) Uses which are not permitted in the ~~*Specialty Agricultural*~~*Specialty Crop Area* designation but were established on or before December 16, 2004, shall be deemed to be permitted uses and defined as an Existing Use. **Expansions to existing buildings and structures, accessory structures and uses and/or conversions of legally *existing uses* which bring the use more into conformity with this Plan may be permitted subject to demonstrating the following criteria:**~~Permission to expand buildings, structures or accessory uses associated with such a legal non-conforming use may be considered and legally established existing uses may be converted into uses which are more in conformity with this Plan subject to an amendment to the Zoning By-law or approval of a Minor Variance. In considering an application, Committee shall have regard for the following criteria~~:

(i) The proposal does not involve introducing non-agricultural land uses to the lands;

(ii) The proposal does not result in the intrusion of new ~~incompatible uses~~ uses that are incompatible with surrounding agricultural operations and existing land uses that are permitted in the ~~*Specialty Agricultural*~~*Specialty Crop Area* designation;

(iii) Expansions of existing non-agricultural land uses are limited to the size of the property on or before December 16, 2004;

~~(i) the intrusion of new incompatible uses; uses that are incompatible with surrounding agricultural operations and existing land uses;~~

~~(ii)~~(iv) Any ~~impact~~impacts the proposed *development or expansion* would have on the agricultural system, adjacent agricultural activities and the tillable area of the of the property;

~~(iii)~~(v) Where applicable, the proposal conforms to OMAFRA's Guidelines as amended;

~~(iv)~~(vi) The proposal does not negatively impact the integrity of non-agricultural use;

~~(v)~~(vii) In the event of a conversion or *development* proposal, an *agricultural impact assessment* shall be completed by a qualified professional;

~~(vi)~~(viii) The proposal does not require the provision or extension of a municipal water or sewer system;

~~(vii)~~(ix) The proposal is in accordance with the *minimum distance separation formulae*;

~~(viii)~~(x) The proposal does not expand into key natural heritage or hydrologic features, unless there is no other alternative. In such case, any expansion shall be limited in scope, kept within close geographical proximity to the existing structure and conform to the policies within this Plan.

~~(ix)~~(xi) Where the proposed expansion is located within lands regulated by the Niagara Peninsula Conservation Authority, which includes *watercourses*, valleys, *floodplains*, the Lake Ontario Shoreline and *wetlands*, a permit will also be required from the Niagara Peninsula Conservation Authority.

(d) All uses in the ~~*Specialty Agricultural*~~*Specialty Crop Area* designation shall be designed, located and managed to not detract from the primacy of agricultural in the Agricultural Area. Non-*agricultural uses* are not permitted in the ~~Specialty Agricultural~~*Specialty Crop Area* designation as such uses can have adverse impacts on both agricultural and natural resources.

(e) *Additional Residential Units* that are not required for farm help may be permitted without the need for a Zoning By-law Amendment provided that the criteria outlined in Section 2.1.~~5.2a~~4.3.(d) are met and except that:

(i) No *Additional Residential Unit* shall be permitted within a detached accessory structure that has been built after December 16, 2004.

(f) *Settlement areas* are not permitted to expand into *specialty crop areas*.

(g) *Specialty crop areas* are given the highest priority for protection by Provincial planning policies to ensure they are used for agricultural use in the long-term. Presently, settlement area boundary expansions cannot occur on lands that are classified as *specialty crop areas*. If the policies of the Greenbelt Plan are amended in the future to consider minor modifications to the specialty crop lands, the Town may consider applications for a change in land use from specialty crop lands to an urban use subject to meeting, at minimum, the following minimum criteria:

(i) The lands are immediately adjacent / contiguous to the existing urban *settlement area*;
(ii) The lands contain pre-existing *development* not in keeping with *agricultural uses*;
(iii) *Redevelopment* of the lands would not pose an impact to adjacent and nearby agricultural operations and will not negatively impact the integrity of the *r~~R~~ural area* through fragmentation or the introduction of a new incompatible use;
(iv) *Redevelopment* of the lands would not limit future logical expansion of the urban *settlement area*;
(v) There are no reasonable alternatives to accommodate the proposed use in *s~~S~~ettlement ~~A~~areas*;
(vi) The lands are a minimum size to meet the proposed *development* need;
(vii) There is sufficient *infrastructure* capacity to accommodate the proposed *development*;
(viii) The lands are, or can easily, be serviced;
(ix) The lands do not contain *significant* environmental or natural heritage features;
(x) The proposed lands would promote efficient use of land and services;

(xi) *Redevelopment* of the lands avoids, or if not possible, minimizes and mitigates any potential *negative impacts* on *watershed* conditions and the *water resource system*; and

(xii) The *development* complies with the *minimum distance separation ~~(MDS)~~ formulae*.

(xiii) To support consideration, the following studies, at minimum, shall be provided with an application:

- Planning Justification Report, including a Needs Analysis
- *Agricultural Impact Assessment*
- Environmental Impact Assessment
- Archaeological ~~Impact~~ Assessment
- Servicing Study

2.1.4.3. Prime Agricultural Area Designation

(a) All lands in the *Prime Agricultural Area* designation shall be placed in an appropriate Agricultural Zone in the implementing Zoning By-law

(b) Non-*agricultural uses* are not permitted in the *Prime Agricultural Area* designation unless for the following activities:

(i) Extraction of *minerals*, *petroleum resources* and *mineral aggregate resources*, in accordance with policies of this Plan in its entirety; and

(ii) Limited non-*agricultural uses*, subject to the policies of Section 2.1.4.2 (c).

(c) Non-*agricultural uses* are not permitted in the *Prime Agricultural Area* designation as such uses can have adverse impacts on both agricultural and natural resources. Where limited non-*agricultural uses* are proposed in the *Prime Agricultural Area* designation, such applications shall be reviewed and are subject to the following criteria:

~~(iii)~~(i) The land is not comprised of *s~~S~~pecialty c~~C~~rop ~~A~~area*~~;~~;

~~(iv)~~(ii) There is an identified need within the planning horizon of this Official Plan for additional land to be designated to accommodate the proposed use~~;~~;

~~(v)~~(iii) There are no reasonable alternatives to accommodate the proposed use in ~~S~~*settlement ~~A~~areas*~~;~~;

~~(vi)~~(iv) Alternative locations have been evaluated and there are no reasonable alternative locations which avoid *prime agricultural areas* and there are no reasonable alternative locations in *prime agricultural areas* with lower priority agriculture lands~~;~~;

~~(vii)~~(v) It will not negatively impact the integrity of the *r~~R~~ural area* through fragmentation or the introduction of a new incompatible use~~;~~;

~~(viii)~~(vi) An a~~A~~*gricultural i~~I~~mpact A~~a~~ssessment* is undertaken to identify the degree of conflict with surrounding *agricultural uses*. Impacts from any new or expanding non-*agricultural uses* on surrounding agricultural operations and lands are to be mitigated to the extent feasible;~~,~~

~~(ix)~~(vii) Where applicable, the proposal conforms to OMAFRA's Guidelines as amended;~~,~~

~~(x)~~(viii) The proposed use is in accordance with the *minimum distance separation formulae* as updated;~~,~~

~~(xi)~~(ix) New municipal services are not required, and confirmation is provided that suitable private water supply and private sewage services can be provided on the same lands as the proposed use;~~,~~

~~(xii)~~(x) The proposed use does not expand into key natural heritage features and key hydrologic features, unless there is no other alternative. In such case, any expansion shall be limited in scope, kept in close proximity to the existing structure and conform to all other applicable policies within the Plan~~,~~; and

~~(xiii)~~(xi) Comply with all other applicable policies within this ~~p~~Plan.

(d) *Additional Residential Units* that are not required for farm help may be permitted without the need for a Zoning By-law Amendment provided that the following criteria are met:

(i) A maximum of two *Additional Residential Units* may be permitted in addition to the principal dwelling, for a total of three residential units;

(ii) In all cases a maximum of one *Additional Residential Unit* may be located within a detached accessory structure that is ancillary to the principal dwelling unit on the same lot;

(iii) Within the ~~Specialty Agricultural~~*Specialty Crop Area*~~ area~~, an *Additional Residential Unit* may only be permitted within existing buildings as permitted by the Greenbelt Plan as amended,

(iv) If the *Additional Residential Unit* is located in an existing detached accessory building, the unit must be located within the cluster of buildings on the property;

(v) The *Additional Residential Unit(s)* must be located on the same lot as the principal dwelling unit, ~~and must~~ be subordinate in scale and function to the principal dwelling unit, and in close proximity to the principal dwelling unit to minimize land taken out of agricultural production;

~~(v)~~(vi) Complies with the *minimum distance separation formulae*;

~~(vi)~~(vii) An *Additional Residential Unit(s)* shall not be located on lands identified as hazard lands or as being within the regulatory flood plain, unless where specifically permitted by the Conservation Authority;

~~(vii)~~(viii) An *Additional Residential Unit(s)* must have no *adverse effect* on stormwater management systems and on-site drainage as demonstrated through a grading plan;

~~(viii)~~(ix) Both the principal dwelling unit and the *Additional Residential Unit(s)* shall be in compliance with the following:

- Building Code;
- Fire Code;
- Safe access to an *Additional Residential Unit(s)* must be ensured by meeting fire and emergency service requirements;
- Provisions for *Additional Residential Units* as outlined in the Town's Zoning By-law; and
- Any other applicable legislation.

(ix) Adequate water supply and wastewater treatment must be available to accommodate the *Additional Residential Unit(s).* If the principal dwelling is serviced by a septic system, verification must be provided that the septic system can accommodate an *Additional Residential Unit(s)* through the existing system or expansion of the existing system to service both the *Additional Residential Unit(s)* and the principal dwelling. Should a new septic system be required to accommodate an *Additional Residential Unit(s),* the new septic system shall not remove land from agricultural production; and~~.~~

(x) In no case shall the *Additional Residential Unit(s)* be subdivided or severed from the ~~original lot on which it was constructed~~. principal dwelling it is accessory to.

(e) All uses in the *Prime Agricultural Area* designation shall be designed, located and managed to not detract from the primacy of agricultural in the Agricultural Area.

2.1.5. Consent Policies

2.1.5.1. Permitted Types of Consents

The following types of consents may be permitted in the Agricultural Area:

(a) The severance of a surplus farm dwelling provided the applicable criteria in Sections 2.1.5.2 and 2.1.5.3 are satisfied.

(b) A severance for *agricultural uses* subject to the following criteria:

(i) The severed and retained parcels are both to be used for agricultural purposes;

(ii) Within the ~~Specialty Agricultural~~*Specialty Crop Area* ~~Area~~, the severed and retained parcels are both of 16.0 hectares or results in the increased size of an undersized farm parcel;

(iii) Within the ~~P~~*prime* ~~A~~*agricultural* ~~A~~*area*, a severance for *agricultural uses* may be permitted provided that the minimum size for the severed and retained parcels is 40.0 hectares or results in the increased size of an undersized farm parcel;

(iv) The severance is appropriate for the farming activities proposed;

(v) The severance is suitable to the particular location and common in the area; and

(vi) The severance provides flexibility for farm operators to undertake changes in agricultural operations.

(c) Lot creation to accommodate an agriculture-related land use is permitted provided that:

(i) ~~a~~Any new lot shall be limited to the minimum size needed to accommodate the use and appropriate *sewage and water services*;~~,~~

(ii) An *a*~~A~~*gricultural i*~~I~~*mpact a*~~A~~*ssessment* demonstrates that no new *negative impacts* will result to all adjacent farming operations; and~~,~~

(iii) T~~t~~he remaining portion of the lot is conveyed to an active agricultural operation where possible, and all other policies in Section 2.1.3.4~~5~~ are met.

(d) A severance for *legal or technical reasons* provided they do not create a separate lot for a residential dwelling. In the ~~Specialty Agricultural~~*Specialty Crop Area* Designation, a consent for this purpose is permitted if there are no increased fragmentation of a key natural heritage or hydrologic feature and/or *negative impacts* on a farm and adjacent farm operations.

(e) A severance for *infrastructure* purposes as permitted in this Plan, where the facility or corridor cannot be accommodated through the use of an easement or right-of-way and provided the *infrastructure* is supported by ~~the,~~ the Provincial Planning Statement, and the Greenbelt Plan. In the ~~Specialty Agricultural~~*Specialty Crop Area* ~~area~~, consents of this nature must demonstrate that there is no reasonable alternative location for the proposed *infrastructure,* and an *agricultural impact assessment* has been completed by a qualified professional.

(f) Conveyances to public bodies or non-profit entities for natural heritage conservation provided it does not create a separate lot for a residential dwelling provided that the lands are within the ~~Specialty Agricultural~~*Specialty Crop Area* Designation.

2.1.5.2. Severance of a Residence Surplus to an Agricultural Operation Consent Policies

The severance of a *residence surplus to an agricultural operation* is permitted subject to meeting the following criteria:

(a) Within the ~~Specialty Agricultural~~*Specialty Crop Area* Designation, the dwelling must be built prior to December 16, 2004. On lands in the *Prime Agricultural Area* Designation, the dwelling must be constructed prior to March 1, 2005 ~~2006~~;

(b) The dwelling must be surplus to an agricultural operation as the result of the amalgamation of two or more farms and containing an active *agricultural use;*

(c) The agricultural operations must be merged in title or alternatively the remnant farm parcel be rezoned to preclude residential usage in perpetuity;

(d) The severed dwelling and proposed lot shall meet the *m~~M~~inimum ~~D~~distance s~~S~~eparation ~~(MDS) F~~formula~~e~~*;

(e) The severed dwelling shall be in a habitable condition;

(f) The severed dwelling shall be surplus to the farmer's present and future needs as a family residence or as farm labour housing;

(g) The remnant agricultural parcel should be of a substantial size to function as a significant part of the overall farm unit;

(h) The size of the parcel containing the residence surplus to the agricultural operation shall be limited to the minimum size needed to accommodate the dwelling, including areas for individual *sewage and water services* in accordance with Section 2.1.5.3(a); and

(i) The severance of a dwelling where there are two dwellings on an existing agricultural parcel is not permitted.

2.1.5.3. New Surplus Farm Dwelling Lot Policies

New residential lots created in accordance with Section 2.1.5 above shall meet the following conditions:

(a) The size of a new lot for a surplus farm dwelling is determined by the type of services it receives as follows:~~.~~

(i) Proposed lots that are not serviced by municipal sanitary sewers~~, the proposed lots that are not serviced by both municipal water and sanitary sewers,~~ shall normally have a minimum lot frontage of 45 metres and a minimum useable lot area of 0.4 hectares, except where local conditions or special design proposals require variations in configurations. In all cases proposed lots must meet the requirements of the Region, or the authority having jurisdiction to ensure that the lot has *sustainable private services*;~~. New lots shall not exceed an area of 0.4 hectares except to the extent necessary to meet the requirements of the Region or to accommodate a special circumstance, or local condition, such as *vulnerable* ground water conditions, a ravine or creek;~~and

(ii) Proposed lots that that are serviced by municipal sanitary sewers shall have~~,~~ a minimum lot frontage of 15 metres and a minimum lot area of 425 square metres; and

~~(ii)~~(iii) All proposed new lots shall not exceed an area of 0.4 hectares except to the extent necessary to meet the requirements of the Region or to accommodate a special circumstance, or local condition, such as *vulnerable* ground water conditions, a ravine or creek;

(b) No new lot shall be permitted where road access would create a traffic hazard;

(c) All new lots shall have frontage on an open maintained public road at all times;

(d) The location of new lots shall be consistent with the Natural System policies of the Greenbelt Plan and the Natural Heritage Policies of the Provincial Planning Statement;

(e) New lots shall be located in such a position that minimizes the impact on the remaining agricultural operation and agricultural operations on *adjacent lands*.

2.1.6. Special Provisions

The following existing land uses outlined in Sections 2.1.6.1 to 2.1.6.14 do not conform to the permitted uses listed in Section 2 of this Plan. However, notwithstanding Section 2 they are considered to be permitted uses under this Plan and expansions to these uses shall be permitted unless the expansion is proposed on lands not previously owned and occupied by the use. The lands subject to the Special Provisions listed in Section 2.1.6 are identified on Schedule 'A1' to this Plan.

Expansions to the following existing land uses shall conform to the policies in Section 2.1.4.2 (c), or 2.1.4.3(c) of this Plan where applicable.

2.1.6.1.

In addition to the permitted uses of the ~~Specialty Agricultural~~*Specialty Crop Area* designation, those lands located on the west side of Regional Road No. 24 (Victoria Avenue) in part of Lot 1, Concession 1, in the former Township of Clinton, may also be used for neighbourhood convenience commercial uses in accordance with Section 3.1.11 of this Plan.

2.1.6.2.

In addition to the permitted uses of the ~~Specialty Agricultural~~*Specialty Crop Area* designation, those lands located on the south side of Fly Road, east of Mountain Road, in part of Lot 18, Concession 7, in the former Township of Clinton, may also be used for a public park.

2.1.6.3.

In addition to the permitted uses of the ~~Specialty Agricultural~~*Specialty Crop Area* designation, those lands located on the south side of Fourth Avenue, east of Nineteenth Street in part of Lot 18, Concession 4, in the former Township of Louth, may also be used for a school and accessory recreational uses.

2.1.6.4.

In addition to the permitted uses of the ~~Specialty Agricultural~~*Specialty Crop Area* designation, those lands located on the south side of Fourth Avenue and the east side of Nineteenth Street, in part of Lot 18, Concession 4, in the former Township of Louth, may also be used for a place of worship.

2.1.6.5.

Notwithstanding the permitted uses of the ~~Specialty Agricultural~~*Specialty Crop Area* designation, those lands located on the north side of Culp Road, to the east of Victoria Avenue, in part Lot 23, Concession 2, in the former Township of Louth, may also be used for local neighbourhood commercial uses in accordance with Section 3.1.11 of this Plan.

2.1.6.6.

In addition to the permitted uses of the ~~Specialty Agricultural~~*Specialty Crop Area* designation, those lands located on the north side of Fourth Avenue, to the east of Nineteenth Street, in part of Lot 18, Concession 3, in the former Township of Louth, may also be used for a school and accessory recreational uses.

2.1.6.7.

The Durham Industrial Area (Regional Road 81 and Durham Road) is intended to be developed for industrial purposes of a light and dry nature. Other appropriate commercial uses shall be permitted and include automotive and farm-related commercial and retail outlets for products manufactured on the premises. The *development* of this area will be guided by the following:

(a) The *development* of these lands will take place only through the provision of on-site sanitary disposal systems which have been approved by the Region or the Province ~~Ministry of the Environment and Climate Change~~ where required, for each particular use;

(b) Material used to fill and grade the subject lands will follow the recommendations of the MOECC "*Management of Excess Soil – A Guide for Best Management Practices"*; the Town will require that a "fill and grade plan" is submitted to the Town and approved by the Town, the Niagara Peninsula Conservation Authority and the Province ~~Ministry of the Environment and Climate Change~~, and this "fill and grade plan" shall include, among other matters, the nature and type of material to be used, the hours of operation of the trucking operation if such an operation is for a duration of more than five working days and arrangements for the clean-up and repair of damages to Town roads;

(c) The implementing Zoning By-law respecting the subject lands will permit only uses of a "light, dry, industrial" type preferably agriculturally related but may also include other uses including processing or manufacturing that would not require the need for a municipal sanitary sewer connection in the future, or otherwise conflict with the general rural *character* and uses of the surrounding area through the pollution of the atmosphere or the pollution of the drainage system which travels through the subject lands;

(d) Any diversion of the existing drainage system will require its approval and that of the Niagara Peninsula Conservation Authority; and,

(e) In areas where liquids and chemicals are stored, provisions shall be made for the containment of accidental spills which are adequate to prevent contamination of surface and ground water.

2.1.6.8.

In addition to the permitted uses of the ~~Specialty Agricultural~~*Specialty Crop Area* designation, those lands located in part of Lot 6, Concession 4, in the former Township of Clinton, may also be used for a banquet facility, with a maximum gross floor area of 483 square metres.

2.1.6.9.

A maximum gross floor area for *agri-tourism uses* of 676 square metres is permitted on lands known municipally as 3583 Zimmerman Road and legally described as Part Lot 19, Concession 7 and Part 1 on 30R5462 and Part 1 on 30R10360.

A maximum of 10 guest rooms in the form of 1-storey cabins shall be permitted on lands known municipally as 3583 Zimmerman Road and legally describers as Part Lot 19, Concession 7 and Part 1 on 30R5462 and Part 1 on 30R10360.

2.1.6.10.

A maximum gross floor area for *agri-tourism uses* of 4239 square metres is permitted on lands known municipally as 3953 Jordan Road and legally described as Concession 3, Lot 16 RP 30R5100, Part 2 S&E, Part 1 RP30R6730 and Concession 3, Lot 16. RP 30R5100, Part 1, RP30R4795, Part 3.

A maximum of 18 guest rooms in the form of two detached one-storey accessory structures shall be permitted on the lands known municipally as 3953 Jordan Road and legally described as Concession 3, Lot 16 RP 30R5100, Part 2 S&E, Part 1 RP30R6730 and Concession 3, Lot 16. RP 30R5100, Part 1, RP30R4795, Part 3.

2.1.6.11

Notwithstanding other policies in this Plan, a golf course with clubhouse is permitted on a 58.87-hectare (145.36acre) site located on the following lands. Firstly: Part of Lots 9 and 10, Concession 7, designated as Part 1, Plan 30R-6376 formerly in the Township of Louth, County of Lincoln now in the Town of Lincoln, Regional Municipality of Niagara; save and except that Part of Lot 9, Concession 7, designated as Part 1, 30R-6578. Secondly: Part of lot 8, Concessions 6 and 7, and Part of the Road Allowance between Concessions 6 and 7 through Lot 8, designated as Parts 1, 4, 5, and 6, Plan 30R-6375, in the Town of Lincoln, in the Regional Municipality of Niagara.

2.1.6.12

Notwithstanding the provisions of Section 7.1.4. of this Plan, the extension of a 38 mm diameter sanitary sewer forcemain is permitted to serve the proposed Vincor International Inc. *estate winery* to be located to the east of the Jordan community and south of Regional Road 81 in the Town of Lincoln.

2.1.6.13

Notwithstanding other policies in this Plan, the extension of a sanitary sewer approximately 200 feet south along Station Street from Second Avenue in the Town of Lincoln to service one single detached dwelling on a 2.8-acre property is permitted.

2.1.6.14

The following waterlines have been reviewed in accordance with Section 7.1.4 of this Plan and are deemed to comply with these policies:

(a) A waterline extension approximately 200 feet south along Station Street from Second Avenue in the Town of Lincoln to service one single detached dwelling on a 2.8-acre property; and

(b) A waterline extending from the Vineland Reservoir to service the Vineland Quarries and Crushed Stone Limited quarry located on Regional Road 24 at Fly Road in the Town of Lincoln.

2.2. RURAL SETTLEMENT

The following land use policies apply to the *Rural Settlement Area* so designated and identified on Schedule 'A1' to this Plan.

2.2.1. Introduction

The purpose of the *Rural Settlement Area* designation is to recognize the existing settlement of Tintern which is not expected to experience significant growth in the Town.

2.2.2. Objectives

(a) To provide for limited *development* in the *Rural Settlement Area*, while maintaining its existing community *character*.

(b) To provide sufficient *development* capacity to accommodate supporting farm-related uses and commercial uses to support the nearby agricultural and rural communities.

(c) To maintain and enhance a recognizable image for the hamlet and municipality, enhance the quality of life through appropriate design of commercial and public space areas, and promote greater economic vitality.

2.2.3. Permitted Uses

Permitted uses in the *Rural Settlement Area* designation include:

(a) Bed and breakfast establishments;

(b) Home for Special Care

(c) Home-based businesses;

(d) *Institutional uses* including elementary and secondary schools, community facilities, churches and place of worship and day-care centres;

(e) Parks and open space;

(f) Low density residential including additional residential uses;

(g) Small scale industrial or commercial uses that serve the needs of the settlement and the surrounding agricultural area;

(h) Accessory buildings and structures; and

(i) Tourism related activities and small-scale *creative cultural industries*

2.2.4. General Policies

(a) *Rural Settlement Areas* play an important housing, social, cultural and economic role for the *Rural Settlement Area* and the surrounding agricultural area;

(b) New lots shall be created through consent or in accordance with Section 9.10 of this Plan and shall meet the following conditions

(i) Future growth should be encouraged in depth rather than in linear strips along existing roads.

(ii) New lots shall be a minimum of 1 hectare unless it is determined through a hydrogeological study that a smaller lot size will adequately accommodate a private water supply and *sustainable private services*. In all cases, a minimum of 0.4 hectares of useable lot area for *sustainable private services* shall be provided.

(iii) All *development* must have an adequate private water and sanitary supply and be suitable for private waste disposal in accordance with the requirements of the Region and/or the Province ~~Ministry of the Environment~~.

(iv) Any residential *development* in excess of five residential units shall be supported by a Functional Servicing Report and Hydrogeological Study to ensure that the *development* can be accommodated on *sustainable private services* without an adverse impact on the quality of the ground water and on the adjacent uses.

(c) New non-residential uses may be permitted in the *Rural Settlement Area* designation subject to an amendment to the implementing Zoning By-law. Such uses shall be subject to Site Plan Control. Before considering an amendment to the Zoning By-law to permit any of the uses listed in Section 2.2.3. of this Plan, the Town shall be satisfied that:

(i) The proposed use is compatible with the *character* of the *Rural Settlement Area*;

(ii) The use has frontage and safe ingress and egress onto a public road to the satisfaction of the Town and/or the Region;

(iii) The proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;

(iv) The use shall not have a *negative impact* on the enjoyment and privacy of the neighbouring properties;

(v) Adequate parking, loading and landscaping can be provided on site;

(vi) Where the proposed use is industrial in nature, the Town will have regard to the Ministry of the Environment and Climate Change D-6: Compatibility between Industrial Facilities and ~~-~~ *Sensitive Land Uses*; and

(vii) Where the lot boundary of the proposed use abuts or is in proximity to the lot boundary of existing residential uses, fencing, landscaping, berming or a combination of these features shall be utilized to ensure that there is adequate separate screening between the uses.

(d) All lands used for residential purposes shall be placed in an appropriate Residential Zone in the implementing Zoning By-law. All lands used for non-residential purposes shall be placed in an appropriate zone in the implementing Zoning By-law. All undeveloped land may be placed in a *Development* or Holding Zone which will restrict the uses to those that existed on the date the implementing Zoning By-law comes into effect.

(e) Proposals for *development* will be reviewed to ensure that the *development* is orderly and well planned, that adequate services such as school bussing and fire protection can be provided, that the added *development* will not interfere with the operation of the arterial road system and that existing problems such as pollution, inadequate water supply or conflicting land uses will not be aggravated. *Development* should also minimize the impact on agricultural lands, natural hazard lands and on lands within the Natural Environment designation.

(f) Where *Rural Settlement Area* boundaries have been established closer to an existing livestock operation than determined by the *minimum distance separation formulae* ~~*Minimum Distance Separation Formula*~~, new *development* within the *Rural Settlement Area* must comply with the *minimum distance separation formulae* ~~*Minimum Distance Separation Formulae*~~.

(g) No new ~~*Rr*~~*ural* ~~*Ss*~~*ettlement* ~~*Aa*~~*reas*, expansions or minor boundary adjustments to existing *Rural Settlement Areas* are permitted in the ~~*Specialty Agricultural*~~*Specialty Crop Area*.

(h) Minor boundary adjustments of existing *Rural Settlement Areas* outside of the ~~*Specialty Agricultural*~~*Specialty Crop Area* shall be subject to the following criteria:

(i) The adjustment is to address *legal or technical reasons* for existing lots that does not lead to the creation of a new lot;
(ii) The property area is minor in nature;
(iii) The property area does not create a new lot;
(iv) Locally designated and/or listed heritage building(s) and/or feature associated with the designation or listing may be added to ensure their long-term protection provided the heritage building is on a property physically contiguous to the hamlet boundary;
(v) The adjustment does not include any lands designated Natural Environment unless the designated Natural Environment lands are already part of the *Rural Settlement Area*; and
(vi) The boundary adjustment shall comply with *minimum distance separation formulae*~~*Minimum Distance Separation Formulae*~~.

2.3. MINERAL AGGREGATE RESOURCE AREA

The following land use policies apply to the areas identified on Schedule 'E3' as Bedrock Resource Area and Sand and Gravel Resource Area and the areas identified on Schedule 'A1' an 'E3' as Licensed Pits and Quarries.

2.3.1. Introduction

The purpose of the *mineral aggregate resource* area policies is to provide direction on future new or expanding operations and existing operations and to manage and protect *mineral aggregate resources*.

2.3.2. Objectives

(a) To ensure that *mineral aggregate resources* are protected for long-term future use and that as much of the resource as is realistically possible, is made available as close to markets as possible.

(b) To minimize the long-term impact on the disturbed area by encouraging and promoting the timely, progressive and final rehabilitation of aggregate operations.

(b) To ensure that land use compatibility issues are addressed.

(d) To minimize the impact of *mineral aggregate operations* related traffic on the community and the Town's road *infrastructure*.

(e) To provide criteria for evaluating applications for *mineral aggregate operations*.

(f) To ensure the orderly extraction and utilization of *mineral aggregate resources*.

(g) Extraction shall be taken in a manner which minimizes social, economic and environmental impacts.

2.3.3. Permitted Uses

(a) The *mineral aggregate resources* shown on Schedule 'E3' to this Plan –may be used for the extraction of mineral aggregates that are found in a natural state on the site, subject to the policies of this Plan in its entirety.

(b) Other permitted uses on the lands identified as *mMineral aAggregate rResource* include:

(i) *Agricultural uses*
(ii) Forestry and *conservation uses*;
(iii) Passive recreational uses such as *active transportation* trails and nature interpretation centres; and
(iv) Existing uses in accordance with the land use designation for the lands that are identified as *mMineral aAggregate rResources* are permitted.

(c) Licensed *mineral aggregate operation*s may extract resources, refine process, blend raw aggregate materials and may also utilize recycled aggregate material in conjunction with processing activities in order to produce semi-finished or finished goods. Other uses associated with an operation such as asphalt plants, ready mix concrete plants and aggregate transfer stations are also permitted.

2.3.4. Policies

2.3.4.1 Mineral Aggregate Resources

(a) The location of known deposits of potential aggregate resource areas is shown on Schedule 'E3' to this Plan. The long-term protection of known high quality resources shall take precedence, wherever possible, over any use that would preclude the extraction of such resources, or which would be incompatible for reasons of public health, public safety or environmental impact.

(b) Updates to Schedule 'E3' of this Plan based on new *mineral aggregate resource* mapping from the Province will not require an amendment to this Plan.

(c) Proposed new *development* in areas located on, or within 300 metres (sand and gravel) or 500 metres (bedrock) of known *deposits of mineral aggregate resources*, which would preclude or hinder the establishment of new *mineral aggregate operations* or access to the resources, is not permitted, except where it can be demonstrated by the applicant that:

(i) resource use would not be feasible;
(ii) the proposed land use or *development* serves a greater long-term public interest;
(iii) issues of public health, public safety and environmental impacts are addressed; and
(iv) it does not adversely affect the availability of *mineral aggregate resources* in adjacent areas.

2.3.4.2 Mineral Aggregate Operations

(a) It is recognized that the Province ~~Ministry of Natural Resources~~ licenses and regulates *mineral aggregate operations* under the *Aggregate Resources Act*. It is the intent of this Plan to ensure that there is open consultation between the appropriate Provincial Ministries and agencies, the proponent of a *mineral aggregate operation*, the Region, the Town and the Niagara Peninsula Conservation Authority before licenses are issued or modified.

(b) Extractive operations which are located within the jurisdiction of the Niagara Escarpment Plan shall be subject to all of the applicable policies and regulations of that Plan.

(c) *Mineral aggregate 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, public safety or environmental impact.

(d) Proposed new *development* or other activities in areas located within 500 metres (sand and gravel) and 1000 metres (bedrock) of existing *mineral aggregate operations* is not permitted, unless it can be demonstrated by the applicant that satisfactory mitigation measures can be put in place to ensure that the ongoing operation or expansion of the existing *mineral aggregate operation* will not be hindered. The cost and responsibility for any required mitigation measures shall be borne by the applicant.

(e) *Development* on, abutting or adjacent to lands affected by *mine hazards* or former *mineral mining 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.

~~(d)~~(f) Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will ne no adverse effects.

~~(e)~~(g) Existing licensed *mineral aggregate operation*s shall be permitted to continue without the need for an Official Plan Amendment, Zoning By-law amendment or Development Permit under the Planning Act. Where the *Aggregate Resources Act* applies, only processes under the *Aggregate Resources Act* shall address the depth of extraction of new or existing *mineral aggregate operations*.

~~(f)~~(h) When a license for extraction or operation ceases to exist, Sections 2.3.4.1(c) and 2.3.4.2(e) continue to apply where deposits are still present.

~~(g)~~(i) The Town will consider applications for a *mineral aggregate operation* within the *deposits of mineral aggregate resources*, which are identified on Schedule 'E3', and outside known *deposits of mineral aggregate resources* where the applicant has demonstrated that there are a sufficient quantity and quality of resources to warrant extraction.

~~(h)~~(j) 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.

~~(i)~~(k) All new *mineral aggregate operations* and/or expansions to existing *mineral aggregate operations* onto lands that are not designated *as Licensed Pits and Quarries* shall require an amendment to the Official Plan and Zoning By-law. The Town strongly encourages ~~Such applications shall require~~ a pre-consultation meeting with Staff prior to submission of such an application, and requires the submission of supporting material and studies, in accordance with Section 9.17 of this Plan. The supporting materials shall be prepared by a qualified professional based on clear, reasonable and attainable standards and guidelines, and will be consistent with the reporting standards under the Aggregate Resources Act, where appropriate. Such applications shall consider the following:

(i) Detailed site *development* plan(s) prepared to *Aggregate Resources Act* standards which includes, but is not limited to:

- A progressive rehabilitation plan which recognizes the interim nature of resource extraction and identifies how future land uses will be

accommodated. ~~Rehabilitation plans in the *Specialty Crop Area* and *Prime Agricultural Areas* must conform to the policies found in Section 2.1.4 of this Plan~~ Rehabilitation plans in the *Specialty Crop Area* and *Prime Agricultural Areas* must identify how the site will be rehabilitated to an *agricultural condition*. Complete rehabilitation to an *agricultural condition* is not required if the depth of planned extraction makes pre-agricultural capacity unfeasible, and if agricultural rehabilitation in remaining areas is maximized;

- The location, topography, contours, dimensions and size of the property proposed for a *mineral aggregate operation*, as well as the extent of adjacent property which may be intended for future *mineral aggregate operations*;
- 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 mineral aggregate extraction;
- The location, height, dimensions of all buildings or structures existing or proposed to be erected on the site; The location, quality and estimated quantity of *mineral aggregate resources*;
- Existing and anticipated final grades of excavation *setbacks* within the site;
- Surface water diversion, storage and drainage provisions;
- All entrances, exits and proposed routes to be used by associated transport;
- 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 lands after the extractive operations have ceased; and
- Other information as the Region and Town may determine through pre-consultation.

(ii) A Planning justification report addressing and summarizing conformity with matters required under the Official Plan and Provincial policies. The Planning justification report will include consideration of social, environmental and economic impacts based on predictable, measurable, significant, objective effects caused by factors such as, without limitation, noise, dust, traffic levels and vibration. The assessment will be informed by other studies as required under this Plan and be based on Provincial standards, regulations and guidelines. The assessment will consider and identify methods of addressing the anticipated impacts in the area affected by the extractive operation;

(iii) Traffic and haul route impact study demonstrating that any additional traffic and/or road improvements will not have unacceptable impacts on the safe, efficient use and planned function of the road network or adjacent land uses, cultural landscapes, or lands within a *Natural Heritage Area* designation;

(iv) An Archaeological Assessment and Heritage Impact Assessment in accordance with Section 8.2.3(~~m~~h);

(v) A water resources study that demonstrates how potential *negative impacts* to, surface and/or ground water interaction, and impacts to private wells in proximity will be minimized. Where extraction is proposed below the water table, applicants shall demonstrate how impacts on both ~~water~~ the *quality and quantity* of water are avoided first and mitigated where avoidance is not possible;

(vi) A noise and vibration study;

(vii) Assessment of potential impacts to air quality and recommended measures to minimize such impacts;

(viii) Public consultation strategy;

(ix) Comprehensive summary of monitoring requirements, recommended in any of the above-mentioned studies addressing purpose, timing, frequency, responsible party or agency and reporting requirements; and

(x) ~~*Agricultural impact assessment.*~~Operations shall be supported by an *agricultural impact assessment* and, where possible, shall seek to mainta in or improve connectivity of the *Agricultural System*.

(j) In considering an application for an amendment pursuant to Section 2.3.4(i~~e~~), the following will be evaluated:

(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 truck routes and points of site access to be established; and~~-~~

(vi) The manner in which the *mineral aggregate resource* extraction and processing operations will be carried out including hours of operation;

2.3.4.3 Expansions and New Mineral Aggregate Operations in Prime Agricultural Areas

(a) In ~~*p*~~*Prime* ~~*agricultural*~~ *Agricultural* ~~*areas*~~*Areas*, on *prime agricultural land*, extraction of *mineral aggregate resources* is permitted as an interim use provided that:

(i) An *agricultural impact assessment* or equivalent analysis is undertaken to identify how impacts to the agricultural lands can be minimized and mitigated where no alternative is possible; and

(ii) the site will be rehabilitated back to an *agricultural condition*.

(b) Complete rehabilitation of a *mineral aggregate operation* to an *agricultural condition* as identified in Section 2.3.4.3.(a) is not required if:

(i) the depth of planned extraction makes restoration of pre-extraction agricultural capability unfeasible; and

(ii) agricultural rehabilitation in remaining areas is maximized.

2.3.4.4 Expansions and New Mineral Aggregate Operations in the Specialty Crop ~~Agricultural~~ Area

(a) Policies for the extraction of *mineral aggregate resources* within the ~~Specialty Agricultural~~*Specialty Crop Area* ~~Area~~ are subject to the policies within the Greenbelt Plan along with other policies of this Plan.

(b) Notwithstanding any provisions of this Plan, all *mineral aggregate operations* and *wayside pits and quarries* within the ~~*specialty*~~ *Specialty* ~~*crop*~~ *Crop* ~~*area*~~ *Area* identified on Schedule 2 of the Greenbelt Plan as the Niagara Tender Fruit and Grape Area are subject to the following requirements:

(i) No new *mineral aggregate operation*, *wayside pits and quarries* or any ancillary or accessory use thereto shall be permitted between Lake Ontario and the Niagara Escarpment Plan Area;

(ii) A new *mineral aggregate operation* or *wayside pits and quarries* shall only be permitted in the parts of the Niagara Peninsula Tender Fruit and Grape Area not identified in 2.3.4.4(b)(i) where the applicant demonstrates the following:

- The physical characteristics of the proposed site allow for the rehabilitation of the property back to an *agricultural condition*, which allows for restoration of substantially the same areas and same average soil capability for agriculture, the same range and productivity of specialty crops common in the area to be achieved, and allows for the microclimate which the site and surrounding area may be dependent for specialty crop production to be maintained;
- If the physical characteristics of the proposed site will not allow for the rehabilitation of the property back to an *agricultural condition*, which allows for the same range and productivity of specialty crops common in the area, and will not allow for the microclimate on which the site and surrounding area may be dependent for specialty crop production to be maintained, the applicant shall consider alternative locations. The consideration of other alternatives shall include resources in areas of Canada Land Inventory Class 4 through 7 lands, resources on lands identified as *designated growth areas*, and resources on *prime*

agricultural lands shall be protected in this order of priority: *specialty crop areas*, Canada Land Inventory Class 1, 2, and 3 lands; and

- Where other alternatives have been considered by the applicant and found unsuitable, and in situations where complete agricultural rehabilitation in the *specialty crop area* is not possible due to the depth of planned extraction or a substantial aggregate deposit below the water table warranting extraction, agricultural rehabilitation in the remaining licensed area shall be maximized as a first priority to allow production of specialty crops.

(c) Expanded *mineral aggregate operations* may be permitted in the ~~Specialty Agricultural~~*Specialty Crop* policy area provided that it does not occur in the following key natural heritage features and key hydrologic features:

(i) *Significant wetlands*;
(ii) *Habitat of endangered species and threatened species*; and
(iii) *Significant woodlands*, unless the *woodland* is occupied by young plantation or early successional habitat (as defined by the Province ~~Ministry of Natural Resources and Forestry~~)

(d) Applications for new *mineral aggregate operations* in the ~~Specialty Agricultural~~ *Specialty Crop Area*~~area~~ shall be required to demonstrate the following where applicable:

(i) How the connectivity between key natural heritage features and key hydrologic features will be maintained before, during and after the extraction of mineral aggregates;
(ii) How the operator could replace key natural heritage features and key hydrologic features that would be lost from the site with equivalent features on another part of the site or on *adjacent lands*;
(iii) How the *w~~W~~ater ~~R~~resource s~~S~~ystem* will be protected or enhanced; and
(iv) How any key natural heritage features and key hydrologic features and their associated *vegetation protection zones* not identified in ~~s~~Section 2.3.4.4 (c~~a~~), will be addressed in accordance with ~~sections~~ Sections ~~4.3.2.6 (b), (c) and 4.3.2.7 (c);~~Provincial policy and the policies of this Plan.

(e) In addition to the requirements provided in Section 2.3.4.2 of this ~~p~~Plan, the final rehabilitation plan for new *mineral aggregate operations* in the *natural heritage system* shall meet these additional policies:
(i) Where there is no extraction below the water table, an amount of land equal to that under natural vegetated cover prior to extraction, and no less than 35 per cent of the land subject to each license in the *natural heritage system*, is to be rehabilitated to forest cover, which shall be representative of the natural

ecosystem in that particular setting or Eco district. If the site is also in a *prime agricultural area*, the remainder of the land subject to the license is to be rehabilitated back to an *agricultural condition*;

(ii) Where there is extraction below the water table, no less than 35 per cent of the non-aquatic portion of the land subject to each license in the *natural heritage system* is to be rehabilitated to forest cover, which shall be representative of the natural *ecosystem* in that particular setting or Eco district. If the site is also in a *prime agricultural area*, the remainder of the land subject to the license is to be rehabilitated in accordance with ~~sSection 4.5.4 of the Provincial Planning Statement~~Provincial policy; and

(iii) Rehabilitation shall be implemented so that the connectivity of the key natural heritage features and the key hydrologic features on the site and on *adjacent lands* shall be maintained or enhanced.

2.3.4.5 Haul Routes and Aggregate Truck Traffic

(a) Mineral aggregate truck traffic shall be directed away from *settlement areas* to the maximum extent feasible and make use of existing Provincial and Regional road networks. Local road networks should be used as local access routes only. In general, each *mineral aggregate operation* should have a defined haul route.

(b) Applications to permit a *mineral aggregate operation* shall demonstrate how adverse impacts associated with mineral aggregate truck traffic will be mitigated and shall consider:

(i) options for delivery of resources to the market, including alternative modes of transportation and alternative routes;

(ii) impacts on the road network and potential mitigation measures;

(iii) safety mitigation measures in all circumstances, with particular attention required where mineral aggregate truck traffic has the potential to mix with residential traffic, school buses, agricultural vehicles, pedestrians, cyclists, and other *sensitive* road users and;

(iv) social and environmental impacts and any mitigation measures.

(c) The Town may require applicants to enter into Haul Route Agreements as part of the process to permit a *mineral aggregate operation* to:

(i) ensure haul routes are defined and utilized;

(ii) secure for improvements and additional maintenance in accordance with the ARA; and

(iii) to outline the formula for the method of payment by a licence-holder, where required. Improvements required to a Regional or Local road due to a new or expanded *mineral aggregate operation* shall not be at the public expense.

(d) Haul routes for existing *mineral aggregate operations* are not currently strictly defined. As haul routes for new *mineral aggregate operations* are established, the Region will prepare and maintain a map indicating approved haul routes ~~as an Appendix~~ Schedule ~~to this Plan~~.

(e) Over time there may be changes that provide opportunities for more suitable haul routes, such as haulage patterns, highway and road improvements, measures to manage dust, and changes in municipal *development* patterns. Changes to defined haul routes may be permitted through a formal amendment to Haul Route Agreements and shall not require an amendment to this Plan.

(f) *Mineral aggregate resources* are generally transported using trucks to access the market. The Town also encourages and supports opportunities for alternative ways to transport *mineral aggregate resources* to the market, including the use of railways where applicable.

2.3.4.6 Temporary General Policies

(a) *Wayside pits and quarries*, *portable asphalt plants* and *portable concrete plants* used on public authority contracts shall be permitted, without the need for an official plan amendment, rezoning, or Dd~~d~~evelopment Pp~~p~~ermit under the Planning Act in all areas, except those areas of existing *development* or particular environmental sensitivity which have been determined to be incompatible with extraction and associated activities.

(b) The implementing Zoning By-law shall place all licensed aggregate operations in a zone that permits quarries and sand and gravel extraction operations. The Implementing Zoning By-law may contain *setbacks* for extraction operations from adjoining properties designated for residential use by the Plan, municipal rights-of-way and property boundaries.

(c) *Mineral aggregate resource conservation* shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.

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

2.4. NIAGARA ESCARPMENT PLAN AREA

2.4.1. Introduction

The Province of Ontario, through the Niagara Escarpment Planning and Development Act, provides for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment. Within the Niagara Escarpment Plan Area, *development* (as defined in the Niagara Escarpment Planning and Development Act) is to be compatible with the natural environment in accordance with the Niagara Escarpment Plan. Municipal zoning regulations do not apply to lands in Development Control areas under the jurisdiction of the Niagara Escarpment Plan. Instead, a Dd~~d~~evelopment p~~P~~ermit is required from the Niagara Escarpment Commission (NEC) for all *development* not specifically exempted.

Pursuant to the Niagara Escarpment Planning and Development Act, the Niagara Escarpment Plan prevails over any local Official Plan or Zoning By-law where conflicts occur between them. Where policies in this Official Plan are more rigorous or restrictive than the Niagara Escarpment Plan, they are considered not to be in conflict with the Niagara Escarpment Plan and continue to apply.

