Schedule A to By-law No. 28-2025

Pelham
NIAGARA

Town of Pelham

Official Plan

Land Acknowledgement

We respectfully acknowledge that the Town of Pelham is situated on land steeped in the rich history of the First Nations such as the Hatiwendaronk, Haudenosaunee and the Mississaugas of the Credit First Nation. This territory is covered by the Between the Lakes Treaty, No. 3 of the Upper Canada Treaties reached between the Crown and the Mississaugas of the Credit First Nation. Today, many First Nations, Métis, and Inuit people from across Turtle Island live and work in Niagara. The Town of Pelham stands in solidarity with all Indigenous peoples, past and present, acknowledging that our high standard of living is a result of the resources and lasting friendship of Indigenous peoples.

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Section 1: Introduction

1.1 Purpose of the Official Plan and Planning Context

This document constitutes the Official Plan for the Town of Pelham. It may be called the "Official Plan" or the "Plan."

An Official Plan is a strategic document that describes how and where a municipality will grow over a 30-year planning horizon. In Ontario, an Official Plan is adopted under the authority of the *Planning Act* as a document approved by the Minister of Municipal Affairs and Housing that contains objectives and policies to guide the physical *development* of a municipality while having regard for relevant social, economic, built and natural environment matters. Where an Official Plan is in effect, no public work is to be undertaken, and no by-law is passed unless it conforms with the Official Plan.

This Plan has been prepared and enacted by the provisions of the *Planning Act*. It updates the previous Official Plan for the Town of Pelham, which was adopted by the Council on April 2, 2012, and approved by the Ontario Municipal Board on July 18, 2014. It is updated regularly through various site-specific official plans, policy-specific plans, and housekeeping amendments. This Plan includes detailed provisions required to ensure conformity and consistency with the Provincial Planning Statement and applicable Provincial and Regional legislation.

This Official Plan is created under a colonial land use planning framework but seeks to integrate the knowledge and practices of Indigenous Nations who have been present on this land since time immemorial. This Plan seeks opportunities for partnership and connection with the land, focusing on protection and conservation of the natural environment. This Plan seeks to recognize the origins of the lands on which we live, including the treaty relationships, specifically with the Mississaugas of the Credit First Nation and Indigenous histories, presenting a framework for relationship-building with Indigenous communities.

The Town of Pelham shall implement this Plan in a manner that is consistent with the recognition and affirmation of existing Aboriginal and Treaty rights in section 35 of the Constitution Act, including the opportunity to engage Indigenous communities.
The Town will update this Plan regularly with amendments and consolidations to ensure conformity with Provincial plans, consistency with policy statements, and relevance to the town's local perspectives. A comprehensive review of the Town's land needs and revision to the Official Plan will occur no less frequently than 10 years after it comes into effect as a new Official Plan and every five years thereafter, as per Section 26 (1.1) of the *Planning Act*.

Secondary Plans may be established for parts of the Town as part of the Official Plan or separately adopted plan. The Town's Official Plan will remain the primary document, and any Secondary Plans will complement the Town's Plan by providing greater detail and localized land use policies.

The Official Plan:

a) Establishes a vision, guiding principles, strategic goals, objectives and policies to manage future land use patterns that positively affect the town's social, economic, cultural and natural environment.

b) Promotes long-term community sustainability and embodies policies and actions that aim to concurrently achieve social well-being, economic vitality, cultural conservation and enhancement, environmental integrity and energy sustainability.

c) Promotes the public interest in the town's future *development* and provides a basis for a comprehensive land use policy, which will be implemented through the Zoning By-law and other land use controls.

d) Guides decision-making and community building to the year 2051.

1.2 Plan Organization

The Official Plan consists of written text, figures and tables within the text, schedules, and definitions. It comprises twelve policy sections, Schedules A through F, and Appendices 1 through 5.

Section One: The introduction establishes the context for the Official Plan. This section sets out the purpose and describes how the plan is structured and how it should be read and interpreted.

Section Two: Strategic Directions establishes the Plan's Vision, Mission, Guiding Principles and Strategic Goals.

Section Three: Planning a Complete and Healthy Community provides an overview of the Town's urban structure, establishes the Town's *intensification* and growth targets, and identifies objectives for growth management, housing, climate change, and cultural heritage conservation.

Section Four: Protecting What is Valuable establishes policies and *development* criteria that address natural heritage protection, water resource protection and health and safety provisions aimed at ensuring a diverse, healthy environment.

Section Five: Movement of People and Goods provides transportation policies to facilitate the safe, efficient, and convenient movement of goods and people throughout the Town.

Section Six: Municipal Services provides policies for municipal services, including water, wastewater and stormwater.

Section Seven: Community Infrastructure sets out a policy framework for efficiently planning physical and social *infrastructure* to sustain and support growth and quality of life in the Town.