Farm diversification uses within the Niagara Escarpment Plan Area must also comply with the policies of the Niagara Escarpment Plan.

2.4.2. Objectives

(a) To provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment.

(b) To ensure that all new *development* is compatible with the natural environment.

2.4.3. Policies

(a) The Niagara Escarpment Plan, as amended from time to time, prescribes designations, policies and *development* criteria to regulate the use of land within the Niagara Escarpment Plan Area within the Town. The outer boundary of the Niagara Escarpment Plan Area is fixed and shall only be changed by an amendment to the Niagara Escarpment Plan. The Niagara Escarpment Plan Area within the Town is shown on Schedule 'A'. ~~(b)~~

(b) *Development* within the Niagara Escarpment Development Control Area is regulated by the Niagara Escarpment Commission through the issuance of Dd~~d~~evelopment Pp~~p~~ermits.

(c) Within the Niagara Escarpment Plan Area, *development* includes a change in the use of any land, building or structure.

(d) In the review of *development* proposals within the Niagara Escarpment Plan Area, the Town shall apply the policies of the Niagara Escarpment Plan, as well as the policies of this Plan. Where the policies of this Plan are more stringent than those in the Niagara Escarpment Plan, they shall take precedence unless doing so would conflict with the Niagara Escarpment Plan.

(e) Notwithstanding Schedule 'D', new roads and road improvements within the Niagara Escarpment Plan Area shall be in harmony with the Escarpment landscape. The objective is to design and locate new and expanded transportation facilities to minimize the impact on the Escarpment environment and the natural and agricultural landscape. Any *development* shall comply with the objectives, policies and *development* criteria of the Niagara Escarpment Plan.

(f) The Niagara Escarpment Plan contains policies and a framework for the Niagara Escarpment Parks and Open Space System that stretches the length of the Escarpment. The Bruce Trail, Ball's Falls, Mountainview, Louth and Rockway Conservation Areas and the Cave Springs lands are an integral part of the Niagara Escarpment Parks and Open Space System within the Town. It shall be the policy of the Town to support the *development* of the Niagara Escarpment Parks and Open Space System in this area.

2.4.4. Special Policy Area

Lands located within the Urban Area and identified as Niagara Escarpment Plan Urban Area on Schedule ‘A2’, located south of Hillside Drive, are currently in Development Control and therefore the Town of Lincoln Zoning By-law does not apply.

Residential and *institutional uses* shall be permitted on these lands, subject to the Residential Development ~~P~~policies contained in Section 3.1.5 and Institutional ~~p~~Policies contained in Section 3.1.10, excluding the requirement for a Zoning By-law Amendment.

All *development* on these lands shall require a D~~d~~evelopment P~~p~~ermit from the Niagara Escarpment Commission unless specifically exempted by regulation under the Niagara Escarpment Planning and Development Act. No other permits, including building permits, may be issued unless a D~~d~~evelopment ~~p~~Permit has been issued from the Niagara Escarpment Commission.

PART 3
URBAN AREA LAND USE POLICIES

3.1. RESIDENTIAL

3.1.1. Introduction

The Residential designation represents existing stable neighbourhoods where the predominant land use is residential, with housing types and densities directed in accordance with the policies of this section, specific residential land use designations on Schedules 'A' and 'B' and the more specific policies applicable to specific neighbourhoods in the Town.

3.1.2. Objectives

(a) To provide a greater range and mix of housing types, densities, and design, including an increase in the range of options for *affordable housing, additional needs housing,* and *attainable housing* to meet projected demographic, employment, and market requirements of future and current residents at all stages of life.

(b) To protect, maintain and enhance the *character* of existing residential areas.

(c) To promote opportunities for *intensification* and *redevelopment* in appropriate locations which efficiently utilize land, resources, and *infrastructure* to help support the creation of *complete communities*.

(d) To promote higher density, *transit supportive* and mixed-use *development* and *redevelopment*, including the *development* and *redevelopment* of underutilized commercial and institutional sites in appropriate locations.

(e) To promote residential areas which are accessible to all and accommodate the needs of pedestrians as well as other modes of transportation including walking, cycling, automobile and transit.

(f) To encourage high quality design.

3.1.3. Permitted Uses

The use of land designated Residential shall be for all housing types, including low, medium and high densities as well as special residential uses such as nursing homes, homes for the aged and retirement homes. Uses that are deemed necessary to serve the needs of neighbourhood residents and which are compatible with surrounding residential uses may also be permitted. Such uses include but are not limited to:

(a) Bed and breakfast establishments;

(b) ~~Home for Special Care~~*Additional Needs Housing*;

(c) Home based businesses;

(d) *Institutional uses* including elementary and secondary schools, community facilities, churches and places of worship and day-care centres;

(e) Neighbourhood commercial uses;

(f) Parks and open spaces;

(g) Accessory buildings and structures; and

(h) *Additional residential units.*

3.1.4. General Policies

(a) While low density housing will continue to dominate the *character* and identity of the existing Town residential neighbourhoods, various types of medium and high-density accommodation will be considered in accordance with the land use designations on Schedules 'A' and 'B' and the policies in this Plan. In providing for medium and high-density *development*, housing types will be arranged in a compatible form of building heights and densities according to the policies of this Section and the applicable Secondary Plan policies in Volume 2 of this Official Plan.

(b) Secondary Plans have been prepared for areas undergoing major *development*, *redevelopment* and where any major *development* proposal would have the effect of substantially altering the pattern of land use in a particular area. The Secondary Plans establish more specific policies which are applicable to specific neighbourhoods in the Town, ~~and are~~ as delineated~~outlined~~ in Schedule B ~~Section 3.1.5~~.

(c) Special Policy Areas have been created for Campden, Jordan, and Jordan Station to ensure that new development accounts for and reflects the unique characteristics and/or special circumstances in each of these areas. These policies are located within Section 3.9 of this Plan and are shown on Schedule A7.

~~(c)~~(d) In established Residential areas, which are relatively~~,~~ stable and where the potential for new *development* or *redevelopment* is limited, the building designs, building heights and densities of proposals will be consistent with the *character* and identity of surrounding residential lands.

~~(d)~~(e) In the *development* of new residential areas and in the *redevelopment* of established areas, the Town will require the following in order to achieve high standards of residential amenity:

(i) The provision and maintenance of adequate off-street parking for the *development*;

(ii) The provision, improvement and/or maintenance of on-site trees and landscaping areas, functional outdoor common amenity areas, and parks and recreational areas, in accordance with Town standards, as may be modified from time to time; and

(iii) The provision and maintenance of adequate separation distances and the placement of *buffer* features between residential uses of differing densities as well as other land uses.

~~(e)~~(f) *Developments* in the Urban Area which are not accessible to municipal services, within the Town program of service expansion, or cannot be readily serviced, will be considered premature and of low priority.

~~(f)~~(g) Lands designated Residential by this Plan are subject to the Phasing of Development policies established in Section 7.1.10 of this Plan and, therefore, such policies must be considered in the review of any *development* proposals.

(h) The schools, parks and other neighbourhood facilities should be adequate to serve the increased residential population resulting from the proposal.

~~(g)~~(i) Water, sanitary and storm services shall be adequate to accommodate increased residential densities.

~~(h)~~(j) In considering new residential *development*, the building design, density, height and orientation of buildings, shadowing and site lines, open space, landscaping, buffering, parking and access, shall be considered with regard to the relationship of the proposed *development* to the existing land uses in the vicinity to ensure compatibility.

~~(i)~~(k) Innovative forms of housing will be considered based upon the policies of this Plan.

~~(j)~~(l) Established non-residential uses that are located in the residential area may be recognized in the Zoning By-law, provided that they are not detrimental to the residential neighbourhood. In determining if the non-residential use should be permitted or allowed to expand, the Town shall be guided by the criteria of Section 9.15 - Non-Conforming Uses, of this Plan.

~~(k)~~(m) In considering new residential *development* and *residential intensification*, it is recommended that universal design standards are considered to meet housing needs at all stages of life.

~~(l)~~(n) The Town, in considering an application for the demolition or conversion of rental accommodation to condominium ownership, will have regard to the following criteria:

(i) The average rental vacancy rate within the Town is at or above the 3% vacancy rate guideline of the Region over the preceding three-year period; and

(ii) The effect of the conversion would result in the creation of *affordable* housing or the replacement of the same or higher number of rental units; or

(iii) The conversion is needed to address existing health and safety issues through retrofits and renovations, where such works ~~which~~ would result in ~~an increase in~~ rent~~al~~ levels exceeding ~~above~~ the threshold for affordability; and

(iv) Compliance with the Zoning By-law; and

(v) The quality and condition of the existing housing stock, as demonstrated through a Building Condition Report prepared by a qualified professional, identifying any deficiencies and confirming that the building:

- is in a good state of repair;
- complies with applicable property standards and life safety requirements; and
- that any required improvements shall be secured through conditions of approval. ~~and its compliance with the Ontario Building Code.~~

3.1.4.1. Affordable and Attainable Housing Policies

(a) The Town will endeavour to increase the supply of housing, including *affordable* and *attainable housing* throughout ~~u~~Urban ~~a~~Areas through better use of existing resources, buildings and serviced sites to accommodate its housing needs. This is to be achieved in part by:

(i) Supporting *residential intensification* through the provision of *Additional Residential Units* within dwellings;

(ii) Ensuring that the Town's Official Plan contains policies that align with the Region's Housing and Homelessness Action Plan, as amended;

(iii) Maintaining the existing land use permissions pertaining to density in accordance with the Zoning By-law;

(iv) Encouraging residential units as an integral part of commercial *developments*;

(v) Encouraging multiple unit *redevelopment* next to and within the Central Business Districts;

~~(v)~~(vi) Establishing and updating targets for overall housing mix by density type and affordability;

~~(vi)~~(vii) Planning for a higher proportion of medium and high-density *development* in the ~~*p*~~*Protected* ~~*M*~~*major* ~~*t*~~*Transit* ~~*s*~~*Station* ~~*a*~~*Area*, as identified on Schedule 'C', as well as the Ontario Street Intensification Corridor as identified on Schedule 'A2', and the Prudhommes Urban ~~a~~Area;

~~(vii)~~ Supporting the Niagara Region Smarter Niagara Incentive Program; and

~~(viii) ; and~~

~~(ix)~~(viii) Advocating~~e~~ with Provincial and Federal governments and agencies, including the Canada Mortgage and Housing Corporation, ~~to advocate~~ for sustained Provincial and Federal funding that:

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

(b) The Town will aim to increase the supply of *affordable* housing in Lincoln to help address local needs and support the creation of a *complete community*.

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

(i) The Town will encourage that 10% of all new ownership housing and 30% of all new rental housing in Lincoln be *affordable*;

(ii) Cultivate and maintain strong relationships with the Region, senior levels of government, the private sector, the *development* industry, community partners, and not-for-profit sectors to increase *affordable* and purpose-built rental options;

(iii) Streamlining of planning approvals for the *development* of *affordable* housing, *attainable housing*, and community housing, with a priority for *developments* receiving time-sensitive government funding;

(iv) Delegated authority for *development* proposals which meet the criteria in accordance with Policy 9.21 (d) of this Plan;

(v) The Town will work with the Region to identify opportunities for partnership and potential financial incentive programs to promote *affordable housing options*, including purpose-built rental housing; and

(vi) The inclusion of a mix of unit sizes in multi-unit *developments* to accommodate a diverse range of household sizes and incomes.

(c) The Town will consult with all levels of government and government agencies to:

(i) Identify surplus lands and/or buildings that may be suitable for *affordable* and *attainable housing development*,

(ii) Prioritize the sale of suitable surplus municipal property for the *development* of *affordable* and *attainable housing*; and

(iii) Identify brownfield and greyfield sites, including underutilized commercial sites or strip plazas, outside *employment areas* for mixed-use *residential intensification* and *affordable* housing *development*.

3.1.5. Residential Development Policies

The Residential designation permits a wide range of housing styles and densities. In this Plan, housing type and density will be guided by land use designation on Schedules 'A' and 'B' and the following policies and will be implemented through zoning. Planning applications to establish certain housing types are to be guided by the following policies on low, medium and high-density residential uses.

Existing residential *development* has been designated as Residential on Schedules 'A' and 'B'. Vacant residential lands have been designated as Low Density Residential, Medium Density Residential or High Density Residential in accordance with Schedules 'A' and Schedules 'B' of this Plan. ~~the Secondary Plan Schedule 'B'.~~

3.1.5.1. Low Density Residential

(a) Low Density Residential uses shall include single detached dwellings, semi-detached dwellings, duplexes and townhouses.

(b) Low density residential uses shall have a minimum *net density* of 10 units per hectare and a maximum *net density* of 25 units per hectare.

(c) *Development* proposals for new Low Density Residential *development* shall conform to the urban design policies in Section 8.6.

(d) All new residential *development* within existing stable residential neighbourhoods shall be subject to site plan control in accordance with the policies in Section 9.11.

3.1.5.2. Medium Density Residential

(a) Medium Density Residential uses shall include block townhouses, street townhouses, low-rise apartments and other forms of multi-unit residential uses.

(b) Medium Density Residential uses shall have a minimum *net density* of 25 units per hectare and a maximum *net density* of 60 units per hectare.

(c) Medium Density Residential uses shall not exceed a height of 3 storeys, unless a higher height is permitted in the Zoning By-law.

(d) *Development* proposals for new Medium Density Residential *development* shall conform to the urban design policies in Section 8.6.

(e) All new Medium Density Residential *development* shall ensure that adequate parks facilities are provided to serve the residents in a manner that is appropriate to the local context, which may include, but are not limited to, the dedication of parkland, Privately-Owned Publicly Accessible Spaces (POPS), and/or functional outdoor common amenity areas, to be developed in accordance with Town parkland standards, as may be modified from time to time.

(f) All new Medium Density Residential *development* shall be subject to site plan control in accordance with the policies in Section 9.11.

(g) Notwithstanding the height and density requirements of Section 3.1.5.2 of the Official Plan, a 4-storey apartment building with a density of 82 units per hectare is permitted on lands known municipally as 3998 Victoria Avenue.

3.1.5.3. High Density Residential

(a) High Density Residential uses shall include townhouses, apartments and other forms of multi-unit residential uses.

(b) High Density Residential uses shall have a minimum *net density* of 50 units per hectare and a maximum density of net 160 units per hectare, unless a higher density is permitted in an approved Secondary Plan.

(c) *Development* proposals for new High Density Residential *development* shall be designed to:

(i) Provide adequate indoor and outdoor amenity space on site to accommodate parks and recreational needs in a manner that is appropriate to the local context, which may include, but is not limited to, the dedication of parkland, Privately-Owned Publicly Accessible Spaces (POPS) with urban square or parkette features, and/or functional indoor and outdoor common amenity areas, to be developed in accordance with Town standards as needed, as may be modified from time to time;

(ii) Provide ground floor uses that enhance the safety, amenity and animation of adjacent streets and open spaces, such as amenity spaces and grade-related

dwelling units with front stoops and porches that take direct access from public sidewalks; and

(iii) Conform to the urban design policies in Section 8.6.

(d) All new residential *development* within the High-Density residential designation shall be subject to site plan control in accordance with the policies in Section 9.11.

3.1.6. Additional Residential Units

To increase the supply of ground-related and rental housing, allow flexibility for multi-generational living, increase opportunities for *affordable* housing and provide gentle *intensification*, *Additional Residential Units* shall be permitted within the Urban Area subject to conformity with the following:

(a) Where one single-detached dwelling, semi-detached dwelling, or townhouse unit is permitted on a parcel of urban residential land by this Official Plan, up to two *Additional Residential Units* may be permitted, subject to all of the following:

(i) A maximum of two *Additional Residential Units* may be permitted in addition to the principal unit, for a total of three residential units;

(ii) In all cases a maximum of one *Additional Residential Unit* may be located within a detached accessory structure that is ancillary to the principal dwelling unit on the lot;

(iii) Where a parcel of urban residential land has an existing *garden suite*, a maximum of one *Additional Residential Unit* may be permitted, only within the principal building;

(iv) The *Additional Residential Unit(s)* must be located on the same lot as the principal dwelling unit and must be subordinate in scale and function to the principal dwelling unit;

(v) The *Additional Residential Unit(s)* must be compatible in design and scale with the *built form* on the lot and with neighbouring residential properties in terms of massing, height, and visual appearance from the public street;

(vi) An *Additional Residential Unit(s)* shall not be located on lands identified as hazard lands or as being within the regulatory flood plain, unless where specifically permitted by the Conservation Authority;

(vii) Adequate water supply and wastewater treatment must be available to accommodate the *Additional Residential Unit(s)*;

(viii) An *Additional Residential Unit(s)* must have no *adverse effect* on stormwater management systems and on-site drainage as demonstrated through a grading plan; and

(ix) Both the principal dwelling unit and the *Additional Residential Unit(s)* shall be in compliance with the following:

- Building Code;

- Fire Code;
- Safe access to an *Additional Residential Unit(s)* must be ensured by meeting fire and emergency service requirements;
- Provisions for *Additional Residential Units* as outlined in the Town's Zoning By-law; and
- Any other applicable legislation.

(b) In no case shall the *Additional Residential Unit(s*) be subdivided or severed from the original lot on which it was constructed.

(c) *Additional Residential Units* shall not be subject to the density provisions of this Plan. However, the potential for *Additional Residential Units* shall be accounted for in the planning of new communities including *infrastructure* and community services capacity. Where appropriate, *Additional Residential Units* shall be encouraged to be created through the subdivision approval and construction process.

3.1.7. Bed and Breakfast Establishments

Bed and breakfast establishments are permitted in the Residential designation in accordance with the policies of Section 9.14.

3.1.8. ~~Home for Special Care~~Additional Needs Housing

~~Homes for Special Care~~*Additional nNeeds hHousing* ~~are~~is permitted in the Residential designation in accordance with the policies of Section 9.12.

3.1.9. Home Based Business

Home based business are permitted in the Residential designation in accordance with the policies of Section 9.13.

3.1.10. Institutional Uses

(a) *Institutional uses* may be permitted in the Residential designation subject to a Zoning By-law Amendment, provided:

(i) The use can easily be accessed by pedestrians;
(ii) The use is located on a site that has adequate land area to incorporate required parking, waste management facilities, landscaping and buffering on-site; and
(iii) The scale, massing and sitting of the *development* is compatible and consistent with *development* on adjoining lands.

(b) The *development* of *institutional uses* shall conform to the urban design policies in Section 8.6.

(c) All *institutional uses* shall be subject to site plan control in accordance with the policies in Section 9.11.

3.1.11. Neighbourhood Commercial Uses

(a) Neighbourhood Commercial uses shall be limited to convenience type commercial uses that provide for the daily needs of nearby residents. Permitted uses may include retail uses, medical and dental clinics, convenience stores, daycare centres, eating establishments, office uses, and personal service uses.

(b) Individual Neighbourhood Commercial uses shall not exceed what is permitted in the Zoning By-law.

(c) Neighbourhood Commercial uses may be permitted in the Residential designation subject to a Zoning By-law Amendment, provided:

(i) The use can easily be accessed by pedestrians;
(ii) The use is located on a site that has adequate land area to incorporate required parking, waste management facilities, landscaping and buffering on-site; and,
(iii) The scale, massing and sitting of the *development* is compatible and consistent with *development* on adjoining lands.

(d) Neighbourhood commercial uses may be permitted to locate within the main floor of multiple residential and apartment buildings, provided that the location and design of such uses are compatible with the main residential use and will conform to this section of the Plan. Zoning By-law Amendments passed in support of such a use may include site-specific regulations intended to limit the intensity of the use and maintain the *character* of the surrounding neighbourhood. It is intended that the uses permitted in accordance with this policy only serve the neighbourhood retail and service needs of the surrounding residential area or neighbourhood and therefore will be limited in floor area.

(e) The *development* of neighbourhood commercial uses shall conform to the urban design policies in Section 8.6

(f) The *development* of neighbourhood commercial uses shall be subject to site plan control in accordance with the policies in Section 9.11.

3.1.12. Parks and Open Space

(a) Parks and Open Space uses are permitted in the Residential designation in accordance with the policies of Section 3.6.

3.1.13. Residential Intensification

(a) In accordance with Provincial and Regional policies, the Town will accommodate at least 90% of projected housing growth annually, comprised of 8,895 total forecasted units between 2021 to 2051, within the *designated growth areas* as illustrated on ~~the Land Use~~ Schedule 'C's ~~'~~ to this Plan.

(b) For the purpose of this Plan, *residential intensification* is defined as the *development* or *redevelopment* of existing vacant land or underutilized land within existing *urban areas* into building types that more efficiently use existing urban space and services.

(c) In reviewing *intensification* proposals, the Town will assess the density of such proposals relative to the *character* of the surrounding neighborhood and shall consider how the site and building design of the proposal and issues such as landscaping, traffic, servicing and parking have been addressed to integrate the *development* with the *character* of the existing neighbourhood and reduce impacts on adjacent properties.

(d) *Intensification* opportunities will be encouraged if proponents demonstrate to the satisfaction of the Town, through the provision of detailed site plans and elevation plans, that such proposals will be respectful of, compatible with and designed to be integrated with the existing *character* of the community or neighbourhood where they are proposed.

(e) In considering proposals for *residential intensification*, the following criteria are applicable within the Residential designation:

(i) This Plan identifies a number of areas that may be good candidates for *residential intensification* as shown on Schedules 'A' and 'B'. Those areas are designated as Medium Density Residential or High Density Residential on Schedules 'A' and 'B'. This does not preclude consideration of other sites in the Residential designation provided the *intensification* and *redevelopment* proposals achieve a unit density and housing type that is in keeping with the *character*, of the neighbourhood where it is proposed;

(ii) Within stable residential neighbourhoods,' *residential intensification* and *redevelopment* proposals shall generally maintain the unit density and unit type of the surrounding neighbourhood.

(iii) The *development* will be characterized by quality design and landscaping, will implement suitable building *setbacks* to preserve the existing *character* of the neighbourhood, shall meet current parking standards and meet or improve traffic movements so as not to negatively impact the surrounding neighbourhood from the perspectives of safety or neighbourhood *character*;

(iv) The creation of new freehold infill lots or vacant condominium *developments* through the consent process or condominium process, for ground-oriented units, may be permitted provided the proposed lot and unit type and building height is similar to and compatible with the established *character* of the street or neighbourhood where it is proposed; and

(v) The creation of *Additional Residential Units* within residential neighbourhoods is considered an appropriate form of *residential intensification*. The establishment of *Additional Residential Units* shall occur in accordance with Section 3.1.6.

(f) All *residential intensification* within the Residential designation shall conform to the urban design policies in Section 8.6.

(g) All *residential intensification* shall be subject to site plan control in accordance with the policies in Section 9.11.

3.1.14. Monitoring of Housing

~~(a)~~ In order to assess the effectiveness of the Residential policies which implement the Provincial Planning Statement, the Town will conduct an annual review of the housing activity to provide information on the following topics:

~~(b)~~(a) Residential building permit activity by type of unit;

~~(c)~~(b) Residential building permit activity within the *d~~D~~esignated growth area~~Growth Area~~*;

~~(d)~~(c) The location and distribution of the supply of vacant designated residential land within the Town;

~~(e)~~(d) The number of draft approved and vacant registered lots;

~~(f)~~(e) The creation of new residential units through *intensification*, infilling, conversions, *Additional Residential Units*, accessory apartments, etc.;

~~(g)~~(f) Inventory of vacant housing sites, by type and location;

~~(h)~~(g) The Town shall consult with the Region to obtain, if applicable, information on vacancy rates, supply of *affordable* rental and ownership housing units, and affordability thresholds to determine if Regional housing targets for affordability are being achieved;

~~(i)~~(h) Residential building permit activity within ~~s~~Secondary P~~p~~lan areas to determine how they are meeting the identified targets; and

~~(j)~~(i) The results of the monitoring program will be reported by ~~to T~~the Town on an annual basis and will be analyzed at the time of the five-year Official Plan review.

~~**3.1.15. Secondary Plans**~~

<Note: Secondary Plans previously included in section 3.1.15 can now be found in Volume 2 of the Official Plan.>

~~**3.1.15.1. Campden Secondary Plan**~~

~~**3.1.15.2. Prudhommes Secondary Plan**~~

~~**3.1.15.3. Jordan Secondary Plan**~~

~~**3.1.15.4. Jordan Station Secondary Plan**~~

~~**3.1.15.5 Beamsville GO Transit Station Secondary Plan**~~

3.2. MIXED USE

3.2.1. Introduction

The Mixed -Use designation recognizes transition areas between adjacent stable residential neighbourhoods and the Central Business Districts which contain a mixture of residential uses, live-work units and small-scale commercial uses. It also represents areas where growth is anticipated in the Town to allow for diversity of land-uses.

3.2.2. Objectives

To provide for mixed-use areas to accommodate *intensification* in the form of low and medium density residential, mixed-use commercial and residential uses and small-scale commercial uses.

3.2.3. Permitted Uses

The use of land designated Mixed Use may include, apartment style units, live-work units, small scale commercial uses such as offices, retail, service commercial uses, small scale *creative cultural industries*, bed and breakfast establishments and home-based business.

3.2.4. Policies

(a) Mixed Use areas are to be developed in a linear or nodal form, in a compact manner, either as stand-alone uses or in mixed-use buildings.

(b) Mixed Use areas are to be pedestrian oriented and *transit supportive*.

(c) The range and scale of uses permitted in the Mixed Use designation may be more precisely set out in the Zoning By-law.

(d) The height of buildings must ensure compatibility with existing adjacent land uses through scale, massing, *setbacks* and height considerations.

(e) Automotive uses and drive-thus are not permitted within the Mixed Use designation.

(g) No outdoor storage of any kind is permitted.

(j) Commercial uses are permitted to be located on the main floor of a multi-storey building provided that the intensity of the use is limited to maintain the *character* of the surrounding neighbourhood with respect to compatibility.

(k) All *development* within the Mixed Use designation shall conform to the urban design policies in Section 8.6.

(l) All *development* within the Mixed Use designation shall be subject to site plan control in accordance with the policies in Section 9.11.

(m) Bed and breakfast establishments are subject to the provisions of Section 9.14 of this Plan.

(n) Home based business are subject to the provisions of Section 9.13 of this Plan.

3.3. CENTRAL BUSINESS DISTRICT

3.3.1. Introduction

The Central Business District is where retail, office, specialized and service uses are focused. Central Business Districts are generally considered to be nodes for a variety of land uses, including mixed-use buildings. This Plan promotes business and commerce within the areas designated as Central Business District. The principal Central Business Districts of the community are located within Beamsville, Vineland and Jordan.

3.3.2. Objectives

(a) To encourage a sufficient level and variety of retail activity to satisfy the consumer demands of residents.

(b) To reinforce the Central Business Districts within Beamsville, Vineland and Jordan as the focal point for commerce and hospitality in the Town.

(b) To encourage a diverse mix of commercial, residential, cultural and social uses to enhance business and commercial activities within the Town.

(c) To foster a vibrant, connected, walkable and bikeable retail and commercial environment.

(d) To promote opportunities for mixed-use *development* in strategically located nodes and corridors.

(e) To maintain and enhance the identify of these areas, drawing upon the key attributes of the surrounding community

3.3.3. Permitted Uses

The predominant use of land designated Central Business District shall be mixed-use, consisting of a combination of commercial, institutional or medium or high density residential sharing a single building or in stand-alone buildings. Permitted commercial uses may include retail uses, offices, personal services, restaurants, *creative cultural industries*, micro-breweries, wineries, entertainment, hotels and commercial recreation facilities. New commercial *development* will be encouraged to include residential units as an integral part of any *development*. Public and government uses are also encouraged to locate within the Central Business District.

3.3.4. Policies

(a) The Central Business Districts are the commercial, social and cultural centres of the Town. All new *development* shall reinforce and strengthen this role of the Central Business Districts.

(a) The design of all new *development* in the Central Business Districts shall recognize and enhance the existing mixed-use, pedestrian scale and historic small-town *character* of the Central Business Districts while allowing for significant growth.

(b) The Town will encourage the renovation and rehabilitation of historic buildings within the Central Business Districts and promotes similar architectural treatment of new buildings.

(c) The Town shall encourage and support the physical and aesthetic improvement of the Central Business Districts, including co-ordinating streetscape amenities and furniture as well as signage.

(d) *Built form* and streetscapes, shall reinforce the entrances to the Central Business Districts.

(e) Gateways are identified in this Plan. The gateways shall be designed using landscaping, architectural features and signage to provide a sense of entry into the Central Business Districts and along the Wine Route. The Gateways should be designed to conform to the Urban Design Policies of Section 8.6.

(f) It shall be a policy of this Plan to maintain and promote the Central Business Districts of Beamsville, Vineland and Jordan. No *development* of a commercial nature within the Town shall jeopardize the commercial viability of these areas.

(g) New *development* and particularly *redevelopment* shall be encouraged within the Central Business District. Proposals for *development* or *redevelopment* shall be *sensitive* to the *character* and scale of existing *development*, shall provide adequate off-street parking, and shall not generate traffic that will unduly disrupt adjacent residential neighbourhoods.

(h) The provision of convenient and adequate, but not excessive off-street parking is recognized as a necessity in the promotion and enhancement of the Central Business Districts. To this end the Town shall encourage the co-ordination of existing facilities which shall include the utilization and linkage of back lots and lanes for parking purposes. When insufficient private parking areas are available within the Central Business District area, The Town shall investigate the *development* of a municipal parking lot in the area and/or the use of cash-in-lieu for parking pursuant to Section 40 of the Planning Act, ~~1990~~as amended.

(i) The implementing Zoning By-law shall establish minimum and maximum building heights.

(j) Automotive uses and drive-thrus are not permitted uses in the Central Business District.

(k) Buildings shall be located close to the public street edge with doors and windows opening on the street to create a pedestrian-friendly and active street.

(l) The majority of the public street frontages shall be occupied by building facades with the majority of the façade composed of windows and doors to create pedestrian-friendly streets.

(m) To assist in the revitalization of the Central Business Districts, new residential *development* is encouraged and will be permitted by Zoning By-law Amendment. New Residential *development* shall occur in the form of apartment buildings, street or block townhouses and units above commercial buildings.

(n) Residential units shall not be located at grade directly adjacent to a public street, which has a predominately commercial *character*.

(o) The Town may consider the preparation of *cultural heritage landscape* studies to more precisely define the qualities of the heritage architecture and streetscapes in the Central Business Districts that define its unique heritage *character*.

(p) The Town may establish in collaboration with local businesses, Business Improvement Areas within the Central Business Districts.

(q) The Town may identify the Central Business District for designation as a Community Improvement Project Area, pursuant to Section 8.4 of this Plan.

(r) All new *development* within the Central Business District shall be designed to conform to the Urban Design Policies outlined in Section 8.6.

(s) All *development* within the Central Business District designation shall be subject to site plan control in accordance with the policies in Section 9.11.

3.4. GENERAL COMMERCIAL

3.4.1. Introduction

The General Commercial designation is considered a mixed-use node and corridor. This Plan promotes business and commerce within the areas designated as General Commercial. Lands designated as General Commercial include lands outside of the Town Central Business Districts. These areas rely to a greater extent on vehicular traffic for their economic existence.

3.4.2. Objectives

(a) To encourage the provision of a sufficient level and variety of retail activity within the Town to satisfy the consumer demands of residents.

(b) To promote planned *development* of business and commercial uses consistent with the needs of the Town residents.

(c) To support commercial uses that contribute to the goal to facilitate a strong, diverse and resilient economy.

(d) To ensure that commercial *development* does not have adverse impacts on adjacent land uses, particularly residential uses.

(e) To foster a vibrant, connected, walkable and bikeable retail and commercial environment.

(f) To promote opportunities for mixed-use *development* in strategically located nodes and corridors.

3.4.3. Permitted Uses

The permitted uses of land designed General Commercial include mixed-use commercial and residential uses, retail uses, offices, personal services, restaurants, *creative cultural industries*, entertainment, hotels, commercial *recreation* facilities, automotive related retail uses, automobile service stations, automotive sales and service uses, institution and public and government uses. New commercial *development* will be encouraged to include residential units as an integral part of any *development*.

3.4.4. Policies

(a) Commercial uses shall be regulated by separate categories in the Zoning By-law. Every effort shall be made to minimize the impact of commercial uses on adjacent uses, particularly residential uses. To this end, the Zoning By-law shall require increased side yard and rear yard *setbacks* and/or appropriate landscape buffering provisions between commercial uses and residential or *institutional uses*.

(b) The Town shall endeavour to attract commercial growth to Beamsville, Vineland and Jordan to continue to enhance opportunities for residents to work and shop within Lincoln. Additional commercial *development* may be considered by way of an amendment to this Plan, provided it is immediately adjacent to the General Commercial designation and provided it does not contribute to the proliferation of strip *development*, and subject to other policies of this Plan.

(d) When considering an application to establish a commercial use or uses, the Town shall have regard for the following:

(i) The compatibility of the proposed use with the surrounding area;
(ii) The physical suitability of the site for the proposed use;
(iii) The adequacy of the existing and proposed street system;
(iv) The convenience and accessibility of the site for both pedestrian and vehicular traffic; and
(v) The adequacy of *utilities* and municipal services.

(e) The design of all proposed commercial *development*s shall be in keeping with the *character* of the surrounding area. The following design principles shall apply to the *development* and *redevelopment* of all commercial properties:

(i) The provision of landscaped areas and accompanying landscaping shall form an integral part of all commercial *development*s. Landscaping and tree planting shall be provided to improve the streetscape, to function as a screening and buffering device between commercial and other adjacent uses, and for aesthetic and resting purposes;
(ii) Open storage of goods and materials shall only be permitted in accordance with the provisions of the Zoning By-law;
(iii) Loading and unloading areas shall be provided off-street and in the rear or side yard whenever possible; and
(iv) Adequate off-street parking facilities shall be provided in accordance with the provisions of the Zoning By-law; ingress and egress to such parking areas shall be provided to minimize potential conflict with vehicular and pedestrian traffic.

(f) Automobile traffic and parking shall be a major design consideration for all General Commercial uses. Every effort shall be made to minimize entrances and exits to and from roads and to segregate service and customer traffic. In particular, joint entrances shall be encouraged to minimize traffic conflicts.

(g) Buildings shall be located close to the public street edge with doors and windows opening on the street to create a pedestrian-friendly and active street.

(h) The majority of the public street frontages shall be occupied by building facades including windows and doors to create pedestrian-friendly streets.

(i) To assist in the revitalization of the General Commercial areas, new residential *development* in the form of apartments above a commercial use is encouraged. Residential uses are not permitted above an automotive use.

(j) Residential units shall not be located at grade directly adjacent to a public street.

(k) All new *development* within the General Commercial designation shall be designed to conform to the Urban Design Policies outlined in Section 8.6.

(l) All *development* within the General Commercial designation shall be subject to site plan control in accordance with the policies in Section 9.11.

3.5. EMPLOYMENT

3.5.1. Introduction

Employment lands comprise of lands within the Office Commercial designation and *Employment Area* designation and is intended to promote the *development* and *redevelopment* of employment sites to complement the Town's employment development strategy. These areas will play a critical role in the Town's ability to retain and attract employment investment in response to market demands and meet the Town's employment needs to 2051.

The Town recognizes that all *employment lands*, including those within and outside of the *Employment Area* designation, contribute to a diversified local economic base within Lincoln and the regional economy of Niagara, and shall be protected for the long-term.

Employment lands are identified on Schedules 'A2' to 'A45' and 'A6' as part of the Office Commercial and ~~designation or~~ *Employment Area* designations and are subject to the policies outlined in Section 3.5. of this Plan~~herein~~.

3.5.2. Objectives

(a) To protect and maintain a supply of *employment lands* that support an appropriate mix and range of employment activities to meet long term needs as well as to provide employment in the Town.

(b) To support employment uses that enhance economic resilience through a diversified economy, accommodate the changing needs of industry and business growth trends, and contribute to the goal to be a centre for agricultural excellence and a tourist focal point.

(c) To promote infilling and *redevelopment* within established *employment lands* as well as the progressive *development* of vacant *employment lands* for new employment uses.

(d) To identify lands for traditional employment growth and provide enhanced protection of these lands through the *Employment Area* designation, in accordance with ~~Regional Official Plan~~Provincial Planning Statement policies.

(e) To provide a positive image of the Town by providing high quality architectural design, landscape design and site design in all employment *development* visible from the Queen Elizabeth Way, Ontario Street and at all gateway locations entering the Town.

(f) To minimize the impact of *employment lands* upon surrounding lands particularly the residential neighbourhood, by providing an appropriate transition to *sensitive land uses*.

(g) To ensure that the necessary *infrastructure*, services and telecommunication services are provided to support current and forecasted employment needs including transit and *active transportation* facilities.

3.5.3. General Policies

The following policies apply to all *employment lands* or as otherwise specified:

(a) The Zoning By-law shall regulate employment uses through the establishment of appropriate zone categories. The preparation of employment zone categories will be guided by the following principles:

(i) The grouping of employment uses with similar characteristics and performance standards;
(ii) The need for a compatible environment for employment uses free from interference and restriction by other uses;
(iii) Minimizing potential land use conflict by ensuring heavier and light industrial types are not indiscriminately mixed;
(iv) The protection of adjacent land uses, particularly residential areas, from the effects of employment uses; and
(v) Maximizing the amenity of the *employment lands* through the strategic placement of particular employment types.

(b) Any *development* or *redevelopment* within the Office Commercial designation which proposes ancillary and/or accessory use(s) to the primary employment use shall

retain space for a similar number of jobs to remain accommodated on site and shall meet a minimum density of 45 jobs per hectare, to be calculated using the Region's Employment Land Redevelopment Criteria.

(c) Employment zones will ideally be arranged in a gradation with lighter, more prestige type industries in a business park setting that could be located adjacent to residential, institutional, agricultural, recreational or other *sensitive land uses* without *adverse effects* in *strategic growth areas* and areas exposed to the Q.E.W. and Regional roadways. In particular, *major office* and *major institutional development* should be directed to the ~~*P*~~*protected* ~~*M*~~*major* ~~*T*~~*transit* ~~*S*~~*station* ~~*A*~~*area*. The heavier type of industries shall be directed to the interior of *employment lands* where they least affect the amenity of the area.

(d) Wherever industries abut residential, institutional, recreational or other similar uses, adequate buffering will be required by measures such as landscaping, plantings, fencing and physical separations in order to minimize the effects of the employment activity including visual appearance.

(e) In order to maintain land use compatibility, *sensitive land uses* that are ancillary to the primary employment use shall provide an appropriate transition to ~~*E*~~*employment* ~~*A*~~*areas* and are prohibited from encroaching on ~~*E*~~*employment* ~~*A*~~*reas*. Any *development* or *redevelopment* of ~~*E*~~*employment land* that may restrict the ability for nearby existing or planned employment uses to operate or expand shall be discouraged.

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

(g) Where avoidance is not possible in accordance with Section 3.5.3 (~~e~~), the long-term viability of existing or planned industrial, manufacturing or other *major facilities* that are *vulnerable* to encroachment shall be protected 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) Alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;

(iii) Potential *adverse effects* of employment uses to the proposed *sensitive land use* are minimized and mitigated;
(iv) Potential impacts of *sensitive* uses on industrial, manufacturing or other *major facilities* are minimized and mitigated as demonstrated through studies;
(v) The proposed use(s) will maintain or improve the appropriate mix and range of employment, institutional, and broader mixed-uses to meet long-term needs;
(vi) The proposed uses(s) will support opportunities for a diversified economic base and take into account the needs of existing and future businesses;
(vii) The proposed use(s) are compact mixed-use *development* that incorporates compatible employment uses to support livable and resilient communities;
(viii) The proposed uses are compatible with existing and planned surrounding land uses located within and adjacent to the *employment lands*; and
(ix) The proposal is consistent with municipal strategic interests and policies.

(h) In addition to policies in Section 3.5.3 (e) and (f), on lands within 300 metres of *e~~E~~mployment a~~A~~reas*, *development* shall avoid, or where avoidance is not possible, minimize and mitigate potential impacts on the long-term economic viability of employment uses within existing or planned *employment areas*, in accordance with ~~p~~Provincial guidelines.

(i) *Employment lands* which are exposed to the Q.E.W. and Regional roadways shall be developed in an attractive manner to provide a positive statement of the Town. To achieve this, building and site design shall be of a high-quality standard. The following design principles shall be utilized to achieve this standard:

(i) Open storage shall be prohibited unless it can be demonstrated that appropriate landscaping and screening devices to shield the open storage areas will not detract from the intended *character* of the area;
(ii) Parking and loading areas shall generally be restricted to side and rear yards; and
(iii) All employment activities shall be within wholly enclosed buildings.

(j) New employment *development* along Ontario Street shall comply with the following policies:

(i) To avoid parking areas adjacent to the street, the implementing Zoning By-law shall establish minimum and maximum *setbacks* from Ontario Street. Ingress and egress to such parking areas shall be provided in a manner which minimizes potential conflict with vehicular and pedestrian traffic;
~~(ii) The implementing Zoning By-law shall require minimum parking *setbacks* from Ontario Street;~~

(iii) Planting strips shall be provided along Ontario Street. The implementing Zoning By-law and site plan guidelines shall establish the minimum width of the planting strips;

(iiiv) Landscape design shall consider the design of adjacent properties, those across the street and the proposed gateway features at the South Service Road to ensure a unified landscape treatment along Ontario Street; and

(iv) Parking areas adjacent to the public street shall be screened with a combination of architectural features and landscaped features including continuous areas of shrubs and planting beds.

(k) *Employment lands* which are not exposed to the Q.E.W. and Regional roadways shall be developed in accordance with the following design principles:

(i) The provision of landscaped areas and accompanying landscaping shall form an integral part of all employment *developments*. Landscaping and tree planting shall be provided to improve the streetscape, to function as a screening and buffering device between industrial and other adjacent uses, and for aesthetic and resting purposes;

(ii) Open storage of goods and materials shall only be permitted in accordance with the provisions of the Zoning By-law;

(iii) Loading and unloading areas shall be provided off-street and in the rear or side yard whenever possible; and

(iv) Adequate off-street parking facilities shall be provided in accordance with the provisions of the Zoning By-law; ingress and egress to such parking areas shall be provided to minimize potential conflict with vehicular and pedestrian traffic.

(l) In order to promote an efficient industrial *development* pattern, the Town will ensure that the necessary municipal street connections to the external *transportation system* are provided.

(m) The Town *urban area boundaries* ~~*Urban Area Boundaries*~~ are surrounded by lands designated as Protected Countryside in the Greenbelt Plan. As a result, the Town has a finite supply of *employment lands*. Therefore, lands within the *Employment Area* designation and Office Commercial designation shall not be redesignated or rezoned to any other non-employment use.

(n) *Employment lands* in proximity to *major goods movement facilities and corridors* shall be protected for employment uses that require those locations.

(o) The Town through its Transportation Master Plan provides for the establishment of priority routes for goods movement, where feasible, to facilitate the movement of

goods into and out of areas of significant employment, industrial and commercial activity.

(p) All *development* will be permitted only when full urban services, including municipal water, sanitary sewers and storm sewers are made available.

(q) All new *development* shall be designed to conform to the Urban Design Policies outlined in Section 8.6.

(r) All *development* shall be subject to site plan control in accordance with the policies in Section 9.11.

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

3.5.4. Office Commercial Designation

Within the Office Commercial designation, as identified on Schedules 'A2' to 'A4~~5~~' ~~,~~and 'A6', a mix of complementary employment uses will be encouraged through *development* or *redevelopment* that does not limit the ability for other employment uses to grow or expand.

3.5.4.1. Permitted Uses

A wide range of employment uses are permitted in the Office Commercial designation in accordance with the following provisions, and will be further implemented through zoning:

(a) The primary *employment land* uses that are permitted in the Office Commercial designation shall include:

(i) manufacturing,
(ii) processing,
(iii) assembling,
(iv) fabricating,
(v) servicing,
(vi) storage of goods and raw materials,
(vii) warehousing and wholesaling,
(viii) service sector industries including transportation, communication, business services, government services, medical and other health laboratories,
(ix) office uses, and
(x) any additional permitted uses as established in an approved Secondary Plan for lands designated employment in accordance with Volume 2 and Schedule

'B' of this Plan, ~~and~~ subject to the provisions of Section 3.5.3~~.1~~ (b) of this Plan for accessory uses, where applicable.

(b) Accessory uses that are permitted in the Office Commercial designation shall be limited in size so as not to interfere with, or detract from the primary function of the area and are subject to the following provisions:

(i) Accessory uses may include:

- Retail and wholesale division operated as a subsidiary function of the principle industrial use,
- Personal service uses,
- Banks and financial services,
- Complementary uses including licensed childcare establishment, food service, restaurants and security services, provided the uses are compatible with the *development* and operation of the surrounding industrial uses, and
- Limited retail sales and service commercial uses as an accessory use in conjunction with a permitted use to service industries and their personnel; and

(ii) Accessory uses shall only be permitted if the provisions of Section 3.5.3(b) of this Plan are met.

3.5.4.2 Prohibited Uses

The following are prohibited uses in the Office Commercial designation:

(a) *Major retail uses*, including retail uses that are not associated with the primary employment use, unless they are located in proximity to the QEW and otherwise meet or exceed employment targets identified in Section 3.5.~~5.~~3(b)~~,~~; and

(b) *Sensitive land uses* that are not ancillary to uses permitted in the *employment* ~~*area*~~*lands*.

3.5.5. Employment Area Designation

The *Employment Area* designation, as identified on Schedules 'A2' and 'C', represents certain clusters of land that are appropriate for traditional employment uses, such as industrial, manufacturing, research and *development* in connection with manufacturing, and warehousing and goods movement, and includes those activities which may have adverse impacts associated with their operation.