Section Eight: General Land Use sets out objectives, policies, permitted uses, and design and *development* criteria for land use designations within the Town that fall under general criteria or are identified through Provincial and Regional Policies such as Parks and Open Space, the Niagara Escarpment Plan Area, the Greenbelt Plan Area and *GBNHS*, and the *Natural Environment System*, as set out on Schedule A.

Section Nine: Agriculture and Rural Land Use sets out objectives, policies, permitted uses and design and *development* criteria for land use designations outside the *Settlement area* Boundary.

Section Ten: Urban Area Land Use sets objectives, policies, permitted uses, and design and *development* criteria for land use designations within the settlement area boundary.

Section Eleven: Implementation provides the operational framework and tools necessary to achieve the goals and objectives and implement the plan's policies.

Section Twelve: Definitions provides a glossary of terms used within this Plan to support policy implementation.

Schedules contain maps that correspond to policies within the Plan.

Appendix 1-3: Secondary Plans includes the approved Secondary Plans for Northwest Fonthill, East Fonthill and East Fenwick.

Appendix 4: Urban Design Guidelines provides detailed recommendations on how the Town will be built. It focuses on creating adaptable and well-designed *infrastructure* networks, buildings, sites, neighbourhoods, and open spaces.

Appendix 5: Natural Environment System: Components and Criteria provides detailed information on the *natural environment system*'s components and criteria for individual features. This is essential for implementing and identifying features during the *development* review process.

1.3 How to Use and Interpret the Official Plan

The Town's Official Plan contains goals, objectives, and policies intended to manage and direct physical change, including the effects of this change on the Town's social, economic, built, and natural environments. It is intended that the policies of this Official Plan will allow for some level of flexibility through interpretation without the need for an Official Plan Amendment. Such interpretations must be consistent with provincial plans and policies. Furthermore, such interpretation must be consistent with the intent of the policies of this Official Plan and must represent good planning. There is no implied priority to the order in which policies appear.

This Official Plan is a legal document prepared by the Town of Pelham and approved by the Province of Ontario by the *Planning Act*. Any reference to "the Town" or "the Town of Pelham" shall mean the Corporation of the Town of Pelham.

The Town considers the policies, schedules and appendices in this Plan consistent with the Provincial Planning Statement and the Greenbelt Plan. The detailed direction provided in the policies and schedule mapping of this Plan complements provincial policies and plans regarding matters of municipal interest to the Town, giving direction for sustainable and managed growth.

1.3.1 General Interpretation

1.3.1.1 The Plan is an integrated document. For any individual part to be correctly understood, the Official Plan must be read as a whole, incorporating broader goals into land use designations, policies, and specific directions for implementation. Schedules, unnumbered text, goals, definitions, and tables are all operative parts of the Official Plan. However, figures are included for information purposes only. The words "will" or "shall" express a mandatory requirement within this Plan. Where the words "should" or "where feasible" are used, alternative approaches to meet the interpreted intent of the policy may be considered.

1.3.1.2 The effect of this Plan is such that no Town public works shall be undertaken, and no Town By-law passed for any purpose that does not conform to and comply with this Plan. Public works undertaken by all other levels of government or public agencies, including the Government of Canada and the Province of Ontario, shall also be required to conform to this Plan, except where they are exempted under specific Federal or Provincial legislation.

1.3.1.3 The objectives of this Plan are intended to provide an 'endpoint' on what is desired to be achieved. They have been derived from goals and research undertaken as part of other comprehensive studies and inform the policies of

this Plan. They are intended to act as performance measures related to the successful implementation of the policies of this Plan.

1.3.1.4 The policies of this Plan are intended to guide the objectives of this Plan, representing minimum standards that will inform procedures and implement performance standards. For many subject matters, policies in this Plan have exceeded the minimum requirements set out in Provincial plans and policies to address issues of local importance to the Town of Pelham. In the event of a discrepancy between the policies of this Plan and Provincial policies and plans, the more restrictive policies shall prevail except where the relevant legislation provides otherwise.

1.3.1.4 Some areas of the town where more *significant* growth is anticipated need more detailed guidance from this plan, in which case, secondary plans have or will be prepared. Secondary Plans establish local *development* policies to guide growth and change in defined areas and are adopted as amendments to this Plan. This plan contains several existing secondary plans that have been kept as a whole or part because they continue to provide a relevant policy framework for future community growth.

1.3.1.5 One new Secondary Plan area is contemplated to address settlement boundary expansion in South Fonthill. The approved settlement boundary expansion for East Fonthill will be incorporated into the East Fonthill Secondary Plan through an amendment to that Plan. These Secondary Plan areas are included within this Plan and are to be interpreted as operative components of this Plan.

1.3.1.6 Every time a policy uses a term defined in the Glossary of Part 12, its meaning shall be interpreted according to that definition unless specified otherwise.

1.3.1.7 Where lists of permitted uses are provided in designations and policies, such lists reflect the possible range of *compatible* uses to be considered. These lists have intentionally been generalized unless otherwise specified in this Plan, leaving a more detailed listing of permitted uses to be determined by the Zoning By-Law. Accordingly, more specific uses not shown in such lists but considered by the Town of Pelham to be similar to the listed uses of this Plan may be appropriately accommodated within the subject designation through the Zoning By-Law without the need for an Official Plan Amendment, provided they are *compatible* with the surrounding uses and do not negatively impact public health and safety.

1.3.1.8 Where reference is made in this Plan to documents outside the Official Plan, such as Provincial or Federal legislation, it is understood that it is the latest

approved version of the documents that are being referenced unless otherwise specified.

1.3.1.9 The indication of any proposed or conceptual roads, bridges, parks, trails, municipal services, or *infrastructure* in policy text or on Plan schedules will not be interpreted as a commitment by the Town to provide such services within a specific timeframe, nor to be specifically or solely the responsibility of the Town to provide, finance, or otherwise implement. Nor will any omission of conceptual facilities be interpreted as an exemption from the provision of the facility for which the Town has determined need. These conceptual works will be integrated into the long-term planning process as contemplated. Minor adjustments to these facilities do not require an amendment to the Official Plan, provided their feasibility has been studied to the satisfaction of the Town of Pelham, and they are consistent with the overall objectives and policy directions of the Plan.

1.3.1.10 Where the Plan refers to studies, guidelines, and other policy documents, such as *watershed* plans, master, community design plans or engineering design standards, such policy documents are not part of the Plan unless the Plan has been specifically amended to include the document in whole or in part. In many instances, these documents implement the policies of the Plan and may be used to guide Council decisions on *development*, capital works projects and other matters. However, they do not have the status of policies in this Plan adopted under the *Planning Act*.

1.3.1.11 Where the Province of Ontario has issued guidance material, any agency having jurisdiction over a matter, or by the Town of Pelham, such information shall be used to support the interpretation and implementation of these policies in this Plan. Where any guidance material is referenced, it is intended that such references be interpreted to include any subsequent guidance that may amend or replace the reference document.

1.3.2 Schedule Boundaries

1.3.2.1 Boundaries for designations are deemed to be definitive. They are generally intended to follow property lines and coincide with well-defined natural and physical features such as the centreline of roads, rail facilities, hydro transmission lines, the boundaries of former township lots and concession lines, the edges of *significant* watercourses, forests, *wetlands* or similar.

1.3.2.2 Boundaries for the *Natural Environment System*, natural features and areas, and natural hazards shall be considered approximate except where they coincide with roads, rail facilities, hydro transmission lines, former township lots and concession lines, major watercourses or other well-defined natural or physical features. These designations may be further refined through

additional studies as outlined in the policies of this Plan and, where applicable, in consultation with any agency having jurisdiction. These boundaries do not include any associated buffers as prescribed in Section 4.

1.3.2.3 Unless otherwise stated in the policies, when the general intent of this Plan is maintained, minor adjustments to boundaries will not require an amendment to this Plan and will be updated by consolidation reporting.

1.3.2.4 In the event of a discrepancy between the policies and the related Schedule, the policies will take precedence.

1.4 Official Plan Update and Monitoring

The Town will regularly update the Official Plan to ensure that the plan implements any changes to the Provincial Planning Statement or other provincial plans. The official plan update is also an opportunity to ensure the official plan continues to address local priorities and changing community needs. This update should be completed ten years after a municipality prepares a new comprehensive official plan or every five years after an update is done through an amendment to the plan.

1.4.1 Monitoring and Plan Review

The Town will review and update the policies of this Plan by the *Planning Act*. It shall monitor and report on its implementation by reporting requirements, data standards, and other guidelines the Province may issue.

1.4.1.1 To assess the effectiveness of the Official Plan and to facilitate the updating of the Official Plan, the Town may monitor various matters, including but not necessarily limited to the following:

a) whether Provincial growth and *intensification* targets are being met;

b) the effectiveness of the policies in achieving the overall strategic directions, objectives and the intent of the policies in this Plan;

c) whether *development* is being carried out in conformity with the policies of this Plan;

d) any *significant* changes to applicable legislation and policies, including Provincial plans and policies;

e) servicing capacity;

f) the supply of existing and potential housing stock by type, including *affordable* housing, to accommodate the varying needs of residents; and

g) changes to the general demographic, economic, employment, social, environmental and technological circumstances as related to the effectiveness of this Plan.

1.4.2 Housekeeping Amendments and Technical Revisions

1.4.2.1 The Town reviews the Plan annually to determine whether the policies' implementation and interpretation achieve the policies' overall strategic directions and intent. The town will use annual housekeeping amendments to provide clarification and update policies and/or schedules wherever deemed appropriate.