3.5.5.1. Permitted Uses

Permitted uses in the *Employment Area* designation shall meet the following criteria, in accordance with provisions of the Planning Act and Provincial Planning Statement:

(a) The primary employment uses that are permitted in the Employment ~~A~~rea designation shall consist of business and economic uses as follows:

(i) Manufacturing,
(ii) Uses related to research and *development* in connection with manufacturing,
(iii) Processing,
(iv) Assembly,
(v) Fabricating,
(vi) Servicing,
(vii) Storage of goods and raw materials, and
(viii) Warehousing uses, including uses related to the movement of goods

(b) The following accessory uses are permitted only in association with the primary employment uses outlined in subsection a) above and shall be limited in size and subordinate in scale and function so as not to interfere with, or detract from the primary function of the area:

(i) Office use, and
(ii) Retail and wholesale division operated as a subsidiary function of the principle industrial use, up to a maximum of 20% of the ground floor area.

(c) Pursuant to ~~s~~Subsections 1 (1.1) and (1.2) of the Planning Act, as amended, uses in ~~*E*~~*employment* ~~*A*~~*areas* that are excluded from the definition of "*area of employment*" in Sugsection 1(1), paragraph 2 ~~of Subsection 1(1)~~ of the Planning Act, are authorized to continue as *areas of employment*, so long as the use has been lawfully established on the parcel of land prior to~~before~~ the day before ~~s~~Subsection 1 (1) of Schedule 6 to the Helping Homebuyers, Protecting Tenants Act, 2023 came into force.

Lands described in Policy 3.5.5.1 (c) form part of an *Area of Employment* even if they include one or more parcels of land which may contain a use that is excluded from the definition of *Area of Employment*, pursuant to the Planning Act.

3.5.5.2. Prohibited Uses

The following uses are not considered to be traditional employment uses and are prohibited within the *Employment Area* designation:

(a) Residential uses;
(b) *Sensitive land uses* that are not ancillary to uses permitted in Section 3.5.5.1 of this Plan;
(c) Commercial uses, including any retail and office uses not associated with the primary employment use, in accordance with Section 3.5.4.1 of this Plan;
(d) *Public service facilities* and other *institutional uses*; and
(e) *Major office uses.*

3.5.5.3. Employment Area Additional Policies

Lands within the *Employment Area* designation are subject to the policies outlined within Section 3.5.3 in addition to the policies of Section 3.5.5~~.3~~. Where there is a conflict, the policies of the *Employment Area* designation herein shall prevail.

(a) New *development* or *redevelopment* within *Employment Areas* shall meet the following minimum overall employment density targets:

Employment Area	Minimum Overall Density Target
1 – Beamsville QEW Industrial Park	45 jobs/ha
2 – King St/Bartlett Rd Employment Area	15 jobs/ha

The locations of Employment Area-1 and Employment Area-2 are identified on Schedule 'A2' of this Plan.

(b) Lands designated *Employment Area* shall only be considered for a conversion through an Official Plan Amendment if it has been demonstrated that:

(i) there is an identified need for the removal, and the land is not required for *employment area* uses over the long term;
(ii) the proposed uses would not negatively impact the overall viability of the *employment area* by:
- avoiding, or where avoidance is not possible, minimizing and mitigating potential impacts to existing or planned *employment area* uses in accordance with Sections 3.5.3 (e) and (f) of this Plan; and
- maintaining access to *major goods movement facilities and corridors*;

(iii) existing or planned *infrastructure* and *public service facilities* are available to accommodate the proposed uses; and
(iv) there are sufficient *employment lands* in Lincoln to accommodate projected employment growth to the 2051 planning horizon of this Plan.

3.6. PARKS AND OPEN SPACE

3.6.1. Introduction

The Town contains a variety of green spaces including parks, open spaces and trails, as well as many natural features. The purpose of the Parks and Open Space designation is to ensure that the residents of the Town have access to a well-planned, connected and accessible system of parkland and open space. The Town promotes an active, healthy lifestyle for residents which include the provisions of parks, trails and recreational facilities that are well distributed and connected, in accordance with the Town's Parks, Recreation and Culture Master Plan.

3.6.2. Objectives

(a) To establish walking and cycling *infrastructure* as both a recreational amenity and a *transportation system* that supports physical activity.

(b) To provide a system of trails for pedestrian and bicycle uses which provide linkages between open spaces, recreational areas, neighbourhoods, commercial areas and industrial areas in the community.

(c) To provide active and passive parks and *recreation* areas for the Town residents.

(d) To provide community and cultural facilities to serve the Town residents.

(e) To enhance existing parkland areas wherever possible to respond to changing public needs and preferences.

(f) To consider climate change when planning for parks, open space and trails, including opportunities for *green infrastructure* and tree planting.

(g) To ensure that appropriate amounts and types of parkland are acquired by the Town through the *development* process.

(h) Encourage the dedication and donation of environmentally *sensitive* lands into public ownership to ensure their continued protection.

(i) To establish a co-ordinated linear system of parkland within the urban area.

(j) To provide for the needs of all persons of all ages and abilities in the distribution of a full range of publicly accessible built and natural settings for *recreation*, including facilities, parklands, public spaces, open space areas, trails and linkages, and, where practical, water-based resources.

3.6.3. Permitted Uses

The use of land designated Parks and Open Space shall include active and passive recreational uses, recreational and community facilities, *conservation uses*, nature trails, marinas, cemeteries and wildlife management. Small scale commercial uses, which are ancillary to and support the permitted Parks and Open Space designation, may also be permitted.

3.6.4. Policies

(a) Public parks and public open spaces may be located within any land use designation within the *sSettlement aAreas*. It is the intent of the Town to retain all existing Town parks and open spaces. These areas will be maintained as parks and open spaces with a range of facilities to meet the needs of residents and tourists.

(b) The Town shall coordinate the parks and open space system with an *active transportation* network to facilitate safe, pleasant connections for walking and cycling for both recreational purposes and everyday travel.

(c) Where possible, the Town will utilize natural heritage corridors to facilitate walking and cycling for both recreational purposes and everyday travel in accordance with the Town Trail and Bikeway network shown in this Plan on Schedule 'D2'. The network shown in this Plan also shows the Regional Bikewaycycling Network.

(d) The parks and open space system is a major functional and aesthetic component of the Town and should be designed to provide a distribution of amenity spaces for a range of uses.

(e) Where medium density, high density residential or mixed-use *developments* are proposed, the Town in consideration of *development* applications may require the proponent to prepare a park need analysis based on Town standards for parkland rates and amenities, as provided in the Parks, Recreation and Culture Master Plan, which shall include the following:

(i) Identifies the location of nearby parks and the amenities available within 500 metres;
(ii) Identifies the parks and recreational needs based on the population of the proposed *development* and in accordance with Town parkland standards, as may be modified from time to time; and
(iii) Demonstrates that adequate park amenities are currently available or will be provided as part of the proposed *development* in accordance with Section 3.6.4 (g), to the Town's satisfaction.

(f) Where larger *developments* are proposed that are isolated geographically from existing parks and amenities, the Town may consider the requirement for the proponent to provide a broad range of park amenities on-site.

(g) The dedication of land or the acceptance of cash-in-lieu of land dedication for park purposes or other public *recreation* purposes required as a condition of *development* or *redevelopment* shall be in accordance with the following requirements, pursuant to Sections 42, 51.1 and 53 of the Planning Act, as amended, or any successor thereto:

(i) For commercial and industrial purposes:

a) The conveyance of 2% of the land being developed or redeveloped, pursuant to Section 42(1) of the Planning Act, as amended, or any successor thereto;

b) The payment of money equal to the value of the land required to be conveyed in Section 3.6.4(g)(i)(a);

c) The value of the land shall be determined as of the day before the day the building permit is issued in respect of the *development* or *redevelopment* or, if more than one building permit is required for the *development* or *redevelopment*, as of the day before the day the first permit is issued pursuant to Section 42(6.4) of the Planning Act, as amended, or any successor thereto; and

d) Where the lands are subject to site plan approval or approval of an amendment to the Zoning By-law, the amount of the cash in lieu payment is to be based on the value of the land at the time of the approval of the site plan application or the approval of an amendment to the Zoning By-law, in accordance with Section 42(2.1) of the Planning Act, as amended, or any successor thereto. Section 3.6.4(~~g~~~~d~~)~~(e)~~(i)(d) does not apply if, on the date the first Building Permit is issued for the *development* or *redevelopment*, more than two (2) years have elapsed since the approval of the site plan application or the approval of the amendment to the Zoning By-law.

(ii) For all other purposes:

a) The conveyance of 5% of the land being developed or redeveloped, pursuant to Section 42(1) of the Planning Act, as amended, or any successor thereto, or the conveyance of land at the alternative rate of one (1) hectare for each six hundred (600) dwelling units proposed, whichever is greater, in accordance with Section 42(3) of the Planning Act;

b) The payment of money equal to five percent (5%) of the value of the land being developed or redeveloped; or the payment of money equal to the

alternate rate of one (1) hectare for each one thousand (1,000) dwelling units proposed, whichever is greater;

c) The value of the land shall be determined as of the day before the day the building permit is issued in respect of the *development* or *redevelopment* or, if more than one building permit is required for the *development* or *redevelopment*, as of the day before the day the first permit is issued pursuant to Section 42(6.4) of the Planning Act, as amended, or any successor thereto;

d) Where the lands are subject to site plan approval or an amendment to the Zoning By-law, the amount of the cash in lieu payment is to be based on the value of the land at the time of the approval of the site plan application or the approval of an amendment to the Zoning By-law, in accordance with Section 42(2.1) of the Planning Act, as amended, or any successor thereto. Section 3.6.4(g)(ii)(d) does not apply if, on the date the first Building Permit is issued for the *development*, more than two (2) years have elapsed since the approval of the site plan application or the approval of an amendment to the Zoning By-law;

e) The dedication of land required to be conveyed in Section 3.6.4(g)(ii)(a) and/or the payment of money equal to the value of the land required to be conveyed in Section 3.6.4(g)(ii)(b) shall be capped as follows:
   - In the case of land proposed for *development* or *redevelopment* that is five (5) hectares or less in area, 10% of the land or the value of the land, as the case may be; and
   - In the case of land proposed for *development* or *redevelopment* that is greater than five (5) hectares in area, 15% of the land or the value of the land, as the case may be; and

- Permitted exemptions and reductions from dedication of lands for parks purposes and the payment of cash in lieu of parkland payments ~~may be~~are set out for ~~the specified~~ the following residential unit types ~~as follows~~, in accordance with Section 42 of the Planning Act, as amended, or any successor thereto:
   - *Additional Rr~~r~~esidential Uu~~u~~nits;*
   - *Affordable* residential units;
   - Attainable residential units;
   - Inclusionary zoning units; and
   - Non-profit residential units,

~~Subject to Proclamation~~

all as defined in the Development Charges Act, as amended or any successor thereto.

(h) To ensure that parkland dedications are of an acceptable quality, all sites dedicated as parkland must conform to the Town's Parks, Recreation and Culture Master Plan, must be accepted by the Town and must satisfy all of the following:

(i) Be relatively level and not required for drainage purposes, nor contain lands susceptible to flooding, have steep valley slopes or other physical features which are unsuitable for open space/park *development*;
(ii) Have good drainage characteristics;
(iii) Be centrally located within a neighbourhood or community context to provide convenient vehicular and pedestrian access;
(iv) Provide a reasonable park configuration to accommodate parks and recreational needs based on the park classification within the Parks Recreation and Culture Master Plan;
(v) Be visually prominent within the *development*;
(vi) Be provided with basic service requirements;
(vii) Be developed in accordance with the Town parkland standards, as may be modified from time to time;
(viii) The Town is satisfied that the lands provide a benefit to the neighbourhood or community;
(ix) Lands not satisfying all of these criteria may be deemed acceptable if they are important for achieving an identified trail connection. Dedication credits may be adjusted based on the relative value of the lands assessed according to the above criteria; and
(x) Lands with *wetlands* or woodlots retained for conservation purposes or within any natural heritage designation and/or which have been identified as hazard lands shall not be considered as part of the required minimum dedication of parkland pursuant to this section of the Plan.

Subject to Proclamation

(i) In accordance with Section 42(4.31) of the Planning Act, as amended, if and where in force, or any successor provision thereto, the Town may consider the acceptance of the following types of lands as contribution towards the parkland dedication requirements of Section 3.6.4(g):

(i) Conveyance of part of an abutting parcel; or
(ii) Lands subject to an easement or other right-of-use restriction; or
(iii) Lands encumbered by below grade *infrastructure*; or
(iv) Other interest in land which is sufficient to allow the land to be used for parks or other public recreational purposes.

(j) To ensure that lands considered by the Town as a contribution towards parkland in Section 3.6.4(i) are acceptable to the Town, the lands must satisfy the applicable requirements of Section 3.6.4(h) as well as the following requirements:

(i) Any easement, encumbrance, or right-of-use on the lands shall not limit or restrict the Town's access and use of the lands for the purposes intended;

(ii) The lands must remain open space and accessible to the general public at all times such that the function is consistent with that of a public park;

(iii) The lands must be located along the frontage and/or the exterior side yard of a parcel so that they are visible from a public street and easily accessed by the public;

Subject to Proclamation

(iv) The owner must at their expense and to the satisfaction of the Town, prepare at minimum, a design of the space which incorporates the following:

- Pedestrian comfort;
- Pedestrian access and circulation;
- Public safety;
- Active edges which connect with the Town's existing *public realm*;
- Are located such that they do not conflict with building servicing such as loading and vehicular parking;
- Provides design elements such as play structures, seating, tables, public art, landscaping, hard surfaces, lighting, weather protection, signage and other public amenities;

(v) An easement in favour of the Town is provided in perpetuity to ensure *public use* of the lands to the satisfaction of the Town; and

(vi) An agreement is entered into with the Town to set out the owner's obligations regarding construction of the space and facilities, maintenance (both repair and reconstruction), liability insurance, and operational issues such as garbage removal and snow removal.

(k) The Town shall co-operate with the Niagara Peninsula Conservation Authority to examine the potential to establish a trail system within the Conservation Areas and a route which links these areas and the Town.

(l) The Town shall co-operate with the Niagara Escarpment Commission and the Niagara Peninsula Conservation Authority to ensure the preservation and conservation of environmentally *sensitive* lands.

(m) The Town shall utilize the Multi-Use Trail and Bikeway System Master Plan to implement trail and bikeway facilities through projects for the *development* and *redevelopment* of land and roadways.

(n) *Development* within areas designated Parks and Open Space will complement the natural environment.

(o) Within the urban areas, the Town shall, when possible, acquire land and/or accept parkland dedication along the lakeshore as it becomes available, to improve public access to, and recreational opportunities of, the waterfront. The lands assembled should be of a sufficient size to allow the development of a community park and appropriate open space linkages along the lakeshore for the development of features such as walkways and bicycle paths. The Town may require as a condition of development or *redevelopment* and the dedication of parklands, the provision of suitable *shoreline protection* measures. Requests to close road allowances leading to Lake Ontario will only be considered if alternative public access is made available.

(p) The route identified in this Plan for the Lake Ontario Waterfront Trail in Schedule 'D2' is interim. The Town in cooperation with the Region shall seek opportunities within the Urban Area to realign sections of the Trail to bring it closer to Lake Ontario to provide better views of the lake and better public access to the shoreline. In doing so the Town, in consultation with the Region, shall take into consideration:

(i) The broad public interest in the *development* of a Trail that provides recreational opportunities for local residents and supports tourism *development*; and

(ii) The protection and enhancement of *sensitive* natural heritage areas, of agricultural areas and of local heritage *character* and features.

Where *development* of lakefront land is proposed, a strip of land along the shoreline above the stable top-of-bank shall be dedicated by the landowner to a suitable public agency to form part of the Lake Ontario Waterfront Trail.

Where Town or Regional facilities exist or are to be developed in close proximity to the Lake Ontario shoreline, appropriate Waterfront Trail facilities shall be included wherever feasible.

(q) In areas intended for Parks and Open Space uses in the vicinity of the lakeshore, the Town, where feasible and desirable, shall co-operate with the Provincial Ministries, Niagara Peninsula Conservation Authority and/or other relevant agencies in their efforts to establish recreational facilities and a functional water oriented open space network.

(r) Municipal parkland acquisition and *development* shall complement, and not duplicate or compete with, the Bruce Trail and parkland in Niagara Escarpment lands, in the eventual establishment of a co-ordinated linear parkway system.

(s) The Town, in the design and *development* of parks, open space areas and *recreation* facilities, shall encourage accessibility.

(t) In order to improve accessibility to existing and developing Parks and Open Space areas for the residents of the Town, the municipality may require, as a condition of *development* and *redevelopment*, the dedication of land and construction of pedestrian walkways and/or *recreation* trails.

(u) This dedication of land and construction of pedestrian walkways shall not comprise or constitute a part of the required parkland dedication or cash payment in lieu of parkland dedication. Credit may be given for the dedication of land and construction of facilities for recreational trails based on the relative value of the land assessed in accordance with the criteria in 3.6.4(he) and the value of constructed facilities.

(v) The Town has a diverse topography ~~one,~~ which contains many features of an environmental, ecological, historical, archaeological and cultural nature. In order to preserve and protect these features as well as to make them available to the public for opportunities of low intensity, passive recreational usage, the Town shall develop a strategy to further identify the significance of, the preservation and protection of, and the public usage of these natural areas.

3.7. NATURAL ENVIRONMENT AREA

The policies of Section 4.2 apply to all lands designated Natural Environment within the U~~u~~rban ~~a~~Area.

3.8. NIAGARA ESCARPMENT PLAN AREA

The policies of Section 2.4 apply to all lands designated Niagara Escarpment Plan Area within the ~~u~~Urban ~~area~~Area.

3.9. SPECIAL POLICY AREA

Notwithstanding the general policies of the Official Plan, certain areas are designated Special Policy Areas due to their unique characteristics and/or special circumstances, some which may affect their development or redevelopment. These policies provide more detailed direction for land use, infrastructure, and/or similar issues beyond the general policies contained within this Plan.

3.9.1. Campden Special Area Policies

The following policies shall apply to the lands that lie within the urban boundary of Campden as shown on Schedule 'A7'~~X~~.

3.9.1.1. General Policies

(a) The Special Area Policies for Campden have been prepared in accordance with the Official Plan.

(b) Land use is divided into several categories with policies established for each category.

(c) The lands within the Special Policy Area are designated in accordance with Schedule 'A7~~B6~~'. The land use designation on Schedules 'A' and 'A5~~B~~' refines the general land use designations of the Official Plan.

(d) To provide an appropriate number of new residential units that will assist in sustaining the Campden community.

3.9.1.2. Residential

(a) The predominant use of the lands designated, as Residential on Schedule 'A7~~B6~~' shall be for single detached residential dwellings.

(b) Secondary uses which may be permitted include the following:

(i) Bed and breakfast establishments;

(ii) Additional needs housing;

(iii) Home based business;

(iv) Institutional uses including elementary and secondary schools, community facilities, churches and places of worship and daycare centres; and

(v) Accessory buildings and structures.

(c) In recognition of the objective of this Plan to ensure that the rural character of the area is maintained, residential development shall primarily consist of larger than average lots as opposed to typical smaller lot urban residential development. To this end the minimum lot size shall generally be 425 square metres.

(d) The design of new developments including residential infilling, will ensure that the low-density large lot character of existing residential areas is maintained.

(e) Every effort will be made to protect residential development from the impact of noise, dust, odour, heavy traffic and other nuisances, which may be generated from incompatible land uses located within and outside of the Special Policy Area. In this regard residential development shall incorporate appropriate mitigation measures and/or separation distances in the vicinity of existing and/or proposed industrial or commercial operations. Such measures or distances shall be determined by appropriate studies, carried out in accordance with provincial guidelines, standards, and procedures~~Ministry of the Environment guidelines~~, addressing possible air emissions, odour, dust and noise impacts. Potential impacts specified for analysis will be the result of consultation between Town Staff, the developer and Regional Staff.

(f) Residential development at the agricultural interface shall employ appropriate mitigation measures to ensure land use compatibility, including the use of adequate separators, landscaping and fencing.

3.9.1.3. Commercial

(a) The need for additional commercial and retail services in the Special Policy Area is limited due to the relatively small market area of the neighbourhood. Accordingly, no new lands have been designated for commercial purposes in the Plan Area.

(b) Proposals for the redevelopment of the former salvage yard shall be accompanied by a record of site condition, carried out in accordance with the Ministry of Environment and Climate Change Guidelines for the Use at Contaminated Sites in Ontario. This process shall identify the likelihood of contamination and the extent and nature of any contamination, as well as a remedial program to ensure that the site is restored prior to development. Should these lands be redeveloped for residential purposes, an amendment to the Special Policy Area will not be required. However, an amendment to the Zoning By-law will be required.

3.9.1.4. Institutional

(a) Institutional uses are permitted in the Residential designation and the policies of Section 3.1.10 apply to lands to be developed for institutional purposes.

3.9.1.5. Parks and Open Space

(a) The opportunity to create a neighbourhood park is restricted because of the limited area for development within the Special Policy Area.
(b) The dedication of lands or the acceptance of cash-in-lieu of the land dedication as a result of development or redevelopment of land shall be in accordance with the provisions of Section 3.6 of this Plan.

3.9.1.6. Servicing and Transportation

(a) Existing and proposed development within the Special Policy Area shall be serviced with municipal sanitary sewer services in accordance with Municipal Policy.
(b) Easements to accommodate municipal services shall be granted as a condition of development approval.
(c) Easements to accommodate utilities shall be granted as a condition of development approval.
(d) The provision of sanitary services, roads and other municipal services will be achieved with minimum costs to the Town.
(e) Existing and new development will be required to contribute to the costs of servicing in accordance with the charges established by the Town.

(f) In order to achieve the proper co-ordination of services and consistence in development standards, the orderly subdivision of land by way of plan of subdivision will be required throughout the Neighbourhood. Consents to sever land as an alternative to a registered plan of subdivision will be discouraged and will only be permitted for minor infilling when it is determined to the satisfaction off the Town that a plan of subdivision is not deemed necessary to adequately address the policies of this Plan and the provisions of t~~T~~he Planning Act.

(g) Municipal water is not intended to be provided. As a result, development will obtain water supply by individual cisterns.

(h) Stormwater shall be handled in an efficient, environmentally sensitive manner with respect to water quality and quantity in order to meet Provincial requirements. In this regard, storm water management will be in accordance with the master drainage plan.

(i) Water quality enhancement facilities (ponds) will form an integral part of the stormwater management system in order to treat storm water before entering the creek system.

(j) The cost of providing stormwater management systems, including land acquisition, shall be borne by benefiting developers.

(k) The road system required to serve the Special Policy Area is shown on Schedule "~~'~~A7~~B6~~". Minor changes to the road patterns will be permitted provided the general intent of the Special Policy Area is maintained.

(l) No increased road right-of-way widths beyond 20 metres are required to accommodate development within the Special Policy Area. Where any proposed subdivision would preclude the development of a suitable system of interconnecting roadways, as outlined in this Plan, subdivision design modifications will be affected before development proceeds.

(m) Undeveloped areas should be developed in an orderly and progressive manner in order to ensure that the provision of sewers, roads and other municipal services are achieved with minimum municipal expenditure.

(n) The subdivision of land is predicated on the availability of suitable storm and sanitary sewer outlets and appropriate potable water

3.9.2. Jordan Special Area Policies

3.9.2.1. General Policies

(a) In recent years, private landowners have expended considerable efforts to revitalize and beautify Jordan. The area has increasingly become a destination for tourists who take advantage of the spectacular natural and cultural setting, as well as the expanded accommodations and opportunities for shopping and dining. Some of the existing residences have opened artist's studios and antique shops. The museum offers another attraction in the area, while the proximity of the Waterfront Trail is also a tourism draw.

(b) In planning for the future, it is recognized that there will be increased pressure to accommodate tourist-based activities. This is a normal evolution, based on the

popularity of Jordan. The key planning issue will be to ensure that as change occurs, Jordan does not lose the charm and characteristics that have made it popular in the first place. It is also important to recognize that Jordan includes an existing resident population that will demand protection from the impacts of becoming a successful tourist destination. This is a difficult balance to achieve.

(c) It is the intent of the Town to promote the continuing success of Jordan as a tourist destination, while, at the same time, managing change within Jordan to protect existing residents and the unique attributes that have made it an attractive place to live, to visit and to invest in. These unique attributes include:

(i) The diverse array of historic building types;

(ii) The attractive retail and commercial component on Main Street; and

(iii) The mature street trees and the beautiful natural setting of the Twenty Valley/ Niagara Benchlands

(d) Schedule 'A65' identifies the location and distribution of the land use designations, as well as three Gateways.

3.9.2.2. Residential

(a) The policies that apply to development within the Residential designation are found within Section 3.1 of this Plan.

3.9.2.3. Mixed Use

(a) The policies that apply to development within the Residential designation are found within Section 3.2 of this Plan.

3.9.2.4. Central Business District

(a) The policies that apply to development within the Central Business District designation are found within Section 3.3 of this Plan

3.9.2.5. Servicing and Transportation

(a) Municipal servicing shall comply with the provisions of Section 7.1 of this Plan.

(b) Public and Private utilities shall be:

(i) Permitted in all land use designations and shall be installed, where possible, underground and within public road allowances or within appropriate easements;

(ii) Encouraged, wherever possible, to coordinate and locate within an initial common trench to avoid unnecessary over digging and disruption of municipal right-of-way;

(iii) Clustered or grouped where possible to minimize visual impact; and

(iv) Encouraged to consider innovative methods of containing utilities and telecommunications providers are to confirm if services can be provided to support the proposed development; and shall determine locations for large utility equipment and utility cluster sites.

(c) In order to accommodate the development contemplated by this plan, road improvements, storm and sanitary sewer extensions and other services may be

required. The cost of undertaking such works shall be borne by the developers through the provisions of the Development Charges Act or other agreement with the Town.

(d) As part of the Jordan Village Improvements capital program, a series of infrastructure upgrades have been implemented to enhance pedestrian safety, support active transportation, and improve public spaces. Along Nineteenth Street, sidewalks have been installed on both sides from Regional Road 81 (King Street) to Fourth Avenue, providing safe pedestrian access. Cyclists are accommodated on both sides of the roadway, reinforcing its role as a key connection within the Town's cycling network. A parking lane has been added on the west side of the street to alleviate parking pressures on Main Street, and pedestrian crossings have been introduced at Wismer Lane and Snure Lane to facilitate safe street crossings.

(e) Main Street has been upgraded with continuous curbing and designated on-street parking on the west side. The segment between Snure Lane and Regional Road 81 (King Street) has been closed to through traffic and transformed into a public square, creating a central gathering space for community events and enhancing the safety and functionality of the adjacent intersection. Improvements to the intersection of Regional Road 81 (King Street) and Nineteenth Street have also been completed to address traffic conflicts, simplify complex geometry, and provide safe pedestrian crossings.

3.9.2.6. Jordan Urban Design Guidelines

3.9.2.6.1. Setbacks

(a) Front Yard

(i) Generally, houses are located close to the edge of the road right-of-way.

(ii) The front yard setback should vary and be based on the conditions of the adjacent houses.

(iii) The front yard should be landscaped with a predominately soft landscape treatment.

(iv) Front doors should be connected with a pedestrian walkway to the sidewalk.

(v) Low hedges or fences should be placed along the edge of the road right-of-way.

(vi) Garages should be setback from the façade of the house

(b) Side Yard

(i) Generally, houses have side yards that allow views between houses. This helps to achieve the landscape appeal of Main Street.

(ii) The side yard setback should vary and be based on the conditions of the adjacent houses.

(iii) The side yard should be landscaped with a predominately soft landscape treatment.

(iv) Driveways should be located in the side yard to maintain the front yard for landscape.

3.9.2.6.2. Larger Scale Redevelopment and Infill Development

The following design recommendations for Jordan are intended to apply to private sector redevelopment that will occur through redevelopment of larger parcels. The intent is to create new development that fits within the context of the Jordan. For commercial or mixed uses, this is characterized by buildings that line the edge of the road right-of-way, with a mix of uses, with parking located at the side or rear of buildings so that is does not detract from the visual appeal of the street.

These recommendations can apply to the full array of uses appropriate to Jordan including retail, office and higher density residential. Ideally, some buildings would include a mix of uses with ground floor retail and upper floors for residential or office.

The recommendations are not use specific. They describe the ideal conditions for placing buildings on a lot, including design considerations for entrances and façades, site access, parking, servicing, landscape, signage and utilities.

(a) Buildings
  (i) The main walls of the building(s) should occupy a minimum 50% of the street frontage.
  (ii) Buildings should be built within 1 to 3 metres of the front lot line.
  (iii) The side and rear of buildings abutting low-rise residential uses should be of similar height. Buildings may need to step down to maintain an appropriate scale in relation to adjacent residential uses.
  (iv) Buildings should have attractive façades, i.e., the application of architectural elements such as display windows, articulated entrances, glazed areas, and/or variations in the wall plane.
  (v) Roofs should be designed to provide visual interest.
  (vi) Roof top mechanical units should be screened in all directions. Screening should be integrated with the architectural form of the building or designed to be compatible in form, material, and colour.
  (vii) Buildings on corner lots should incorporate special architectural treatment along both street frontages.
  (viii) The main wall of a corner building should occupy a minimum of 50% of the frontage of the primary street and 50% of the frontage of the Secondary
(b) Buildings
  (i) For commercial and mixed-use developments, shared driveways between adjacent lots are encouraged to maximize landscaped areas and minimize pavement.
  (ii) Parking or drive aisles should not be located between a public street and a building.
  (iii) Parking areas should be located at the side or rear of the building. Within the mixed-use designation parking areas should be located at the rear of the building.
  (iv) Parking areas should be designed in small sections and include lighting, substantial landscaping, and special paving to break expanses of parking and to provide direct pedestrian connections to building entrances.
  (v) Parking areas located adjacent to public streets should be separated by landscaped setback to mitigate views of large areas of parked cars from adjacent streets.
  (vi) Streets and main drive aisles within a site function as internal streets and should be designed to look, function, and have the attributes of a public street with sidewalks, boulevard trees and pedestrian-scale lighting.
  (vii) Planting should visually enhance individual sites, screen parking and loading areas - while enabling views of buildings - and create a consistent landscape treatment along the street.

(viii) Landscape design should relate to the architecture of the building with particular attention to entrances and windows, architectural massing, rhythm, detailing, and sightlines.

(ix) Amenities such as seating, waste receptacles, pedestrian-scale lighting, awnings, and bicycle racks should be coordinated throughout the site to create a consistent theme.

(x) Attractive, safe, direct, and barrier-free walkways should be provided from buildings to public sidewalks. Walkways should be uninterrupted by parking or drive aisles and consist of paving other than asphalt.

(xi) Landscape lights shall be provided to illuminate paths of travel and outdoor amenity areas. The placement of landscape lights shall consider adjacent development.

(xii) Access to loading and servicing areas should be separated from pedestrian areas and routes.

(xiii) Loading, service, and outside storage areas that face public streets should be avoided. Where site planning constraints necessitate these areas in visually prominent locations, they should be screened with architectural elements and/or berms and/or landscaping.

(xiv) Signage should provide a high level of clarity, visibility, and visual interest with minimal visual clutter.

(xv) Signage should complement the architecture of the building(s) in its scale, materials, consistency and design. Signage for individual units should be consistent.

(xvi) Utility equipment, hydro transformers, and switching boxes should be located within the building. If this is not possible, they should be positioned to not be visible from the public street and shall be incorporated into the design of the building and site landscape.

(xvii) Garbage storage areas should be internal to the building.

3.9.3. Jordan Station Special Area Policies

3.9.3.1. General Policies

(a) Jordan Station is primarily a residential community with a substantial inventory of high-quality heritage homes. The existing streetscapes are compatible with the heritage value of the area and enhance the unique character of the community. It is the intent of this Plan to protect the character of Jordan Station as a unique heritage community that, while not an active promoter of tourism activity is in close proximity to the Waterfront Trail and is a vital component of the Niagara Benchlands tourism experience.

(b) In planning for the future, it is recognized that there will be increased pressure for redevelopment, infill, and intensification within Jordan Station. The key planning issue will be to ensure that as new development occurs, the community does not lose the charm and characteristics that have made it popular.

(c) Schedule 'A65' identifies the location and distribution of the land use designations, as well as two Gateways

3.9.3.2. Residential

(a) The policies that apply to development within the Residential designation are found within Section 3.1 of this Plan.

3.9.3.3. General Commercial

(a) The policies that apply to development within the General Commercial designation are found within Section 3.4 of this Plan.

3.9.3.4. Employment

(a) The policies that apply to development within the General Commercial designation are found within Section 3.5 of this Plan.

3.9.3.5. Servicing and Transportation

(a) Municipal servicing shall comply with the provisions of Section 7.1 of this Plan.

(b) Public and Private utilities shall be:

(i) Permitted in all land use designations and shall be installed, where possible, underground and within public road allowances or within appropriate easements;

(ii) Encouraged, wherever possible, to coordinate and locate within an initial common trench to avoid unnecessary over digging and disruption of municipal right-of-way;

(iii) Clustered or grouped where possible to minimize visual impact; and,

(iv) Encouraged to consider innovative methods of containing utilities and telecommunications providers are to confirm if services can be provided to support the proposed development; and shall determine locations for large utility equipment and utility cluster sites.

3.9.3.6. Jordan Station Urban Design Guidelines

3.9.3.6.1. Setbacks

(a) Front Yard

(i) Generally, houses are located close to the edge of the road right-of-way.

(ii) The front yard setback should vary and be based on the conditions of the adjacent houses.

(iii) The front yard should be landscaped with a predominately soft landscape treatment.

(iv) Front doors should be connected with a pedestrian walkway to the sidewalk.

(v) Low hedges or fences are appropriate along the edge of the road right-of-way.

(vi) Garages should be set back from the façade of the house.

(b) Side Yard

(i) Generally, houses have side yards that allow views between houses. This helps to achieve the landscape appeal of the local streets.

(ii) The side yard setback should vary and be based on the conditions of the adjacent houses.
(iii) The side yard should be landscaped with a predominately soft landscape treatment.
(iv) Driveways should be located in the side yard to maintain the front yard for landscape

3.9.3.6.2. Redevelopment and Infill

The following design guidelines for Jordan Station are intended to direct redevelopment of larger parcels or subdivision. These guidelines apply to the full array of residential forms appropriate to Jordan Station. The intent is to create new development that fits within the context of Jordan Station.

The following guidelines should apply:

(a) Each redevelopment will include a variety of housing types, reduced front yard setbacks to reinforce the street edge, and garages set behind the front of the house or accessed from a rear lane.
(b) Buildings must have front façades parallel to the road with front doors, windows, and entry features facing the road to create a consistent street wall.
(c) The garage door should not protrude in front of the main front wall of the dwelling and should be set back a minimum of 6 metres from the front lot line, or exterior side lot line.
(d) Entry features and other architectural elements should be incorporated into the front elevation of the house to reduce the visual dominance of the garage and the front drive.
(e) Shared or grouped driveways will be encouraged to reduce the amount of asphalt on front yards.
(f) Corner lots and homes facing or abutting parks are priority lots within the neighbourhood. The design of these homes shall include the following considerations:

(i) Where sides or flankage of buildings are visible, they should have windows, materials, and other architectural treatments equal to the front elevation of the house;
(ii) The main front entrance should be located on the exterior side elevation, corner windows and wrap-around porches should be included to emphasize a corner location; and
(iii) Fencing around front and/or exterior side yards should not block the view of the sidewalk from the house; their height shall be limited to 1.2 metres, and they should be primarily open structures, not solid walls.

(g) The setback to the main front wall of the house shall be in the range of 3 to 6 metres from the front lot line.

PART 4 *ENVIRONMENTAL & WATER*

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

The *water resource system* is made up of both *ground water features* and *surface water features* and areas. The intent of the *water resource system* is to protect the ecological and hydrological integrity of water resources and various *watersheds* within the Niagara Region.

The *natural heritage* and *water resource systems* are ecologically linked, rely on and support each other, and have many overlapping components. The establishment of these natural systems is required by Provincial policy. These systems have been integrated into this Plan and are known together as the ~~Niagara Region~~ Nnatural ~~e~~Environment ~~s~~System.

4.1 CLIMATE CHANGE AND ENERGY CONSERVATION

4.1.1 Introduction

The Town of Lincoln is experiencing the impacts of climate change. Local weather has become warmer and wetter, with more frequent extreme events, including heavy rainfall, flooding, windstorms, and extreme heat days. These climate-related events can lead to fallen trees, power outages, and other disruptions. The effects of climate change carry environmental, social, and financial costs, disproportionately affecting *vulnerable* populations and increasing risks for households, businesses, and governments.

It is the intent of these policies to address climate change through mitigative and adaptive actions that support energy efficiency and improve air quality. This is intended to be achieved by encouraging the reduction of energy consumption, enhancing carbon sinks, endorsing the *development* of compact and mixed-use neighbourhoods, and promoting innovative forms of alternative and renewable energy in land use and *development* patterns to reduce the Town's *vulnerability* to unacceptable impacts of climate change and build stronger community resilience.

4.1.2 Objectives

(a) Continue to implement policies and actions that will contribute to achieving the goals and objectives outlined in the Town's Corporate Climate Adaptation Plan;

(b) To commit to establishing targets and strategies to reduce greenhouse gas emissions and monitor progress towards the achievement of targets;

(c) To encourage energy conservation and the use of renewable energy resources to reduce demands for energy, water and waste systems.

(d) To reduce emissions from the Town's corporate operations to lead by example and support achievement of community-wide efforts;

(e) To protect and enhance local and regional *ecosystems* and biological diversity.

(f) To integrate climate change considerations into planning and managing growth for more resilient communities and *infrastructure* including stormwater management systems and *public service facilities*.

(g) To develop *climate change* adaptation strategies to reduce *vulnerabilities* and improve resilience to extreme weather events and increased climate *variability*; and

(h) To identify land use planning policy direction that support the transition to *net-zero*, climate-resilient communities.

4.1.3 Policies

(a) In order to reduce energy consumption, reasonably compact forms of *development* shall be maintained in conjunction with efficient pedestrian, bicycle and vehicular transportation networks to promote *active transportation*.

(b) When considering *built forms*, *development* which results in extensive loss of sunlight to adjacent land uses shall be discouraged.

(c) The Town will encourage on-site alternative and/or *renewable energy systems,* such as geothermal technology, to service ~~the~~ on-site operations and reduce energy dependency.

(d) The Town will~~shall~~ encourage and support energy conservation, district heating and combined heat and power, and alternative and *renewable energy sources* developed in accordance with applicable legislation, policies and regulations.

(e) The Town will encourage and facilitate 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.

(f) In order to encourage and facilitate energy conservation, energy efficient buildings design including passive solar energy, increased insulation, energy star appliances,

alternative energy systems and conformity with LEED certification or similar construction willshall be encouraged in all new buildings.

(g) Site plan control may be used to encourage incorporate energy conservation measures to be incorporated into the final design. Such measures may include orientation and design of new buildings to maximize passive solar gain, cooling, ventilation, and lighting interior spaces and to minimize energy loss through appropriate construction standards and landscaping designed to moderate seasonal climatic variation.

(h) The Town may consider flexibility in zoning and site plan in order to accommodate variances in building orientation, landscape designs, lot coverage and other site or building characteristics which provide for increased energy efficiency.

(i) The Town encourages minimizing *negative impacts* from a changing climate by promoting the ecological benefits provided by nature and agricultural lands.

(j) The Town encourages the integration of *green infrastructure* such as new parks, open spaces, trails, community gardens, green roofs, street trees, urban tree canopy, *low impact development*, permeable surfaces, *sustainable* stormwater management, and other site design strategies to mitigate environmental impacts and to create a more comfortable urban environment.

(k) The Town encourages the integration of public charging *infrastructure* where feasible to promote uptake of zero-emissions vehicles.

(l) The Town encourages the mitigation of heat island effects by locating trees and other plantings to provide shading for parking lots, driveways and walkways.

(m) The Town encourages landowners to maintain, enhance or, wherever feasible, restore natural features on their property through a range of measures including, but not limited to, plantings, riparian restoration, conservation easements, vegetative *buffers*, invasive species identification and removal, citizen science projects, and wherever appropriate, fencing.

(n) The Town encourages *sustainable* landscape practices through the use of water efficient, drought resistant plant materials in parks, along streetscapes, and in public and private landscaping, including:

(i) Avoidance of turf grass areas, and when required, install drought resistant sod;

(ii) Reduce the impact caused by new *development* on the natural hydrological cycle by installing permeable driveway and parking lot surfaces;

(iii) Encouraging the implementation of ~~*L*~~*low* ~~*I*~~*impact* ~~*D*~~*development* (LID) and ~~*G*~~*green* ~~*i*~~*infrastructure* site design strategies, as recommended in the Town's LID and Green Infrastructure Design Guidelines; and

(iv) Encouraging water conservation by including the installation of rainwater harvesting and re-circulation/reuse systems for outdoor irrigation and outdoor water use.

(o) The Town encourages *sustainable* building design features, including building window design, which incorporates Dark-Sky Friendly Guidelines and Bird-Friendly Guidelines to mitigate light pollution and reduce bird collisions.

(p) The Town supports community outreach programs related to natural environment enhancement and climate change initiatives.

(q) The Town will explore opportunities to elevate standards for green building *development* in collaboration with the building *development* industry, *utility* providers, and community stakeholders.

(r) The Town encourages the inclusion of electric vehicle charging *infrastructure* in new *developments*, public parking areas, on-street parking, workplaces, and multi-unit residential buildings, in locations appropriate for such infrastructure and compatible with site conditions, to support the transition to zero-emissions vehicles, including battery-electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

(s) The Town will consider local climate projects in the development of land-use policies, planning strategies, and municipal guidance documents.

(t) The Town will work towards the following:

(i) Developing and maintaining a municipal greenhouse gas emissions inventory, establishing emissions reduction targets, preparing strategies to reduce emissions, and monitoring progress over time;

(ii) Assessing local climate risks and *vulnerabilities*, and preparing climate change adaptation strategies informed by local and regional climate projections; and

(iii) Exploring opportunities to transition to a municipal zero-emissions vehicle fleet, where feasible.

4.2 NATURAL ENVIRONMENT SYSTEM

4.2.1. Introduction

The polices contained in this Section are intended to be applied generally throughout the Town. Where the policies of Section 4 and the policies elsewhere in this Plan conflict, the more restrictive policies shall prevail.

The purpose of the Natural Environment System designation is to improve, protect and enhance the *ecological integrity* of "The Natural Environment System" which includes the Greenbelt Plan Natural Heritage System.

4.2.2. Objectives

(a) To identify and protect the *natural heritage system* and *water resource system* which forms the natural environment system;

(b) To maintain, restore, and enhance the biodiversity and connectivity of natural features and their associated ecological and hydrological functions;

(c) To recognize the important role the natural environment system plays in mitigating the impacts of climate change by protecting and enhancing natural features;

(d) To identify and maintain *hydrologic functions* and connections among *ground water features*, natural features, and *surface water features* including *shoreline areas*;

(e) To maintain *wetland* areas and the hydrological and *ecological functions* they provide, and to enhance *wetland* cover where possible;

(f) To protect *woodlands* and their biodiversity, restore *ecological functions*, and enhance *woodland* cover through reforestation and restoration;

(g) To protect provincially and regionally *significant* earth science and life science *areas of natural and scientific interest*;

(h) To protect *other woodlands* as a way to maintain treed areas;

(i) To maintain protection for *woodlands* that have been disturbed in an effort to maintain tree cover;

(j) To protect *fish habitat* and the *habitat of endangered species and threatened species* in accordance with Provincial and Federal legislation; and

(k) To protect and enhance water resources through proactive *watershed* and *subwatershed planning*.

4.2.3 Components of the Natural Environment System

~~The land use policies which compromise the Natural Environment System are designated and identified on Schedules 'E1' and 'E2'.~~ The Natural Environment System is comprised of the following individual components and features:

- ~~NES~~ *Significant Ground~~-~~water Recharge Areas*;
- Highly *Vulnerable* Aquifers;
- Waterbodies;
- *Shoreline ~~a~~Areas;*
- *Significant Woodlands;*
- *Other Woodlands*;
- *Significant V~~v~~alleylands;*
- *Significant ~~w~~Wildlife ~~h~~Habitat;*
- Habitat of *E~~e~~ndangered S~~s~~pecies*, *T~~t~~hreatened S~~s~~pecies*, and S~~s~~pecial C~~c~~oncern S~~s~~pecies
- Provincially *Significant Wetlands*;
- *Other Wetlands* and Non-Provincially *Significant Wetlands*;
- *Coastal W~~w~~etlands;*
- Life Science *Areas of Natural and Scientific Interest* (ANSI);
- Earth Science *Areas of Natural and Scientific Interest* (ANSI);
- *Fish H~~h~~abitat;*
- Permanent and Intermittent Streams;
- Inland Lakes; and
- *Linkages*

The land use policies which compromise the Natural Environment System ~~are designated~~ and have been mapped are identified on Schedules 'E1' and 'E2'.

In implementing these policies, the Town recognizes that the natural environment is a broadly based system incorporating natural and working landscapes. Agricultural lands are not part of the Natural Environment System.

Nothing in this Section is intended to limit the ability of *agricultural uses* to continue with flexibility to evolve and expand in accordance with the policies of this Plan.

Not all of the features and components that make up the Natural Environment System can or have been mapped as part of the Schedules to this Plan. Where features or components of the natural environment system listed in Section 4.2.3~~Schedule E1~~ are not mapped as part of Schedules E1

and E2 of this Plan, detailed area-specific or site-specific studies such as an *environmental impact study*, *hydrological evaluation*, or *subwatershed study* are required for their identification.

Where through the review of an application for *development* or *site alteration*, or through the completion of a *subwatershed study*, it is found that there are features or components of the Natural Environment System or related ecological and/or *hydrologic functions* that have not been adequately mapped, evaluated, or protected, the applicant shall have an evaluation prepared by a qualified professional in consultation with the Town and, where appropriate, the Conservation Authority. If the evaluation finds one or more *natural heritage features and areas*, key *natural heritage features*, or key hydrologic features, the policies of this Plan will be applied to the lands under application as appropriate.

Where lands are mapped or identified as two or more features or components of the Natural Environment System, the policies which provide the highest level of environmental protection shall apply in the event of any conflict.

Illegal acts that reduce the form or function of the Natural Environment System, including, but not limited to, tree removal, *wetland* filling or draining, or the diverting of *watercourses*, will not be recognized as existing conditions within the *development* review process. Restoration of the damaged area may be required prior to or as a condition of approval of any *development* applications.