1.4.2.2 Technical revisions to this Plan will not require an Official Plan Amendment, provided they do not change the intent of this plan. Technical revisions include:

a) changing the numbering, cross-referencing and arrangement of the text, tables and Schedules;

b) altering punctuation or language for consistency;

c) correcting grammatical, dimensional and boundary, mathematical or typographical errors that do not affect the intent of policies or Schedules;

d) adding technical information to Schedules;

e) changing format or presentation;

f) unless otherwise stated in the policies of this Plan, when the general intent of this Plan is maintained, minor adjustments to boundaries will be updated by way of consolidation reporting;

g) minor refinements to the boundaries of the *Natural Environment System*, *hazardous lands* or *hazardous sites* by the policies of this Plan and any agency having jurisdiction; and

h) consolidates approved Official Plan Amendments in a new document without altering approved policies or Schedules.

1.4.3 Amendments to the Plan

1.4.3.1 An amendment to this Plan is required to:

a) permit a change in land use;

b) allow for uses not permitted and/or by the policies of this Plan; and

c) to change *Settlement area* boundaries by the policies of this Plan and the *Planning Act*.

1.4.3.2 In considering an amendment to this Plan, the Town shall consider the following:

a) as part of a complete application, a Planning Justification Report and other studies, as required by the Town, shall address matters including, but not limited to, demonstrating:

i) conformity with the *Planning Act* and any applicable Provincial legislation, policies, plans, and guidelines;

ii) compliance with applicable legislation, policies and guidelines of any agency having jurisdiction;

iii) the desirability and appropriateness of changing the Official Plan to accommodate the proposed use and how the proposal meets the intent of the strategic direction, objectives, and policies in each Section of this Plan; and

iv) how it conforms to any other applicable Town by-laws, plans, and guidelines;

b) the need for the proposed use, including justification for the amount of land proposed for a change in designation based on existing undeveloped lands available in alternative locations in the Town;

c) the cumulative impact of approving similar *development* applications;

d) adequacy of *infrastructure* and community facilities by the policies of this Plan;

e) the potential effect on the financial sustainability of the Town;

f) the impact of the proposal on the Town's ability to achieve the density targets as expressed in this Plan; and

g) any other criteria determined to be relevant and applicable by the Town in consultation with any agency having jurisdiction.

1.3.4 Transition Policies

To ensure a smooth transition to the policy framework of this Official Plan concerning applications made under the previous Official Plan of the Town of Pelham, the following transition policies shall apply:

1.3.4.1 *Development* applications submitted and deemed complete through a *Planning Act* application before Provincial approval of this Plan and subsequent *development* applications implementing such *development* applications (e.g. a site plan application within a larger plan of subdivision) shall be reviewed under policies of the 2012 Town of Pelham Official Plan.

1.3.4.2 Where a *development* application was submitted and deemed complete before Provincial approval, but the applicant wishes to leverage the policies of this Official Plan, it shall be understood that all remaining portions of the *development* and subsequent applications will then be reviewed under the guidelines of this Plan.

1.3.4.3 For any Official Plan Amendments to the 2012 Official Plan that have cleared appeals prior to Ministerial approval of this Plan, the Town will modify this plan to incorporate such amendments.

Section 2: Strategic Directions

2.1 Introduction

The primary purpose of the Official Plan is to provide the basis for managing land use and growth that will support and emphasize the Town's unique character, diversity, civic identity, mixed urban and rural lifestyle and natural heritage features. This Official Plan seeks to manage land use change in a way that positively impacts the quality of life and health of all citizens who live and work in Pelham. The Plan recognizes that future objectives can only be achieved through a strategic vision, policies and actions. Ultimately, the Plan establishes a policy planning framework to retain and improve the quality of life for residents of the Town.

The town has several *significant* environmental and topographical features that contribute to its sense of place. These features include the Niagara Escarpment, Fonthill Kame, numerous rivers and streams, *woodlands*, and *wetland* areas that support diverse wildlife and plant communities. Protecting these attributes and other *natural heritage features and areas* and systems is a key underlying principle in this Official Plan.

The agricultural areas of the town, particularly the specialty croplands, are also considered an *essential* component of the community's character. These areas shall remain protected for future *agricultural use* as they play an *essential* role in the local and regional economy.

Vision

The vision for the Town is rooted in thoughtful stewardship of the land, environment and people with a commitment to fostering a thriving community that balances growth with sustainability, ensuring a prosperous and inclusive future for all.

Central to this vision is the principle of sustainable growth, guided by a deep respect for the natural environment and a dedication to preserving the town's unique character. With natural heritage features, rich agricultural lands, and diverse housing, Pelham will plan, protect, and provide policies to support positive land use and sustainable growth.

Neighbourhoods will be vibrant and accessible, with *affordable housing options* available to all residents, fostering a sense of belonging and opportunity. The Town will aspire to build a community that thrives today while laying the foundation for a prosperous and sustainable tomorrow.

Through strategic land use planning, the Town will cultivate dynamic urban areas in Fonthill and Fenwick while safeguarding agricultural lands and natural heritage features. The policies of this Plan will actively address *climate change*, supporting innovative initiatives that mitigate environmental impact and promote resilience.

2.2 Fundamental Assumptions and Strategic Direction

2.2.1 Growth Management

2.2.1.1 The Town of Pelham is forecast to grow to a minimum population of 29,000 residents and 7,100 jobs by 2051.

2.2.1.2 There is sufficient land within the *settlement area*s of Fonthill and Fenwick to accommodate population, housing and population-related employment to 2051.

2.2.1.3 An urban *intensification* target of 25% is set in the *built-up area*s of the primary *settlement area*s of Fonthill and Fenwick.

2.2.1.4 A minimum *designated growth area* density target of 50 residents and jobs per gross hectare is set within the primary *settlement area*s of Fonthill and Fenwick.

2.2.1.5 Residential and employment growth in line with the Town's growth forecasting will occur through the community structure and land use designations, in coordination with the Niagara Region's Master Plans and in keeping with the *complete community* framework that supports urban design, environmental protection, fiscal responsibility for the Town and taxpayers, and wise and efficient use of land and *infrastructure*.

2.2.1.6 Rural *settlement area*s with private or partial water and wastewater servicing *infrastructure* should not be the focus of large-scale residential *development* without appropriate, localized, and coordinated planning.

2.2.1.7 The s*ettlement area* boundary expansion for South Fonthill will proceed via the Secondary Plan process. While the approved expansion area for East Fonthill will be incorporated into the existing East Fonthill Secondary Plan.

2.2.2 Planning a Complete and Healthy Community

2.2.2.1 The achievement of complete communities is supported by planning to accommodate forecasted growth to 2051 in areas of the Town which are appropriately serviced and well-connected to the places where people work and live.

2.2.2.2 To welcome and accommodate a diverse population base of all backgrounds, ages, and incomes, a broad range of *affordable housing options* by structure type and tenure (ownership and rental) is encouraged.

2.2.2.3 A compact built environment will be created that enables physical activity, the building of social connections, positive health outcomes, and resiliency through an evolving urban form supported by sustainable mobility options and a reduction in vehicle dependency.

2.2.2.4 An appropriate range and mix of employment opportunities, local services, and community *infrastructure* should be provided to meet current and project needs to 2051 become a *complete community*.

2.2.2.5 Policies are included that encourage a comprehensive public open space system and preserve and enhance a safe, liveable, and healthy community.

2.2.3 Protecting What is Valuable

2.2.3.1 Clear direction is provided on the permanent protection of a *Natural Environment System*, including the natural heritage and *water resource system*s, features and *linkages* and the protection of life and property from *hazardous lands* or *hazardous sites*.

2.2.3.2 Establish and implement policies and actions that will contribute to achieving the goals and objectives of the Town's Natural Asset Management Plan.

2.2.3.3 The *quality and quantity of water*, including *surface and groundwater features, will be protected, improved,* and restored.

2.2.3.4 Agricultural areas demonstrating a high capability for agricultural production will be protected, and potential conflicts will not hinder *bonafide farmers* from following *normal farm practice*s for new *development* or *redevelopment*.

2.2.3.5 Fragmentation of the *agricultural system* will be avoided by limiting the permissions for new lots in agrarian areas.

2.2.3.6 Lot creation and uses related to residential, commercial, *institutional and public service facilities and use*s are directed to *settlement area*s.

2.2.3.7 Areas exhibiting high potential for *mineral aggregate resources* or *mineral deposits* will be protected from encroachment to ensure the potential future extraction of such deposits is required. Additionally, the Town will partner with the aggregate industry to encourage operational sites to be *compatible* with and respect the community and the *natural environment system* features and functions.

2.2.3.8 Manage and enhance the Town's cultural heritage resources and ensure that new *development* or *redevelopment* will regard cultural heritage resources to

support the identification, evaluation, conservation, enhancement and adaptive reuse of cultural heritage assets.

2.2.3.9 Establish and implement policies and actions that will contribute to achieving the goals and objectives of the Town's Corporate Climate Change Adaptation Plan.

2.2.3.10 Support an integrated approach to meeting the community's energy needs by designing places and buildings that minimize energy and water consumption and waste production, thereby supporting an increasingly low carbon footprint.

2.2.3.11 Promote opportunities for using and generating renewable and *alternative energy systems, renewable energy sources and renewable energy systems*.

2.2.4 Movement of People and Goods

2.2.4.1 Develop a safe, efficient, convenient and sustainable *transportation system* that supports all modes of travel, including *active transportation*, to support sustainable land use patterns.

2.2.4.2 Integrate transportation and land use planning to support the *development* of *complete communities*.

2.2.4.3 Establish a street pattern that provides appropriate and easy access for residents throughout the Town, integrated with existing public roads and open space wherever possible.