4.2.4. Refinements to the Limits of the Natural Environment System

Changes to the limits or classification of individual features or components of the Natural Environment System ~~identified through criteria~~ identified~~included~~ in Schedules 'E1' and 'E2' ~~Appendix 1~~ of this Plan may be considered through the submission of an *environmental impact study* and/or *hydrological evaluation* and/or *subwatershed study* based on a terms of reference approved by the Town~~Region~~, in accordance with the policies of this Plan, and in consultation with the Conservation Authority as appropriate.

If the change to the limit or classification of an individual feature or component of the Natural Environment System is minor and ~~identified through criteria included in Appendix 1 of this Plan~~ can be justified to the satisfaction of the Town and the Conservation Authority as appropriate, an amendment to this Plan ~~shall~~may not be required, at the discretion of the Town.

~~Changes to the limit or classification of individual features or components of the natural environment system identified through criteria included in Appendix 1 of this Plan may also be considered through the findings of a *subwatershed study* completed to the satisfaction of the Town, in consultation with the Conservation Authority as appropriate. If the change to the limit or classification of an individual feature or component of the natural environment system can be justified to the satisfaction of the Town, an amendment to this Plan shall not be required.~~

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.

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

Updates to the appropriate Schedules to this Plan shall be made on a regular basis by the Town to incorporate any approved refinements to the Natural Environment System.

4.2.5. Existing Lots & Lot Creation

Where *development* or *site alteration* is proposed within or adjacent to the Natural Environment System, new lots shall not be created which would fragment a *natural heritage feature or area*, key natural heritage feature, or key hydrologic feature. The lands to be retained in the Natural Environment System shall remain in a natural state. The natural feature and any required *buffer* or *vegetation protection zone* shall be maintained in a single block and zoned to protect the natural features and its *ecological functions*.

Applications for a lot boundary adjustment shall avoid the fragmentation of provincially *significant wetlands* and *significant woodlands*.

Applications for lot boundary adjustment should avoid the fragmentation of other *natural heritage features and areas*, key *natural heritage features* or key hydrologic features wherever possible and practical.

4.2.6. Permitted Uses

Notwithstanding other policies in this Plan, within the Natural Environment System and the Greenbelt Natural Heritage System, *development* and *site alteration shall* be limited to the following:

(a) forest, *fish*, and wildlife management;

(b) conservation and flood or erosion control projects, subject to demonstrating the project is necessary in the public interest and after all alternatives have been considered;

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

(d) expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses that have less of an environmental impact subject to demonstration that the use does not expand into a *natural heritage feature or area* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;

(e) expansions or alterations to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:

(i) there is no alternative, and the expansion or alteration in the feature is minimized and, in the *buffer*, is directed away from the feature to the maximum extent possible; and

(ii) the impact of the expansion or alteration on the feature and its *ecological function*s is minimized and mitigated to the maximum extent possible; and

(f) small-scale structures for recreational uses, including, but not limited to boardwalks, footbridges, fences, docks, and picnic facilities, subject to measures that are taken to minimize the number of such structures and their *negative impacts.*

4.3 LANDS IN THE NIAGARA ESCARPMENT PLAN AREA

The policies of this Plan defer to the Niagara Escarpment Plan, which contains its own policy framework. All ~~D~~d*evelopment* and *site alteration* within ~~and adjacent to *key natural heritage features* and *key hydrologic features* in~~ the Niagara Escarpment Plan Area ~~is subject to the~~must comply with ~~policies of~~ the Niagara Escarpment Plan, and a *development* permit is required from the Niagara Escarpment Commission (NEC) for all *development,* unless it is specifically exempt.

~~Notwithstanding the above, the following types of minor construction is permitted within a *vegetation protection zone* provided there is no alternative without an *environmental impact study* and/or *hydrological evaluation*:~~

~~(a) New buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 200m^2;~~

~~(b) Expansions to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 50 percent of the size of the original building, provided the expansion is less than 200m^2;~~

~~(c) New accessory buildings to a residential use (garage, workshop, etc.) below 50m^2;~~

~~(d) Expansions to existing accessory buildings to a residential use below 50 percent of the size of the original building;~~

~~(e) Expansions to existing residential buildings below 50 percent of the size of the original building; and~~

~~(f) Reconstruction of an existing residential dwelling of the same size at the same location.~~

~~*Development* or site alteration shall not be permitted in *other woodlands* unless is has been demonstrated through the preparation of an *environmental impact study* that there will be no *negative impacts* on the *other woodland* or its *ecological functions*. Outside of *settlement areas* *other woodlands* are subject to a 10-metre minimum *buffer*, in accordance with Official Plan policy 4.4.3. Inside of *settlement areas*, *other woodlands* are subject to an ecologically appropriate *buffer* to be determined at the time an application is made for *development* or site alteration. The aforementioned policies for *other woodlands* does not apply to new or expanding *mineral aggregate operations* or to new or expanding buildings or structures for *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* if they are located, designed, and constructed to minimize impacts on the natural environment system.~~

4.4 LANDS OUTSIDE OF THE ~~PROVINCIAL NATURAL HERITAGE SYSTEM~~GREENBELT PLAN NATURAL HERITAGE SYSTEM AND OUTSIDE NIAGARA ESCARPMENT

The policies of this section apply to lands in *settlement areas* (i.e. urban areas and hamlets) and other lands that are outside of the ~~a Provincial Natural Heritage System~~Greenbelt Plan Natural Heritage System and outside of the Niagara Escarpment Plan Area.

Required outside of ~~a Provincial Natural Heritage System~~the Greenbelt Plan Natural Heritage System and outside of *settlement areas* is a 30-metre-wide *vegetation protection zone* adjacent to all *wetlands*, permanent and intermittent streams, and inland lakes and their littoral zones which are key hydrologic features.

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

Key hydrologic features are subject to the policies above. ~~The balance of this s~~ Subsections 4.4.1 to 4.4.4 do~~es~~ not apply to key hydrologic features, unless otherwise specified.

4.4.1. Development and Site Alteration in Natural Heritage Features and Areas outside of a ~~Provincial Natural Heritage System~~Greenbelt Plan Natural Heritage System

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

(i) provincially *significant wetlands*;

(ii) *significant coastal wetlands*;

(iii) *significant valleylands;*

(iv) *significant areas of natural and scientific interest*;

(v) *fish habitat*;

~~(ii)~~(vi) *significant wildlife habitat*; and

~~(iii)~~(vii) *significant woodlands*~~.~~

~~Development and site alteration shall not be permitted in the following *natural heritage features and areas* unless it has been demonstrated through the preparation of an *environmental impact study* that there will be no *negative impacts* on the natural features or their *ecological functions*.~~ Notwithstanding the above, *development* and *site alteration* shall not be permitted in *fish habitat* except in accordance with provincial and federal requirements.

~~(a) *other woodlands*;~~

~~(b) *significant valleylands;*~~

~~(c) *significant wildlife habitat;* and~~

~~(d) areas of natural and scientific interest.~~

(b) Notwithstanding ~~the above~~Section 4.4.1(a), permitted uses in *a natural heritage feature and area* are limited to:

~~(a)~~(i) Forest, *fish*, and wildlife management;

~~(b)~~(ii) Conservation and flood or erosion control projects, subject to demonstrating the project is necessary in the public interest and after all alternatives have been considered;

~~(c)~~(iii) Activities that create or maintain *infrastructure* authorized under an environmental assessment, including a Class Environmental Assessment, completed in accordance with the Environmental Assessment Act;

~~(d)~~(iv) Expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses that have less of an environmental impact subject to demonstration that the use does not expand into a natural heritage feature or area unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;

~~(e)~~(v) Expansions or alterations to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:

~~(i)~~• there is no alternative, and the expansion or alteration in the feature is minimized and, in the *buffer*, is directed away from the feature to the maximum extent possible; and

~~(ii)~~• the impact of the expansion or alteration on the feature and its *ecological functions* is minimized and mitigated to the maximum extent possible; and

~~(f)~~(vi) Small-scale structures for recreational uses, including, but not limited to boardwalks, footbridges, fences, docks, and picnic facilities, subject to measures that are taken to minimize the number of such structures and their *negative impacts*.

(c) Notwithstanding any other policies of this Plan, *development* and *site alteration* in, and adjacent to *watercourses*, provincially *significant wetlands*, and *other wetlands* that are regulated by the Conservation Authority, may also be subject to the regulations and land use planning policies of the Conservation Authority. When *development* or *site alteration* is proposed in or adjacent to any *watercourse*, provincially *significant wetland*, *significant valleyland*, or other *wetland* the applicant shall contact the Conservation Authority, at which time Conservation Authority staff will advise the applicant ~~and the Region~~ of the land use or regulatory policies that will apply.

Notwithstanding the above, while the Niagara Peninsula Conservation Authority may permit offsetting of *wetlands* under its policies and in accordance with its regulatory role, the use of offsetting for any *natural heritage feature and areas*, key *natural heritage features*, or key hydrologic features is not supported by the policies of this Plan.

Where another *wetland* in a *settlement area* has been identified, and it is determined that it is not regulated by the Conservation Authority:

~~(a)~~(i) The Town shall require that an evaluation be undertaken through an *environmental impact study*, and if required, a *wetland* evaluation using the Ontario Wetland Evaluation System, and/or *hydrological evaluation* as part of an application for *development* or *site alteration*, or through a *subwatershed study* to determine the appropriate classification and protection or management of the feature;

~~(b)~~(ii) Outcomes of the evaluation completed with the above could include the in-situ protection with appropriate *buffers* or incorporation of the *hydrologic function* into the design of the *development* in accordance with the following:

~~(i)~~• if the other *wetland* is a treed community with a canopy coverage greater than 25 per cent, and the other criteria for *other woodlands* are met, the *other woodland* policies of this Plan shall apply;

~~(ii)~~• if the other *wetland* is a treed community with a canopy coverage greater than 60 per cent, and the other criteria for *significant woodlands* are met, the *significant woodland* policies of this Plan shall apply;

~~(iii)~~• no *negative impact* on the *ecological function* of the other *wetland*; and

~~(iv)~~• maintain the *hydrologic function* of the other *wetland*; and

~~(c)~~(iii) If the evaluation finds one or more other *natural heritage features and areas*, the appropriate other policies of the Plan shall be applied to the lands and natural features that are subject to the application to *development* or *site alteration*.

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

4.4.2. Development and Site Alteration in Adjacent Lands outside of a ~~Provincial Natural Heritage System~~Greenbelt Plan Natural Heritage System

A proposal for new *development* or *site alteration* outside of a ~~Provincial natural heritage system~~Greenbelt Plan Natural Heritage System which is adjacent to a *natural heritage feature or area* shall require an *environmental impact study* and/or *hydrological evaluation* to determine that

there will be no *negative impacts* on the feature, *ecological function*, or *hydrologic function* in accordance with the *adjacent lands* distances outlined below:

Natural Heritage Feature and Area	Adjacent Lands
Provincially Significant Wetland	120 metres
Significant Coastal Wetland	120 metres
Significant Woodland	120 metres
Other Woodland	50 metres
Significant Valleyland	50 metres
Significant Wildlife Habitat	50 metres
Habitat of Endangered Species and Threatened Species	120~~50~~ metres
Significant Life Science Areas of Natural and Scientific Interest	50 metres
Significant Earth Science Areas of Natural and Scientific Interest	50 metres
Fish Habitat: Watercourses (cool and cold water)	50 metres from the high-water mark on both sides, plus 0.5 metres per 1-percent of the slope.
Fish Habitat: Watercourses (warm water)	15 metres from the high-water mark on both sides.

The requirement for an *environmental impact study* and/or *hydrological evaluation* may be waived if the proposed *development* or *site alteration* is minor and is not anticipated to have a *negative impact* on the natural environment system in accordance with the policies of this Plan and applicable Provincial Policies. Notwithstanding the above, an *environmental impact study* will not be required for a proposal for *development* or *site alteration* on a site where the only natural heritage feature and area is the *habitat of endangered species and threatened species*.

Notwithstanding the above, new buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* will not be required to undertake an *environmental impact study* and/or *hydrological evaluation* if a minimum 30 metre *buffer* is provided from a *natural heritage feature and area*.

4.4.3. Buffers Outside of Settlement Areas and Outside of a ~~Provincial Natural Heritage System~~Greenbelt Plan Natural Heritage System

Outside of *settlement areas* a minimum *buffer* on all *natural heritage features and areas* is required, as set out in the table below:

Natural Heritage Feature and Area	Minimum Buffer
Provincially Significant Wetland	30 metres
Significant Woodland	20 metres

Other Woodland	10 metres
Significant Valleyland	15 metres
Significant Life Science Areas of Natural and Scientific Interest	20 metres
Significant Earth Science Areas of Natural and Scientific Interest	20 metres
Fish Habitat: Watercourses (cool and cold water)	50 metres from the high-water mark on both sides, plus 0.5 metres per 1-percent of the slope.
Fish Habitat: Watercourses (warm water)	30 metres from the high-water mark on both sides.

Notwithstanding the above minimum *buffer* requirements, the following types of minor construction is permitted within *adjacent lands* and minimum *buffers* provided there is no alternative, without an *environmental impact study* and/or *hydrologic evaluation*:

(a) New buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 200m^2;

(b) Expansions to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 50 percent of the size of the original building, provided the expansion is less than 200m^2;

(c) New accessory buildings to a residential use (garage, workshop, etc.) below 50m^2;

(d) Expansions to existing accessory buildings for a residential use below 50 percent of the size of the original building;

(e) Expansions to existing residential buildings below 50 percent of the size of the original building; and

(f) Reconstruction of an existing residential dwelling of the same size in the same location.

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

Development or *site alteration* shall not be permitted in the minimum *buffer* set out in this Plan, with the exception of that described above 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.

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

4.4.4. Buffers in Settlement Areas

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

Development or *site alteration* shall not be permitted in the mandatory buffer, with the exception of that described above 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.

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

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

4.5 LANDS WITHIN THE GREENBELT PLAN~~PROVINCIAL~~ NATURAL HERITAGE SYSTEM

The policies of this Section apply to lands within the mapped ~~Provincial natural heritage system~~Greenbelt Plan Natural Heritage System.

Notwithstanding the above, the policies of this Section that apply to key hydrologic features apply in all areas outside of *settlement areas* whether or not they are in the mapped ~~Provincial natural heritage system~~Greenbelt Plan Natural Heritage System in accordance with Provincial policy.

Required within the ~~Provincial natural heritage system~~Greenbelt Plan Natural Heritage System is a 30-metre-wide *vegetation protection zone* adjacent to *significant woodlands*, *wetlands*, as well as permanent and intermittent streams and inland lakes.

Notwithstanding the above, a 15-metre-wide *vegetation protection zone* applies to certain key hydrologic features in ~~parts of~~ the Tender Fruit and Grape Area of the Greenbelt Plan ~~area~~ in accordance with the policies of the Greenbelt Plan.

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

(a) forest, *fish*, and wildlife management;

(b) conservation and flood or erosion control projects, subject to demonstrating the project is necessary in the public interest and after all alternatives have been considered;

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

(d) all existing uses in the Greenbelt Plan Area;

(e) *mineral aggregate operations* and *wayside pits and quarries* except in accordance with Provincial policy and this Plan;

(f) recreational uses in the Greenbelt Plan Natural Heritage System in accordance with this Plan;

(g) expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses that have less of an environmental impact, subject to demonstration that the use does not expand into the key hydrologic feature or key natural heritage feature or *vegetation protection zone* unless there is no other alternative, in which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure; and

(h) expansions or alterations to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* and expansions to existing residential dwellings if it is demonstrated that:

(i) there is no alternative, and the expansion or alteration in the feature is minimized and, in the *vegetation protection zone*, is directed away from the feature to the maximum extent possible; and

(ii) the impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and

(iii) small-scale structures for recreational uses, including but not limited to, boardwalks, footbridges, fences, docks, and picnic facilities, if measures are taken to minimize the number of such structures and their *negative impacts*.

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

4.5.1. Development and Site Alteration in Adjacent Lands within a ~~Provincial Natural Heritage System~~Greenbelt Plan Natural Heritage System

A proposal for new *development* or *site alteration* within 120 metres of any key natural heritage feature within a ~~Provincial natural heritage system~~Greenbelt Plan Natural Heritage System or any key hydrologic feature outside of *settlement areas* will require an *environmental impact study* and/or *hydrological evaluation* that identifies a *vegetation protection zone*, which:

(a) protects the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;

(b) is established to achieve and be maintained as natural self-sustaining vegetation; and

(c) for *wetlands*, *seepage areas and springs*, *fish habitat*, permanent and intermittent streams, inland lakes and *significant woodlands*, is no less than 30 metres measured from the outside boundary of the feature.

Studies and evaluations undertaken in accordance with the above will also identify any additional restrictions to be applied before, during, and after *development* to protect the *hydrologic functions* and *ecological functions* of the feature.

Development or *site alteration* shall not be permitted in the *vegetation protection zone*, with the exception of ~~that described above,~~ shoreline *development* or *infrastructure* serving the agricultural sector, as permitted in accordance with this Plan.

Notwithstanding the above, an *environmental impact study* will not be required for a proposal for *development* or *site alteration* on a site where the only key natural heritage feature is the *habitat of endangered species and threatened species*.

Notwithstanding the above, new buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* shall not be required to undertake an *environmental impact study* and/or *hydrological evaluation* if a minimum 30 metre *vegetation protection zone* is provided from a key natural heritage feature or key hydrologic feature.

Uses permitted in accordance with the above:

(a) are exempt from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be, used for agricultural purposes, and;
(b) will pursue best management practices to protect and restore key natural heritage features, key hydrologic features, and their functions.

Notwithstanding the above, the following types of minor construction is permitted within a *vegetation protection zone* provided there is no alternative without an *environmental impact study* and/or *hydrological evaluation*:

(a) new buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified* uses below 200 m^2;
(b) expansions to existing buildings and structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* below 50 percent of the size of the original building, provided the expansion is less than 200 m2;
(c) new accessory buildings to a residential use (garage, workshop, etc.) below 50 m2;
(d) expansions to existing accessory buildings to a residential use below 50 percent of the size of the original building;
(e) expansions to existing residential buildings below 50 percent of the size of the original building; and
(f) reconstruction of an existing residential dwelling of the same size at the same location.

4.5.2. Development and Site Alteration within a ~~Provincial Natural Heritage System~~Greenbelt Plan Natural Heritage System

If a site is within the mapped ~~Provincial natural heritage system~~Greenbelt Plan Natural Heritage System, and if an application for *development* or *site alteration* is to be made, the policies above apply, regardless if the site is in a key natural heritage feature, key hydrologic feature, *vegetation protection zone*, or in *adjacent lands*.

New *development* or *site alteration* within a ~~Provincial natural heritage system~~Greenbelt Plan Natural Heritage System shall demonstrate that:

(a) there are no *negative impacts* on key natural heritage features or key hydrologic features or their functions;

(b) connectivity along the system and between key natural heritage features and key hydrologic features located within 240 metres of each other will be maintained or, where possible, enhanced for the movement of native plants and animals across the landscape;

(c) the removal of other natural features not identified as key natural heritage features and key hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;

(d) except for uses described in and governed by the policies dealing with *mineral aggregate resources*, the disturbed area, 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*;

(e) with respect to golf courses, the disturbed area will not exceed 40 per cent of the *total developable area*; and

(f) at least 30 per cent of the *total developable area* will remain or be returned to natural self-sustaining vegetation, except where specified in accordance with the policies dealing with *mineral aggregate resources*.

Notwithstanding the above, the full range of existing and new *agricultural uses*, *agriculture-related uses*, *on-farm diversified uses*, and *normal farm practices* are permitted. New buildings or structures for *agricultural uses*, *agriculture-related uses*, or *on-farm diversified uses* are not subject to the policies above but are subject to the policies for lands within the ~~Provincial Natural Heritage System~~Greenbelt Plan Natural Heritage System.

4.6 SPECIAL POLICY FOR NIAGARA PENINSULA TENDER FRUIT AND GRAPE AREA IN THE GREENBELT PLAN

Notwithstanding any other policies in this Plan, within the Niagara Peninsula Tender Fruit and Grape Area, new buildings or structures for agricultural, agriculture-related and on-farm diversified uses are permitted within 30 metres of permanent and intermittent streams, where:

(a) the permanent or intermittent stream also functions as an agricultural swale, roadside ditch or municipal drain as determined through provincially approved mapping;

(b) a minimum 15 metre vegetation protection zone is established between the building or structure and the permanent or intermittent stream; however, this vegetation

protection zone is not required to be maintained as natural self-sustaining vegetation if the land is and will continue to be used for agricultural purposes;

(c) there is no alternative location for the building or structure on the property without impacting lands that are designated specialty crop area;

(d) a new or replacement individual on-site sewage system will not be located within 30 metres of the stream; and

~~(a)~~(e) agricultural uses, agriculture-related uses and on-farm diversified uses shall pursue best management practices to protect or restore key hydrologic features and functions.

4.7 OTHER NATURAL ENVIRONMENTAL SYSTEM POLICIES

~~4.6.14~~4.7.1 Key Hydrologic Areas, Key Hydrologic Features, and Other Important Water Resources

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

(a) The quantity and quality of water in *key hydrologic areas*, key hydrologic features, sensitive *surface water features*, and sensitive *ground water features*;

(b) The *hydrologic functions* of *key hydrologic areas*, key hydrologic features, sensitive *surface water features*, and sensitive *ground water features*;

(c) The interaction and *linkage* between *key hydrologic areas*, key hydrologic features, sensitive *surface water features*, and sensitive *ground water features* and other components of the natural environment system;

(d) The natural hydrologic characteristics of *watercourses* such as base flow, form and function, and headwater drainage areas;

(e) Natural drainage systems and shorelines areas; and

(f) Flooding or erosion.

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

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

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

(a) The vegetated shoreline should span the entire water frontage and be at least 15 metres in depth from the normal high-water mark;

(b) Where *redevelopment* is proposed, the vegetated shoreline should be achieved through ecological enhancements and the regeneration of natural features to the extent feasible; and

(c) On waterfront lots, outside of the vegetated shoreline area, every effort shall be made to retain existing native vegetation where possible and to augment existing vegetation where needed.

Ground water is an important resource to all Lincoln residents and specifically a source of potable drinking water to many rural residents. It is an important, vital source of water to rural residents in Lincoln.

Key hydrologic areas are part of the Natural Environment System and are mapped as a separate overlay on Schedule 'E2'.

Development or *site alteration* shall not have *negative impacts* on *key hydrologic areas* or their *hydrologic functions*. In areas where development and *site alteration* could have *negative impacts* on ground water quality or quantity the Town shall require further review of potential impacts through the completion of a *subwatershed study* or through the completion of a *hydrological evaluation* during the review of an application for *development* or *site alteration*.

Outside of *settlement areas*, proposals for large-scale *development* proceeding by way of secondary plan, plan of subdivision, vacant land plan of condominium or site plan may be permitted within a key hydrologic area or *sensitive surface water features* where it is demonstrated through a *hydrological evaluation* that the *hydrologic functions*, including the *quality and quantity of water*, of these areas will be protected and, where possible, enhanced or restored through:

(a) The identification of planning, design, and construction practices and techniques;

(b) Meeting other criteria and direction set out in a *watershed plan* or *subwatershed studies* if applicable; and

(c) Meeting any applicable Provincial standards, guidelines, and procedures.

The above does not apply to major *development* in the Greenbelt Plan area that is a new or expanding building or structure for *agricultural uses*, *agriculture-related uses* or *on-farm diversified uses* where the total impervious surface does not exceed 10 per cent of the lot.

The Town requires site plan approval on all lots within *key hydrologic areas* where *individual on-site sewage services* are proposed.

~~4.5.4.~~4.7.2 Other Woodlands

Other woodlands are identified and considered a *natural heritage feature*. The location of known *other woodlands* is shown on Schedule 'E1'.

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

Where it has been determined through the completion of an *environmental impact study* and to the satisfaction of the Town, that the removal of a portion of an *other woodland* may be permitted, a w*oodland enhancement plan* shall be prepared in consultation with other agencies as the Town sees fit. The *woodland enhancement plan* must demonstrate that an enhancement in *woodland* area is achieved, either on the same property or within reasonable proximity. As part of the requirement for a *woodland enhancement plan*, the following should be taken into consideration:

- If the removal occurs within the Urban Area that the enhancement also be provided in the Urban Area
- That the enhancement be in the form of a *woodland* and not just the planting of individual trees, i.e., street planting or ornamental tree planting in a park setting is not considered *woodland* enhancement;
- The goal of the *woodland* enhancement is to create a native *woodland* of equal or greater size;
- Landscape ecology principles including size, patch shape, connectivity, edge to area ratio should be considered;
- Responsibilities will be determined for who will undertake the restoration of the *woodland* and the schedule for implementing the plan;
- The *woodland enhancement plan* includes a project for the long-term maintenance and management of the restoration *woodland* until such time as it is deemed to be self-sufficient or when a public agency assumes responsibility for it; ~~and~~

- The plan includes a monitoring plan and periodic reporting to determine if the *woodland* is progressing toward the approved goal(s) and objectives of the plan; and ~~.~~
- The above considerations will be required to be included as a condition of *development* or *redevelopment.*

Outside of *settlement areas*, *other woodlands* are subject to a 10 metre minimum *buffer* in accordance with Section 4.4.2 of this Plan.

Inside of *settlement areas*, *other woodlands* are subject to an ecologically appropriate *buffer* to be determined at the time an application is made for *development* or *site alteration* in accordance with Section 4.4.4 of this Plan.

Notwithstanding the above, policies related to *other woodlands* do not apply to:

(e) new or expanding *mineral aggregate operations*~~.~~

~~(a)~~(f) ~~Notwithstanding the above policies related to *other woodlands* do not apply to~~ new or expanding buildings or structures for *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* if they are located, designed, and constructed to minimize impacts on the Natural Environment System.

~~4.5.5.~~4.7.3 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 *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 Town

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

(a) the *development* satisfies Federal and Provincial requirements or has been specifically authorized by the appropriate approval authority; and

(b) the regulated *setback*, vegetated shoreline, stormwater management, and slope related policies of this Plan are met, and the proposal is not for major *development*.

~~4.5.6.~~4.7.4 Habitat of Endangered Species and Threatened Species

Development or *site alteration* shall not be permitted in *habitat of endangered species and threatened species*, except in accordance with *p~~P~~rovincial and f~~F~~ederal requirements*.

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

In order to determine the presence of, and to assess the impacts that proposed *development* and activities may have on the *habitat of endangered species and threatened species*, a site assessment by a qualified professional is generally required to be completed using accepted protocols. The assessment shall identify whether the habitat is present and whether the proposed activities will have any impact on *endangered species* and *threatened species* or their habitat. The site assessment may be combined with a broader *environmental impact study*. The Province should be contacted for further direction regarding site-specific proposals.

It is the responsibility of a proponent to work directly with the Province to determine that the *Endangered Species Act* has been, or will be, complied with as a condition of any permit received from the Province ial Ministry with jurisdiction.

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

Development and *site alteration* shall not be permitted within a provincially or regionally *significant* earth science area of natural and scientific interest or within 50 metres of the feature unless it can be demonstrated that there will be no *negative impacts* on the geologically *significant* features, or the interpretative and scientific value for which the earth science area of natural and scientific interest was identified. Applications for *development* and *site alteration* which have the potential for *negative impacts* shall be accompanied by an earth science heritage evaluation which shall be reviewed in consultation with the Provinceial Ministry with jurisdiction. The earth science heritage evaluation shall:

(a) identify planning, design and construction practices that will ensure protection of the geological or geomorphological attributes for which the earth science area of natural and scientific interest was identified; and

(b) determine whether a *buffer* is required, and if so, specify the width of that *buffer*.

Notwithstanding the above, policies related to *significant* earth science *areas of natural and scientific interest* do not apply to new or expanding *mineral aggregate operations*.

4.5.8.4.7.6 Supporting Features and Areas

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

(a) grasslands, thickets, and meadows that support the *ecological functions* of adjacent key natural heritage features, key hydrologic features, and/or *natural heritage features and areas*;

(b) *valleylands*, which includes lands that may have ecological and/or *hydrologic functions*, that are not *significant valleylands*, and are not the site of a permanent or intermittent stream that is regulated by the Conservation Authority;

(c) *wildlife habitat* that is not considered to be *significant wildlife habitat*; and

(d) enhancement areas.

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

If *supporting features and areas* are identified through an *environmental impact study*, *hydrological evaluation*, or *subwatershed study* an evaluation shall determine:

(a) the extent of the supporting feature or area along with its *ecological functions* and relationship to nearby key natural heritage features, key hydrologic features and/or *natural heritage features and areas*;

(b) whether the supporting feature or area should be protected because it supports the ecological and/or *hydrologic functions* of nearby key natural heritage features, key hydrologic features and/or *natural heritage features and areas*; and

(c) conditions to be attached to the approval of the proposed *development* or *site alteration*.

~~4.5.9.~~ 4.7.7 Enhancement Areas

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

(a) increasing the size of key natural heritage features, key hydrologic features and/or *natural heritage features and areas*;

(b) connecting key natural heritage features, key hydrologic features and/or *natural heritage features and areas* to create larger contiguous natural areas;

(c) improving the shape of key natural heritage features, key hydrologic features and/or *natural heritage features and areas* to increase interior habitat conditions; or

(d) including critical function zones and important catchment areas for sustaining *ecological functions*.

The presence of potential *enhancement areas* shall be screened for by a proponent when an *environmental impact study* and/or *hydrological evaluation* is required to support an application for *development* and *site alteration* both inside and outside of *settlement areas* or when a *subwatershed study* is being undertaken. In the case where an *enhancement area* is identified within the study, the *enhancement area* shall be planted and left as natural self-sustaining vegetation. The *enhancement area* may also be designed to include other compatible land uses and *infrastructure*, such as stormwater management ponds, if it can be demonstrated that the long-term *ecological function* of the *enhancement area* would be retained.

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

(a) Assesses the potential ecological benefit of an *enhancement area* to the nearby key natural heritage feature, key hydrologic feature and/or natural heritage feature and area. An example would be an *enhancement area* to fill in a gap, close in an indent, or connect two separate features;

(b) considers the most appropriate shape/extent of an *enhancement area* so that the *ecological functions* of the nearby key natural heritage feature, key hydrologic feature and/or natural heritage feature and area are enhanced; and

(c) considers how the function and spatial extent of an *enhancement area* can be incorporated into the design and layout of the proposed *development*; and

(d) assesses the potential for compatible uses such as stormwater management facilities within the *enhancement area* to ensure that the intended *ecological function* of the *enhancement area* is achieved.

~~4.5.10.~~ 4.7.8 Linkages

Large, medium, and small *linkages* outside of *settlement areas* and outside of the ~~Provincial natural heritage system~~Greenbelt Plan Natural Heritage System and small *linkages* inside of *settlement areas* which are identified between *natural heritage features and areas*, key natural heritage features, and key hydrologic features are shown on Schedule 'E1'.

Only *linkages* which have been mapped as part of the Natural Environment System are shown on Schedule 'E1'. Opportunities for additional, ecologically appropriate, *linkages* shall be screened for when a *subwatershed study* is being completed in support of a Secondary Plan.

When a *subwatershed study* or *environmental impact study* is being undertaken, or when *development* or *site alteration* is proposed in, or within 30 metres of a *linkage* shown on Schedule 'E1', an evaluation shall be completed that:

(a) assesses the ecological features and functions of a *linkage*, including its vegetative, wildlife, and/or landscape features or functions;

(b) identifies appropriate boundaries/widths that permit the movement of wildlife between nearby key natural heritage features, key hydrologic features, and/ or *natural heritage features and areas*;

(c) describes the *ecological functions* the *linkage* is intended to provide and identifies how these *ecological functions* can be maintained or enhanced within a *development* proposal;

(d) assesses the potential for compatible uses including, but not limited to, stormwater management ponds, passive recreational uses, and trails within the *linkage* to determine how the intended *ecological functions* of the *linkage* can be maintained or enhanced;

(e) assesses potential impacts on the *linkage* as a result of the *development*; and

(f) makes recommendations on how to protect, enhance, or mitigate impacts on the *linkage* and its *ecological functions* through avoidance and planning, design, and construction practices.

Possible outcomes of an evaluation carried out in accordance with the above include:

(a) the incorporation of the *linkage* into the *development*, such that *development* would not occur on those lands;

(b) the incorporation of the *linkage* into the *development*, with linear *infrastructure*, and other *infrastructure* and associated small scale structures permitted in the *linkage* in such a manner that protects the long-term *ecological function* of the *linkage*;

(c) the refinement of the location, form, size, shape, or *ecological function* of the *linkage*; or

(d) the elimination of the *linkage* based on area or site-specific analysis. If a *linkage* is proposed to be eliminated it must be demonstrated to the satisfaction of the Town that:

(i) maintaining a *linkage* is not necessary for ecological reasons;

(ii) the loss of the *linkage* will not decrease the overall ecological connectivity in the area; and

(iii) the *linkage* is not required to support the long-term sustainability of the overall natural environment system.

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

Notwithstanding the above, the full range of existing and new *agricultural uses*, *agriculture-related uses*, *on-farm diversified uses*, and *normal farm practices* are permitted within a mapped *linkage* shown on Schedule 'E1'.

Notwithstanding the above, the following types of minor construction is permitted within a *linkage* shown on Schedule 'E1', provided there is no alternative, without a requiring an evaluation:

(a) new accessory buildings to a residential use (garage, workshop, etc.) below 50 m2;

(b) expansions to existing accessory buildings to a residential use below 50 per cent of the size of the original building;

(c) expansions to existing residential buildings below 50 per cent of the size of the original building; and

(d) reconstruction of an existing residential dwelling of the same size in the same location.

Notwithstanding the above, the policies of this section do not apply to new or expanding *mineral aggregate operations*.

~~4.5.11.~~ 4.7.9 Natural Features that have been Disturbed

Where a feature was identified as a *significant woodland* or *other woodland* as of the date of approval of this Plan, ~~,~~ and no longer meets the definition of *significant woodland* or *other woodland* because of either a natural or anthropogenic disturbance, the feature shall retain its status as

either a *significant woodland* or *other woodland* and the policies of this plan shall continue to apply.

Where a natural heritage feature and area, key natural heritage feature, or key hydrologic feature has been removed without authorization in advance of making, or prior to approval of, an application for *development* or *site alteration*, then Town , and/or Conservation Authority staff shall use all available information to determine the limit and classification of the feature that existed, and restoration of the feature shall be required through the approval of the application for *development* or *site alteration*.

~~4.5.12.~~ 4.7.10 Enhancements to the Natural Environment

The Town supports enhancements to the Natural Environment System to support *ecological functions* and improve *ecological integrity* of the Natural Environment System. Enhancements can be as a result of a range of specific actions being undertaken by a landowner, developer, or public agency.

Where the preparation of a *subwatershed study* or an *environmental impact study* is required, the study shall demonstrate how enhancements to *ecological function*, *ecological integrity*, or biodiversity of the Natural Environment System can be achieved, and will be implemented, through for example:

(a) increases in the spatial extent of a feature or features;

(b) increases in biological and habitat diversity;

(c) enhancement of ecological system function;

(d) enhancement of *wildlife habitat*;

(e) enhancement or creation of *wetlands*, water systems or *woodlands*;

(f) enhancement of riparian corridors;

(g) enhancement of ecological services;

(h) enhancement of ground water recharge areas; and

(i) establishment or enhancement of *linkages* or connectivity between key natural heritage features, and/or *natural heritage features and areas*.

~~4.5.13.~~ 4.7.11 Aquatic Species at Risk

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

(a) all reasonable alternatives have been considered to reduce and minimize impacts to natural features and *ecological functions*, and the best solution has been adopted; and

(b) the proposed *development* or *site alteration* activities will not jeopardize the survival, recovery and conservation of species at risk listed in Schedule 1 of the *Species at Risk Act* or in Ontario Regulation 230/08, including their residences and critical habitat.

~~4.5.14.~~ 4.7.12 Cumulative Impacts

The consideration of cumulative impacts shall be required when an *environmental impact study*, *hydrological evaluation*, or *subwatershed study* is undertaken.

Where cumulative impacts are being considered, the proponent shall be required to provide an overview of previous studies as provided by the Town, or the Conservation Authority (if available), related to *development* impacts on the same or adjacent feature as it relates to impacts on the Natural Environment System.

~~4.5.15.~~ 4.7.13 Natural Hazards

Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

(a) *hazardous lands* adjacent to the shorelines of Lake Ontario which are impacted by *flooding hazards*, *erosion hazards*, and/or *dynamic beach hazards*;

~~(a)~~(b) *hazardous lands* adjacent to *river, stream, and small inland lake systems* which are impacted by *flooding hazards* and/or *erosion hazards*; and

~~(b)~~(c) *hazardous sites*.

Development or *site alteration* shall not be permitted within:

(a) the *dynamic beach hazard*;

(b) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazards*, *erosion hazards* and/or *dynamic beach hazards*, unless it has been demonstrated that the site has safe access appropriate for the nature of the *development* and the natural hazard; and

(c) a *floodway* regardless of whether the area of inundation contains high points of land not subject to flooding.

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

(a) in those exceptional situations where a *s~~S~~pecial p~~P~~olicy ~~A~~area* has been approved. The designation of a *~~S~~special ~~P~~policy ~~A~~area*, and any change or modification to the official plan policies, land use designations or boundaries applying to *~~S~~special p~~P~~olicy a~~A~~rea* lands, must be approved by the Ministers of the Provincial Ministries with jurisdiction prior to the approval authority approving such changes or modifications; or

(b) where the *development* is limited to uses that by their nature must locate within the *floodway*, including flood and/or erosion control works or minor additions or passive non-structural uses that do not affect flood flows.

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

(a) an *institutional use* including hospitals, long-term care homes, retirement homes, pre-schools, school nurseries, day cares, and schools;

(b) an *essential emergency service* such as that provided by fire, police, and ambulance stations and electrical substations; or

(c) uses associated with the disposal, manufacture, treatment, or storage of *hazardous substances*.

Where a *two-zone concept* for *floodplain*s is applied, *development* and *site alteration* may be permitted in the *flood fringe*, subject to appropriate flood proofing to the *flooding hazard* elevation or another *flooding hazard* standard approved by the Provinc~~e~~ial Ministry with jurisdiction.

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

(a) *development* and *site alteration* are carried out in accordance with flood proofing, *protection works* standards, and *access standards*;

(b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies;

(c) new hazards are not created, and existing hazards are not aggravated; and

(d) no adverse environmental impacts will result.

~~4.5.16.~~ 4.7.14 Woodland Cover

The Town supports opportunities for enhancement of *woodland* cover, which may be achieved through a number of means, including but not limited to:

(a) the *development* and implementation of an Urban Forest Management Strategy ~~Regional Greening Initiative~~;

(b) regional and Town efforts of tree planting, as well as tree planting programs of the Conservation Authority and other public or private organizations;

(c) private land stewardship that includes protection of existing tree cover and tree planting efforts;

(d) land acquisition or dedication of private land to the Region, Town, Conservation Authority, or other public or private organizations for tree planting and reforestation efforts;

(e) identification of *woodland enhancement* areas through the completion of *watershed plans*, *subwatershed* studies, or similar plans;

(f) required tree and *woodland* protection and planting through the application process for *development* or *site alteration*; and

(g) the *development* of a region-wide strategy for land protection, preservation and securement.

Woodland cover shall be maintained or enhanced in the Town by 2051in accordance with the Town Private Property Tree By-law and Tree Protection and Enhancement Policy and in accordance with Section 8.5 of this Plan.

~~4.5.17.~~ 4.7.15 Wetland Cover

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

~~4.5.18.~~ 4.7.16 Riparian Vegetation Cover

Naturally vegetated riparian areas adjacent to permanent and intermittent streams, *wetlands*, and other waterbodies shall be maintained or enhanced in the Town to support the protection and maintenance of aquatic functions.

The Town supports opportunities for enhancement of riparian vegetation cover which may be achieved through a number of means including:

(a) requiring naturally vegetated shorelines along permanent and intermittent streams and adjacent to *wetlands* and waterbodies as part of an application for *development* or *site alteration*;

(b) working with private landowners and the agricultural community to support stewardship efforts such as planting and maintaining riparian vegetation adjacent to *watercourses*; and

(c) land acquisition or dedication of private land to the Region, Town, Conservation Authority, or other public or private organizations for planting and restoration efforts.

~~4.5.19.~~ 4.7.17 Native and Non-Native Species

The Town requires individuals and agencies to use native species when planting within the Natural Environment System or contiguous to elements of the Natural Environment System, in accordance with the Town's Approved Tree Planting List, which prioritizes native species.

The Town requires the planting of appropriate native species as conditions of all other *development* and *site alteration* applications, consistent with the Approved Tree Planting List.

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

The Town recognizes the ecological threat posed by invasive species and supports the management and elimination of invasive species through coordinated efforts with the Region, Conservation Authority, and other partner agencies.

The Town will discourage the use on non-native invasive species in all *development* applications, particularly those adjacent to the Natural Environment System, and may require the incorporation of invasive species control measures into landscape plans.

In consultation with the Region and Conservation authority, the Town may develop or participate in programs and policies to identify, monitor, manage, and eliminate invasive species within municipal boundaries.

The Town supports the *development* of a Regional Invasive Species Strategy and will collaborate in its implementation to ensure alignment with local ecological restoration and enhancement objectives.

~~4.7~~ 4.8 WATER RESOURCE MANAGEMENT

~~4.7.1~~ 4.8.1 Protection of the Resource

At the present time, many of the Town's rural residents obtain drinking water from private water supplies. Residents of urban ~~S~~s*ettlement* a~~A~~*reas* obtain water from Regional water systems located in Grimsby and St. Catharines. It is a policy of this Plan to protect, improve or restore the quality and quantity of *ground and surface sources of drinking water* for future use by ensuring that *development* and *site alteration* does not cause *negative impacts* on water resources, including cross-jurisdictional and cross-*watershed* impacts.

In an effort to protect surface and ground water resources, objectives of this Plan include:

(a) Managing the use of water resources in a *sustainable* manner that ensures their continued availability to future generations;

(b) Working with the Region, Niagara Peninsula Conservation Authority and the Province to prepare *watershed* and *subwatershed* plans to assist in the proper management of water as a key resource;

(c) Protecting existing surface and ground water quality from degradation and to improve and restore water quality where degraded;

(d) Incorporating source protection objectives into the land use planning process to ensure that the sources of water are not compromised in the future as a result of land use decisions;

(e) Encouraging the establishment of water conservation measures as a way to meet water supply needs in the same manner that alternatives to create new supplies are investigated;

(f) Educating the public on the value of protecting the resource and how they can contribute to its protection; and

(g) Maintain *linkages* and related functions among *ground water features*, *hydrologic function*s, *natural heritage features and area*, and *surface water feature*s including *shoreline areas*.

~~4.7.2~~ 4.8.2 Impact Assessment

Applications for *site alteration* or *development* shall only be permitted if it will not have *negative impacts*, including cross-jurisdictional and cross-watershed impacts, as identified in Section 4.7.1~~5.3~~ of this Plan.

~~4.7.3~~ 4.8.3 Vulnerable Ground water Areas

Vulnerable ground water areas in the Town which are susceptible to the risk of contamination or adverse impact due to hydrologic and hydrogeological dynamics have been identified by the Niagara Region and are shown on Schedule 'E2' to this Plan. Where *development* and/or *site alteration* requires a planning approval, the Town~~, in consultation with the Niagara Region~~ may require the undertaking of a technical study or evaluation to assess the risk of *negative impact* on the aquifer. The scope of such a study or evaluation will be determined through pre-consultation with the Town ~~and Niagara Region~~ and recommendations from such a study that are related to design, or land use will be implemented through zoning or site plan control.

In order to minimize risks posed by land use on this feature, the following uses shall be prohibited on lands identified on Schedule 'E2' as ~~a~~ *highly vulnerable aquifers* ~~ground water area~~ and *significant groundwater recharge areas*:

(a) Generation and storage of hazardous waste or liquid industrial waste;

(b) Waste disposal sites and facilities, organic soil conditioning sites, and snow storage and disposal facilities;

(c) Underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and,

(d) Storage of a contaminant listed in Schedule 3 (Severely Toxic Contaminants) to Regulation 347 of the Revised Regulations of Ontario, 1990 or its successor.

~~4.8~~ 4.9 ENVIRONMENTAL IMPACT STUDIES AND HYDROLOGICAL EVALUATIONS

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

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

(a) Within and outside of *settlement areas*, it is the responsibility of the Town to ensure that:

(i) An *environmental impact study* and/ or *hydrological evaluation* is prepared in accordance with an approved terms of reference and the policies of the Town Official Plan; and

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

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

(a) Outside of *settlement areas*, regardless of who is the approval authority for an application for *development*, it is the responsibility of the Town to ensure that:

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

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

In carrying out this responsibility, the Region Town shall work in consultation with the Town and the Conservation Authority and any other applicable agencies, as required.

4.7.1. 4.9.1 Waiving and Scoping of an Environmental Impact Study and/or Hydrological Evaluation

The Town, in consultation with the other commentingany other applicable agencies bodies, shall review the proposed *development* in accordance with policies of this Plan, Provincial policies, and

the waiving requirements of the Environmental Impact Study Guidelines and/or Hydrological Evaluation Guidelines to determine whether an *environmental impact study* and/or *hydrological evaluation* is required or whether requirements can be waived.

Waving the requirement for an *environmental impact study* and/or *hydrological evaluation* may be subject to conditions.

The Town, in consultation with the other ~~commenting bodies~~relevant agencies, shall scope the contents of the *environmental impact study* and/or *hydrological evaluation* in accordance with the Town's Environmental Impact Study Guidelines and/or Hydrological Evaluation Guidelines.

The Town, at its discretion, may delegate the waiving and/or scoping of an *environmental impact study* and/or *hydrological evaluation* to other relevant agencies if their expertise is required to make this decision.

An *environmental impact study* and/or *hydrological evaluation* is not required for uses authorized under an environmental assessment process, including Class Environmental Assessment, carried out in accordance with Provincial or Federal legislation.