2.2.4.4 Recognize the importance of the Niagara Central Dorothy Rungeling Airport and its adjacent industrial land base as assets in future local and regional economic *development*.

2.2.4.5 The *transportation system's* priorities will include fiscal responsibility, accessibility, equity, and optimizing the use of transportation assets.

2.2.5 Municipal Services and Community Infrastructure

2.2.5.1 *Infrastructure* required to accommodate growth will be provided in a timely, sustainable and fiscally responsible manner.

2.2.5.2 Direct *development* to areas where complete municipal services (*municipal sewage services* and *municipal water services*) and related *infrastructure* exist or can be made available while considering existing land uses, *natural heritage systems* and *development* constraints.

2.2.5.3 Ensure that *infrastructure* required to serve the settlement areas is built before or coincides with new *development*.

2.2.5.4 Infill and *intensification* will be supported in primary *settlement area*s by ensuring adequate capacity and *infrastructure* delivery.

2.2.5.5 The use of innovative stormwater management solutions will be optimized.

2.2.5.6 Integration of *green infrastructure* is encouraged to mitigate the impacts of *climate change* and address challenges in maintaining existing *infrastructure* and planning for new *infrastructure*.

2.2.5.7 A clean and sustainable supply of water is *essential* to the long-term health and prosperity of the Town and will be protected.

2.2.5.8 *Infrastructure* and public service facilities will be strategically located to support the effective and efficient delivery of emergency management services.

2.2.5.9 An accessible, connected open space, park and trail system, and sustainable network of recreational facilities are prioritized to promote a physically active and healthy community that meets residents' needs for active and passive recreation activities.

2.2.5.10 Community facilities will be provided to meet the social, health and education needs of existing and future residents to maximize accessibility.

2.2.6 Urban Design, Economic Development and Prosperity

2.2.6.1 Preserve, enhance and protect the distinct character of the Town and the sense of community of the neighbourhoods.

2.2.6.2 Plan and design an attractive urban landscape while encouraging innovative and sustainable design and *development* opportunities.

2.2.6.3 Foster a sense of civic identity through a high standard of urban design in public and private *development*.

2.2.6.4 Design the entrances along Highway 20 into Fonthill to ensure they serve as desirable gateways into the downtown core and settlement area. Additionally, the Town will protect and enhance the downtown and main street areas as key components of the Town’s public realm and key economic drivers.

2.2.6.5 Main Streets in the Town and hamlet areas will focus on commerce, services, and tourism, and opportunities for jobs, commerce, and services based on current and future growth will be supported.

2.2.6.6 Land use policy and implementation will encourage the growth of a more diversified local economy.

Section 3: Planning a Complete and Healthy Community

The Town of Pelham is committed to fostering a strong, resilient, and inclusive community. This Plan emphasizes thoughtful growth and *development* that address the needs of all residents, promoting gradual improvements that enhance functionality, community character, equity, and access to *essential* daily services. A well-organized community structure and its overall impact must be carefully assessed in the *development* process. Community involvement is *essential* to creating vibrant, complete communities and ensuring that growth aligns with the objectives of this Official Plan.

This section outlines policies that support the *development* of healthy and complete communities. These guidelines apply to all designations and *development* projects.

3.1 Growth Management

The Town of Pelham is expected to grow to achieve a minimum population of at least 29,000 residents and at least 7,140 jobs by 2051.

This represents an increase of at least 10,800 people and 3,000 jobs throughout the Town from 2021 to 2051. Most of this growth is expected to occur in the approved *settlement area*s of Fonthill and Fenwick, with a limited amount of residential and commercial *development* in the rural *settlement area*s of Ridgeville and North Pelham.

In Fonthill, future residential growth will be accommodated primarily within the East and South Fonthill Secondary Plan areas. The policies of this Plan also encourage additional housing growth through *residential intensification*, including *additional residential units* in the Downtown and within the surrounding established neighbourhoods and through *redevelopment* in transitional areas adjacent to the Downtown.

In Fenwick, future residential growth will be accommodated within the East Fenwick Secondary Plan area and through *residential intensification*, including *additional residential units*.

At the time of each Official Plan update, sufficient land shall be available to accommodate an appropriate range and mix of land uses to meet projected needs for a minimum time horizon of at least 25 years. The Town can extend this time horizon when planning for *infrastructure*, transportation options and public service facilities.

3.1.1 Objectives

3.1.1.1 Managed, phased and sustainable urban and rural *development* will accommodate at least 29,000 residents and at least 7,140 jobs over a 25-year planning horizon to 2051 throughout the Town.

3.1.1.2 Provide sufficient land supply within the Town's *Settlement area*s with existing and planned *municipal water services* and *municipal sewage services* to accommodate projected growth to 2051.