~~4.7.2.~~ 4.9.2 Terms of Reference for an Environmental Impact Study and/or Hydrological Evaluation

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

The terms of reference shall be prepared by a qualified professional retained by the proponent and reviewed by the approval authority and any other ~~commenting bodies~~relevant agencies. It shall be the responsibility of the Town to approve the terms of reference. The ~~approval authority~~Town may require an independent peer review of an *environmental impact study* and/or *hydrological evaluation*, with the costs to be borne by the applicant.

The approval authority shall not accept an *environmental impact study* and/or *hydrological evaluation* unless the terms of reference has been approved.

~~The approval authority may require an independent peer review of an *environmental impact study* and/or *hydrological evaluation*, with the costs to be borne by the applicant.~~

~~4.9~~ 4.10 WATERSHED PLANNING

The Town recognizes the *watershed* as the ecologically meaningful scale for integrated and long-term planning. *Watershed planning* is a proactive process for assessing and documenting existing

conditions, and establishing values, objectives, and targets to support the protection, enhancement or restoration of the natural resources within a *watershed*, with an emphasis on water resources. Carrying out *watershed planning* involves a cross-jurisdictional coordination of efforts in order to best assess cumulative and cross-watershed impacts. Essential to the entire process are the principles of monitoring and adaptive management.

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

- Inform land use, growth and *infrastructure* planning;
- Provide direction for resource planning;
- Prepare management plans and policies; and
- Assist in the protection of water quantity and quality.

~~4.8.1.~~ 4.10.1 Informing Land Use Planning

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

(a) The identification and refinements of the Natural Environment System through the preparation of *subwatershed studies*;

(b) The protection, enhancement, or restoration of the *quality and quantity of water* by making careful decisions on where *development* should be located;

(c) The consideration of cross-jurisdictional and cross-watershed impacts;

(d) Decisions on allocation of growth to ensure that large-scale *development* is directed to the most appropriate locations;

(e) The location and feasibility of settlement boundary expansions;

(f) Proposals for large-scale *development*; and

(g) Planning for water, wastewater, and stormwater *infrastructure* to ensure that decisions on *infrastructure* are integrated with decisions that are designed to protect the Natural Environment System.

~~4.8.2.~~ 4.10.2 Subwatershed Planning

A *subwatershed study* is required to inform the identification and refinement of the Natural Environment System and the *development* of policies to protect the Natural Environment System when Secondary Plans are prepared for *designated growth areas* and other large undeveloped areas.

A *subwatershed study* should generally include, but is not limited to:

- An inventory of existing ecological and hydrological data and conditions;
- The identification of existing and proposed land uses, and the modelling of potential *development* impacts;
- Water quality targets in accordance with the *watershed plan*, Provincial guidelines, or other industry standards and best practices;
- Procedures for monitoring the ~~water~~ *quality and quantity of water* before, during, and after *development*;
- Completion of a water balance;
- Consideration of all elements of the Natural Environment System;
- 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 of cumulative impact of *development*; and
- Implementation and adaptive monitoring plans.

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

The Town, in consultation with ~~the Region,~~ the conservation authority, applicable agencies, and affected landowners if appropriate, shall determine the terms of reference for a *subwatershed study*.

~~4.9.~~4.11 CONTAMINATED SITES

If the site of a proposed use is known or suspected to be contaminated, the Town shall require the proponent to prepare an Environmental Site Assessment in accordance with Provincial direction~~Ontario Regulation 101/07~~ to identify the nature and extent of contamination and develop a remedial plan if required. As a condition of final approval, the proponent will be required to submit an acknowledged Record of Site Condition to confirm that the site is suitable for the intended future use.

The Town may place lands which are known to be contaminated in a Holding (H) Zone to restrict *development* until clearance is provided in the form of an acknowledged Record of Site Condition.

The Implementing Zoning By-law may utilize a Holding Provision on certain properties where incompatible land uses are located in close proximity to each other to ensure that the intent of this Section is met before *development* occurs.

~~4.10.~~ 4.12 REQUIREMENTS FOR AN AGRICULTURAL IMPACT ASSESSMENT

Where non-agricultural *development* is proposed that may have an impact on surrounding *agricultural uses* an *a~~A~~gricultural ~~l~~impact ~~A~~assessment* in accordance with Provincial guidance shall be required to:

- Identify possible adverse impacts on surrounding *agricultural uses*;
- Identify and evaluate locational options for the proposed *development* and demonstrate that the proposed location is the preferred option in terms of minimizing the impact on agriculture; and
- Identify methods of removing or reducing any adverse impacts resulting from the *development*.

~~4.11.~~ 4.13 SOLID WASTE DISPOSAL AREAS

There are three closed waste disposal sites in the Town as shown on ~~the~~ Schedule~~s~~ 'E3' to the Plan. The *development* of new uses or new or enlarged buildings or structures within ~~an assessment area 500 metres~~ the influence area, as determined by Provincial Land Use Compatibility Guidelines or through a site specific study, from the fill area of a closed site, may be permitted provided an assessment is completed to determine:

(a) The impact of any potential methane gas migration;

(b) Whether the proposed use will be adversely affected by noise, odour, dust or other nuisance factors from the waste disposal site;

(c) Potential traffic impacts;

(d) Whether the proposed use will be adversely affected by ground and surface water contamination by leachate migrating from the waste disposal site; ~~and~~

(e) The impact of the proposed use on leachate migration from the landfill site; and

~~(e)~~(f) That the site will not have any unacceptable adverse effects on the proposed development and will not pose any risks to human health and safety.~~.~~

The assessment is intended to address these matters and other items outlined in the Province's Guideline D-4, April 1994, or its successor as required to ensure that the proposed land uses are compatible in nature and do not adversely impact upon each other.

The studies required to support a *development* application within the assessment area shall be based on the type and/or scale of the *development* proposed or the studies may be waived as appropriate. The nature of the required studies and their scope shall be determined by the Town at the time the *development* is proposed.

All lands within the assessment area shall be subject to a Holding Provision in the Implementing Zoning By-law. The lifting of a Holding Provision permitting the *development* of any new use or new or enlarged buildings or structures within the assessment area shall not occur until The Town is satisfied that all of the studies required by the Town have been completed.

In cases where an amendment to the Official Plan and/or Zoning By-law is required to permit a proposed use, appropriate studies dealing with the matters set out above shall be submitted for the consideration by the Town. An amendment to this Plan will be required for a new waste disposal site.

It is a policy of The Town to encourage the reduction, reuse and recycling of solid waste and the collection and storage of recyclable waste on site to ensure that the amount of waste required being stored in landfills is minimized.

~~4.12.~~ 4.14 GAS AND PETROLEUM WELLS

Schedule ‘E3’ identifies the location of gas and petroleum wells in the Town. The status of these wells has been categorized by Provincial authorities as “suspended”, “abandoned”, “active” or “unknown”.

Gas and *p~~P~~etroleum resources* shall be protected from *development* and activities that would preclude or hinder their expansion or continued use or which would be incompatible for reasons of public health, public safety or environmental impact. The Town will support the subsurface storage and retrieval of gas or other hydrocarbons, subject to Provincial regulations, but only if they do not adversely affect current legal land uses or *development* and *natural heritage system* policies in this Plan.

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.

The Town will consult with the Province:

(a) When new non-petroleum *developments* are proposed within 300 metres of an existing well site as identified on Schedule 'E3'; and

(b) Where assistance is needed in the rehabilitation or closure of well sites, specifically where non-producing wells represent a public health hazard.

Where applicable, the Town will require that improperly non-producing wells that are known or discovered on lands during *development* to be properly plugged, capped or otherwise made safe in accordance with Provincial requirements as a condition of a Planning Act approval or as a pre-consultation requirement.

The Town supports the use of technology, such as directional drilling for the exploration and production of subsurface resources from a well site that is located on lands adjacent to a natural heritage area as identified on Schedules 'E1' to 'E3' to this Plan. Petroleum and mineral resource extraction activities shall be conducted in accordance with the Oil, Gas and *Salt Resources Act* and its regulations and standards, as well as a license from the Province ~~Ministry of Northern Development, Mines, Natural Resources and Forestry~~.

New wells and associated works are prohibited from causing any surface or subsurface ecological disturbance to the *natural heritage system* identified on Schedules 'E1' to 'E3' of this Plan where the exploration and associated works are proposed within natural features or within the *adjacent lands* of such features.

Sites with contaminants in land or water shall be assessed and remediated as necessary prior to any activity on the site associated with the proposed use such that there will be no *adverse effects*.

~~4.13.~~ 4.15 LAND USE COMPATIBILITY

It is recognized that some uses may be sensitive to the odour, noise, vibration or other emissions associated with highways, and various type of industries. It is a policy of this Plan that incompatible land uses be separated or otherwise buffered from each other. Where a proposed *development* is located adjacent to a potentially incompatible land use, an assessment (Phase I and II) of the compatibility of the proposal may be required by The Town undertaken in accordance with current guidelines and criteria established by the Province ~~Ministry of Environment and Climate Change~~.

Such a study shall be prepared to the satisfaction of the Town and the appropriate agencies and shall include recommendations on how the impacts can be mitigated. The approval of *development* proposals shall be based upon the achievement of adequate distances and the recommendations of the required studies.

The Implementing Zoning By-law may utilize a Holding Provision on certain properties where incompatible land uses are located in close proximity to each other to ensure that the intent of this Section is met before *development* occurs.

PART 5
ECONOMIC STRATEGY

5.1. ECONOMIC STRATEGY

5.1.1. Introduction

It is the intent of this Plan to protect and support the existing economic base of the Town while providing encouragement and support for diversification and growth. This Plan promotes economic growth and financial sustainability in the Town and supports the goal of the Town to create a business-friendly environment and continue to promote agricultural excellence and innovation. The priority will be to help businesses of all sizes to succeed, leading to job creation through a structured business retention and expansion program; improved availability retail offerings; and *development* of vibrant downtowns.

The full range of agriculturally related activities including agricultural, agri-tourism and *on-farm diversification* uses play a crucial role in the municipality's economy, providing employment and generating business for support service and supply industries. Agriculturally related activities, such as agri-tourism resulting from on-*farm diversification* are a sector that has significant growth potential. The Town is known for its combination of high-quality agricultural lands, scenic lands and waters, natural environment, cultural heritage, trails, farm markets and wineries. The policies of this Plan are designed to support the continued growth and *development* of the Town as a centre of agricultural excellence and a tourist destination while, maintaining or enhancing the natural and cultural amenities that make the municipality attractive to tourists, residents and businesses.

5.1.2. Goals

The Town is committed to the following goals to facilitate a strong, diverse and resilient economy:

(a) To build a local body of knowledge to encourage business to business activity and identify current or potential gaps and assist with addressing identified gaps through dialogue with key stakeholders;

(b) To establish partnerships with other levels of government and key stakeholders to educate consumers about key products and services from the Town;

(c) To assist with the *development* of a branding and marketing programs based on food safety and quality;

(d) To cultivate agricultural excellence through support for innovation to drive diversity through both traditional and value-added agriculture and expand programs with

community partners to support and educate on agricultural innovation and irrigation as economic drivers;

(e) To position agriculture, food processing, food and floral retail, tourism and manufacturing in the Town as a “great place to do business”;

(f) To create an environment to support business retention and expansion;

(g) To encourage employment *development* in urban areas while recognizing the contribution of rural employment in the agricultural community toward Niagara’s prosperity;

(h) To create a system for examining alternatives to business closure;

(i) To establish partnerships with universities and colleges to identify synergies and emerging work force needs by becoming a partner in developing programs to support food, farming and manufacturing; and

(j) To ensure a coordinated, integrated and comprehensive approach is used in respect to the Town’s Economic Development Strategy.

5.1.3. Objectives

(a) To continue to be a leading municipality in the context of agricultural excellence through on-going support of agri-tourism and *farm diversification* opportunities.

(b) To promote the Niagara Benchlands as the Town of Lincoln’s destination brand to support and diversify the local tourism economy.

(c) To support opportunities for industrial growth and employment within the Town.

(d) To promote opportunities to educate visitors about the diversity of agricultural activities in the Town.

(e) Facilitate partnerships and promote the sharing of ideas and information.

(f) Identify opportunities for strategic investments that further economic prosperity.

5.1.4. Policies

(a) Economic growth and stability shall be encouraged by:

(i) Implementing an economic *development* strategy to support Lincoln's key sectors of agriculture, tourism, food and beverage and manufacturing.

(ii) Developing policies to provide for high quality industrial businesses at designated locations within the Town's *urban area boundaries* ~~Urban Area boundaries~~ along the Queen Elizabeth Way, with special emphasis on the greenhouse industry and services, agricultural services, corporate head offices, distribution services, business services, small business and high technology industries.

(iii) Reinforcing the need for a GO~~o~~ Station in the Town with the Province.

(iv) Promoting agriculture, agri-tourism and *on-farm diversification* uses to improve the economic value of agricultural products and to contribute to the sustainability and viability of farming in order to ensure the preservation of the agricultural land base and scenic quality of the agricultural landscape.

(v) Facilitating opportunities for local food production and sale both on farm and in the urban areas.

(vi) Leveraging the presence of research facilities to attract educational and research services.

(vii) Promoting commercial, recreational, prestige residential and prestige industrial opportunities within designated areas.

(viii) Become a top tourist destination through attraction of visitors to the community to create new jobs and help foster economic growth.

(ix) Develop and implement a Destination Marketing Organization (DMO) in collaboration with both public and private sector partners to market Lincoln and surrounding areas as a premier tourist destination.

(x) Support the *development* of the Mid-Peninsula Highway as a means to assist in preservation of *Specialty Crop* ~~*Agricultural*~~ land.

(xi) Ensuring that a possible new escarpment crossing or the expansion of existing escarpment crossings are designed to minimize the impact on *Specialty Crop* ~~*Agricultural*~~ lands in keeping with the Regional Smart Growth Strategy.

(xii) To promote *linkages* and open spaces which provide a system of parks, trails and nature-based attractions for appreciating the wide variety of natural and cultural amenities. The routes include *linkages* for hiking, cycling, car touring, and water-based routes for canoes and other non-motorized vessels. The routes also link villages and wineries, market farms and restaurants.

(xiii) To support partnerships with the Region and other agencies to continue to build a **Centre of Excellence for Agriculture**.

(xiv) Promote walkable, bikeable neighbourhoods.

(xv) Planning for, protecting and preserving for current and future uses that support the diversification of Niagara's economic base and enhances competitiveness.

(xvi) Support the provision of *affordable* housing for workers across all sectors.

(xvii) Planning for an adequate supply and mix of rental and ownership housing for all stages of life to support opportunities to live, work, and study in Lincoln

(xviii) Support economic opportunities associated with climate change such as *development* of green energy *infrastructure* that may facilitate job creation, skills *development* and economic diversification

(xix) Undertake climate change adaptation planning to support the creation of climate-resilient communities and reduce financial risks to governments, businesses and households. The policies of Section 3.5 apply to all urban *employment lands*, and the special provisions of Section 2.1.6.7 apply to ~~all~~ rural *employment lands* identified on Schedule 'A1'.

PART 6
TRANSPORTATION

6.1. TRANSPORTATION

6.1.1. Introduction

It is the Town's intent to ensure *major goods movement facilities and corridors* are protected for the long term and to ensure a safe and adequate system for the movement of people and goods throughout the Town, including *active transportation*. This system includes the public road network, the rail system for freight and passenger service, trails and bikes. The objective of the resulting *sustainable* network will be to accommodate forecasted population and employment growth and help mitigate and adapt to the impacts of climate change.

The Town will work to implement a ~~C~~c*omplete* ~~S~~s*treets* design approach to transportation planning which is intended to consider all potential users of the transportation network.

The Town will work with all required stakeholders toward *affordable* and accessible transit options including *development* of a GO Transit Station and to implement and enhance *active transportation* planning to increase non-motorized options to get around, including walkability, cycling and trails.

6.1.2. Objectives

(a) To implement *complete streets* ideologies and policies within the Regional Complete Streets Design Manual which provides the *infrastructure* support for *complete communities* where neighbourhoods are well connected to each other, commercial areas, *employment areas*, and community facilities with a safe and efficient transportation network that accommodates all users on all roads.

(b) Continue to develop and implement road safety initiatives such as speed reduction, traffic calming and joint truck traffic safety blitzes and enforcement initiatives.

(c) To reduce car dependence, support *active transportation* and an efficient *sustainable transportation system*.

(d) To develop and maintain a suitable road hierarchy within the Town.

(e) To maintain the road system within the Town jurisdiction in accordance with the Transportation Master Plan and the forecasted Capital Budget.

(f) To promote municipal and interregional transit service within and to the Town including continued provision and enhancement of demand-responsive transit service.

(g) To promote GO transit commuter rail service to the Town.

(h) To maintain and improve connectively within and among *transportation systems* and modes of travel, including connections which cross jurisdictional boundaries and enhancement of interconnected *active transportation systems*.

(i) To integrate land use and transportation considerations at all stages of the planning process.

(k) To efficiently use existing and planned *infrastructure* through *transportation demand management* strategies.

(l) To provide safe, energy efficient *transportation systems* that facilitate the movement of people and goods, which are appropriate to address projected needs, and support the use of zero – and low – emission vehicles.

(m) To promote the co-location of linear *infrastructure*, where appropriate.

(n) Public transit will be a priority for transportation planning and investments to address the impacts of climate change; assist in achieving social equity; provide *multimodal* access to *major transit station areas* and other *major trip generators*; and reduce dependence on the automobile.

(o) Public transit to areas that have achieved, or will be planned to achieve *transit-supportive* residential, commercial, institutional and employment densities will be supported along with improving *linkages* from nearby neighbourhoods to *major trip generators*, such as *strategic growth areas*, ~~employment,~~ *employment lands*, tourism destinations, *public service facilities*, and post-secondary institutions.~~;~~

(p) Improving accessibility to public transit, including to and from *active transportation* networks.

6.1.3. Transportation Corridors

(a) *Development* shall not be permitted in *planned corridors* that could preclude or hinder or negatively affect the use of the corridor for the purpose(s) for which it was identified.

(b) New *development* proposed on *adjacent lands* to existing or planned corridors and transportation facilities should be compatible with, and supportive of, the long-term purposes of the corridor and should be designed to avoid, mitigate or minimize *negative impacts* on and from the corridor and transportation facilities.

(c) The *development* of lands adjacent to or near *major goods movement facilities and corridors* will be compatible with the goods movement function of those facilities and be designed to avoid, mitigate or minimize *negative impacts* on and from the facilities and corridors.

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

(e) The Town supports the establishment of new *transportation corridors* provided that:

(i) There are no *negative impacts* on existing stable neighbourhoods and communities;
(ii) There are no additional pressures created for *development* on *Specialty ~~Agricultural~~ Crop Areas~~lands~~*; and
(iii) The corridor is consistent with the Region's Smart Growth Strategy.

(f) The Town acknowledges that until a new escarpment crossing or other viable alternative is realized, Victoria Avenue, Ontario Street and the portion of Mountain Road north of Fly Road will to continue to be used as a corridor for all forms of vehicular traffic including commercial vehicles for moving goods and that it will continue to be identified by the Province as being part of its Strategic Goods Movement Network. Accordingly, the Town will continue to work with the Province and Region to continually evaluate opportunities to maintain and enhance road safety for all users.

The Town will liaise with the Region and Province, as required, to ensure decisions on *development* applications will not preclude or negatively affect the use of *planned corridors* for the purpose(s) for which it was identified.

6.1.4. Road Network

(a) The road network within the Town as identified on Schedule 'D1' of this Plan consists of Provincial highways (Queen Elizabeth Way), the Regional road system and the municipal road system.

(b) The road network shall be planned and implemented in accordance with the ~~following~~ functional classifications outlined in Sections 6.1.4.1, 6.1.4.2, 6.1.4.3.~~:~~

6.1.4.1. Provincial Highways

Provincial highways provide strategic inter-regional links in the road network. Within the Town, the Queen Elizabeth Way is a controlled access expressway with a limited number of interchanges with strategic Regional and Municipal roads. Right-of-way widths, *setback* standards, *access standards* and control over adjacent signage are within the jurisdiction of the Province~~Ministry of Transportation~~.

6.1.4.2. Regional Roads

Regional roads provide strategic links in the Regional and Municipal road network and generally fulfil an arterial road function. Such roads generally carry large volumes of all forms of vehicular traffic within and through the Town and must be designed and maintained to ensure the safety of pedestrians and cyclists.

The Wine Route, as identified on Schedule 'D1', provides key functions related to tourism. Within the rights-of-way of these important routes, special provisions for alternative *development* standards and design treatments shall be established, in consideration of the Regional Complete Streets Design Manual. The design of these roads will recognize existing *development* patterns, and shall incorporate where appropriate, on-street parking, bicycle paths and enhanced landscaping. The Town will work with the Region to ensure that the following key principles are considered in the future improvement of these roads:

(a) Develop a program of coordinated signage to identify and market the themes promoted along the Regional roads;

(b) Enhance the visual appeal of the Regional roads through streetscape treatment which should include trees and other landscape upgrading, special lighting and banners;

(c) Encourage high quality *redevelopment* of properties along the Regional roads. Buildings should be oriented to front, face and feature the road. Large parking areas should be located behind or at the side of buildings and, where visible from the road, must include substantial landscape treatment;

(d) Develop gateways to define special precincts along the route, to disseminate information and to mark entrances to the Ball's Falls Heritage Conservation Area, the Beamsville, Vineland and Jordan Central Business Districts and Prudhommes; and

(e) Discourage further right-of-way and/or pavement width widening, except to accommodate cycling facilities and/or on street parking within the identified ~~S~~*settlement areas*, where appropriate.

To ensure Regional Roads accommodate future growth and support diverse forms of transportation, the following policies are applicable:

(a) As conditions of the approval of a *development* application under the Planning Act:

(i) The Region may acquire land from the landowner required for the road allowance as identified in ~~Appendix~~ Table 6.1 of this Plan, at no cost to the Region and free of all encumbrances, encroachments, and improvements unless otherwise agreed to by the Region; and

(ii) The Region shall be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened road allowance is in place.

(b) The conveyance of lands shall be required at no cost to the Region as a condition of the approval of a *development* application, beyond the designated road allowance widths identified in Table 6.1, to accommodate items such as Regional sight triangles (identified in Table 6.2 of this Plan), turning lands, channelization, grade separations, traffic control devices, rapid transit, public transit facilities and rights-of-way, *active transportation*, cuts, fills, and storm drainage requirements, as required to meet accepted engineering design standards. Further, the Region may, without an amendment to this Plan, update the designated road allowance widths in Table 6.1 where an alternate has been approved through a completed Municipal Class Environmental Assessment. Additional land that exceeds the road allowance widths identified in Table 6.1 may be acquired by the Region at its own expense, without an amendment to this Plan.

Table 6.1 ~~–~~ Regional Road Allowance Widths

Regional Road Number	Road Name	Road Segment	Width in Metres
18	Mountain Rd / Ontario St	Fly Rd – Greenlane Rd	26.2
	Ontario St	Greenlane Rd – QEW South Service Rd	30.5
24	Victoria Ave	Twenty Mile Rd – Spring Creek Rd	30.5
		Spring Creek Rd – King St	26.2
		King St – Tallman Dr	26.2
		Tallman Dr – QEW South Service Rd	26.2
26	Jordan Rd	King Street – Fourth Ave	30.5
		Fourth Ave – Red Maple Ave	26.2
		Red Maple Ave – Chestnut St	20.1

		Chestnut St – QEW South Service Rd	26.2
39	QEW North Service Rd	Western Boundary of Lincoln – Eastern Boundary of Lincoln (discontinuous)	26.2
40	QEW South Service Rd	Western Boundary of Lincoln – Eastern Boundary of Lincoln (discontinuous)	26.2
69	Twenty Rd	Tintern Rd – Eighth Ave / Twenty Rd	26.2
	Pelham Rd	Eighth Ave / Twenty Rd – Eastern Boundary of Lincoln	20.1
73	Fly Rd	Western Boundary of Lincoln – Western Boundary of Campden	26.2
		Western Boundary of Campden – University St	20.1
		University St – Victoria Ave	26.2
77	Fourth Ave	Jordan Rd – Eastern Boundary of Lincoln	20.1
81*	King St	Western Boundary of Lincoln – Lincoln Ave	26.2
		Lincoln Ave – Bartlett Rd	20.1
		Bartlett Rd – Rittenhouse Rd	26.2
		Rittenhouse Rd – Orchard Ave	20.1
		Orchard Ave – Eastern Boundary of Lincoln	26.2
669	Eighth Ave	Victoria Ave – Twenty Rd	26.2

* Regional Road 81 shall be subject to further study before any road reconstruction.

Table 6.2 – Regional Minimum Sight Triangle Requirements

Regional Intersection Type	Minimum Sight Triangle Distance Requirements
Urban (signalized)	10 metres x 10 metres
Urban (non-signalized)	6 metres x 6 metres

(c) Land for Regional Road widenings will be required equally from both sides of the centreline of the designated Regional Road unless existing land uses, topographic features or other physical or environmental constraints necessitate taking greater widening on one side than the other.

(d) As part of the *development* application process, a road allowance not yet owned by the Region and identified in the Region's Transportation Master Plan should be protected in the following cases:

(i) A municipal street that could be ultimately assumed by the Region; and
(ii) Plans for the extension of an existing road allowance.

(e) Where new *development* for a *sensitive land use* is adjacent to a Regional Road, the Region will consider the need for a noise study or noise control measures to address traffic noise as per Provincial guidelines.

(f) The rights-of-way for the Region's *transportation system*, *major goods movement facilities and corridors*, *active transportation* and public transit facilities will be planned and protected to meet current and projected needs, while ensuring that

development is not permitted in *planned corridors* that could preclude or negatively affect the purposes of the corridor.

(g) The co-location of linear *infrastructure*, such as *utilities* and municipal water and wastewater systems/services, along Regional Roads is encouraged.

(h) As part of the construction, optimization, or expansion of transportation *infrastructure* within the Regional agricultural area and integrated natural environment system, the following will be required:

(i) The preparation of an *agricultural impact assessment*, or equivalent analysis as part of a Municipal Class Environmental Assessment, that demonstrates that any impacts on the *agricultural system* have been avoided or, if avoidance is not possible, minimized, and, to the extent feasible, mitigates; and/or

(ii) The preparation of an *environmental impact study*, or equivalent analysis as part of a Municipal Class Environmental Assessment, that demonstrates that any impacts on the *natural heritage system*, key natural heritage features, key hydrologic features and *key hydrologic areas* have been avoided, or, if avoidance is not possible, minimized, and to the extent feasible, mitigates; and

(iii) The preparation of an archaeological assessment ~~assessment on the impact on archaeology and/or cultural heritage~~ in accordance with the policies of this Plan.

6.1.4.3. Municipal Roads

Municipal roads provide direct access to abutting properties and complete the road network within the Town. Such roads can provide a collector road function which carries a medium to high volume of traffic generally within *s~~S~~ettlement areas*. Municipal road classifications are identified on Schedule 'D1'. Collector roads shall have a right-of-way width of 23 metres. Local roads shall have a right-of-way width of 20 metres. Minor collector roads generally fulfil a collector and/or local road function and may have a right-of-way width ranging between 20 to 23 metres, depending on the function within the section of road.

Private roads created through the condominium process shall be a minimum of 6 metres. In addition to this, incorporation of visitor parking is strongly encouraged.

To ensure the structural and functional integrity of the local road system, The Town shall maintain an up-to-date Road Needs Study and forecasted Capital Budget in order to prioritize necessary road improvements.

The Town will use urban design policies and standards for all road construction and improvement projects to ensure the road design supports *active transportation*, safety for all road users (including farm operators with large, slow moving farm vehicles/machinery) and complements adjacent land uses.

Road resurfacing and reconstruction will be viewed as an opportunity for improving *infrastructure* for all modes of travel.

On local roads, dedicated one side parking shall be established. On arterial and collector roads within *sSettlement areas*, on-street parking shall be promoted to reduce the speed of traffic.

The Town shall consider establishment of truck routes in order to avoid traffic conflicts within residential neighbourhoods. The establishment of a truck route network shall consider the corridor's land use and urban design context, as well as *cComplete sStreets* principles, to balance supporting desirable goods movement and vibrant neighbourhoods. Trucks not engaged in making deliveries shall be prohibited within residential subdivisions.

Access location and design shall be properly controlled by the respective road jurisdiction to prevent traffic hazards and restrictions to roadside drainage.

A grid street pattern and safe convenience pedestrian road crossings are encouraged. Dead ends, cul-de-sacs and wide roads are discouraged because they decrease neighbourhood connectivity and present barriers to efficient, safe pedestrian and bicycle movement.

6.1.5. Bikeway Network

The Town shall assist in the implementation of the Regional Bikeway Network within the Town to develop an on-road primary bikeway network. Secondary and tertiary on-road routes will also be developed to support the Regional Niagara Bicycling Network. The Regional Bikeway Network is identified on Schedules 'D2', 'D3', 'D4' and 'D5' of this Plan.

6.1.6. GO Transit

The Town shall make every effort to promote GO Transit commuter service through the Town. Station facilities shall be coordinated with interregional bus services and any local taxi services. A future site for transit has been identified on Schedule 'A2'. No *development* will be permitted which prohibits the site from being utilized for future transit use.

6.1.7. Freight Rail Service

It shall be a policy of The Town to support freight rail service to industrial areas in the Town. Rail sidings shall be encouraged in industrial areas to serve more than one industry. The Town shall make every effort to limit conflicts with vehicular traffic and adjacent land uses.

(a) Consultation is required with Canadian National Railway, where applicable, for any *development*, *redevelopment* or *site alteration* adjacent to or within the vicinity of railway main line or spur line right-of-ways. Noise, vibration, drainage and other studies may be required in the evaluation of *development, redevelopment* or *site alteration*. Noise and vibration attenuation, minimum building, structure and use *setbacks* from the rail right-of-way, berming, buffering, safety features, and other mitigative measures may be required, as well as safety clauses, warning clauses, environmental easements and assigning of rights-of way.

6.2. ACTIVE TRANSPORTATION

6.2.1. Introduction

Walking, hiking and bicycling are all considered valuable means of transportation, and a key component of the tourism attraction inventory in the Town. Facilities associated with walking, hiking and cycling are related to the physical environment, and, as such, the following objectives and policies reflect the Town aspirations and priorities. The Trail and Bikeway System is identified on Schedules ‘D2’, ‘D3’,’D4’ and ‘D5’ of this Plan.

6.2.2. Objectives

(a) To implement the Town’s Active Transportation Master Plan and consider Regional Complete Streets Design Manual to improve *active transportation* opportunities throughout the Town and enhance connectivity.

(b) To encourage walking, hiking and bicycling, and work towards a safe, user-friendly environment in the Town that will enhance the overall quality of life and will help to promote tourism.

(c) To provide continuous linkages from neighbourhoods to retail areas, *employment land*, tourism destinations, *public service facilities*, post secondary institutions and transit stations, including sidewalks, and dedicated lane space for cyclists or other safe and convenient alternatives

(e) To promote trail use safety through education and enforcement initiatives.

(f) To recognize and support walking, hiking and cycling as environmentally *sustainable* forms of transportation for utilitarian and recreational purposes.

(g) To promote walking, hiking and cycling as key components of the Town tourism experience in partnership with the Region, the Niagara Peninsula Conservation Authority, the private sector and other agencies.

(h) To support a Regional Trails Network and related *infrastructure* that is planned, designed, constructed, and maintained according to recognized environmental and engineering standards and/or guidelines.

(i) To incorporate walking, hiking and cycling in the Town land use and transportation planning activities.

(j) To encourage and ensure the integration of the variety of trail facilities within the Town, including the Regional Bicycling Network, the Bruce Trail, the Waterfront Trail, the Twenty Valley Trail and other networks outside of the Town with external funding partners.

(k) To support the Region's Wayfinding Signage for Cyclists guidelines to provide direction on the design, refurbishment or reconstruction of Regional Roads.

(l) To maximize the annual improvements for trails with the aim of completing major continuous segments of the Trail Network in as timely a manner as possible.

(m) To promote a land use pattern, density and a mix of uses to minimize the length and number of vehicle trips to support current and future use of transit and *active transportation*.

6.2.3. Policies

(a) Ensure implementation of the overall Trails Network where it follows municipal roads, and facilitate implementation elsewhere, in cooperation with the Region, the Niagara Peninsula Conservation Authority, other agencies having jurisdiction and landowners. It is the intent of the Town that continuous and safe linkages are established through capital works and related programs, including partnerships with the private sector.

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

(c) Adopt provincially and/or nationally recognized environmental and engineering standards as guidelines to assist in the planning and design of trail facilities on the Trails Network.

(d) Prior to the design and construction of a trail or related facility, design issues including land use compatibility, safety and operational matters will be considered as well as the cultural, scenic and other environmental attributes through which the designated routes pass.

(e) Request other agencies to plan and develop trails and facilities, and that these organizations and *utility* companies consider provisions for the safety and convenient use in their planning documents and proposed capital works budgets.

(f) Support in the protection of abandoned rail lines, unopened road allowances and other linear corridors for off-road trails; consider the various means to protect such corridors; and ensure that the Zoning By-law contains minimum provisions for safe and secure parking and trail head facilities in high activity areas.

(g) Recognize that trail routes located on private property will only remain open with the approval of the property owner.

(h) Pedestrian walking trails, hiking trails, cycling routes, access points and educational/interpretive displays shall be permitted within all land use designations.

(i) Requests to close road allowances and road allowances leading to Lake Ontario will only be considered if alternative public access is made available.

(j) The policies in the Region's Model Urban Design Guidelines, the Complete Streets Design Manual and Guidelines, and Wayfinding Signage for Cyclists Guidelines will be utilized when providing comments on *development* applications located along Regional Roads.

(k) Support the use of bicycle *infrastructure* to ensure a connected and extended bicycle network within the Town and Region.

(l) Where *development* within the *s~~S~~ettlement ~~A~~a~~a~~rea* is proposed along Lake Ontario:

(i) Public Access to the shoreline shall be provided;
(ii) Efforts shall be made to maintain a view of the shoreline from beyond the *development*;
(iii) Where feasible, the shoreline should be maintained in, or restored to a naturally vegetated state;

(iv) Suitable shoreline lands shall be dedicated to an appropriate public agency where such lands would provide public benefits or are identified as part of a planned public trail system. Normally these lands shall be located above the top of bank;

(v) *Sustainable design* principles shall be applied to the *public realm*, *infrastructure*, *public service facilities*, *development* and streets; and

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

PART 7
MUNICIPAL SERVICING

7.1. SERVICING AND INFRASTRUCTURE

7.1.1. Introduction

It is the intent of the Town to ensure the provision and improvement of municipal services including municipal water supply, storm and sanitary sewers as required to effectively meet the current and projected needs of the Town's Urban Areas. *Development* in areas beyond established *urban area boundaries* ~~Urban Area boundaries~~ shall be serviced by *sustainable private services* in accordance with the requirements of the Region.

A coordinated, integrated, and comprehensive approach using the minimum *intensification* and density targets of this Plan, will continue to be used for the planning, *development*, and management of *infrastructure* within municipalities, across lower tier and upper-tier municipal boundaries, and with other orders of government, agencies, and boards. **All servicing considerations will be undertaken in accordance with the preferred servicing hierarchy for planning for sewage, water and stormwater services as identified in the PPS.**

7.1.2. Objectives

(a) To co-operate with the Region concerning provision of municipal water, sanitary sewers and storm sewers.

(b) To direct and accommodate expected growth or *development* in a manner that promotes the efficient use and optimization of municipal water and sanitary and storm sewers.

(c) To ensure the efficient use and optimization of *sustainable private services* for *development* outside of the *urban area boundary*~~*Urban Area Boundary*~~.

(d) To ensure that municipal water and sanitary and storm sewer services can be sustained by the water resources upon which the services rely.

(e) To ensure that municipal water and sanitary and storm sewer services are financially viable and comply with all regulatory requirements and protect human health and the natural environment.

(f) To promote water conservation and efficient water use.

(g) To integrate servicing and land use considerations at all stages of the planning process.

(h) To support optimizing the long-term availability and use of land, resources, *infrastructure*, electricity generation facilities and transmission and distribution systems, and *public service facilities*.

(i) Promote the use of *green infrastructure* and *low impact development* by considering *green infrastructure* in projects and encouraging its use through review of *development* applications.

(j) 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 the Town's asset management planning.

(k) To strategically locate *infrastructure* and *public service facilities* to support the effective and efficient delivery of emergency management services and to ensure the protection of public health and safety.

7.1.3. Urban Settlement Areas

Residential development should be directed to settlement areas, including Urban Areas and hamlets, by prioritizing full municipal water and wastewater services where available, and permitting communal or individual services where municipal servicing is not feasible and such services can be demonstrated to be appropriate, sustainable, and protective of public health and the environment.

All *development* within the ~~*U*~~*urban* ~~*s*~~*Settlement A*~~*a*~~*rea* ~~*B*~~*boundaries* shall be provided with municipal water supply and storm and sanitary sewers, as required based on growth forecasts that are updated throughout the life of this plan. Municipal water supply and storm and sanitary sewers shall be coordinated and integrated with land use planning so that they are financially viable over their life cycle as demonstrated through Town asset management planning. *Development* within the urban area shall only be permitted in a well-planned and progressive manner subject to the policies of this Plan.

Infrastructure planning, *development*, and asset management shall be undertaken in support of the growth management policies of this Plan to promote sustainability and the achievement of *complete communities*. This will be achieved through consideration of growth forecasts for the Town of Lincoln, as updated based on new information that comes available, and in consultation with Niagara Region, where required, to ensure alignment with the Region's Water and Wastewater Master Servicing Plan.

Before consideration is given to developing new *infrastructure*, the Region and Local Area Municipalities shall determine existing servicing capacity, optimize the use of existing *infrastructure*, and plan and direct growth, in a manner that promotes efficient use of existing services while aligning with protection of the surrounding natural environment and incorporation of *watershed planning*.

7.1.4. Outside Urban Settlement Areas

Municipal water supply mains or municipal sewers shall not be extended outside the urban areas except:

(a) Where necessary to correct an existing health problem as determined by the Medical Officer of Health or where there is a clean-up order from the Province ~~Ministry of the Environment, Conservation and Parks~~, and provided all alternatives to municipal mains for resolving health concerns have been considered; and

(b) Where extensions of the water supply system are for necessary operating purposes, such as the looping of existing mains, the replacement of existing mains, and the interconnection of urban areas.

All *development* outside the urban areas shall be serviced by *sustainable individual on-site water* and *individual on-site sewage services*, except an existing lot of record outside the urban areas may be permitted to connect to existing municipal services where municipal sewers or water supply mains have been previously extended outside the urban areas, subject to confirmation of sufficient water/wastewater capacity. However, this does not include any *infrastructure* owned and operated by Niagara Region.

7.1.5. Water Supply and Sanitary Sewers

(a) The Region will provide and maintain an adequate water supply and sewage treatment system for designated urban areas in accordance with the Regional Water and Wastewater Master Servicing Plan, as amended.

(b) All *infrastructure* supplies and connections shall conform to applicable MECP and Town ~~D~~design requirements.

(c) All *development* in the ~~u~~Urban ~~a~~Area shall be provided with a municipal water supply and sanitary sewers.

(d) *Partial services* shall only be permitted in the following circumstances:

(i) Where they are necessary to address failed *individual on-site sewage services* and *individual on-site water services* in existing *development*; or

(ii) Within *settlement areas*, to allow for infilling and minor rounding out of existing *development* on *partial services* provided that site conditions are suitable for the long-term provision of such services with no *negative impacts*.

(iii) Within rural *settlement areas* where new development will be serviced by *individual on-site water services* in combination with *municipal sewage services* or *private communal sewage services*.

(e) Private *development* in the ~~u~~Urban ~~a~~Area that is created through a condominium process shall be adequately serviced with water and sanitary sewer.

(f) The Town shall co-operate with the Region to identify and correct deficiencies within the municipal water supply and sewage collection system.

(g) Town water supply mains which have been extended beyond the urban area shall only be made available where they exist along the frontage of existing lots of record. In these areas, a maximum connection size of 2.54 cm (1") may be permitted unless submitted engineered calculations demonstrates feasibility to the Town's satisfaction for larger diameter to support potable water uses only (i.e. kitchen, toilet, shower).

(h) *Development* shall only be permitted in areas beyond the *urban area boundary* ~~*Urban Area Boundary*~~ on *sustainable* private water services and sewage disposal systems that meet the requirements of the Region and/or the Province ~~Ministry of the Environment~~. Connection to municipal water and/or sanitary services that are readily available across the frontage of the lands may be permitted, subject to the policies of the Town~~Regional Official Plan~~. Subdivision *development* in ~~*R*~~*rural* ~~*S*~~*ssettlement* areas shall only be permitted based on studies by a qualified practitioner to determine the availability of ground water and the suitability of soils for private sewage disposal systems.

(i) Planning for sewage services shall direct and accommodate expected growth or *development* in a manner that promotes the efficient use and optimization of existing *municipal sewage services*.

(j) The Town and the Region, through the establishment of the 5-year Regional Capital Works Budget, shall attempt to ensure that water and sewage facilities within the Town are adequate to achieve:

(i) A continuous three-year supply of a combination of draft approved and/or registered lots and blocks on plans of subdivision;

(ii) At least a twenty-year capability to accommodate the residential needs of the Town.

(k) Prior to any planning approvals, new *development* applications requiring a Provincial Permit to Take Water shall satisfy the Region that the water taking will not have *negative impacts* on natural *ecosystems* or the *quality and quantity of water* to meet existing and planned uses.

(l) The potential impact of climate change on the planning and sizing of water and wastewater *infrastructure* shall be considered.

(m) 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.

(n) *Infrastructure* will be planned through the appropriate environmental assessment process, ensuring full regard for the natural environment system, cultural heritage resources, and natural hazard areas of the region.

(o) Prior to approval of *development*, the Town shall ensure that required water and *wastewater services* and servicing capacity is available to support the *development*.

(p) The Town, in coordination with the Region, will comprehensively approach and integrate growth with required *infrastructure* and establish priority and phasing policies for water and *wastewater services*.

(q) Private lateral connections to Regional water or wastewater mains are discouraged. Outside of urban areas, lateral connections to Regional water or wastewater mains are not permitted.

(r) The Region will endeavour to:

(i) Maintain sufficient reserve capacity in its water and wastewater *infrastructure* and facilities to provide operational flexibility and meet potential changes in servicing conditions;
(ii) Ensure new *development* will not put the Region out of compliance with regulations and the Region will consider opportunities to maintain or reduce wet weather overflow occurrence; and
(iii) Provide reliability, redundancy and security in its water and wastewater systems with attention to high risk and critical areas.

(s) The Region will review a combination of servicing strategies including *infrastructure* and non-*infrastructure* solutions to meet wet weather level of service and provide sufficient wastewater capacity. The Region will work collaboratively with the Local Area Municipalities to reduce wet weather flows in the sanitary system.

(t) Any extensions of the existing water supply or sewage disposal systems must have approval through the current water licenses and sewage disposal system approvals from both the Town and Region.

(u) 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.

7.1.6. Stormwater Management

(a) Planning for stormwater management shall:

(i) Be integrated with planning for sanitary and water services and ensure that systems are optimized, feasible and financially viable over the long term;
(ii) Minimize, or, where possible, prevent increases in contaminant loads;
(iii) 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* to mitigate risks to human health, safety, property and the environment;
(iv) Maximize the extent and function of vegetative and pervious surface;
(v) Not increase risks to human health and safety, property damage and the environment;
(vii) Promote stormwater management best practices, including stormwater attenuation and re-use, and *low impact development*; and
(viii) Consider *green infrastructure* and other measures which address the impacts of climate change.

(b) All new *development* and *redevelopment* within the Town shall be served by a suitable storm drainage system that is satisfactory to the Town, Niagara Region, as required, and the Niagara Peninsula Conservation Authority.

(c) The Town shall ensure that storm drainage works installed to serve new *development* are in conformance with the existing Master Drainage Plans as well as applicable MECP and Town Design requirements.

(d) The Town shall develop and implement stormwater management plans that will establish storm drainage requirements for ultimate *development* within the Urban Area. Temporary stormwater management facilities will not be provided.

(e) The design of individual stormwater management plans for isolated *development* proposals shall incorporate on-site control techniques to minimize peak stormwater flows in the receiving *watercourse*, and to ensure adequate water quality treatment.

(f) Sediment retention basins may be required to control quantities of suspended materials washed from sites during *development* activities.

(g) Stormwater quality control shall be achieved by the use of ponds and/or lot level controls. Underground tanks will only be considered for isolated site *developments* or exceptional circumstances.

(h) The Town shall promote the use of naturalized methods of stormwater management, including permeable surfaces.

(i) The Town shall promote *sustainable* stormwater management plans and strategies as part of *development* and *redevelopment*.

(j) All commercial, industrial, institutional and residential *development* proposals as determined through pre-consultation with the Town shall be supported by a Stormwater Management Plan. The content and depth of the Stormwater Management Plan shall be determined through pre-consultation prior to a *development* proposal being considered.

(k) All Stormwater Management Plans shall be prepared by a qualified professional to the satisfaction of the Town, the Niagara Peninsula Conservation Authority and shall be prepared in accordance with the following documents:

(i) MECP Environmental Compliance Approval 067-S701, Lincoln Stormwater Management System, Appendix A - Stormwater Management Criteria ~~Stormwater Management Criteria Appendix A, Town of Lincoln Environmental Compliance Approval (2023)~~ pursuant to the *Environmental Protection Act*;

(ii) Ministry of Environment and Climate Change Stormwater Management Planning and Design Manual (2003);

(iii) Niagara Peninsula Conservation Authority *Stormwater Management Policies* (2010), as amended, or its successor; and

(iv) Greater Golden Horseshoe Conservation Authorities Erosion and Sediment Control Guidelines for Urban Construction (2006) as amended, or its successor.

(l) All Stormwater Management Plans shall:

(i) Be informed by *watershed planning*, or equivalent;
(ii) Characterize existing environmental conditions;
(iii) Provide recommendations on a stormwater quantity system which ensures that post-*development* run-off rates will not be greater than the pre-*development* run-off rates for storms up to and including the 1:100-year flood;
(iv) Document the possible impacts of *development* on *watershed* flow regimes including their interconnection with ground water resources;
(v) Provide recommendations on how to maintain pre-*development* water quality and improve run-off where appropriate;
(vi) Document the means by which stormwater volume control will be provided;
(vii) Determine and describe the necessary measures required to be undertaken during construction to mitigate the potential *negative impact of development*;
(viii) Protect the *quality and quantity of water* by assessing existing stormwater facilities and systems;
(ix) Identity the need for stormwater retrofits, where appropriate;
(x) Examine the cumulative environmental impacts of stormwater from existing and planned *development*, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;
(xi) Incorporate appropriate *low impact development* and *green infrastructure*;
(xii) Identify the full life-cycle costs of the stormwater *infrastructure*, including maintenance costs; and
(xiii) Include an implementation and maintenance plan.

(m) Proposals for large-scale *development* proceeding by way of a ~~s~~Secondary ~~p~~Plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:

(i) conforms with applicable *watershed planning* policies;
(ii) is informed by a *subwatershed plan* or equivalent as completed by the Local Area Municipality;
(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 Region's natural environment system, where possible; and

(vi) aligns with the *stormwater master plan* or equivalent for the *settlement area*, where applicable.

(n) All stormwater management facilities in a plan of subdivision shall be placed in an appropriate Open Space or Environmental Zone in the Implementing Zoning By-law to reflect the potential for these lands to be flooded and to ensure that their intended use is recognized. Stormwater facilities for condominium *developments* and other large single uses may be privately owned and maintained. Agreements with the Town may be required as a condition of approval, to provide for their continued maintenance.

7.1.7. Waste Management

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

(b) The Town shall encourage the Region to maintain and improve the regular collection of municipal waste in residential and commercial areas.

(c) The Town shall coordinate with the Region to promote enhanced waste reduction, composting and recycling initiatives, and identification of new opportunities for energy production from waste, source reduction, reuse and diversion. Consideration shall be given to increased convenience and access for waste diversion collection programs to promote participation.

(d) The Region shall continue to monitor leachate seepage and methane gas conditions at any former waste management sites within the Town.

(e) The Town encourages new *development* to provide for collection and storage of recyclable wastes on site.

(f) Waste management sites for biosolid~~putrescible~~ wastes shall not be permitted.

(g) Waste disposal sites and transfer stations and automotive recycling uses, including tire storage and recycling uses, are not permitted in the ~~Specialty Agricultural~~*Specialty Crop Area* or *Prime Agricultural* designations or NEP Area. Other uses including compost facilities; soil manufacturing; storage or processing of treated solid material that is leftover from the municipal wastewater treatment process; and storage or processing of other non-agriculture source material, are also prohibited in the ~~Specialty Agricultural~~*Specialty Crop Area* or *Prime Agricultural* designations if the use is not primarily related to the farm operation on the lands.

(h) The Town shall ensure that the Official Plan, Zoning By-law, Plan of Subdivision approvals and Site Plan Approvals for new *development* comply with the Region's requirements for waste collection to ensure safe and efficient waste collection and diversion and included support for the resource recovery of food and organic waste for their residents.

(i) The Region will develop a Long-Term Waste Management Strategic Plan.

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

(k) The Region shall provide *waste management systems* that are an appropriate size and type to accommodate present and future requirements, and facilitate, encourage, and promote reduction, reuse, ~~and~~ recycling, and waste diversion program objectives.

(l) The Region will provide for the disposal and treatment of solid wastes to Local Area Municipalities and in alignment with the Region's Long Term Waste Management Strategic Plan.

7.1.8. Utility Services

It is the intent of The Town, in coordination with the Region, as required, to ensure that all *development* in the Town is serviced by *utility* services such as hydro, telecommunications *infrastructure* and, where feasible, natural gas. The Town intends to co-operate with the public and private *utility* companies to ensure that the siting and location of *utilities* is achieved with minimal impact to the Town residents and comply with the natural environment policies.

The Region and Local Area Municipalities will confirm, as part of the *development* review process, that *utility* providers are able to provide services to support the proposed *development* in a timely manner and that, if required, appropriate locations for large *utility* equipment and *utility* cluster have been determined.

Utility providers proposing to locate, relocate, replace a facility within a Region Road allowance will require Regional approval and be subject to the provisions of all applicable Regional policies, by-laws, standards, and guidelines.

The burial of overhead *utilities* and the co-location of *utilities* underground is encouraged in areas strategically identified for *intensification* including *strategic growth areas*, and *local growth centres and corridors*.

The joint use of rights-of-way and corridors is encouraged wherever feasible for various facilities in order to:

(a) Lessen the impact on the environment of uncoordinated alignments of various single purpose authorities, and

(b) Avoid land use and *development* conflicts associated with such rights-of-way and alignments.

Secondary uses, such as active and passive *recreation*, agriculture, community gardens, other *utilities* and uses such as parking lots and outdoor storage that are accessory to adjacent land uses, are encouraged on hydro corridor lands, where compatible with surrounding land uses. However, a proponent should be aware of the primacy of a hydro corridor is for electricity generation facilities and transmission and distribution systems, and that *secondary uses* require technical approval from Hydro One Networks Inc."

TransCanada PipeLlines Limited ("TCPL") operates high-pressure natural gas pipelines within its rights-of-way, which cross through the Town of Lincoln as identified on Schedule 'A' and A1 to this Plan. The following policies are applicable to TCPL *infrastructure*:

- 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 (the "Prescribed Area").

- 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 Town shall require early consultation with TCPL for any *development* proposals within 200 metres of its facilities (the "Class Assessment Area").

- Where *development* is proposed in proximity to a TCPL compressor station, a noise and vibration study, to be carried out by the proponent, may be required for *development* proposals within 750 metres of the compressor station. The study will determine if

provincial guidelines can be achieved, and if necessary, recommend appropriate mitigation measures.

- New *development* in proximity to a TCPL pipeline right-of-way shall incorporate appropriate *setbacks* in accordance with TCPL's *development* standards and the Town's Zoning By-law.

- In the Urban Area, the Town will encourage the use of TCPL's right-of-way for passive parkland or open space subject to TCPL's easement rights.

7.1.9. Emergency Management Facilities

Infrastructure and *public service facilities* should be strategically located to support the effective and efficient delivery of emergency management facilities and to ensure the protection of public health and safety. Emergency Management will continue to be coordinated with the Region.

7.1.10. Phasing of Development

(a) It is the intent of The Town to direct *development*, within the Urban Area, in an orderly and efficient manner through the phasing of *development*. The phasing of *development* will largely be regulated by the availability of municipal services and the capability of the municipality, the Region and the *development* industry to fund necessary capital improvements. Where off-site servicing upgrades are required, *development* shall not be permitted until those improvements are made.

(b) *Development* shall be contiguous with existing urban *development*. In no case shall *development* be permitted that requires or causes the undue extension of urban services or financial hardship for the Town.

(c) The provision of municipal services for the various urban *settlement areas* of the Town as identified as Urban Area on Schedule 'A' shall be guided by the forecasted Capital Budget.

(d) Trunk services will only be extended when it is economically feasible to do so.

(e) Priority will be given to *intensification* opportunities, infilling and completion of existing neighbourhoods and communities.

(f) The phasing policies of this Plan ~~w~~ are intended to inform a phasing strategy that:

(i) Ensures logical, sequential *development* of all *designated growth area* lands;
(ii) Considers *development* and *redevelopment* of *employment areas;*

(iii) Supports the achievement of *intensification* and density targets identified in this Plan;
(iv) Provides and aligns *infrastructure* and *public service facilities* with Town and Regional servicing and transportation master plans, in a timely manner;
(v) Utilizes existing *infrastructure* and *redevelopment* opportunities, wherever possible;
(vi) Ensures adequate land, *infrastructure* and *public service facilities* meet current and projected needs;
(vii) Has regard for the natural environment system and *watershed*; and
(viii) Establishes *complete communities*.

(g) Before consideration is given to developing new *infrastructure* and *public service facilities*:

(i) The use of existing *infrastructure* and *public service facilities* should be optimized; and
(ii) Opportunities for *adaptive re-use* should be considered, wherever feasible.

(h) Construction of new, or expansion of water, wastewater and stormwater *infrastructure* should only be considered where plans for expansion or for new services shall serve growth that achieves the growth management targets and policies for *intensification* and density in this Plan, and where the following conditions are met:

(i) Strategies for water conservation and other water demand management initiatives are being implemented in the existing service area; and
(ii) 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.

7.1.11. Development Charges

It is the principle of this Plan that the cost of servicing new *development* or *redevelopment* shall be borne by that *development* or *redevelopment*. To finance costs of satisfying the service demands and burdens resulting from growth, the Town may impose a development charge under the *Development Charges Act* and Regulations with respect to new growth through *development* and *redevelopment* of land.

7.1.12. Greenhouse Municipal Water Supply Policies

Connections for greenhouses to the municipal water supply shall be subject to the following criteria:

(a) Each request should be dealt with and assessed on its own merits with the Town Official Plan policies in mind;

(b) Each proposal must not in any way jeopardize the capacity or integrity of the service to *development* in ~~*S*~~*s**ettlement* ~~*A*~~*a**reas* and the existing services to existing residents;

(c) Each proposal should bring economic benefit to the Town and shall be financed entirely from private funds;

(d) Any service connection must be constructed to Town standards to the satisfaction of the Town and with guarantees and securities to ensure that no risk is being assumed by the municipality; and

(e) In consideration of clauses (a), (b), (c) and (d) above, the following criteria must be met in order to be eligible to tap into a municipal water supply:~~;~~

(i) The property on which the greenhouse operation is located must have frontage on a municipal watermain;

(ii) The greenhouse operation must be independently serviced with only one connection permitted;

(iii) The greenhouse must already provide the equivalent of one gallon per square foot of storage to reduce the demand for water from the municipal supply. Reduction of water storage may be reduced where demonstrated by a water conservation plan. The water service shall also contain:

- Main shutoff valve;
- Water metre owned by the Town;
- A solenoid valve;
- Water level control shutoff;
- A 24-hour time clock;
- A backflow preventer; and
- Overflow measures.

(iv) The maximum size service to any greenhouse operation regardless of the storage requirements will be 1” in diameter; and

(v) The water supply can only be accessed after 7:00 p.m. and before 7:00 a.m. the next morning.~~; and~~

~~(vi) The connection complies with the criteria in the Regional Official Plan.~~

7.1.13. Green Energy Infrastructure

The Town will coordinate with and support Niagara Region to develop a municipal energy plan to reduce energy consumption and greenhouse gas emissions, complement land use and *infrastructure* master planning, and support economic *development* opportunities in the region. In both municipal *infrastructure* projects and private property *development* initiatives, planning and construction activities shall consider principles of environmental sustainability including but not limited to:

(a) Reducing energy demands;
(b) Promoting design and orientation to optimize passive solar energy gains;
(c) Providing for on-site, renewable energy generation and co-generation and district energy systems;
(d) Maximizing water conservation, including water efficient landscaping and collection and reuse of clean water;
(e) Providing appropriate stormwater infiltration at the source;
(f) Integrating green roofs into energy and water conservation strategies;
(g) Providing for collection and storage of recyclable and organic wastes on site;
(h) Integrating *active transportation* and transit into *development* plans; ~~and~~
(i) Maintaining and enhancing hydrological and *natural heritage features* and functions; and
(j) Promoting opportunities for district energy, *renewable energy systems* and *alternative energy systems* in accordance with the municipal energy plan to be developed by the Region.

Subject to Provincial requirements, the siting of all renewable energy generation facilities will be reviewed within the context of all policies of this Plan.

All renewable energy projects and associated distribution *infrastructure* shall be located, designed, and constructed to eliminate or minimize adverse impacts on agricultural operations, lands, and activities; *significant* natural heritage features; existing *mineral aggregate operations*; and cultural and *built heritage resources*. They shall be designed and constructed to be appropriately buffered and/or separated from *sensitive land uses* to prevent *adverse effects* and to minimize the risk to public health and safety.

Application for wind energy *development* should at minimum include the following:

(a) A justification/impact report that demonstrates:

  (i) The need for, and public benefit of, locating the proposed generating capacity in these areas;
  (ii) An assessment of impacts on agricultural operations, lands and activities, *natural heritage features*, nearby residences and other *sensitive land uses* in the area; and

(iii) The means of minimizing any *adverse effects*.

(b) A visual impact assessment;

(c) A noise report demonstrating compliance with Provincial requirements; and

(d) A report demonstrating compliance with Provincial shadow flicker guidelines.

The *development* of new or expanded renewable energy projects within an area regulated under the *Niagara Escarpment Planning and Development Act* will be subject to the provisions of the Niagara Escarpment Plan.

The *development* of new *renewable energy systems* in areas adjacent to or on known deposits of aggregate, mineral or *petroleum resources* shall be permitted where it has been demonstrated that the energy system serves a greater long-term public interest during the lifetime of the wind energy system and does not compromise the future extraction of the aggregate, mineral resources.

The *development* of *renewable energy systems* shall be prohibited where they may cause a potential aviation safety hazard as determined by Transport Canada or the appropriate agency.

7.1.14. Regional Infrastructure

The Niagara Region is committed to providing and managing water and *wastewater services* in a way that is integrated, efficient, and environmentally *sustainable*. *Infrastructure* planning will be closely aligned with land use and *watershed planning* to support strategic growth and meet *intensification* targets. Long-term master plans will guide investment decisions, ensuring *infrastructure* is delivered within the Region's financial capacity and with full consideration of life-cycle costs. The Region will also promote *green infrastructure* and *low-impact development* through public works and *development* reviews.

Priority for new municipal water and sewage services will be given to Urban Areas that align with master servicing plans, existing developments with inadequate services, and industrial projects that generate employment. Compact, *strategic growth areas* and developments supported by secondary plans will also be prioritized. Additionally, the Region will develop stormwater management guidelines to promote best practices and address climate change impacts, while updates to servicing plans and *infrastructure* reviews will be conducted in collaboration with municipal staff.

PART 8
COMMUNITY DESIGN GUIDELINES

8.1. GENERAL

Community Design Guidelines are required to ensure that prominent natural and cultural *heritage* ~~*features*~~ *attributes* blend to improve the visual quality of all areas in the Town. Accordingly, this~~e~~ Plan establishes guidelines based on accepted planning and design principles, which include:

(a) Measures to conserve and restore the Town Cultural Heritage resources;

(b) Policies to maintain a high standard of residential design and to encourage the supply of various housing types;

(c) Measures to enhance the *public realm*;

(d) Measures to ensure that all buildings and property in the Town are maintained and, where necessary, upgraded to Town standards;

(e) Policies to provide for Community Improvement through the revitalization of older residential and commercial areas;

(f) Guidelines to encourage the wise and efficient use of energy resources and *sustainable* technologies in the *development* of the Town; and

(g) Policies to enhance natural heritage and the urban tree canopy.

8.2. HERITAGE CONSERVATION

8.2.1. Introduction

It is the intent of The Town that *significant built heritage resources* and *significant cultural heritage landscapes* are *conserved*.

8.2.2. Objectives

(a) To appoint and support the Heritage Committee.

(b) To encourage the identification, conservation, preservation and restoration of *Cultural Heritage* and *cultural heritage landscapes* within the Town.

(c) To encourage the conservation, restoration and *adaptive re-use* of heritage buildings within the Town.

(d) To recognize natural and agricultural landscapes as an important *cultural heritage landscape* feature.

(e) To evaluate the impact of all municipal projects on *heritage* ~~*features*~~ *attributes* within the Town.

(f) To identify and conserve heritage trees.

(g) To revitalize and, where appropriate, preserve Cultural Heritage resources within areas that reflect local heritage, *character* and streetscapes.

8.2.3. Policies

(a) The Town shall encourage the conservation of *significant* early *built heritage resources* and *significant cultural heritage landscapes* in the Town in order to foster a *sense of place* and benefit communities, including First Nations and indigenous groups, which may include archaeological sites, buildings, structures, streetscapes of historical and architectural value and natural features.

(b) The Town will consider the consultation protocols of the First Nations that have traditional territory in this area, including the Anishinaabe, specifically the Mississaugas of the Credit First Nation, and the Haudenosaunee when engaging on planning matters.

(c) *Cultural heritage landscapes* may be included within a heritage conservation district or may be designated as individual properties under Part IV of the Ontario Heritage Act. When the register of cultural heritage resources is completed, the register may be incorporated in this Plan.

(d) The Town shall conserve cultural heritage resources by utilizing its authority under the *Ontario Heritage Act* to designate individual properties and heritage conservation districts that are of cultural heritage value or interest. The Town has established a ~~m~~Municipal ~~h~~Heritage ~~c~~Committee to advise and assist Council on matters related to Parts IV and V of the Ontario Heritage Act. The Town may also consult the Heritage Committee on matters related to cultural heritage conservation and identifying properties that may warrant designation.

(e) The Town will require a Heritage Impact Assessment to be conducted by a qualified professional whenever a *development* or other proposal has the potential to affect a cultural heritage resource.

(f) Proposals to alter, demolish or erect a structure on any designated property, a site adjacent to a designated property or proposals to demolish a listed property or located within a Heritage Conservation District shall be subject to the preparation of a Heritage Impact Assessment that will be submitted to the Town for review and approval.

(g) Where the Town has required a Heritage Impact Assessment, the resource(s) concerned will automatically receive temporary protection from alteration/demolition until the Assessment is completed to the satisfaction of the Town.

(h) Where the Town requires a Heritage Impact Assessment, it shall be prepared on behalf of the proponent by a qualified professional approved by the Town. The Assessment shall:

(i) Identify and establish significance of the *hHeritage Aattributes* of the cultural heritage resource;
(ii) Provide a site history and a description of the heritage resource;
(iii) Describe the proposal;
(iv) Identify the impacts the proposal will have on the heritage resource;
(v) Include recommendations on how the impacts of the proposal on the heritage resource will be mitigated;
(vi) Where appropriate, establish a justification for demolition or alteration of the resource; and
(vii) The recommended design alternatives.

(i) All properties having *significant built heritage* or *significant cultural heritage landscapes*, which are to be developed shall be *conserved*. The conservation of these resources shall be a requirement of any *development* approval.

(j) D*evelopment and site alteration* shall not be permitted on *adjacent lands* to a *protected heritage property* except where the proposed *development* has been evaluated and it has been demonstrated that the *heritage attributes* of the *heritage property* will be *conserved*.

(k) The Town shall maintain a register of all properties designated under Part IV of the Ontario Heritage Act. This register may also contain properties that are not designated, but which are considered by Council and the Heritage Committee to be of cultural heritage value or interest.

(l) The Town, in consultation with the Heritage Committee, may designate a Heritage Conservation District pursuant to the Ontario Heritage Act where all or some of the following characteristics have been identified:

(i) The majority of the buildings reflect an aspect of local history;
(ii) The majority of the buildings are of an architectural style, or a method of construction which is *significant* historically or architecturally to the Town, Region or Province;
(iii) The district contains other important physical, environmental or archaeological characteristics which collectively create an area of particular *character* and/or aesthetic value; and
(iv) The district is in an area of special association that is distinctive within the Town, and as a result, contributes to the *character* of the entire community.

(m) Prior to the designation of a Heritage Conservation District, the Town will:

(i) Pass a by-law of intent to define and investigate an area;
(ii) Prepare and adopt a Heritage Conservation District Plan to encourage conservation; and
(iii) Pass a by-law designating the area as a Heritage Conservation District.

(n) The Town shall ensure cultural heritage resources are *conserved and areas of archaeological potential*, as depicted in Schedule 'E6' of the Official Plan ~~*on Appendix B of the Official Plan*~~ *are reviewed* when undertaking municipal public works projects impacting municipally owned properties such as roads and *infrastructure* projects, carried out under the Municipal Class Environmental Assessment (EA) process. When necessary, the Town will require heritage impact assessments or archaeological assessment and other satisfactory measures to mitigate any *negative impacts* affecting identified cultural heritage resources located on municipally owned properties or from a municipally driven undertaking.

(o) *Development* and *site alteration* shall not be permitted on lands containing *archaeological resources* or *areas of archaeological potential* (Schedule 'E6') unless *significant archaeological resources* have been *conserved* or the lands have been investigated and cleared or mitigated following clearance from the Province.

(p) The Town will pursue the availability of government grants to assist in heritage conservation and protection.

(q) To ensure and encourage the conservation and *adaptive reuse* of all heritage resources, the Town may:

(i) Request special legislation from the provincial government to provide greater demolition control of designated buildings than is permitted under the Heritage Act;

(ii) Provide incentives such as increases to height and/or density, additional land uses and/or parking requirement relaxation;

(iii) Use Heritage Conservation Easements to ensure the enhanced protection of *protected heritage properties*; and

(iv) Require Heritage Letters of Credit to ensure heritage buildings are not damaged during *development*/*redevelopment*; and/or

(r) Archaeological assessments carried out by consultant archaeologists licensed under the *Ontario Heritage Act,* shall be required as a condition of any *development* proposal affecting areas containing a known archaeological site or considered to have archaeological potential.

~~(s) The Town will consider and promote archaeological management plans and cultural plans in conserving cultural heritage and *archaeological resources*.~~

~~(t)~~(s) The Town, prior to approving an application for shoreline of waterfront *development* may require a marine archaeological assessment to be conducted by a licensed marine archaeologist, pursuant to the Ontario Heritage Act, if there is potential for the presence of partially or fully submerged marine *archaeological resources*~~features~~ such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other items of cultural heritage value.

~~(u)~~(t) When an archaeological assessment is required, the assessment will follow the applicable guidelines and processes as dictated by the Province, such as the *Standards and Guidelines for Consulting Archaeologists*, and an acknowledgement letter from the Province verifying this shall be required prior to any final approvals.

~~(v)~~(u) *Areas of archaeological potential*, as depicted in Schedule 'E6', ~~–~~are to be confirmed~~determined~~ through ~~Appendix B of the Official Plan, or~~ criteria developed by a licensed consultant archaeologist based on the known archaeological record the municipality and its surrounding region, and in accordance with Provincial requirements. Such criteria may include a range of environmental, physiographic and historical features, information from local stakeholders and the effects of past land use.

~~(w)~~(v) Unexcavated archaeological sites and *archaeological resources* shall be protected against disturbance until all required archaeological assessments and requirements from the Province have been completed.

~~(x)~~(w) The Town shall consider the interests of First Nations and Indigenous communities when identifying, protecting and conserving *cultural heritage landscapes* and

archaeological resources will engage with First Nations and Indigenous communities as appropriate when considering planning matters, planning applications and when making planning decisions.

~~(y)~~(x) The Town, Region, and project proponents shall follow ~~the~~ an emergency protocol for the unexpected discovery of *archaeological resources* ~~as detailed in the Archaeological Management Plan~~. The protocol will be shared with ~~the Town,~~ project proponents, and community members for projects subject to archaeological conditions. A standard clause addressing the emergency protocols shall also be included in all draft plan approvals and *development* agreements.

~~(z)~~(y) The Town shall advise the Region of properties of cultural heritage value or interest that have been designated or listed on the register under the Ontario Heritage Act.

~~(aa)~~(z) Those areas of the Town in and around the First Baptist Church, Library and the Central Business District have a distinct heritage *character* that is an important part of defining the *character* of Beamsville. A *cultural heritage landscape* study of this area should be prepared to define more thoroughly its unique characteristics and to provide guidance for future infill *development* that will not adversely affect this *character*.

8.3. PROPERTY MAINTENANCE

8.3.1. Introduction

It is the intent of The Town to require the maintenance of the existing buildings and property in a state of good repair, and to control the quality of new *development*.

8.3.2. Objectives

(a) To develop and enforce a Property Maintenance and Occupancy Standards By-law.

(b) To provide for the maintenance and upkeep of municipal buildings and property.

8.3.3. Policies

(a) The Town shall require the maintenance and improvement of all properties in the Town, to minimum standards, through the enforcement of Zoning, Building and Property Maintenance and Occupancy Standards By-laws.

(b) The Town shall adopt and enforce by-laws pursuant to the Building Code Act which:

(i) Set standards for the maintenance and occupancy of property within the Town, or within any defined area(s), and for prohibiting the occupancy or use of such property that does not conform to such standards; and
(ii) Require property that does not conform to the standards, to be brought up to standard or to be cleared of all buildings, structures, debris and refuse and left in a graded and levelled condition.

(c) The Town shall require the care and maintenance of properties situated in any land use designation to:

(i) Conserve and safeguard the existing housing stock;
(ii) Ensure that minimum standards of safety and health are complied with; and
(iii) Prevent unsightly conditions of buildings or property, and the accumulation of debris and derelict vehicles.

(d) The Town shall undertake to keep in a well-maintained condition all Municipal properties and structures, and to provide, and maintain in good repair, roads, sidewalks, and other public works.

8.4. COMMUNITY IMPROVEMENT PLANS

8.4.1. Introduction

The Town may designate areas as community improvement project areas and may prepare and adopt community improvement plans for the project areas.

8.4.2. Objectives

Settlement areas

Community improvement plans may be prepared and adopted by the Town to achieve one or more of the following objectives:

(a) To support public as well as private sector improvement efforts;

(b) To foster the revitalization and *redevelopment* of downtowns;

(c) To support the implementation of the Town growth management policies as set out in this Plan;

(d) To encourage private sector investment in order to preserve and enhance the viability of existing commercial areas;

(e) To maximize the use of existing public *infrastructure* by encouraging infilling, *intensification* and *redevelopment* of lands and buildings;

(f) To encourage, support and coordinate private and public sector renovation, repair, rehabilitation, *redevelopment* or other improvement of lands and/or buildings;

(g) Maintain and improve municipal services including sanitary sewers, water, stormwater management, roads, sidewalks and streetlighting;

(h) Encourage the conservation, restoration, *adaptive re-use*, maintenance, improvement and protection of cultural heritage resources;

(i) Maintain and improve the transportation network to ensure adequate traffic flow, and parking facilities;

(j) Support *active transportation* through urban design and the provision of improved facilities for cycling and pedestrians;

(k) Improve and maintain the physical and aesthetic qualities and amenities of the streetscape;

(l) Encourage the eventual elimination and/or relocation of incompatible land uses and where this is not feasible, to encourage physical improvements to minimize the incompatibility;

(m) Improve environmental conditions;

(n) Improve social conditions;

(o) Promote cultural *development* and encourage the *development* of cultural facilities;

(p) Facilitate and promote community economic *development* including *development* as a **Centre of Excellence for Agriculture**;

(q) Improve community quality, safety and stability;

(r) Improve the supply of *affordable* housing and the range of housing opportunities, particularly in downtowns;

(s) Encourage the restoration, maintenance, improvement and protection of natural habitat, parks, open space, recreational and heritage facilities and amenities, and

to establish new facilities where deficiencies exist to meet the needs of the citizens of the community;

(t) Support the *development* of tourism in the Town;

(u) Encourage and support environmentally *sustainable development*; and

(v) To encourage the *adaptive re-use* of cultural heritage resources.

Agricultural Areas

Community improvement plans may be prepared and adopted by the Town to achieve one or more of the following objectives:

(a) Foster the long-term economic viability of agriculture by supporting the rehabilitation, adaptation and conversion of agricultural buildings and facilities for agricultural and agricultural *value-added uses*;

(b) Facilitate and promote agricultural services;

(c) Maintain and enhance the scenic quality of the agricultural landscape; and

(d) To encourage the *adaptive re-use* of cultural heritage resources.

8.4.3. Policies

Community Improvement Project Areas

(a) The Town may designate by by-law one or more community improvement project areas, the boundary of which may include all or part of lands within the Town *urban area boundaries* ~~*Urban Area Boundaries*~~ or all of part of lands within the agricultural designations.

(b) Criteria for the Selection of Community Improvement Project Areas:

Settlement areas

For an area within the *s*~~*S*~~*ettlement areas* to be designated as a community improvement project area, it must satisfy one or more of the following criteria:

(i) Older stable or declining residential and commercial uses that are in need of rehabilitation, maintenance or *redevelopment*;

(ii) Contains areas identified for *redevelopment* and/or *intensification* in this Plan;
(iii) Commercial and residential areas with poor physical condition or poor visual quality of the built environment, including but not limited to building facades, streetscapes, public amenity areas and urban design;
(iv) Vacant lots and/or underutilized properties and buildings which have potential for infill, *redevelopment* or expansion to better utilize the land base;
(v) Lack of or deficient water systems, sanitary sewer systems and/or stormwater management systems, roads, sidewalks and street lighting;
(vi) Lack of or deficient sidewalks, curbs and/or roads;
(vii) Lack of or deficient street lighting, streetscaping and street furniture and other related facilities;
(viii) Lack of or deficient parks, open space and/or *recreation* and community facilities;
(ix) Lack of or deficient bicycling, transit, and off-street parking facilities;
(x) Lack of or deficient *affordable* housing or mix of housing opportunities;
(xi) Buildings in need of physical improvements and/or repairs, including facade treatment and signage improvement in commercial areas;
(xii) In commercial areas, the existence of a Business Improvement Area (BIA), or the potential for the establishment of a BIA;
(xiii) Conflicts between existing *development* and adjacent transportation facilities;
(xiv) Conflicts between bicycling and pedestrian circulation and adjacent transportation facilities;
(xv) Minor incompatibilities between *development* where improvements to site design could resolve existing problems;
(xvi) Improvement to energy efficiency and/or renewable energy efficiency;
(xvii) Areas of known of suspected environmental contamination; and/or
(xviii) Other *significant* environmental, social or community economic development reasons for community improvement.

Agricultural Areas

For an area within the agricultural area to be designated as a community improvement project area, it must be designated ~~*Specialty Agricultural*~~*Specialty Crop Area* and/or *Prime Agricultural* in this Plan.

(c) Phasing

The phasing of community improvements shall be prioritized according to:

(i) The growth management policies and priorities as set out in ~~the Regional Official Plan and~~ this Plan;

(ii) The financial capability of the Town and Region to fund community improvement projects;
(iii) Availability and timing of senior government programs that offer financial assistance for community improvement efforts;
(iv) The timing of related capital expenditures to ensure that community improvements are coordinated; and
(v) Commitments by private property owners to upgrade their properties, and other circumstances which may affect the priority given to a community improvement area.

(d) Implementation

The Town may undertake the full range of actions permitted under Section 28 of the Planning Act, as amended, to implement the objectives for Community Improvement contained in this Plan. As well the Town may:

(i) Apply for financial assistance from and participate in senior level government programs that provide assistance to municipalities and/or private landowners for the purposes of community improvement;
(ii) Support heritage conservation and improvement through means available under the Ontario Heritage Act*;*
(iii) Provide information on municipal financial assistance programs, *public realm* improvements and other government assistance programs;
(iv) Prepare design plans for commercial core areas that may include streetscape improvements, parkette, public parking areas, lookouts and trail *development*; and
(v) Coordinate streetscaping improvements with the installation/upgrading of municipal services, e.g., sewer installation, road and sidewalk reconstruction.

The Town shall be satisfied that its participation in community improvement activities will be within the financial capabilities of the Town.

8.4.4. Contents of a Community Improvement Plan

Community Improvement Plans shall contain the purpose of the plan, objectives, and a description of the community improvement project area, a description of all programs and/or projects and an implementation plan. The preparation of a community improvement plan shall meet the minimum requirements of the Planning Act for public consultation.

8.5. URBAN FOREST

8.5.1. Preamble

The Town recognizes that a healthy urban forest and tree canopy provides numerous environmental, economic and social benefits to the community and the quality of life for its residents. This includes the reduction of air pollution and carbon sequestration, mitigation of the urban heat island effect, reduction of local flooding through water attenuation, habitat for wildlife, and neighbourhood *character* benefits. Trees are a valuable *infrastructure* asset to sustaining a healthy community and to mitigate and adapt to climate change. The Town promotes the improvement of the *public realm* and resilience to climate change through tree planting and preservation, landscaping improvements and streetscape improvements.

The preservation and enhancement of the Town's urban forest is guided by 4 main principles:

1. Recognizing the urban forest as *green infrastructure* and a critical municipal asset;
2. Managing tree biodiversity to increase ecological resilience and minimize the impacts of climate change;
3. Sustainably managing the urban forest through continuous improvement, adaptation and innovation; and
4. Maintaining, enlarging and enhancing the total tree canopy cover in the Town, while net loss to the greatest extent possible.

8.5.2. Objectives

(a) To strengthen Private and Public Tree Protection Policies and By-laws to ensure that they reflect best practices for an enhanced urban forest and tree canopy.

In addition to policies of this Plan, the Town also maintains and enforces a Private Property Tree By-law and Tree Protection and Enhancement Policy which governs the protection and preservation of trees within the Town~~*Urban Boundary*~~, as specified. The By-law was enacted in accordance with applicable Provincial legislation.

(b) To ensure that opportunities for the protection and enhancement of the Town's urban forest is fully considered by:

(i) identifying opportunities for the protection, enhancement and restoration of trees wherever possible;
(ii) supporting initiatives that provide for ongoing management, maintenance, monitoring and stewardship of the urban forest; and
(iii) protecting existing trees and woodlots and encouraging additional tree planting in *settlement areas*.

(c) To encourage appropriate landscaping in the *development* and ~~/~~*redevelopment* of sites, including increasing the amount of trees and large-scale deciduous street trees within the urban environment.

8.5.3. Policies

(a) The Town will continue to plant trees and provide a high standard of landscaping on Town property.

(b) The Town, in the undertaking of public works, shall not remove trees unnecessarily and should trees be removed for this purpose, replacement trees shall be planted to further enhance the appearance of the public undertaking and overall streetscape.

(c) Forest resources offer benefits that should be taken advantage of when *development* occurs. In such resource areas, *development* is to be designed in a sensitive manner having regard to the following:

(i) The retention and protection, to the greatest extent possible, of the existing tree cover, recognizing its environmental and aesthetic importance.
(ii) Ensuring efficient harvesting and use of trees that must be removed to accommodate the placement of buildings, structures and roads.
(iii) The incorporation of land with existing tree cover into the urban area park system, if appropriate.
(iv) The maintenance and possible enhancement of tree cover along *watercourses*, on steep slopes, and key natural heritage and hydrologic features on the site in order to reduce soil erosion and improve water quality.

(d) It is a policy of this Plan that existing trees must not be unnecessarily removed and that wherever possible existing trees and woodlots should be preserved and protected in accordance with Section 8.5.3(c) of this Plan. Where it is unavoidable that trees be removed the Town in consideration of *development* applications shall require:

(i) The proponent to retain the services of a qualified arborist or similar professional to prepare a tree inventory and preservation and planting strategy which:
- Identifies the number, type and size of species and their contribution to the area;
- Identifies the trees proposed to be removed which directly impede the *development* of the site;
- Demonstrates that alternative design options are not viable in the preservation of trees;

- Identifies the number of replacement trees, species and size of trees for the site, which shall be in accordance with the Town's established tree replacement and planting requirements; and
- Identifies methods of protecting trees that are to remain including the establishment of *buffers*, limit of construction work fencing and maintaining existing soil moisture conditions, to the Town's satisfaction.

(ii) The proponent provides an attractive landscaping program, including the planting of trees that are appropriately sized for their space and designed with appropriate below grade space to enhance the appearance of the *development* when completed.

(iii) As a condition of any *development* or *redevelopment* where it is unavoidable that trees must be removed the proponent shall be required to plant replacement trees in accordance with the Town's tree replacement standards and the Town's Tree Preservation and Enhancement Policy, as may be modified from time to time. All tree plantings shall be accommodated elsewhere on the site as acceptable to the Town. Where no other reasonable location exists on the site the Town may require the owner to plant replacement trees at an alternate location approved by the Town or contribute to the Town sufficient money to replant an equal number of new trees on public lands identified for reforestation by the Town, in accordance with Town standards.

(iv) Surface parking areas should incorporate planted landscaped areas that effectively screen parked vehicles from view from the *public realm*; provide shade, wind break and visual relief from hard surfaces; clearly define the vehicular circulation routes; and are sufficiently sized to support the growth of trees and other vegetation.

(e) The Town will undertake to identify public lands owned by the municipality or, by agreement, lands owned by other public agencies where reforestation and tree planting programs of the Niagara Peninsula Conservation Authority and other public or private organizations can occur.

(f) When tree removal occurs without the approval of the Town, the Town is not obligated to approve any *development* application.

8.6. URBAN DESIGN

8.6.1. Introduction

Urban design involves the arrangement and design of buildings, public spaces, *transportation systems*, services, landscaping and amenities. Good urban design makes communities functional and attractive, as well as creates enjoyable places to live, work and play.

Due to the Town fixed *urban area boundaries* ~~*Urban Area Boundaries*~~, future growth in the Town will occur primarily through *intensification* and *redevelopment*. This requires design to be sensitive to ensure compatibility and to create a *sense of place*.

8.6.2. Urban Design Principles

Development in the Town will be based on the following design principles:

(a) To encourage a compact, walkable and well-connected community;

(b) To encourage mixed-use and a range of housing;

(c) To provide a linked public open space system;

(d) To encourage quality architecture and to ensure that buildings provide an appropriate edge to the street;

(e) To encourage increased density in appropriate locations;

(f) To provide a range of transportation options, including walking and cycling;

(g) To encourage *complete streets* for all users;

(h) Appropriate design of streets and public spaces in order to enhance and encourage pedestrian and public activity;

(i) To encourage a strong *sense of place*;

(j) To encourage improvements to the *public realm*;

(k) New *development* is to be compatible with established *development*;

(l) To provide appropriate transitions from existing *development* to future *development* and *redevelopment* sites;

(m) Protection of the heritage buildings and structures;

(n) Protection of the natural environment; and

(o) The preservation of *cultural heritage landscapes* and features.

8.6.3. Policies

8.6.3.1. Roads and Streetscape Elements

(a) Streets are important not only for transportation and the movement of goods, but also for establishing the *character* of the Town. The public streetscape realm includes the roadway as well as the sidewalks and boulevards. Within the street, sidewalk widths and design, landscaping and street furniture can provide pedestrian comfort and interest. In order to create a comfortable pedestrian environment, and to enhance the *character* of the Town, the design of the area within the street boulevard should include plantings, lighting, street furniture and special paving patterns and materials in accordance with the following:

(i) All new *development* shall provide for tree planting within the road allowance;
(ii) Street trees should be planted 8 to 12 metres on-centre, to form a continuous canopy at maturity;
(iii) Generally, street trees should be planted opposite each other to form a canopy over the road at maturity;
(iv) Sidewalks within the Central Business District shall be a minimum of 2 metres wide in order to provide sufficient room for amenities such as street furniture, bike racks and street trees;
(v) For arterial and collector roads outside of the Central Business District, boulevards on both sides of the pavement should be wide enough to accommodate a strip of grass with street trees and sidewalks on both sides of the road;
(vi) For local roads, boulevards on both sides of the pavement should be wide enough to accommodate a strip of grass with street trees on both sides of the road and sidewalks on a least one side of the road;
(vii) Dedicated cycle routes should be incorporated into the roadway where the right of way permits;
(viii) Lighting design should have regard for vehicular, cyclist and pedestrian requirements so that the size, height and style of lighting reflects the hierarchy of the road;
(ix) Mailboxes and newspaper boxes should be consolidated in single locations and preferably adjacent to open spaces and include a layover lane accommodating a minimum of two parking spaces;
(x) *Utilities*, including transformers and other “box” servicing should be located unobtrusively in areas where they can be screened with planting, in flankage locations, in open space areas, and on private property or within the boulevard; and
(xi) *Utility* wires and lines should be buried underground in order to improve the aesthetics of the streetscape.

(b) The Town will utilize streetscaping standards to ensure that all new *development* provides the amenities and *built form* that will increase safety and attractiveness of the street environment and best support *active transportation*.

(c) Driveways which cross sidewalks should be minimized to provide a safer pedestrian environment.

(d) The Town will ensure universal accessibility by providing curb cuts at all intersections along the curb edge of walkways and sidewalks.

(e) The Town will utilize design standards to ensure that all road designs provide safe, comfortable and attractive conditions for *active transportation* while minimizing impacts from motor vehicle speed, noise and volume on road users and *adjacent lands* uses by:

(i) Designing road networks to consider walking distances for future potential public transit users, where applicable, and the use of an interconnected *transportation system* with consideration for applicable standards and guidelines, to minimize travel distances for cyclists and pedestrians;

(ii) Using prominent pedestrian crossing pavement markings and materials, refuge medians, minimized lane widths and curb radii, curb bump-outs, on-street parking, traffic calming, pedestrian countdown signals, lighting street trees, furnishings, etc.; and

(iii) Using patterns and connections that provide frequent opportunities for pedestrians to cross the street safely and efficiently, including crosswalks or signalized intersections.

8.6.3.2. Parks and Natural Features

(a) Parks will have a generous street frontage to provide views into the park and to ensure public safety;

(b) Parks should be appropriately lit for safety purposes;

(c) Parks are to have direct and safe pedestrian access from adjacent residential areas;

(d) Parks are to be connected where possible to trail systems, cycling routes and natural heritage corridors;

(e) Parks should incorporate *natural heritage features* where possible into the design of the park;

(f) Parks should be located adjacent to natural areas and/or environmental features, where possible;

(g) Parks could include group mailboxes and community bulletin boards;

(h) Pedestrian access to parks should be clearly defined with landscape or architectural elements to ensure an appealing park presence on the roads;

(i) Street trees should be planted along the edge of the park, while not screening the view into the park;

(j) Parks should be located such that they are highly visible and a central focus or gathering areas for the neighbourhood;

(k) Existing wooded areas will be protected and enhanced; and

(l) Fencing should be provided at top of bank to prevent encroachment into wooded areas.

8.6.3.3. Stormwater Management Facilities

(a) The stormwater management ponds should be designed as integral features of the landscape;

(b) The grading of the stormwater management pond should ensure natural and variable side slopes;

(c) Planting should be comprised of native species and flood tolerant water's edge plants to stabilize banks;

(e) Stormwater channels located in dedicated parks could be meandered and designed with naturalized slopes; and

(f) Public walking/cycling trails should be provided along the channels.

8.6.3.4. Housing

(a) It is the Town objective to enhance the physical appearance new residential *development* in the Town. All new *development* or *redevelopment* shall conform to the Town Urban Design Policies.

(b) To minimize the visibility of vehicles parked in the front yard, front yard driveways could be minimized by:

(i) Encouraging access over exterior side yards;
(ii) Increasing the lot frontage in some areas to minimize the number of driveways and along collector and arterial roadways;
(iii) Encouraging shared or grouped driveways where appropriate; and
(iv) Providing garages in the rear yard.

(c) On a corner lot, the main front entrance may be located on the exterior side elevation;

(d) Buildings on corner lots shall incorporate architectural elements, such as corner windows and wrap around porches that emphasize their important location;

(e) Fencing around front yards shall not block the view of the sidewalk from the house and should be primarily open structures, not solid walls;

(f) Fencing of residential properties abutting parks should establish a consistent and coherent backdrop for the park's landscape design and use;

(g) Porches, stairs, canopies and other entrance features are desirable and may encroach into the front yard *setback*;

(h) The garage door shall not dominate the streetscape and shall generally not protrude in front of the main building face unless the unit is designed such that:

(i) There is a habitable room over the garage. The habitable room should not be set back more than 1 metre from the face of the garage;
(ii) The front door is clearly articulated with a porch or verandah, set back a maximum of 3 metres from the front of the garage; and
(iii) The ~~roof is designed to unify the~~ house and garage are visually integrated through coordinated building massing, materials and architectural treatment;

(i) Mechanical equipment including air conditioning units and *utility* meters shall be screened and/or located away from public view;

(j) Streets shall be configured to generally align with the existing grid street pattern;

(k) The alignment of streets and placement of open space shall provide views to the escarpment and well as convenient and attractive pedestrian routes to the Central Business District and existing adjacent neighbourhoods;

(l) New *development* or *redevelopment* adjacent to public open space or streets shall have principal facades facing the public open space or street;

(m) Rear yards shall not be located adjacent to public roads and open space. The use of window roads, alleys and innovative housing types shall be encouraged to create high quality safe public streets and open spaces;

(n) The predominance of garages and cars along the public street shall be minimized by limiting garages to a maximum of 50% of the overall frontage of the building, encouraging rear lanes and shared below grade parking;

(o) New *development* or *redevelopment* in or adjacent to existing developed areas shall respect, enhance and complement the *character* of the existing neighbourhood by:

(i) Scaling new buildings to reflect or otherwise appropriately transition to the height and width of existing adjacent structures;
(ii) Establishing new *setbacks* based on those of existing adjacent *development* with appropriate separation distances between buildings on and adjacent to the site, so as to achieve access to natural light for interior spaces and outdoor amenity spaces, maximize opportunities for landscaped open space between buildings, and ensure privacy;
(iii) Sensitive building siting;
(iv) Provision of landscaped *buffers*;
(v) Incorporating the proportions and architectural elements of existing adjacent buildings such as floor heights and eave heights in the design of new *development*;
(vi) Considering the incorporation of ~~Incorporating~~ architectural features such as porches, window size and arrangements, and roof profiles that are predominant in the area; and
(vii) Selecting materials and colours for new construction from the variety of materials used on existing buildings in the area and are reflective of the small town agricultural *character* of the Town, where it exists.

(p) For infilling *development* ~~within the *Built-up Area*~~ and new subdivision *development* in the ~~*D*~~*designated* *growth area*~~*Growth Area*~~, a streetscape plan will be required to ensure that land use compatibility is achieved between existing and proposed uses; that the *development* is appropriately integrated and that an appealing streetscape, one which is neither repetitive nor monotonous, is developed. The streetscape plan shall also demonstrate:

(i) The relationship of dwelling heights relative to each other along the street frontage;
(ii) The front yard *setback* of the dwellings;
(iii) How the visual impact of garage projection into the front streetscape is minimized;
(iv) Boulevard plantings including driveway locations and widths;
(v) The massing of dwellings in order to ensure that any two abutting dwellings shall not have a difference in total habitable floor area greater than 50% of the total habitable floor area of the smaller dwelling;
(vi) That the placement of dwelling models or elevations of models within the streetscape provides for variety and differentiation in the streetscape(s); and
(vii) Effect of the design of the *development* on the *character* of the existing neighbourhood in terms of height, building form and proportions, materials, orientation and colour.