3.1.1.3 The phasing, pace and scale of all new future *development* will be aligned with the timing of *infrastructure* delivery in a fiscally sustainable manner in coordination with the Niagara Region's Master Plans.

3.1.1.4 Growth will be limited in agriculture and rural areas and directed to rural *settlement area*s where *partial services*, *private communal sewage services*, *private communal water services* or *individual on-site water* and *individual on-site sewage services* are used.

3.1.1.5 Provide an increased range and mix of *affordable housing options*, including a variety of densities by structure type and tenure (ownership and rental) to accommodate a changing, diverse population base of all backgrounds, ages and incomes, in keeping with high-quality urban design standards while maintaining the Town's small-town charm.

3.1.1.6 Provide an increased mix of smaller, modest, and *affordable* residential units, encouraging new long-term housing for more non-family households, especially the young and elderly, recognizing a shifting cultural and demographic trends.

3.1.1.7 Provide an increased mix of *medium-density residential* and *high-density residential*, multi-unit residential buildings to support aging in place, multiple-family households, and various ownership models, recognizing a shifting cultural and demographic trend.

3.1.1.8 Encourage infill and *intensification* of the Town's *built-up area*s with mixed-use, pedestrian-friendly *development* in appropriate locations.

3.1.1.9 Ensure cost-effective *development* and land use patterns and require *development* to demonstrate the fiscal management of growth-related costs.

3.1.1.10 Provide the *infrastructure* required to accommodate growth in an environmentally and fiscally responsible manner.

3.1.1.11 Ensure sustainable growth enhances the unique attributes of the community, cultural heritage resources, the *natural environment system*, and the *Agricultural system*, and minimizes rural-urban and land-use *compatibility* conflicts.

3.1.1.12 Provide Town residents with convenient access to *institutional* and commercial uses, *public service facilities*, amenities, and services to maintain

a *complete community* including a framework to increase the mix of uses in neighbourhoods and access to mobility options.

3.1.1.13 Provide a full range of employment types and job opportunities in urban and *rural area* and ensure employment density targets are met.

3.1.1.14 Support a multi-modal transportation network and efficient public transit that links the Town to the rest of the Region.

3.1.1.15 Reduce overall energy demand with an integrated approach to planning.

3.1.1.16 Promote protection and enhancement of the Town's *natural environment system*.

3.1.1.17 Promote the protection and/or conservation of water, energy, air quality and cultural heritage resources.

3.1.1.18 Support *active transportation.*

3.2 How and Where to Grow

The Town of Pelham includes urban and agricultural/rural communities. The key objective of lands within the agricultural/rural areas of the Town is to protect agricultural land, resources and the natural environment while encouraging economic and cultural activities that support the health and prosperity of agricultural/rural communities. A key objective of the settlement area is to direct growth where there is planned and existing *infrastructure* in a manner that supports the principles of complete communities. Complete communities include various land uses that provide opportunities to live, shop and work in the same community.

3.2.1 Agricultural/Rural Areas

3.2.1.1 A limited amount of growth, up to 20% of the forecasted growth allocation, will occur in the Town's *rural areas*.

3.2.1.2 The *rural area* can accommodate forecasted growth to promote the efficient use and optimization of existing municipal sewage and *municipal water services*, *private communal sewage services,* and *private communal water services*.

3.2.1.3 The Rural Settlement designation is comprised of areas that support the health and prosperity of the rural regions by providing designated areas for non-farm uses such as economic and cultural activities and limited residential growth.

3.2.1.4 The Agriculture designation consists of specialty and prime agriculture areas to be protected from large-scale urban *development*. A key objective of the a*gricultural system* is to preserve agricultural land, natural resources, and *natural heritage features and areas*.

3.2.2 Settlement Areas

3.2.2.1 The *settlement areas* (*designated growth area*s) include the *settlement area*s of Fonthill and Fenwick. These lands are anticipated to accommodate most of the future residential and non-residential growth to 2051. These *settlement area*s currently have existing or the potential for future planned complete municipal services, lands which are *designated and available* for urban *development*, a concentration of public service facilities and a range of land uses.

3.2.2.2 Opportunity for growth in these *settlement area*s without existing full municipal servicing or allocation is considered longer-term and would be dependent on future servicing improvements and in keeping with the Town's Servicing Master Plan.

3.2.2.3 *Intensification* and infill, including *additional residential units*, will be encouraged within the *settlement area*'s established neighbourhoods and through *redevelopment* in transitional regions adjacent to Downtown.

3.2.2.4 The Town has a robust supply of potential residential *development* in the planning approvals process and can always accommodate residential growth for a minimum of 15 years through *designated and available* lands for residential *development*.

3.2.2.5 A coordinated, integrated, and comprehensive approach using the minimum intensification and density targets of this Plan should be used for the planning, *development* and management of infrastructure within the Town, across other local municipal boundaries and with the Region of Niagara and other orders of government, agencies and boards.