(q) In the *development* of new residential area and the *redevelopment* of established areas for semi-detached dwelling units or street townhouse dwelling units the developer shall prepare a streetscape and parking plan. The streetscape and parking plan shall outline the proposed driveway locations; the number of parking spaces being accommodated and the location of sidewalks to ensure that adequate parking for the *development* is provided. The developer shall demonstrate how parking is to be provided through measures such as:

(i) Deeper and/or wider driveways;
(ii) A coordinated arrangement of on-street parking and driveways; and
(iii) Adequate street widths to accommodate on street parking on collector streets.

8.6.3.5. Institutional Uses, Commercial Uses, Mixed Use, and Public Buildings

(a) It is the Town's objective to enhance the physical appearance of new institutional, commercial use, mixed-use and public buildings in the Town. All new *development* or *redevelopment* shall conform to the Town Urban Design Policies;

(b) All *development* shall include provision for pedestrians and cyclists including direct access to sidewalks, street furniture, bicycling parking, lighting and awnings;

(c) The design treatment of flanking facades visible from the street or adjacent residential uses should be equal to that of the front façade;

(d) Entrances to buildings should be prominent and visible with entrance canopies, awnings and other architectural elements;

(e) Rooftop mechanical equipment should be screened with materials that are complementary to the building;

(f) A variety of roof shapes should be considered to avoid the monotony of flat roofs;

(g) Landscape treatment of individual properties have a role in creating the image of the entire area and therefore should be coordinated;

(h) The front yard *setback* should be landscaped to define pedestrian walks, the main building entrance and to screen parking areas;

(i) Parking areas should be located at the side or rear of buildings and screened from view from streets and open spaces with low fencing and planting;

(j) For commercial use and mixed-use, parking is not permitted within the front yard;

(k) Substantial landscape treatment should be used to help define large parking areas into small pods, planting strips should be a minimum of 2 metres wide;

(l) Pedestrian circulation through parking lots, and from the street to building entrances should be clearly defined with special paving, pavement markings, lighting and landscape treatment;

(m) Loading and service areas should not be located at the front of the buildings; and

(n) Loading and service areas should be screened from view from the street and public open spaces.

8.6.3.6. Central Business District Areas

(a) It is the Town's objective to enhance the liveability and physical appearance of the Central Business Districts in the Town. All new *development*, *redevelopment* and *intensification* within the Central Business Districts shall conform to the Town Urban Design Policies.

(b) All *development* shall include provision for pedestrians and cyclists including direct access to sidewalks, street furniture, bicycling parking, lighting and awnings.

(c) All new *development*, *redevelopment* and public works projects within the Central Business District shall be reviewed by the municipality in consideration of the following:

(i) *Redevelopment* of a mix of uses at higher densities.
(ii) *Redevelopment* in appropriately scaled buildings that is located to help define the street edge and pedestrian zone.
(iii) Streetscape (including trees, special pedestrian lights, paving, signage) of the public streets to enhance the *character* and quality of the area, and the appeal of the shopping district for pedestrians.
(iv) *Utilities* should be clustered or grouped together where feasible to minimize visual impact. The Town encourages *utility* providers to consider innovative methods of containing *utility* services on or within streetscape features such as gateway, lamp posts, transit shelters, etc., when determining appropriate locations for large *utility* equipment and *utility* cluster sites.
(v) Traffic calming measures including on-street parking incorporated within the road right-of-way.

(d) In order to ensure that new *development* which takes place on an infilling or *redevelopment* basis is compatible with its surroundings, special efforts will be required which will address the following:

(i) The size, appearance and site treatment of projects will be compatible with the *character* of surrounding uses in terms of building height, building form and proportions, materials, landscape, building orientation and colour.
(ii) Exclusive use amenity areas shall be provided for the residential use and shall be separate from any public amenity area provided in conjunction with the commercial use.
(iii) Exclusive use parking spaces shall be provided for the residential use in conjunction with the requirements of the Zoning By-law.
(iv) Parking facilities in the front yard along public streets will be prohibited, save and except in circumstances where the *development* can only proceed with front yard parking and the *development* is deemed to be highly desirable by the Town.
(v) Bicycle parking in front of buildings along public streets is encouraged in order to support alternative forms of transportation.
(vi) Any portion of a building 3 storeys or higher shall be set back from any adjacent property designated or zoned for low density residential by a distance equal to its height.
(vii) The effect of the *development* upon surrounding uses shall be minimized through the assessment of shadowing and overlook.

(e) All *development* will be required to provide adequate buffering, screening, landscaping and separation distances to protect adjacent residential lands and adjoining natural resources.

(f) No *development* will be considered unless adequate servicing and off-street parking can be provided. Access/egress to and from major collector roads will be limited to no more than two locations.

(g) New buildings and redeveloped buildings shall comply with the following policies:

(i) The main walls of the building(s) should occupy a minimum of 50% of the frontage of the street.
(ii) The main wall of a corner building should occupy a minimum of 50% of the frontage of the primary street and 50% of the frontage of the secondary street.
(iii) Buildings should be built within 0 to 3 metres of the front and exterior lot line.
(iv) The side and rear of buildings abutting designated or zoned low-rise residential uses should be of similar height. Buildings may need to step down to maintain an appropriate scale in relation to adjacent residential uses.
(v) Main entrances and primary elevations of buildings should front onto the public street.
(vi) Entrances should be flush with the public sidewalk.
(vii) Buildings should have attractive façades, i.e., the application of architectural elements such as display windows, articulated entrances, glazed areas, and/or variations in the wall plane.
(viii) Roofs should be designed to provide visual interest.
(ix) Roof top mechanical units should be screened in all directions.
(x) Screening should be integrated with the architectural form of the building or designed to be compatible in form, material, and colour.
(xi) Buildings on corner lots should incorporate special architectural treatment along both street frontages.
(xii) Loading and service doors should be located to the rear of buildings and should not be visible from the public street.
(xiii) Parking structures and below grade parking shall be encouraged for high-density *developments*. Exhaust vents should be positioned at the rear of the site, away from the public street and shall be incorporated into the design of the site landscape.
(xiv) Outdoor, short-term and enclosed, long-term bicycle parking facilities shall be encouraged for high-density *developments*.
(xv) Above grade parking structures may not be located directly adjacent a public street at grade. The use of an intervening use that activates the street is encouraged to screen the parking at grade.

(h) The design of new sites and redeveloped sites shall comply with the following polices:

(i) Shared driveways between adjacent *development* lots are encouraged to maximize landscaped areas and minimize pavement.

(ii) Parking or drive aisles should not be located between a public street and a building.

(iii) Parking areas should be located at the side or rear of the building.

(iv) Parking areas should be designed in small sections and include lighting, substantial landscaping, and special paving to break up expanses of parking and to provide direct pedestrian connections to building entrances.

(v) Parking areas located adjacent to public streets shall be separated by a landscaped *setback* to mitigate views of large areas of parked cars from adjacent streets.

(vi) Streets and main drive aisles within a site function as internal streets and should be designed to look, function, and have the attributes of a public street with sidewalks, boulevard trees and pedestrian-scale lighting.

(vii) Planting should visually enhance individual sites, screen parking and loading areas while enabling views of buildings and create a consistent landscape treatment along the street.

(viii) Landscape design should relate to the architecture of the building with particular attention to entrances and windows, architectural massing, rhythm, detailing, and sightlines.

(ix) Amenities such as seating, waste receptacles, pedestrian-scale lighting, awnings, and bicycle racks should be coordinated throughout the site and with the public street to create a consistent theme.

(x) Attractive, safe, direct, and barrier-free walkways should be provided from buildings to public sidewalks. Walkways should be uninterrupted by parking or drive aisles and consist of paving other than asphalt.

(xi) Landscape lights shouldall be provided to illuminate paths of travel and outdoor amenity areas. The placement of landscape lights shall consider adjacent *development* and Dark Sky-Friendly Guidelines.

(xii) Access to loading and servicing areas should be separated from pedestrian areas and routes.

(xiii) Loading, service, and outside storage areas shall not face the public street. Where site-planning constraints necessitate these areas in visually prominent locations, they should be screened with architectural elements and/or landscaping.

(xiv) Garbage/recycling storage areas should be internal to the building; where this is not feasible, these areas should be located to the rear of buildings, should not be visible from the public street, and should be screened.

(xv) Signage should provide a high level of clarity, visibility, and visual interest with minimal visual clutter.

(xvi) Signage should complement the architecture of the building(s) in its scale, materials, consistency and design. Signage for individual units should be consistent.

(xvii) *Utility* equipment, hydro transformers, and switching boxes should be located within the building. If this is not possible, they should be positioned to not be visible from the public street and shall be incorporated into the design of the building and site landscape.

8.6.3.7. Ontario Street Area

Ontario Street is the major connection street in Beamsville joining the Queen Elizabeth Way at the north to the ~~east to west and~~ Protected Major Transit Station Area, and the Central Business District and ~~southern~~ neighbourhoods to the south ~~to the Queen Elizabeth Way~~. It is identified as an *intensification corridor* and one of the areas in Lincoln strategically identified to accommodate growth through more *compact built form*, where appropriate. It serves as a gateway to the Town and ongoing enhancement of its qualities and *character are* an important reflection of the *character* of the Town as a whole. As such, ~~I~~new commercial *development*, mixed-use *development* and residential *redevelopment* and *intensification* along the Ontario Street area, as delineated on Schedule 'A2', ~~–~~shall conform to the Ontario Street Urban Design Vision and Streetscape Master Plan, the Region's Complete Streets Design Manual and the Region's Model Urban Design Guidelines, and shall:

(a) Provide an attractive, safe and convenient pedestrian environment while recognizing that the car is the major form of transportation along this section of the street by adopting a road design that benefits all road users, including an emphasis on *active transportation*, and mitigating effects of vehicular traffic on the community.

(b) Allow for future public transit connecting the Central Business District to the CN Rail line and the Queen Elizabeth Way.

(c) Provide a high-quality streetscape reflective of the cultural significance and *character* of Beamsville by:

(i) Locating parking to the rear or sides of buildings not between buildings and the public street.

(ii) Locating buildings close to all streets. The implementing Zoning By-law shall establish minimum and maximum *setbacks* for all buildings from all streets.

(iii) Providing continuous landscaping along all public streets in the form of street trees and shrubs.

(iv) Providing screening of all parking areas adjacent to the public street with a combination of landscaping features such as shrubs and planting beds as well as architectural features such as low decorative walls and fences.

(v) Considering the landscape design of existing adjacent *developments* and those across the street in the design of new *development* to achieve a unified landscape treatment along the length of the street.

(vi) Orienting the principal facade and main entrance of buildings to face the public street or a space directly adjacent to and visible from the public street.

(vii) Setting the main level finished floor grade level of new buildings to allow for a convenient connection to the public sidewalk with minimal slope and to allow for views into the building from the public sidewalk.

(viii) Providing architectural interest by eliminating large expanses of blank walls with the use of architectural features such as varied roof lines, projecting or recessed bays, windows and varied materials.

(ix) Providing visual interest, 'eyes on the street', and building designs which allowing views into and out of the buildings by incorporating a combination of windows and doors on any building façade adjacent to a public street. The implementing Zoning By-law and Site Plan guidelines shall require a maximum sill height and a minimum head height and a minimum percentage of windows and doors along any building façade adjacent to a public street.

(x) Locating loading and delivery areas to the rear or sides of buildings and if in view of the public street screening these areas with a combination of landscaping and architectural features designed to be in keeping with the overall design of the building.

(xi) Using materials in keeping with the existing *character* of the Central Business District and heritage architecture of Beamsville such as, stone, brick and decorative wood trim.

(xii) Supporting *adaptive re-use* of existing historical structures and complementary renovations and/or additions to existing historical buildings.

(xiii) Providing signage and lighting at a pedestrian scale.

(xiv) Providing signage and lighting that will not be of a size or height to compromise the *character* of the street or detract from views along the street of community landmarks such as the escarpment, lake or the tower of First Baptist Church.

(xv) Drive-thru windows on building facades shall be located so that they are not facing a public street.

(xvi) Providing all drive-thru traffic stacking internal to the site.

(xvii) Locating all drive drive-thru traffic stacking areas and driveways to the rear or sides of buildings and not between the building and the public street.

(k) Minimize effects on adjacent residential *development* by:

(i) Providing appropriate and contextually sensitive transitions between new *development* and existing low-density residential neighbourhoods.

(ii) Providing a continuous line of trees planted along all property lines adjacent to residential uses. The implementing site plan guidelines shall establish the spacing of the trees. Bolstering the urban forest canopy by planting deciduous trees within the *public realm*, while also encouraging tree planting within the private realm.

(iii) Providing a continuous solid privacy fence along all property lines adjacent to residential uses, the design of which should be in keeping with the overall design of the *development*.

(iv) Providing indoor garbage storage facilities for restaurants and other land uses that may generate foul smelling waste.

(v) Directing site lighting so that it does not spill or reflect onto adjacent residential properties.

8.6.3.8. Industrial Uses

(a) New *development* shall present a landscape *character* that recalls as much as possible the agricultural *character* of the surrounding landscape. The incorporation of large landscape areas planted and arranged in rows and other landscape treatments typical of the agricultural landscape in the Town should be considered, particularly where visible from public view.

(b) Landscaped areas and architectural features, not parking areas, signage, storage areas, *utility* equipment, hydro transformers and switching boxes, shouldall be the most prominent elements in the view from public streets and the Queen Elizabeth Way.

(c) To minimize parking adjacent to the street, for properties other than those properties along Ontario Street, the implementing Zoning By-law shall establish minimum and maximum *setbacks* from the street for all buildings.

(d) The landscape design of new *developments* shall consider the landscape of adjacent properties in order to provide a unified and continuous landscape *character* along public streets and throughout the area.

(e) Loading and service areas and overhead doors shall not be located on a building façade facing the public street or Queen Elizabeth Way. Service and loading areas shall be located to rear or sides of buildings and if visible from the public view, shall be screened with a combination of landscape and architectural features in keeping with the overall design of the building and site.

(f) Parking areas located between a building and a public street, or the Queen Elizabeth way shall be limited and screened from view with landscaping features.

The implementing Zoning By-law shall only allow a maximum of two rows of parking with one drive aisle and shall require all other parking areas to be located to the side or rear of buildings.

(g) The main façade of buildings incorporating the main pedestrian entrance and windows shall face the Queen Elizabeth Way or a public street. In situations where a property fronts both, the main façade shall face the Queen Elizabeth Way.

(h) Buildings shouldall use materials associated with high quality commercial and industrial *developments* such as aluminum curtain wall, brick, stone and prefinished metal panels. The use of materials such as painted or plain concrete block and horizontal metal siding is stronglyshall be discouraged.

(i) Large or long blank walls shall be discouraged. Facades shall incorporate architectural features such as varied roof lines, varied materials, windows, glazing and recessed or projecting bays.

(j) Buildings taller than 4 storeys will should be examined on an individual basis.

(k) Safe, convenient and inviting pedestrian connections shall be provided from building entrances to the public sidewalk and parking areas.

(l) Large parking areas shall be divided into smaller areas through the use of landscaped islands at a minimum width of 1.5 metres with trees and shrubs as well as pedestrian walkways.

(m) Stormwater management ponds shall be designed to be integrated with the landscape *character* of adjacent open space and contribute to the overall landscape *character* of the area.

(n) Where more than one building is proposed on a site, buildings shall be grouped in order to achieve the following:

(i) To frame comfortable and functional spaces between buildings that contributes to the presentation of an overall landscape *character*.
(ii) To frame spaces between buildings that support pedestrian activity between buildings, adjacent open space, parking and the public street.
(iii) To maintain and integrate existing natural features.

8.6.3.9. Public Art

(a) Public art is a civic asset that contributes to the identity and *character* of the community. Public art improves the visual environment; it enhances tourism and economic development and improves the overall vitality of the community.

(b) The Town will consider the use of public art in municipal facilities and on public lands by incorporating public art throughout the community by commissioning local artists, using public art in gateways, and locating interactive or multi-functional art in public open spaces.

(c) The Town shall encourage other public and private sector owners and developers to include public art as a component of their *development*, particularly those *developments* or privately-owned publicly accessible lands that will attract significant pedestrian traffic.

8.6.3.10. Gateways

(a) Major and Minor Gateway locations are identified on the Schedules ‘A2’, ‘A3’, ‘A4’, and ‘A5’. Gateways are important components to the *public realm*. Gateways will use physical features such as architectural elements, prominent buildings, entry walls, lane width reduction, plantings, lighting, on-street parking and signage to visually pinch the roadway in *settlement areas* to reduce speeds and support adjacent land uses. Gateway designs shall align with branding initiatives by the Town and community.

(b) Major Gateways are typically large in scale in order to be visible from a distance by pedestrians and those in vehicles. Elements may include elaborate design elements such as signage, architectural details, lighting, landscaping, and public art.

(c) Minor Gateways include smaller scale design features such as decorative paving, lighting, plant material and custom street furnishings.

PART 9
ADMINISTRATION

9.1. ADMINISTRATION

9.1.1. How To Read the Official Plan

The Town of Lincoln Official Plan must be read in conjunction with Provincial Policy Plans. This Official Plan has been prepared in accordance with the provisions of the Planning Act, R.S.O. 1990, c. P.13 (the "Planning Act"), builds upon the policy foundation provided by Provincial Legislation, and provides additional and more specific land use planning policies.

The Official Plan is divided into three volumes and consists of policies, tables, maps, figures, schedules, appendices, and definitions. The schedules, tables, and definitions must be read in the context of the related policies. Unless otherwise stated, any reference to a "Section" in this Plan is a reference to a section contained within Volume 1.

Changes to certain schedules may be made without an amendment to this Plan where permitted in policy. ~~Appendices include the Town of Lincoln's Secondary Plans (Volume 2) and provide context for understanding policy application but are not part of this Plan and can be amended without an amendment to this plan.~~

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

9.1.2. Determining Applicability and Conformity

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

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

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

9.1.3. Policies Represent Minimum Standards

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

9.1.4. Provide Direction on Plan Interpretation

9.1.4.1.

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

Where any Act or portion of an Act is referred to in this Plan, such references shall be interpreted to refer to any subsequent renumbering of sections in the Act and/or changes in the date of the Act. Where any of the policies of this Plan refer to an Ontario Ministry, the reference to such Ministry shall continue to apply regardless of any change in title to the Ministry and/or any successor Ministry that may become responsible for the subject policies.

9.1.4.2.

For the purposes of implementation:

(a) A Schedule is part of the policy framework and forms part of this Plan;

(b) A Table is a summary of policy requirements in a graphic form and is part of this Plan;

(c) A Map is a visual guide or aid provided to assist the reader in understanding the geographic location of context of site-specific policies and is part of this Plan;

(d) The Definitions are an integral to policy interpretation and forms part of this Plan;

(e) An Appendix is ~~intended to provide~~ part of the policy framework and forms ~~context to the reader and does not form~~ part of this Plan.

9.1.4.3.

In the case of a conflict between any policies in this Plan, the more restrictive policy shall take precedence. Unless otherwise specified by this Plan or by provincial direction, where there is a conflict between the policies in Volume 1 of this Plan and the policies in the Secondary Plans ~~or site specific policy areas~~ in Volume 2 of this Plan, those policies contained in the Secondary Plans and ~~site specific policy areas~~ shall prevail.

9.2. CONSULTATION AND ENGAGEMENT

The Town will be proactive, and where appropriate, provide practical and meaningful input to the Province where changes are proposed to Provincial plans and legislation.

9.2.1. Transparent Decision Making Based on Inclusive Input

Consultation will take place in a timely manner to ensure an accountable transparent decision making process on land use planning matters.

The Town shall provide opportunities for participation from the public and organized interest groups in the *development*, adoption, implementation and monitoring of planning policies in accordance with this Plan, the Planning Act, and other relevant legislation and policy.

9.2.2. Communication and Engagement Tools and Techniques

9.2.2.1.

The Town will employ appropriate tools and techniques to inform, consult, involve, collaborate with or empower where appropriate.

9.2.2.2.

In all cases of engagement, the Town will provide responses to feedback received, including how feedback has been considered in the matter being addressed.

9.2.2.3.

The Town may use a variety of communication methods, including innovative and enhanced participatory methods, to seek input in planning matters or to provide information to the public. Depending on the issues and in accordance with the Planning Act, the Town shall choose the most appropriate method of communication or form of engagement.

9.2.2.4.

When undertaking engagement, the Region will ensure that all comments are documented in a transparent and easily accessible manner.

9.3. ZONING BY-LAW

(a) The implementing Zoning By-law establishes regulations for the use of land and *development* standards within the Town. Following the adoption of this Plan, a

review and update of the Town implementing Zoning By-law shall be undertaken to ensure that it implements the policies of this Plan. Any application to amend the Zoning By-law shall be in conformity with the provisions of this Plan.

(b) In areas where the existing use is in conformity with this Plan or where a future use can be anticipated in accordance with the relevant provisions of this Plan, then such use may be appropriately zoned in the implementing Zoning By-law.

(c) Within the Niagara Escarpment Plan Areas of Development Control, *development* (as defined in the Niagara Escarpment Plan and Development Act) isare regulated by the Niagara Escarpment Commission through the issuance of a Development Permit, and not through zoning mechanism.

9.4. DEVELOPMENT PERMIT SYSTEM

(a) The Town may, through a By-law passed pursuant to Section 70.2 of the Planning Act, as amended, and Ontario Regulation 608/06 establish a Development Permit system for one or more specific areas of the Town.

(b) Upon authorization of a Development Permit System, the Town may implement this Plan, as it applies to the designated *development* permit areas by the use of a *development* permit process independent of supplemental to its powers of implementation described in this Plan.

9.5. CONDITIONAL ZONING

(a) Section 34 of the Planning Act authorizes municipalities to implement Conditional Zoning.

(b) The Town may in a Zoning By-law, permit a use of land or the erection, location or the use of buildings or structures subject to one or more prescribed conditions relating to the erection, location or the use of buildings or structures.

(c) Where a condition is imposed pursuant to Section 9.5(b), the Town may require the owner of the land to which the by-law applies to enter into an agreement with the Town relating to the conditions. The agreement may be registered on title against the lands to which the agreement applies, and the Town may enforce the agreement against the owner and subject to the Registry Act and the land Titles Act, against many and all subsequent owners of land.

(d) Subsequent to the enactment of the applicable Regulation, this policy shall enable the Town to implement Conditional Zoning to facilitate and regulate *site alteration*

and *development* within the adjacent land or minimum *vegetation protection zones* proximate to the *natural heritage features* located with the Natural Environment Area designation in this Plan.

9.6. HOLDING BY-LAW

(a) In situations where the ultimate use of land is precisely known, but where The Town wishes to hold *development* until all related issues have been addressed, a Holding Provision may be applied by using the Symbol "H" in conjunction with a land use zoning category. It is the intent that Holding provisions be used under the following circumstances:

(i) To ensure that *development* occurs in the proper sequence;
(ii) To ensure that adequate provisions for water, sanitary and storm sewers, road access, and community *infrastructure* is available to serve the *development*;
(iii) When land assembly is required to permit orderly *development* or *redevelopment*;
(iv) When *development* or *redevelopment* is anticipated in accordance with the provisions of this Plan, but where the details, including site plans, of such *development* have not been determined;
(v) Ensure that appropriate studies have been undertaken to prevent undue impact to existing uses;
(vi) The entering into of agreements such as subdivision or site plan agreements; and/or
(vii) To provide for other conditions as deemed by Council prior to proceeding.

(b) Where a holding designation is in effect, the lands shall be limited to existing uses or uses which will not prejudice the future *development* of the lands. In addition, no building or structure may be erected on the site until an application has been approved by the Director of Planning and *Development* or designate to remove the “H” symbol. The holding symbol shall not apply to minor accessory buildings and structures such as sheds, garages or pools.

9.7. INTERIM CONTROL BY-LAW

~~(a)~~ In areas where The Town wishes to review the existing land uses or establish new policies, and where a study of land use planning policies for the area has been directed, The Town may adopt an Interim Control By-law. The Interim Control By-law restricts the land use to its present use until the required studies are completed, at which time the Zoning By-law may be amended to reflect the desired use. Timing and extensions for such a by-law will be subject to the provisions of t~~T~~he Planning Act~~, 1990~~.

9.8. TEMPORARY USE BY-LAWS AND GARDEN SUITES

9.8.1. Temporary Use By-laws

The Town may, in a by-law passed under the Planning Act, authorize the temporary use of lands, buildings or structures for any purpose set out therein that is otherwise prohibited by this Plan or by the Zoning By-law. Such a by-law may be in effect for a maximum period of three years for all temporary uses, except *garden suites*. *Garden suites* may have by-laws passed to be in effect for up to twenty (20) years from the date of passage. For uses other than *garden suites*, The Town may extend the three-year time period, by by-law, for a maximum additional three (3) year term.

The Town shall satisfy itself that the proposed use is temporary and will not create detrimental effects on the surrounding area. Temporary uses not allowed by the applicable policies of this Plan will not be permitted. Temporary uses, buildings and structures that are not farm-related shall not be permitted in the *Specialty Crop* or *Prime Agricultural Areas*.

Upon expiry of a Temporary Use By-law, uses permitted by that By-law must cease and cannot be considered as non-conforming uses. The type of uses envisaged by The Town as requiring a temporary use by-law include but shall not be limited to temporary use of a mobile home as a dwelling unit, or the existence of two homes on one lot while one of the homes is under construction.

9.8.2. Garden Suites

(a) A *garden suite* in the form of a mobile home or a similarly mobile modular unit may be permitted as a second dwelling on a lot containing a single detached dwelling to facilitate common living. Where a need is demonstrated for a separate housing unit in close proximity to the existing housing unit, The Town may consider the passage of a by-law for the temporary use. The Town may require the Owner of the *garden suite* or any other person to enter into an agreement with the Municipality for the use and removal of the unit pursuant to Section 39 of the Planning Act, as amended.

(b) A *garden suite* shall not be permitted on a lot with an ~~a~~*A*~~A~~*dditional* *R*~~r~~*esidential* *U*~~u~~*nit* in a detached accessory building. In considering such proposals for a *garden suite*, the following shall be considered:

(i) The unit shall only be used on a temporary basis in conjunction with an existing dwelling on the same lot;

(ii) The unit shall only be used on a temporary basis for as long as common living is maintained;

(iii) The housing unit proposed is portable and thus readily removable from the site;

(iv) The unit is not placed in the front yard of the lot or the required front yard required by the Zoning By-law;

(v) No additional access is provided to the lot from a public road;

(vi) Placement of the unit is not exclusively removed from the existing dwelling;

(vii) The proposed site is capable of accommodating *sustainable private services* and a water supply system as determined by the Regional Public Health Department; and

(viii) The location of such unit shall be in accordance with the *minimum distance separation formulae*~~*Minimum Distance Separation Formulas*~~ where the use is proposed near any livestock operation.

9.9. COMMUNITY BENEFITS

Community benefits charges are a tool available to municipalities pursuant to the Planning Act to collect fees to offset the capital costs of *public use* facilities, services and matters incurred from *development* and population growth. Community benefits charges are used in conjunction with *development* charges and parkland acquisition policies to ensure that growth occurs in a financially *sustainable* way and that new *development* is properly serviced. The establishment of Community Benefits Charges will require the Town to undertake the following:

(a) Complete a Community Benefits Charge Strategy pursuant to the requirements of Section 37 of the Planning Act and Ontario Regulation 509/20, identifying the facilities, services and matters that will be funded with community benefits charges.

(b) Enact a Community Benefits Charges By-law which establishes a community benefits charge applicable to construction or *redevelopment* of buildings as defined in the By-law in conformity with the Planning Act. Public consultation will be included in the *development* and approval of such By-law.

9.10. SUBDIVISION CONTROL

(a) The Town will approve only those draft plans of subdivision which comply with the policies and land use designations of this Plan and appropriate Secondary Plan(s), Special Policy Areas, and which, to the satisfaction of The Town, can be supplied with adequate services and maintain a sound municipal financial position, according to the policies of this Plan.

(b) The Town shall require that approvals of draft plans of subdivisions include a lapsing date in accordance with Section 51(32) of the Planning Act, as amended. If approval of a Draft Plan of Subdivision lapses, the growth management objectives of this Plan shall be considered as a key component of the *development* review process.

(c) Only one extension to a lapsing draft plan of subdivision shall be approved by Council for a period of up to two years unless the draft plan meets the growth management and environmental policies of the Regional and local Plans.

(d) If a Plan of Subdivision or part thereof has been registered for eight years or more and no installation of *infrastructure* or construction has occurred and the subdivision does not meet the growth management policies of this Plan the Town of Lincoln shall use its authority under Section 50(4) of the *Planning Act* to deem it not be a registered plan of subdivision.

(e) The Town shall ensure that all new *development* areas provide a high standard of design, compatible with adjacent existing planned *development*. The Urban Design Guidelines of Part 8 of this Plan shall be utilized to assist in achieving high design standards.

(f) The Town shall, when reviewing and considering *development* applications, attempt to implement the trail and bikeway network set out in Schedules 'D2', 'D3', 'D4' and 'D5', and contained in the Multi-Use Trail and Bikeway System Master Plan.

(g) Land severances shall be in accordance with the specific land severance policies of each land use designation of Parts 2 and 3 of this Plan and the following general provisions:

(i) Where five (5) or more new residential lots are being created, or where a new road or road extension is necessary, The Town will require *development* by registered plans of subdivision pursuant to Section 51 of the Planning Act, as amended, rather than by individual land severances by consent.

(ii) No severance shall be granted unless the application complies with the policies of this Official Plan and the requirements of the Planning Act. Prior to the issuance of the Committee of Adjustment certificate, the consent must comply with the provisions of the Zoning By-law.

(iii) Any lot or remnant parcel created must have frontage on a publicly maintained road that is of an adequate standard of construction to provide access for the intended use.

(iv) No land severance shall create a traffic hazard.

(v) Access to a Provincial Highway, a Regional Road or a local road shall be in accordance with the access provisions of the appropriate road authority.

(vi) No land severance shall be granted unless a municipal sanitary sewer and municipal water supply is available within an urban area or an approved private water supply and sewage disposal system within the balance of the Municipality to the satisfaction of the Regional Public Health Department.

(vii) Consents for minor boundary adjustments and easements shall be permitted provided a separate lot or parcel is not created. Consents shall also be permitted to increase the area of an undersized lot.

(viii) No land severance shall be permitted in any hazardous area that is subject to flooding, erosion or steep slopes except for a severance, which meets the satisfaction of the Niagara Peninsula Conservation Authority.

9.11. SITE PLAN CONTROL

The Official Plan may be implemented through the use of Site Plan Control. All areas of the Town are designated as Site Plan Control areas under the provisions of the Planning Act. Specific uses subject to site plan control are identified in the Town Site Plan Control By-law passed under the provisions of the Planning Act. The following uses will not be subject to site plan control provided they are subject to the Town Zoning By-law regulations.

(a) Any one- or two-unit dwelling, not including the following:

(i) Farm Labour House;

(ii) Any one- or two-unit dwelling being developed within a block type *development* such as a plan or condominium or a leasehold type *development*; and

(iii) *Development* identified in this Plan as requiring Site Plan Approval.

(b) Any alteration or addition to a one unit or two-unit dwelling, including any *Additional Residential Units(s)*.

(c) *Developments* of up to 10 residential units, except where such *development* is located within an area prescribed by Ontario Regulation 254/23, as amended, under the Planning Act, in which case the exemption from Site Plan Control shall not apply.

(d) Any building or structure accessory to the uses stated in (a) and (b) above.

(e) Swimming pools.

(f) Any agricultural building with the exception of *agri-tourism uses*, *farm diversification* uses, commercial farm markets, permanent or mobile farm labour houses, greenhouses, farm wineries, estate wineries and micro-breweries.

Where site plan control is applicable proponents are required to execute a site plan agreement under the following circumstances:

(a) Where there is construction of one or more buildings or structures.

(b) Where the size of a building is to be substantially increased.

(c) Where the intensity of a use is to increase.

(d) Where there is the *development* of a commercial parking lot.

As a component of the site plan control process, the Town will consider application of certain conditions to site plan approval, and to require that a certain standard of design be applied that are consistent with the urban design guidelines of this Plan and any other applicable design guidelines, including: exterior design controls, site, and boulevard matters such as *character*, scale, appearance, and *sustainable design*.

9.11.1

Greenhouses are subject to site plan control, and shall also be subject to the following criteria:

(a) Roof water run-off shall be retained on the land by way of ponds or cisterns, or detention ponds and controlled outlets shall be employed. Parking areas and the unbuilt portion of the lands shall be graded and sloped to swales or existing ditches;

(b) Where under drainage is installed in a greenhouse, an inspection manhole shall be provided intercepting the drain line near the property line or other location approved by the Town;

(c) Where a greenhouse operation receives permission to use municipal water, storage shall be sized based on the ratio of one gallon of storage facility for every square foot of greenhouse area, unless a water conservation plan can prove that this ratio provides an over capacity. Water shall only be drawn from the municipal system in off-peak hours. The use of municipal water for greenhouse shall also be subject to the servicing policies of Section 7.1.12~~10~~;

(d) Paving shall be provided at entrances to the property based on the size of the greenhouse facility and based on the anticipated vehicular traffic; Unpaved areas shall be maintained in such a manner as to avoid excessive *development* of dust;

(e) Landscaping, fencing or screening may be required in cases where the greenhouse facility is located in areas adjacent to existing residential uses;

(f) Lighting required for the illumination of the building, parking, loading areas and driveways or required for security reasons, shall be directed in such a manner as to light up the immediate adjacent area for which it is intended; and

(g) Collection areas and enclosures for the storage of garbage and other waste materials shall be constructed in a manner as to avoid the spilling of liquids or blowing of materials onto *adjacent lands*.

9.11.2

Prior to *development* or *site alteration*, the Town may require the owner of any lands to submit for the Town approval the plans and drawings specified in Section 41(42) of tThe Planning Act, as amended1990.

9.11.3

All *development* subject to Site Plan approval shall conform to the Urban Design Policies in Section 8.6 of this Plan.

9.11.4

As a condition to the approval of the plans and drawings referred to in Section 9.11.3 and Section 41(7) of tThe Planning Act, the Town may require the owner of the land to:

(a) Provide to the satisfaction of and at no expense to the Town any or all of the following:

(i) Road widenings.
(ii) Location of vehicular access points.
(iii) Loading and parking facilities, driveways, including driveways for emergency vehicles and the surfacing of such areas.
(iv) The location and design of walkways, walkway ramps and all other means of pedestrian access.
(v) The location, massing and design of any buildings or structures.
(vi) The location and type of exterior lighting and other sources of light on of the land or fromof any buildings or structures thereon, for the purpose of minimizing adverse impacts such as light trespass, glare and spillover onto *adjacent lands* and the *public realm*.
(vii) The location and type of garbage storage.
(viii) The location and type of easements to be conveyed to the Town.
(ix) The grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and wastewater from the land and from any buildings or structures thereon.
(x) The location of snow removal facilities.

(xi) *Sustainable design* elements on any adjoining highway including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities.

(xii) Facilities designed to have regard for accessibility for persons with disabilities.

(b) In addition to the above, provision of the following items is strongly recommended to encourage *developments* that are of high aesthetic quality and compatible and complimentary to the surrounding community and land-uses:

(i) Exterior design details including but not limited to detailed elevations and renderings that demonstrate *character*, scale, appearance and design features of buildings and their *sustainable design*; and~~.~~

(ii) Detailed landscaping plans that show species and planting details to minimize invasive species, minimize potential *utility* conflicts, contribute to *low impact development*, ensure ongoing health and viability for the species present, and confirm consistency with the Town's urban tree canopy provisions.

(c) The owner shall maintain to the satisfaction of the Municipality and at the sole risk and expense of the owner any or all of the facilities or works mentioned in Items 9.11.4 a) (ii) through (xi~~i~~v) above, including the removal of snow from access ramps and driveways, parking and loading areas and walkways.

(d) The owner shall enter into one or more agreements with the Municipality dealing with any or all of the facilities, works or matters mentioned above including financial requirements acceptable to the Town to guarantee the above.

9.11.5

Where site plan control is required for *development* in the Natural Environment System the following matters should be addressed, as applicable:

(a) Appropriate location of buildings, structures, sewage disposal systems;
(b) Retention or restoration of a natural vegetative *buffer* to prevent erosion, siltation, and nutrient migration;
(c) Maintenance or establishment of native tree cover and vegetation on the lot as terrain and soil conditions permit;
(d) Appropriate location and construction of roads, driveways and pathways, including the use of permeable materials;
(e) The use of appropriate soils for on-site sewage systems;
(f) Implementation of stormwater management and construction mitigation techniques with an emphasis on lot level controls, *low impact development* practices and a treatment train approach to promote filtration, infiltration and detention, which may

include proper re-contouring, discharging of roof leaders, use of soak away pits, other measures to promote infiltration, and silt fencing for temporary sediment control;

(g) The establishment of dark sky compliant lighting from all structures with full cut-off fixtures being required in order to minimize light spillage into the surrounding environs, while maintaining safety; and

(h) Securities and processes to ensure implementation and long-term monitoring and compliance when site plan agreements and/or other agreements if required.

9.11.6

No building permit shall be issued in respect of any *development* in the Site Plan Control Area until the plans required have been approved by the Corporation of the Town and any agreements required to be entered into have been executed by the Town and the Owners of the land.

9.11.7

Site plan control may be utilized to formalize and/or implement the recommendations of an *eEnvironmental iImpact sStudy* prepared in support of *site alteration* or *development* within or adjacent to *natural heritage features* identified in this Plan.

9.12. ~~HOMES FOR SPECIAL CARE~~ADDITIONAL NEEDS HOUSING

9.12.1

~~Homes for Special Care~~*Additional nNeeds hHousing* are a form of supportive housing that provide housing and support services for individuals who are generally not able to live independently within the community. This type of housing is licensed by the Province through the *Homes for Special Care Act* and/or subsequent Provincial legislation. ~~Homes for Special Care~~*Additional nNeeds hHousing* are allowed in any Residential designation as well as the *Rural Settlement* designation. The implementing zoning by-law will provide regulations for the establishment of ~~Homes for Special Care~~*Additional nNeeds hHousing* where allowed.

~~(a) Home for Special Care~~

~~(b)~~ Other types of supportive housing may be permitted subject to an amendment to the implementing Zoning By-law on the merits of the application.

~~(c)~~ Within the Niagara Escarpment Plan Areas of Development Control, an ~~Home for Special Care~~*Additional nNeeds hHousing* must be permitted by the Niagara Escarpment Commission through a *development* permit or alternative approval.

9.13. HOME BASED BUSINESS

9.13.1. Permissions

(a) Home-based businesses that are within a dwelling unit on properties within the *Rural Settlement*, ~~Specialty Agricultural~~*Specialty Crop Area*, *Prime* ~~-~~*Agricultural Area*, and Residential designations may be permitted by the implementing Zoning By-law, based on but not limited to, the following policies:

(i) It is located in the principal dwelling on a lot of record and is carried out by the occupant of the principal dwelling;
(ii) It is clearly secondary and a minor use of the dwelling unit, in terms of floor space utilization and is compatible with surrounding residential uses;
(iii) In the agricultural designations it is secondary to the principal *agricultural use* of the property, is compatible with and does not hinder the surrounding agricultural operations;
(iv) No outside storage of good, materials, equipment or service vehicles other than cars, vans and light trucks related to the home-based business is permitted;
(v) Adequate on-site parking is provided for the home-based business, and such parking is provided in locations compatible with the surrounding residential uses; and
(vi) The home-based business and the traffic associated with the home-based business shall not be such that it will detract from the *character* of the area.

(b) ~~Where h~~Home-based businesses that are within a structure that is accessory to a dwelling unit may be permitted in the *Rural Settlement*, ~~Specialty Agricultural~~*Specialty Crop Area*, and Prime Agricultural designations by the implementing Zoning By-law based on but not limited to the following policies:

(i) The home-based business is located in the *Rural Settlement*, ~~Specialty Agricultural~~*Specialty Crop Area* or~~and~~ *Prime Agricultural* designations,
(ii) It is~~Be~~ carried out only within an accessory building and by the residents of the principal dwelling on the property;
(iii) The building housing the home industry shall be located within the existing cluster of buildings on the lands;
(iv) It is~~Be~~ compatible with and does not hinder surrounding uses or agricultural operations;
(v) In the agricultural area, all of the property remains designated and zoned agricultural, and no new uses will be permitted where they are incompatible with *agricultural uses;*
(vii) No outside storage of good, materials, equipment or service vehicles other than cars, vans and light trucks related to the home industry is permitted;

(viii) Adequate on-site parking is provided for the home industry, and such parking is provided in locations compatible with the surrounding uses;
(ix) The home industry must comply with all other policies of this Plan; and
(x) The severance of a Home Industry from the principal use of the property in the agricultural area is not permitted.

(c) The implementing Zoning By-law shall further detail the conditions under which a home-based business may be permitted.

(d) Within the Niagara Escarpment Plan Areas of Development Control, a Home-Based Business must be permitted by the Niagara Escarpment Commission through a *development* permit or alternative approval.

9.14. BED AND BREAKFAST

(a) Bed and Breakfast establishments in the Agricultural designation, Residential designations and the *Rural Settlement* designation may be permitted by the implementing Zoning By-law, based on but not limited to, the following policies:

(i) The use is clearly secondary to the primary use of the dwelling unit as a residence;
(ii) The bed and breakfast establishment must be the principal residence of the owner and operator;
(iii) The *character* of the dwelling unit as a private residence is maintained;
(iv) Adequate parking is available on the lot for the proposed Bed and Breakfast establishment;
(v) A Bed and Breakfast establishment shall be located in areas where there is convenient access to a major street;
(vi) Where a Bed and Breakfast establishment is located outside of an Urban Area, the proposed use must be able to be serviced with an appropriate water supply and an appropriate means of sewage disposal as required by the Region of Niagara Public Works Department; and
(vii) The Bed and Breakfast establishment will be regulated from the aspect of signage and any applicable by-law or legislation.

(b) The implementing Zoning By-law shall further detail the conditions under which a bed and breakfast establishment may be permitted.

(c) Withing the Niagara Escarpment Plan Areas of Development Control, a Bed and Breakfast Establishment must be permitted by the Niagara Escarpment Commission through a *development* permit or alternative approval.

9.15. NON-CONFORMING STANDARDS OF DEVELOPMENT AND NON-CONFORMING USES

9.15.1. General

It shall be a policy of this Plan to differentiate between non-conforming standards of *development* and non-conforming uses of land. In this regard, the policies of Sections 9.15.2 and 9.15.3 below apply.

9.15.2. Non-Conforming Standards of Development

(a) The extension or enlargement of any building or structure, the use of which is in compliance with this Official Plan and the implementing Zoning By-law, but which does not comply with the standards of *development* (i.e. lot area, *setbacks*, parking, landscaping) shall not be considered a non-conforming use under Section 9.15.3 below or Section 34(10) of ~~T~~the Planning Act, ~~1990~~as amended.

(b) Relief from current standards of *development* as set out in the implementing Zoning By-law shall be based on the merits of each application and may be by amendment to the Zoning By-law or by Minor Variance through the Committee of Adjustment.

9.15.3. Non-Conforming Uses

(a) A land use which is lawfully in existence prior to the passage of the implementing Zoning By-law, and which continues to be utilized for such purpose may continue as a legal non-conforming use or may be deemed to conform to the intent of the Plan for the purpose of the By-law. In the latter case, such uses may be zoned in accordance with their present use and performance standards provided:

(i) The zoning does not permit any significant change of use or performance standards that will result in or aggravate any situation detrimental to adjoining land uses;
(ii) The use does not constitute a danger to surrounding uses by its hazardous nature or the traffic which it generates;
(iii) The criteria of Section 9.15.3 (b) are satisfied; and
(iv) The lands shall be subject to the site plan control provisions of Section 41 of ~~T~~the Planning Act, ~~1990~~as amended.

(b) In accordance with Section 34(10) of ~~T~~the Planning Act, as amended~~1990~~, The Town may amend a By-law passed under Section 34 to permit the extension or enlargement of any land; building or structure prohibited by the Zoning By-law provided the following requirements are met. The Committee of Adjustment will be

similarly guided in considering applications under Section 45 of the Planning Act, ~~1990~~as amended:

(i) It is not possible to relocate such a use to a place where it will conform to the By-law;

(ii) The proposed extension or enlargement will not unduly aggravate the situation already created by the existence of the use and should, if possible, be designed to alleviate *adverse effects* of the use such as outside storage;

(iii) The abutting uses will be afforded reasonable protection by the provision of appropriate buffering and *setbacks*;

(iv) The proposed extension or enlargement should be in appropriate proportion to the size of the non-conforming use;

(v) Adequate provision will be made for safe access and adequate off- street parking and loading facilities;

(vi) All services, including private sewage disposal and water supply systems, shall be or can be made adequate; and

(vii) The expansion is not detrimental to the neighbourhood in consideration of the following:

- History of complaints;
- Effect on the *character* of the neighbourhood;
- Amount and type of signage;
- Unnecessary noise, odours, traffic or parking problems;
- Compliance with the *minimum distance separation formulae* ~~*Minimum Distance Separation Formulas*~~; and~~;~~
- The quality of the agricultural land including soils, climate, and the nature of the agricultural activity in the area.

9.16. COMMITTEE OF ADJUSTMENT

It is the intent of The Town pursuant to Sections 44 and 53 of ~~T~~the Planning Act, as amended~~1990~~, to appoint a Committee of Adjustment to assist in the administration of the Zoning By-law. The function of the Committee of Adjustment is to process applications relating to Consents and Minor Variances to the Zoning By-law, or applications regarding extensions or enlargements of non-conforming uses, pursuant to Section 45 of ~~T~~the Planning Act, as amended ~~1990~~. The Committee of Adjustment shall consider the policies and general intent of this Plan and the implementing Zoning By-law when dealing with such applications.

9.17. COMPLETE APPLICATION POLICIES

9.17.1.

The Town strives to process *development* applications effectively and efficiently to facilitate quality *development* consistent with the policies of this Plan. Prior to having a pre-consultation meeting, the applicant is encouraged have a pre-submission meeting with Town staff. The purpose of the pre-submission meeting is to allow staff to provide information on the applicable planning policies and regulations, provide high level comments on the feasibility of a proposal and identify what materials will need to be provided for the pre-consultation meeting.

9.17.2.

Pre-consultation between the applicant and the Town is ~~required~~ strongly encouraged prior to the submission of an application for an official plan amendment, zoning by-law amendment, draft plan of subdivision, draft plan of condominium, consent or site plan control. Pre-consultation will identify~~determine~~ what is required to be submitted for a complete application and will provide the opportunity to discuss the nature of the application; *development* and planning issues; the need for additional information and/or reports to be submitted with the application; and the planning and approval process including the appropriateness of concurrent applications, where applicable. Pre-consultation may also involve the Region, the Niagara Peninsula Conservation Authority, the Niagara Escarpment Commission and/or other agencies that may have an interest in the application as determined by the Town. ~~Pre-consultation shall be considered a requirement for the submission of a complete application.~~

9.17.3.

The Town may encourage~~require~~ applicants to hold a community meeting in advance of a formal *development* application in order to obtain additional information needed to process the application, in accordance with Sections 9.17.1. and 9.17.2. of the Official Plan.

~~**9.17.4.**~~

~~In order to ensure that all possible information is available to the Town, the public and agencies involved in reviewing an application under the Planning Act, the prescribed information required under the *Planning Act* shall be provided along with additional information and/or reports that may be required, as determined through pre-consultation, such as but not limited to the matters outlined in Section 9.17.3.~~

~~**9.17.5.**~~**9.17.4.**

All information and/or reports shall be prepared by a qualified professional and submitted in an electronic format along with a hard copy to the Town to make this information readily available to the public and commenting agencies including, but not limited to the Region, the Niagara Peninsula Conservation Authority and the Niagara Escarpment Commission. Where the Town, the Region, the Niagara Peninsula Conservation Authority or the Niagara Escarpment Commission has requested additional information and/or reports, there may be a requirement for

a peer review of any information and/or reports by an appropriate public authority or a qualified person retained by the Town. The applicant shall be responsible for all costs for a peer review which shall be payable upon submission of an invoice from the Town, the Niagara Peninsula Conservation Authority or the Niagara Escarpment Commission.

~~9.17.6.~~9.17.5.

The Director of Planning and Development or their designate shall be responsible for determining whether a planning application is considered complete under the Planning Act. An application will be deemed Complete if all materials identified at the pre-consultation meeting are submitted to the Town and all required materials conform to the applicable Terms of Reference, standards and guidelines as determined by the Town. If an application is submitted without ~~pre-consultation,~~ adequate supporting information and/or reports, does not conform to the appropriate Terms of Reference, and/or without any application review fees as required by the Town, the Region, the Niagara Peninsula Conservation Authority, the Niagara Escarpment Commission or any other public agency, the application shall be deemed to be incomplete.

~~9.17.7.~~9.17.6. **Requirements for Complete Application**

The Town will require the applicable *development* application form to be duly completed as well as the submission ~~provision~~ of additional supporting information or materials, completed to the satisfaction of the Town, as required to allow full consideration of a planning application. The type and scope of the information or materials required shall depend on the nature of the~~for each~~ application~~.~~, the characteristics of the subject lands, the availability and adequacy of infrastructure and services, and any other relevant planning considerations, as ~~shall be~~ determined by the Town through ~~as part of~~ the pre-consultation process. ~~This information may include~~Supporting information and materials may include studies, reports, plans, drawings, documents, or other materials identified in Volume 3, Appendix 'A' to this Plan, as may be required by the Town for applications made pursuant to the Planning Act.~~, but shall not be limited to, the following:~~

~~The following list identifies additional studies, reports, information, materials, or any combination thereof that the Town which may deem to be required through an application made pursuant to the Planning Act:~~

~~Information Requirement~~	~~Application/Development Scenario~~
~~Planning Justification Report~~	~~Any proposal for *development* or *site alteration* should demonstrate that it meets goals, objectives and policies of Provincial plans and policy statements, the Greenbelt Plan where applicable, and the Town Official Plan and provide an indication of whether it conforms to applicable Provincial plans and policies.~~
~~Property Appraisal Report~~	~~Any proposal for *development* that requires a Zoning By-law Amendment or site plan approval, is required to~~

	~~submit an appraisal to be prepared by a qualified consultant on a list maintained by the Town, in accordance with the Town's Parkland Dedication and Cash-in-Lieu By-law.~~
~~Land Use/Market Impact Study~~	~~Any proposal for major commercial or residential proposals should consider the existing supply of available land and future land use needs in the Town and in the Region.~~
~~Urban Design/Sun Shadow Study/Wind Study/Landscape Plans~~	~~Any proposal for infill *development*, *redevelopment* or *intensification* or where a site plan agreement is required should include plans, 3D building models and drawings illustrating how the proposal will be compatible with the *character* of adjacent uses and the surrounding neighbourhood. These plans and related descriptive details may include building elevations, shadow/wind impacts and streetscaping.~~
~~Archaeology and Cultural Heritage Assessment~~	~~Any *development* or *site alteration* proposed in proximity to lands that contain known *archaeological resources* or *areas of archaeological potential*.~~
~~Heritage Impact Assessment~~	~~Any *development* or *site alteration* proposed on or adjacent to lands, structures or buildings designated under the Ontario Heritage Act or listed on an approved heritage resource inventory.~~
~~Environmental Impact Study~~	~~Any proposal for *development* or *site alteration* within or adjacent to a natural heritage feature may require an *Environmental Impact Study* in accordance with the policies of this Plan.~~
~~Environmental Planning Study or Sub- Watershed Study~~	~~Any proposal for a secondary plan or an urban boundary expansion shall address the guidelines and terms of reference of any relevant *watershed plans* and shall include an environmental inventory and assessment with recommendations on where *development* may take place, features to be protected, appropriate policies for planning documents, and an environmental management plan to maintain, enhance, restore and monitor environmental conditions both during and after *development*.~~

Information Requirement	Application/Development Scenario
Tree Preservation Plan	Any development or site alteration that may result in the injury or destruction of three or more trees, as regulated under the Town's Private Property Tree By-law, or that may otherwise impact trees to be retained on or adjacent to the site.
Floodplain and Hazard Lands	Any development or site alteration proposed near *floodplains* or hazard lands identified by the regulations of the Niagara Peninsula Conservation Authority.
Geotechnical and Slope Stability Report	Any development or site alteration proposed near valleylands identified by regulations of the Niagara Peninsula Conservation Authority, as well as any other matters required to address other geotechnical matters such as stability of fill, etc.
Shoreline Study	Any proposal for development or site alteration adjacent to a shoreline should assess erosion hazards, flooding risks, and impacts on shoreline stability and ecological functions, and demonstrate appropriate setbacks and mitigation measures.
Environmental Site Assessment	Any development or site alteration on lands or *adjacent lands* that were previously used for a purpose that may have caused contamination of the property should be accompanied by one or more reports to assess existing conditions and address the need for any further environmental testing or remediation necessary in accordance with Provincial regulations and guidelines.
Air Quality, /Noise and Vibration Study	Any development for a *sensitive land use* that is located near a major facility such as a transportation corridor, industrial use, sewage or *water treatment facility*, pumping station or landfill operation.
Illumination Study/Photometric Plan	Any proposal for development should demonstrate that site lighting is appropriately designed to provide adequate illumination while minimizing light trespass, glare, and spillover onto adjacent properties and the public realm.
Agricultural Impact Assessment	Any proposed development or site alteration for a non-agricultural use on lands situated outside of the Urban Area shall evaluate the capability of the site for *agricultural use* including soil, micro-climate and drainage conditions, the existing pattern of agricultural or non-agricultural activities, and any potential impacts on surrounding agricultural land and operations, ways to mitigate these impacts, and potential net impacts.
Information Requirement	Application/Development Scenario

~~Farm Operation and Ownership~~	~~Any *development or site alteration* for a *secondary use* to agriculture or an application for consent on lands designated for agricultural purposes.~~
~~Alternative Sites for Non-Agricultural Uses~~	~~Where a non-agricultural use is proposed in an agricultural area it must be demonstrated that there are no reasonable alternative locations available in *Settlement Areas*, *Rural Areas* or on lower priority agricultural land in the Region.~~
~~Minimum Distance Separation I and II~~	~~Any non-agricultural use proposed within 1000 metres of an existing livestock facility shall include a review of these facilities and calculations to determine conformity with Minimum Distance Separation I requirements. If other livestock facilities may be reasonably expected to be impacted by the non-agricultural use, or if a proposed first or expanded livestock facility may impact other land uses, MDS I and II separation distances will be determined, respectively.~~
~~Mineral Aggregate Resources~~	~~Where *development* or *site alteration* is proposed on lands within or adjacent to an area of known *mineral aggregate resources*, it shall be demonstrated that the resource use will not be hindered in the future, that the resource use is not feasible, that the proposed *development* or use serves a greater long term public interest, and that other impacts are evaluated in accordance with the policies of this Plan.~~
~~Municipal Servicing Study~~	~~Any plan of subdivision or major *development* proposal should address the availability of adequate municipal services and impacts to existing municipal services and facilities.~~
~~Stormwater Management Plans~~	~~Any major *development* or *site alteration* proposed should address how stormwater runoff will be accommodated in terms of water quality and quantity, site grading, assessment of legal and adequate drainage outlets and erosion and sedimentation control measures.~~
~~Traffic/Parking Impact Analysis~~	~~Any *development* or *site alteration* that may have an impact on traffic flow and safety which may also include an analysis of parking standards.~~

~~Information Requirement~~	~~Application/Development Scenario~~
~~Hydrogeological Study and Private Servicing Plans~~	~~Any *development* outside of the Urban Area where private sewage disposal and water systems are proposed should provide an assessment of soil conditions, an evaluation of the ability of the site to accommodate *sustainable private services* and a plan illustrating the location of services, drainage and lot grading.~~
~~Financial Impact Assessment~~	~~To address financial implications of a proposed *development* on the provision of municipal services and utilities that may cause a financial, environmental or economic hardship for the Town and the Region.~~
~~Niagara Escarpment Commission Development Permit~~	~~Any proposed *development* or *site alteration* proposed within the Niagara Escarpment Commission Development Control Area must provide a Development Permit issued by the Niagara Escarpment Commission.~~
~~Hydrologic Evaluation~~	~~Any proposal for development or site alteration within or adjacent to a water resource feature may require a *hydrologic evaluation* in accordance with the policies of this Plan. *Hydrologic evaluations* shall be completed in accordance with the Regional Hydrologic Evaluation Guidelines.~~
~~Feasibility Study for District Energy~~	~~At the time of a secondary plan, to explore energy options.~~
~~Construction Management Plan~~	~~Any major *development* or *site alteration* proposed should include plans to demonstrate how the construction impacts to the community will be minimized and managed.~~

9.17.7. Requirements for Additional Information

Through the review process for a *development* application that has been deemed complete, the Town or other review agency may require additional reports, studies and information. The request for additional information, however, will not affect the date the original application was deemed complete.

9.18. PUBLIC PARTICIPATION AND NOTIFICATION

The Town intends that the public be involved in the formulation and implementation of planning policies. To this end, The Town shall notify and seek the views and participation of the public prior to making decisions regarding the Official Plan, the Zoning By-law and amendments thereto, Plans of Subdivision, Plans of Condominium, Consents and Minor Variances.

To meet these objectives while eliminating any undue delays in processing amendment proposals, a minimum of one Public Meeting shall be held, in accordance with the requirements of the Planning Act and, depending on the nature or complexity of the proposal, community meetings, open houses, public displays, workshops or other appropriate forums may also be added.

9.18.1.

The Town ~~may require~~strongly encourages applicants to conduct community and neighbour engagement ~~undertake a Pre-Application Community Consultation Meeting~~ prior to the submission of a planning application to the Town in order to obtain additional information needed to process the *development* application. ~~This requirement, if applicable, will be identified at a pre-consultation meeting~~ This pre-application consultation process is designed to increase the efficiency of the planning approvals process. A public consultation summary should be submitted to the Town with the *development* application. ~~Requirements for the community meeting will be detailed in a Terms of Reference (as amended) provided by the Town.~~

9.18.2.

When an application has been deemed complete, a Statutory Public Meeting shall be scheduled. Notice of Statutory Public Meetings shall be in accordance with the regulations of the Planning Act.

(a) A notice of Public Meeting shall contain the following information:

(i) Date, time and place of meeting;
(ii) A map showing the location of the subject lands, if applicable; and
(iii) A description of the proposal or description of the matters, which may be addressed in the application, in the event that the application is approved.

9.18.3.

The Town may forego public notification and public meeting(s) in connection with a technical official plan amendment or zoning by-law amendment if such will not affect the provisions and intent of the Official Plan, the Zoning By-law, or amendments thereto, in any material way, and may include the following matters:

(a) Altering the number and arrangement of any provision;

(b) Correcting punctuation or altering language to obtain a uniform mode of expression;

(c) Correcting clerical, grammatical, dimensioning or typographical errors;

(d) Effecting changes in format;

(e) Consolidating previous amendments into the parent document; and.

(f) Minor amendments that are only required to address inconsistencies between the Official Plan and Zoning By-law amendment as a result of a comprehensive review of either document.

9.18.4. First Nations and Indigenous Communities Engagement

(a) The Town will explore opportunities for collaboration on common objectives and build relationships with First Nations and Indigenous communities to advance reconciliation.

(b) The Town will engage with First Nations and Indigenous communities in a timely manner and consider their interests when identifying, protecting and managing *cultural heritage landscapes*, early *built heritage resources* ~~resources and archaeological resources~~, planning for sustainability and climate change, and the natural environment system., ~~when considering planning matters and planning applications, as appropriate.~~

(c) The Town will provide ongoing opportunities for engagement with First Nations and Indigenous communities when considering planning matters and planning applications, as appropriate.

(d) Archaeological Assessments that identify sites and archaeological resources of Indigenous interest will be provided to the community of closest cultural affiliation to the site and/or resources. The Town will:

(i) Direct the proponent to the appropriate First Nations and Indigenous communities and facilitate communication by providing contact names and numbers, and a list of those agencies that can assist with the engagement process;

(ii) Require documentation that the licensed archaeologist has engaged with First Nations and Indigenous communities in accordance with the Standards and Guidelines for Consultant Archaeologists and any successor Provincial standards and guidelines;

~~(c)~~(iii) Require documentation that the proponent has provided a copy of the Archaeological Assessment report to those communities with the closest

cultural affiliation to identified archaeological resources and in whose traditional territories the archaeological resources were found.

9.19. MONITORING, PLAN REVIEW AND AMENDMENTS

(a) The Town will monitor the effectivenes s with which the Official Plan policies are dealing with *development* pressures in the Town and responding to provincial plans and policies.

(b) The Town will consider the need for a major review of this Plan at five-year intervals commencing from the date of approval of this Plan. The Plan, including the secondary plans, will be reviewed on an on-going basis as deemed necessary by the Town to incorporate amendments and new information as it becomes available. It is not the intent of The Town to frequently amend this Plan. However, certain circumstances will arise that require an amendment to this Plan. This Plan may be amended whenever Provincial or Regional policies are revised in such a way that directly affects the Town. An amendment to this Plan will be required when a proposed change in land use designation or major public work does not comply with the policies of this Plan.

(c) The Town will undertake annual monitoring of *designated growth area* densities and, *intensification* targets to ensure the goals of this Plan are achieved.

9.20. INTERPRETATION

Boundaries of land use designations, as shown on Schedule "A" are intended to be general and approximate, unless they coincide with a road, lot or concession line, railway, *watercourse* or prominent physical feature. Minor adjustments to the approximate location of land use boundaries and implementing Zoning By-law boundaries may be permitted provided the integrity of this Plan is maintained. Similarly, minor adjustments may be made in the location of streets identified in Neighbourhood Secondary Plans provided the intent and integrity of this Secondary Plan is maintained. Urban boundaries as shown on the Land Use Schedules to this Plan shall not be considered flexible and any changes require an amendment to this Plan and the Official Plan. Whenever an objective or policy of this Plan is changed, added or deleted, an amendment to this Plan shall be required.

9.21. DELEGATED AUTHORITY

The Town may, by by-law, delegate the authority to pass by-laws under sSection 34 of the Planning Act, that are of a minor nature, to a committee of Council or an individual who is an officer or employee of the municipality.

Delegation of authority to pass by-laws under sSection 34 of the Planning Act shall be limited to:

(a) A by-law to remove a holding “H” symbol;
(b) A by-law to authorize or extend the temporary use of land, buildings, or structures, including the approval of an agreement to implement the temporary use;
(c) A by-law to implement a decision of the Committee of Adjustment; and
(d) A by-law to amend zoning to facilitate creating purpose-built: *affordable* ownership, *affordable* rental, attainable rental, and market rental housing provided that the proposed *development* meets the following criteria:
    (i) The planning application comprises a total of 100 dwelling units or less;
    (ii) A minimum of 20% of the dwelling units meet the Region’s definition for *affordable* ownership, attainable rental and/or *affordable* rental housing; and
    (iii) The period of affordability for all *affordable* ownership, attainable rental and/or *affordable* rental units is no less than 20 years.

The delegation of authority authorized under Section 9.21 may be subject to conditions of Council. Delegation of authority may be withdrawn, by by-law, in respect of any by-law for which a final disposition was not made before the withdrawal.

PART 10
DEFINITIONS

Where a term used in this Plan, or a definition in this Section, is inconsistent with a definition in the Provincial Planning Statement or Provincial Plan, the definition in the Provincial Document will prevail.

"Access Standards" means access standards as defined in the Provincial Planning Statement.

"Active Transportation" means active transportation as defined in the Provincial Planning Statement.

"Adaptive re-use" means a change in use of surplus farm facilities on existing farms for approved non-farm uses that are compatible with the surrounding farming activities and are of a scale appropriate to the farm operation. Adaptive re-use is oriented to the conservation of heritage buildings and landscapes that would otherwise disappear as a result of their no longer being required for farm purposes.

"Additional Needs Housing" means *additional needs housing* as defined in the Provincial Planning Statement.

"Additional Residential Unit" means a self-contained residential dwelling unit, with its own cooking facility, sanitary facility and sleeping area, that is located either within a single-detached, semi-detached or townhouse dwelling, or within an ancillary building or structure on the same lot as a single detached, semi-detached or townhouse dwelling.

"Adjacent lands" means adjacent lands as defined in the Provincial Planning Statement.

"Adverse effect" means adverse effect as defined in the Provincial Planning Statement.

"Affordable" means affordable as defined in the Provincial Planning Statement.

"*Agricultural condition"* means agriculture condition as defined in the Provincial Planning Statement.

"Agricultural impact assessment" means agricultural impact assessment as defined in the Provincial Planning Statement.

"Agricultural source material" means treated or untreated materials, as defined by the Nutrient Management Act, other than compost that meets the Compost Guidelines, or a commercial fertilizer, if they are capable of being applied to as land nutrients.

"Agricultural System" means agricultural system as defined in the Provincial Planning Statement.

"Agricultural uses" means agricultural uses as defined in the Provincial Planning Statement

"*Agriculture-related uses"* means agriculture-related uses as defined in the Provincial Planning Statement.

"Agri-food network" means agri-food network as defined in the Provincial Planning Statement

"Agri-tourism uses" means agri-tourism uses as defined in the Provincial Planning Statement.

"***Airports***" means *airports* as defined in the Provincial Planning Statement.

"Alternative energy system~~s~~" means alternative energy system~~s~~ as defined in the Provincial Planning Statement.

"Archaeological resources" means archaeological resources as defined in the Provincial Planning Statement.

"Areas of archaeological potential" means areas of archaeological potential as defined in the Provincial Planning Statement.

"Areas of employment" means an area of land designated in an official plan for clusters of business and economic uses as defined in the Planning Act.

"Areas of mineral potential" means *areas of mineral potential* as defined in the Provincial Planning Statement.

"Areas of natural and scientific interest" means areas of natural and scientific interest as defined in the Provincial Planning Statement.

"*Attainable housing"* means rental or ownership housing provided by the market for *low and 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" means brownfield sites as defined in the Provincial Planning Statement.

"Buffer" means an area of land located adjacent to *natural heritage features and areas*, *other wetlands*, and *watercourses* and usually bordering lands that are subject to *development* or *site*

alteration. The purpose of a *buffer* is to protect the features and areas and their *ecological functions* by mitigating impacts of the proposed *development* or *site alteration*. *Buffers* shall consist of natural self-sustaining vegetation as a condition of *development* (except where certain *agricultural uses* are exempt from the requirement of a *buffer*).

"*Built form*" means the function, shape, and configuration of buildings, as well as their relationship to streets and open spaces.

"Built heritage resource" means a *built heritage resource* as defined in the Provincial Planning Statement.

"Character" means the collective qualities and characteristics that distinguish a particular area or neighbourhood.

"Coastal Wetlands" means *coastal wetlands* as defined in the Provincial Planning Statement.

"Compact built form" means a *compact built form* as defined in the Provincial Planning Statement.

"Complete communities" means complete communities as defined in the Provincial Planning Statement.

"Complete streets" are designed and operated in a context sensitive manner to enable safe access for all users. Pedestrians, cyclists, motorists and transit users of all ages and abilities must be able to move along and across a complete street. Central to the *complete streets* concept is the requirement that all road users be included in the design decisions.

"*Comprehensive rehabilitation*" means the *comprehensive rehabilitation* as defined in the Provincial Planning Statement.

~~***"Community hubs"*** means locations that serve as central access points, which offer services in collaboration with different community agencies and service providers, reduce administrative duplication, and improve services for residents and are responsive to the needs of communities.~~

"Conservation uses" shall include forest management, *fish* and wildlife management, soil conservation and slope stabilization.

"*Conserved"* means *conserved* as defined in the Provincial Planning Statement.

"Creative cultural industries" means uses involved in the creation, production and distribution of goods and services that use creativity and intellectual capital as primary inputs such as advertising, architecture, arts and antique markets, crafts, design, film, video and photography, software, music and performing arts and publishing.

"Cultural heritage landscape" means a *cultural heritage landscape* as defined in the Provincial Planning Statement.

"*Deposits of mineral aggregate resources*" means *deposits of mineral aggregate resources* as defined in the Provincial Planning Statement.

"*Designated and available*" means *designated and available* as defined in the Provincial Planning Statement.

"*Designated growth areas"* means *designated growth areas* as defined in the Provincial Planning Statement.

"*Designated vulnerable area*" means *designated vulnerable area* as defined in the Provincial Planning Statement.

"Development" means *development* as defined in the Provincial Planning Statement.

"Dynamic beach hazard" means a *dynamic beach hazard* as defined in the Provincial Planning Statement.

"Ecological function" means *ecological function* as defined in the Provincial Planning Statement.

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

"Ecosystem" means a dynamic complex of plants, animals, and micro-organisms and their non-living environment interacting as a functional unit. The term *ecosystem* can describe small scale units, such as drops of water, as well as large scale units, such as the biosphere.

"Employment area" or *eEmployment area designation* means employment area as defined in the Provincial Planning Statement.

"*Employment lands"* means a broad range of lands designated for employment uses that may be located within or outside of *eEmployment aAreas*. *Employment lands* accommodate a wide range of employment uses as set out in the Official Plan and Zoning By-law.

"Endangered species" means *endangered species* as defined in the Provincial Planning Statement.

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

- connect natural features and areas to create larger contiguous natural areas;
- reduce edge habitat and increase proportion of interior conditions (greater than 100 m from edge); and
- include critical function zones and important catchment areas critical to sustaining *ecological functions*.

"*Energy storage system*" means *energy storage system* as defined in the Provincial Planning Statement.

"*Environmental impact study*" means a science-based study of ecological features and functions and impacts to those features and functions resulting from *development* and/or *site alteration*, prepared in accordance with the Environmental Impact Study Guidelines.

"Erosion hazard" means *erosion hazard* as defined in the Provincial Planning Statement.

"*Essential emergency service*" means *essential emergency service* as defined in the Provincial Planning Statement.

"Estate winery" means the use of land, buildings or structures as a secondary agricultural use to a vineyard and/or fruit farm on the same farm parcel for the processing of fruit, fermentation, production, bottling, aging and storage of wine and wine related products where the fruit used in the production of the wine shall be *locally grown*. An *estate winery* may also include the retail sale of wine, hospitality room, restaurant, winery office and a laboratory.

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

"Farm diversification" means a range of uses that are designed to expand the range of economic opportunities available to farmers and is a generic reference to value added agriculturally related and secondary *agricultural uses* that may not be directly related to the agricultural activity conducted on the farm property.

"*Fish*" means *fish* as defined in the Provincial Planning Statement.

"Fish habitat" means *fish habitat* as defined in the Provincial Planning Statement.

"*Flood fringe*" means *flood fringe* as defined in the Provincial Planning Statement.

"Floodplain" means *floodplains* as defined in the Provincial Planning Statement.

"Flooding hazard" means *flooding hazard* as defined in the Provincial Planning Statement.

"***Floodproofing standard***" means *floodproofing standard* as defined in the Provincial Planning Statement.

"Floodway" means *floodway* as defined in the Provincial Planning Statement.

"***Freight Supportive***" means *freight supportive* as defined in the Provincial Planning Statement.

"***Frequent transit***" means *frequent transit* as defined in the Provincial Planning Statement.

"Garden suite" means a one-unit detached residential structure containing bathroom and kitchen facilities, ancillary to an existing residential structure and is designed to be portable.

"***Great Lakes – St. Lawrence River System***" means the *Great Lakes – St. Lawrence River System* as defined in the Provincial Planning Statement.

"*Green infrastructure*" means *green infrastructure* as defined in the Provincial Planning Statement.

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

~~***"Gross density"*** means 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 Heritage System but would include other forms of non-residential *development* (such as roads, parks, infrastructure, etc.).~~

"Ground water feature" means a *ground water feature* as defined in the Provincial Planning Statement.

"Habitat of endangered species and threatened species" means *habitat of endangered species and threatened species* as defined in the Provincial Planning Statement.

"***Hazardous forest types for wildland fire***" means *hazardous forest types for wildland fire* as defined in the Provincial Planning Statement.

"Hazardous lands" means *hazardous lands* as defined in the Provincial Planning Statement.

"Hazardous sites" means *hazardous sites* as defined in the Provincial Planning Statement.

"Hazardous substances" means *hazardous substances* as defined in the Provincial Planning Statement.

"Heritage attributes" means *heritage attributes* as defined in the Provincial Planning Statement.

"***Higher order transit***" means *higher order transit* as defined in the Provincial Planning Statement.

"Highly Vulnerable Aquifers" means *highly vulnerable aquifers* as defined in the Greenbelt Plan.

"Housing options" means *housing options* as defined in the Provincial Planning Statement.

"Hydrologic function" means *hydrologic function* as defined in the Provincial Planning Statement.

"***Hydrological evaluation***" and *hydrologic evaluation* means a science-based study of hydrologic features and areas and impacts to those features and *hydrologic functions* resulting from *development* and/or *site alteration*.

"***Impacts of a changing climate***" means *impacts of a changing climate* as defined in the Provincial Planning Statement.

"***Individual on-site sewage services***" means *individual on-site sewage services* as defined in the Provincial Planning Statement.

"***Individual on-site water services***" means *individual on-site water services* as defined in the Provincial Planning Statement

"Infrastructure" means physical structures (facilities and corridors) that form the foundation for *development*. *Infrastructure* includes sewage and water systems, septic treatment systems, stormwater management systems, *waste management systems*, electricity generation facilities, electricity transmission and distribution systems,–communications/telecommunications including broadband, transit and transportation corridors and facilities, *active transportation* systems, oil and gas pipelines and associated facilities.

"***Institutional use***" means *institutional use* as defined in the Provincial Planning Statement.

"Intensification" means *intensification* as defined in the Provincial Planning Statement.

"Intensification Corridors" means *intensification* areas along major roads, arterials or *higher order transit* corridors that have the potential to provide a focus for higher density mixed-use *development* consistent with planned transit service levels.

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

"Key Hydrologic Areas" means *significant groundwater recharge areas*, *highly vulnerable aquifers*, and significant surface water contribution areas that are necessary for the ecological and hydrologic integrity of a watershed.

"Large and fast growing municipalities" means *large and fast growing municipalities* as defined in the Provincial Planning Statement.

"Large inland lake" means *large inland lake* as defined in the Provincial Planning Statement.

"Legal or Technical Reasons" means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot.

*"**Linkages**"* 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 core areas consisting of natural features and areas, and supports a range of community and *ecosystem* processes enabling plants and animals to move among natural heritage features, in some cases over multiple generations, thereby supporting long-term sustainability of the overall natural environment systems.

"Locally Grown" means fruit or fruit juice used in the production of wine shall consist entirely of fruit in the first instance grown and harvested within the municipal boundaries of the Town, in the second instance from fruit grown and harvested in the Regional Municipality of Niagara and in the third instance from fruit grown and harvested in the Province of Ontario.

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

"*Low and moderate income households*" means *low and moderate income households* as defined in the Provincial Planning Statement.

"Low impact development" means *low impact development* as defined in the Provincial Planning Statement.

~~***"Moderate income households"*** In the case of ownership housing, households with incomes in the lowest 60 per cent of the income distribution for the municipality; or in the case of rental housing, household with incomes in the lowest 60 per cent of the income distribution for renter households for the municipality.~~

"*Major facilities*" means *major facilities* as defined in the Provincial Planning Statement.

"Major goods movement facilities and corridors" means *major goods movement facilities and corridors* as defined in the Provincial Planning Statement.

"Major transit station area" means a *major transit station area* as defined in the Provincial Planning Statement.

"*Major trip generators*" means *major trip generators* as defined in the Provincial Planning Statement.

~~"***Marine facilities***" means *marine facilities* as defined in the Provincial Planning Statement.~~

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

""Major retail/commercial uUse" means large-scale or large-format stand-alone retail stores or retail centres that have the primary purpose of commercial activities.

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

"Major office use" means freestanding office buildings with approximately 4,000 square metres of floor space or greater, or with 200 jobs or more.

"***Marine facilities***" means *marine facilities* as defined in the Provincial Planning Statement.

"***Mine hazard***" means *mine hazard* as defined in the Provincial Planning Statement.

"Minerals" means *minerals* as defined in the Provincial Planning Statement.

"Mineral aggregate operation" means *mineral aggregate operation* as defined in the Provincial Planning Statement.

"Mineral aggregate resources" means *mineral aggregate resources* as defined in the Provincial Planning Statement.

"***Mineral aggregate resource conservation***"" means *mineral aggregate resource conservation* as defined in the Provincial Planning Statement.

"***Mineral deposits***" means *mineral deposits* as defined in the Provincial Planning Statement.

"***Mineral mining operation***" means *mineral mining operation* as defined in the Provincial Planning Statement.

"Minimum distance separation formulae" means *minimum distance separation formulae* as defined in the Provincial Planning Statement.

"***Multimodal***" means *multimodal* as defined in the Provincial Planning Statement.

"*Municipal sewage services*" means *municipal sewage services* as defined in the Provincial Planning Statement.

"***Municipal water services***" means *municipal water services* as defined in the Provincial Planning Statement.

"Natural heritage features and areas" means features and areas, including *significant wetlands*, *significant coastal wetlands*, other *coastal wetlands*, *fish habitat*, *significant woodlands*, *significant valleylands*, *habitat of endangered species and threatened species*, *significant wildlife habitat*, and *significant areas of natural and scientific interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an areas. For the purposes of this definition, *natural heritage features and areas* includes *other woodlands*, earth science *areas of natural and scientific interest* (provincial and regional), and life science *areas of natural and scientific interest* (provincial and regional).~~natural heritage features and areas as defined in the Provincial Planning Statement.~~

"Natural heritage system" means a *natural heritage system* as defined in the Provincial Planning Statement.

"Negative impacts" means *negative impacts* as defined in the Provincial Planning Statement.

"Net density" means 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 Heritage System, parkland, roads and *infrastructure*.

"Normal farm practices" means *normal farm practice* as defined in the Provincial Planning Statement.

"*Oil, gas, and salt hazards*" means *oil, gas, and salt hazards* as defined in the Provincial Planning Statement.

"On-farm diversified uses" means on-farm diversified uses as defined in the Provincial Planning Statement.

"*One hundred year flood*" means *one hundred year flood* as defined in the Provincial Planning Statement.

"*One hundred year flood level*" means *one hundred year flood level* as defined in the Provincial Planning Statement.

"*Other water-related hazards*" refers to *other water-related hazards* as defined in the Provincial Planning Statement.

"*Other wetlands*" means lands that meet the definition of a *wetland*, and which have not been evaluated as a provincially *significant wetland*.

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

"*Partial services"* means *partial services* as defined in the Provincial Planning Statement.

"*Petroleum resource operations*" means *petroleum resource operations* as defined in the Provincial Planning Statement.

"Petroleum resources" means *petroleum resources* as defined in the Provincial Planning Statement.

"Planned corridors" means *planned corridores* as defined in the Provincial Planning Statement.

"*Portable asphalt plant*" means *portable asphalt plant* as defined in the Provincial Planning Statement.

"*Portable concrete plant*" means *portable concrete plant* as defined in the Provincial Planning Statement.

"Prime agricultural area" means *prime agricultural area* as defined in the Provincial Planning Statement.

"Prime agricultural land" means *prime agricultural land* as defined in the Provincial Planning Statement.

"*Private communal sewage services*" means *private communal sewage services* as defined in the Provincial Planning Statement.

"*Private communal water services*" means *private communal water services* as defined in the Provincial Planning Statement.

"Protected heritage property" means *protected heritage property* as defined in the Provincial Planning Statement.

"Protected major transit station area" means the area surrounding and including an existing or planned *higher order transit* station or stop as identified on Schedule 'A2' of this Plan. Also considered a *major transit station area* as defined by the Provincial Planning Statement.

"*Protection works standards*" means *protection works standards* as defined in the Provincial Planning Statement.

"Provincial and federal requirements" means *provincial and federal requirements* as defined in the Provincial Planning Statement.

"*Public use*" means designed, adapted or used for civic, political, educational, social or recreational purposes by various levels of government and their commissions, boards, agencies, ministries or departments.

"Public realm" means the publicly owned places and spaces that are accessible by everyone. These can include local streets, lanes, squares, plazas, sidewalks, trails, parks, open spaces, waterfront, public transit systems, conservation areas, and civic buildings and institutions.

"Public service facilities" means *public service facilities* as defined in the Provincial Planning Statement.

"Quality and quantity of water" means *quality and quantity of water* as defined in the Provincial Planning Statement.

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

- Fifteen and Sixteen Mile Creeks.
- Four Mile Creek and NOTL.
- Jordan Harbour –Twenty Mile Creek.
- Twelve Mile Creek.
- Welland Canal North.
- Welland Canal South.
- West Lake Ontario Shoreline.
- Niagara River North.
- Niagara River South.
- Welland River East.
- Welland River West.
- Northeast Lake Erie Shoreline.

"*Rail facilities"* means *rail facilities* as defined in the Provincial Planning Statement.

"Recreation" means lands, buildings, spaces, and structures used for both indoor and/or outdoor *recreation* programs including arenas, community centres, senior centres, sport fields, rinks/arenas, lawn bowling fields, tennis courts, pickleball courts, basketball courts and other similar recreational activities.

"Redevelopment" means *redevelopment* as defined in the Provincial Planning Statement.

"Regional market area" means 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 source*" means *renewable energy source* as defined in the Provincial Planning Statement.

"Renewable energy system~~s~~" means *renewable energy system~~s~~* as defined in the –Provincial Planning Statement.

"*Reserve sewage system capacity*" means *reserve sewage system capacity* as defined in the Provincial Planning Statement.

"***Reserve water system capacity***" means *reserve water system capacity* as defined in the Provincial Planning Statement.

"Residence surplus to an agricultural operation" means a *residence surplus to an agricultural operation* as defined in the Provincial Planning Statement.

"Residential intensification" means *intensification* of a property, site or area which results in a net increase in residential units or accommodation and includes:

- *redevelopment*, including the *redevelopment* of *brownfield sites*;
- the *development* of vacant or underutilized lots within previously developed areas;
- infill *development*;
- *development* and introduction of new *housing options* within previously developed areas;
- 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, *Aadditional Rresidential uUnits*, rooming houses, and other *housing options*.

"***River, stream and small inland lake systems***" means *river, stream and small inland lake systems* as defined in the Provincial Planning Statement.

"Rural areas" means *rural areas* as defined in the Provincial Planning Statement

"Rural lands" means *rural lands* as defined in the Provincial Planning Statement

"Rural settlement area(s)" means communities located in *rural areas, as* defined in the Provincial Planning Statement and delineated on Schedule 'A1', that are serviced by individual private on-site water and/or private wastewater systems, contain a limited amount of undeveloped lands that are designated for *development*, and are to accommodate limited growth. All *settlement areas* that are identified as hamlets in the Greenbelt Plan, or as minor urban centres in the Niagara Escarpment Plan are considered *rural settlements* for the purposes of this Plan, including those that would not otherwise meet this definition.

"Secondary uses" means uses secondary to the principal use, including, but not limited to, homebased business, home industries, and uses that produce value added agricultural products from farm operations.

"***Seepage areas and springs"*** means the sites of emergence of ground water where the water table is present at the ground surface.

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

"Sensitive" means *sensitive* as defined in the Provincial Planning Statement.

"Sensitive land uses" means *sensitive land uses* as defined in the Provincial Planning Statement.

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

"Settlement areas" means *settlement areas* as defined in the Provincial Planning Statement.

"Sewage and water services" means *sewage and water services* as defined in the Provincial Planning Statement.

"Shoreline Protection" shall include engineered, erosion control works in accordance with the requirements of the Province ~~Ministry of Natural Resources~~.

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

"Significant" means *significant* as defined in the Provincial Planning Statement.

"Significant Groundwater Recharge Areas" means an area that has been identified as:

a. A *significant groundwater recharge area* by any public body for the purposes of implementing the PPS;

b. *Significant groundwater recharge area* in the assessment report required under the Clean Water Act, 2006; or

c. An ecologically *significant groundwater recharge area* delineated in a *subwatershed study* or equivalent in accordance with provincial guidelines.

For the purposes of this definition, ecologically *significant* groundwater recharge areas are areas of land that are responsible for replenishing groundwater systems that directly support sensitive areas like cold water streams and *wetlands* (Greenbelt Plan, 2017).

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

~~significant as defined in the Provincial Planning Statement.~~

"Significant Surface Water Contribution Areas" means areas, generally associated with headwater catchments that contribute to baseflow volumes which are significant to the overall surface water flow volumes within a watershed (Greenbelt Plan, 2017). Significant surface water contribution areas include headwater drainage features classified as protection, conservation and mitigation.

"Site alteration" means ~~an area that has been identified as:~~ *site alteration* as defined in the Provincial Planning Statement.

~~a. A *significant groundwater recharge area* by any public body for the purposes of implementing the PPS;~~

~~a. *Significant groundwater recharge area* in the assessment report required under the Clean Water Act, 2006; or~~

~~a. An ecologically *significant groundwater recharge area* delineated in a *subwatershed study* or equivalent in accordance with provincial guidelines. For the purposes of this definition, ecologically *significant* groundwater recharge areas are areas of land that are responsible for replenishing groundwater systems that directly support sensitive areas like cold water streams and *wetlands* (Greenbelt Plan, 2017).~~

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

"*Special policy area"* means an area within a community that has historically existed in the *floodplain* and where site specific policies, approved by both the Ministers of Natural Resources and Forestry and Municipal Affairs and Housing, are intended to provide for the continued viability of existing uses (which are generally on a small scale) and addresses the significant social and economic hardships to the community that would result from strict adherence to provincial policies concerning *development*. The criteria and procedures for approval are established by the Province. A s~~S~~pecial p~~P~~olicy a~~A~~rea is not intended to allow for new or intensified *development*

and *site alteration*, if a community has feasible opportunities for *development* outside the *floodplain*.

"Specialty crop area" means *specialty crop area* as defined in the Provincial Planning Statement.

"Standards and ~~g~~Guidelines for ~~c~~Consulting A~~a~~rchaeologists" means the 2011 Standards and Guidelines for Consultant Archaeologists, or as superseded, and any bulletins that clarify and expand on the requirements in the Standards and Guidelines, compliance to which is mandatory for all consultant archaeologists who carry out archaeology in Ontario.~~means the long-range plan that assesses existing and planned stormwater facilities and systems and outlines stormwater *infrastructure* requirements for new and existing *development* within a *settlement area*. *Stormwater master plans* are informed by *watershed planning* and are completed in accordance with the environmental assessment processes under the Environmental Assessment Act, 1990, as amended~~

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

"Strategic growth area" means *strategic growth areas* as defined in the Provincial Planning Statement

"Subwatershed" means an area that is drained by a tributary or some defined portion of a stream. A *subwatershed* is smaller nested drainage area within a *quaternary watershed*. There are over 200 *subwatersheds* in Niagara Region.

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

- ***Subwatershed planning* typically includes**: the consideration of existing *development* and the evaluation of the impacts of any potential or proposed land uses and *development*; the identification hydrologic features, areas, *linkages*, and functions; the identification of natural features, areas, and related *hydrologic functions*; and a plan for protecting, improving, or restoring the *quality and quantity of water* within a *subwatershed*.
- ***Subwatershed planning*** is based on pre-*development* monitoring and evaluation; is integrated with natural heritage protection; and identifies specific criteria, objectives,

actions, thresholds, targets, and best management practices for *development*, for water and *wastewater servicing*, for stormwater management, for managing and minimizing impacts related to severe weather events, and to support ecological needs.

"Subwatershed study" means the plan or outcome from a *subwatershed planning* exercise.

"Supporting features and areas" means 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" means *surface water feature* as defined in the Provincial Planning Statement.

"Sustainable" means meeting the needs of the present without compromising the ability of future generations to meet their own needs.

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

"Sustainable private services" means a sewage disposal system, other than a holding tank, that is designed and constructed in accordance with the **Ontario Building Code Act**, and/or applicable Provincial requirements, and a water supply system designed and constructed in accordance with the Province ~~Ministry of the Environment~~ and Climate Change Guidelines or other guidelines approved by the Town, that are located on the same property as the buildings to which the sewage disposal system and water supply provide service.

"Tertiary watershed" means a *watershed* that discharges into a large water body. There are three *tertiary watersheds* in Niagara: ~~,~~ Lake Ontario, Lake Erie and Niagara River.

"Total developable area" means the total area of a property less the area occupied by key natural heritage features, key hydrologic features and any related *vegetation protection zone*.

"Threatened species" means a species that is classified as "*t~~T~~hreatened s~~S~~pecies*" on the Species at Risk in Ontario List, as updated and amended from time to time.

"***Transit service integration***" means *transit service integration* as defined in the Provincial Planning Statement.

"Transit-supportive" means *transit~~-~~supportive* as defined in the ~~.~~ Provincial Planning Statement.

"Transportation demand management" means *transportation demand management* as defined in the Provincial Planning Statement.

"Transportation system" means 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'n'ride lots, service centres, rest stops, vehicle inspection stations, inter-modal facilities, harbours, *airports*, *marine facilities*, ferries, canals and associated facilities such as storage and maintenance.

"*Two zone concept*": means *two zone concept* as defined in the Provincial Planning Statement.

"*Urban agricultural*" means *urban agricultural* as defined in the Provincial Planning Statement.

"Urban area boundary"" means the~~a~~ boundary delineated on Schedule "A" to this Plan, ~~and~~ as established by the Regional Municipality of Niagara in conformity with applicable Provincial Planning Statement policies, ~~contained in the Regional Official Plan and~~ which identifies ~~defines the~~ ~~u~~Urban ~~a~~Areas within the ~~—~~Town intended~~that are~~ primarily ~~reserved~~ for urban *development* on full municipal services and generally include residential, commercial and industrial *development* among other uses.

"Utility" means 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.

"Valleylands" means a natural area as defined in the Provincial Planning Statement.

"Value added uses" mean 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 a~~A~~dded u~~U~~ses* may be grouped into three major components: Support Uses, Production Uses and Marketing Uses:

- ***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.
- ***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 roadside produce stands and other retail facilities for the sale of products, pick your own facilities, *agri-tourism use* (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).

- ***Support uses:*** mean 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 to primarily serve the farm operation and surrounding local farm operations and are intended to remain secondary to the principal farm operation.

“Value retention uses” means uses occurring on-farm that are considered integral to an agricultural operation and integral to retaining the value of raw agricultural products. –They are divided into uses that support agricultural production including research and maintenance and management of equipment and uses required to get raw agricultural produce ready for market including washing, sorting, drying, packing, packaging and similar uses.

~~***“Valleylands”*** means *valleylands* as defined in the Provincial Planning Statement~~.

“Vegetation protection zone” means a vegetated *buffer* area surrounding a key natural heritage feature or key hydrologic feature (Greenbelt Plan, 2017).

“Vulnerable” means *vulnerable* as defined in the Provincial Planning Statement.

“Waste management system” means *waste management system* as defined in the Provincial Planning Statement.

“Wastewater services” means any works provided by the Town for the collection, lateral connection, transmission and treatment of sewage that are connected to a centralized wastewater treatment facility.

“Watershed” means *watershed* as defined in the Provincial Planning Statement.

“***Watershed planning***” means *watershed planning* as defined in the Provincial Planning Statement.

'Watershed plan” means the plan or outcome from a *w~~W~~atershed ~~P~~planning* exercise either at the tertiary or quaternary level

“Watercourse” means an identifiable depression in the ground in which a flow of water regularly or continuously occurs.

“*Water resource systems*” means *water resource systems* as defined in the Provincial Planning Statement.

~~***"Water treatment facility"*** means the part of a sewage works that treats or disposes of sewage but does not include the part of the sewage works that collects or transmits sewage~~
"*Wave effects*" means *wave effects* as defined in the Provincial Planning Statement.

"Wayside pits and quarries" means *wayside pits and quarries* as defined in the Provincial Planning Statement.

"Wetlands" means *wetlands* as defined in the Provincial Planning Statement.

"*Wildland fire assessment and mitigation standards*" means *wildland fire assessment and mitigation standards* as defined in the Provincial Planning Statement.

"Wildlife habitat" means *wildlife habitat* as defined in the Provincial Planning Statement.

"Woodland" means *woodlands* as defined in the Provincial Planning Statement.

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

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