3.3 Managing Population and Employment Growth

3.3.1 Objectives

3.3.1.1 Manage future population and employment growth by integrating land use planning with long-term planning and fiscal management of *infrastructure*, public service facilities and service delivery throughout the Town.

3.3.1.2 The Town shall plan to accommodate a population allocation of 28,830 persons and an employment allocation of 7,140 jobs as the basis for planning and managing growth to 2051;

a) that promotes the efficient use and optimization of existing municipal water and wastewater systems and private communal water and wastewater systems.

3.3.1.3 Determining future transportation requirements, municipal water and wastewater servicing allocation needs, and planning to deliver public service facilities and programs.

3.3.1.4 The Town may also undergo planning beyond the horizon of this Plan for *infrastructure*, employment, and public service facilities.

3.3.1.5 Plan for *infrastructure* and public service facilities by considering the entire life cycle costs of these assets and developing public and private partnership options for paying for these costs over the long-term horizon of this Plan.

3.3.1.6 Where there are large-scale *development* proposals and there is sufficient capacity for connection requests to *municipal water services and municipal sewage services* from partial or private services within the *Settlement area*s, the Town shall determine if a Secondary Plan is required.

3.3.1.7 Direct the majority of future residential and employment growth within the Town to the built-up and *designated growth areas* within the *Settlement area* boundaries.

3.3.2 Built-up area, New Development and General Intensification

3.3.2.1 To ensure *development* proceeds by the objectives of Section 3.1 and to achieve the *intensification* targets of this Plan, a minimum of 25% of new residential and employment growth will be accommodated within the *built-up area* through new *development*, *intensification* and *redevelopment*.

3.3.2.2 The *built-up area* has been delineated per the Province and consists of lands within the *Settlement area* boundaries of Fonthill and Fenwick.

3.3.2.3 Within the Town's *built-up area*, new *development* will be planned and designed to:

a) ensure new *development* should be designed to promote energy conservation, alternative and/or *renewable energy system*s and water conservation;

b) create street configurations, densities and an urban form that supports walking, cycling, integration and sustained viability of transit services;

c) provide diverse land uses, including residential and employment, to support vibrant neighbourhoods;

d) create high-quality public spaces with site design and urban design standards that support walking, cycling and transit opportunities;

e) promote, where appropriate through secondary planning, the *development* of identifiable, pedestrian-oriented neighbourhood scale *development*s through the use of medium and high-density, street-related built forms that contain a mix of commercial, residential and employment uses, as well as supporting live/work opportunities. These areas will be designed around active public spaces and streets and pedestrian access that is well-linked to the surrounding neighbourhood through walking, cycling and public transit; and

f) develop and implement policies, including phasing policies and other strategies, to achieve this plan's *intensification* and density targets.

3.3.2.4 Within the Town's *built-up area*, the following general *intensification* policies shall apply:

a) The town will promote and facilitate *intensification* throughout the *built-up area*.

b) vacant or underutilized lots, and *brownfield site*s will be revitalized by promoting infill *development*, *redevelopment*, and expansions or *conversion*s of existing buildings.

c) the town will plan and provide a diverse and *compatible* mix of land uses, including residential and employment, to support vibrant communities.

d) a range and mix of housing will be planned, considering *affordable* housing needs and encouraging the creation of additional residential dwelling units.

e) *intensification* will be encouraged to achieve higher densities than the surrounding areas while achieving an appropriate built-form transition to adjacent areas and maintaining land use *compatibility*.

f) the town will plan for high-quality public open space with site design and urban design standards that create attractive and vibrant spaces.

g) *development* will support transit, walking, cycling and other forms of *active transportation* for everyday activities.

h) the town will identify the appropriate type and scale of *development* within *intensification* areas and facilitate infill *development* where appropriate.

3.3.3 Residential Intensification

3.3.3.1 The Town will support all types of *residential intensification*, including converting existing commercial and *institutional* buildings for residential use, developing and introducing new *housing options* within previously developed areas, and *redevelopment*, resulting in a net increase in residential units.

3.3.3.2 Per provincial and regional policies, the town will accommodate at least 40% of projected housing growth annually within the existing *built-up area*, as illustrated in the Land Use Schedules A2 and A3 of this plan.

3.3.3.3 In reviewing *intensification* proposals, the Town will assess their density relative to the character of the surrounding neighbourhood 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.

3.3.3.4 *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 integrate with the existing character of the community or neighbourhood where they are proposed.

3.3.3.5 *Intensification developments* will be characterized by quality design and landscaping, implementation of suitable building setbacks to preserve the neighbourhood's existing character, meeting current parking standards, and improving traffic movements to not negatively impact the surrounding neighbourhood from the perspectives of safety or neighbourhood character.

3.3.3.6 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 are similar to and *compatible* with the established character of the street or neighbourhood where it is suggested.

3.3.3.7 All *residential intensification* over 10 units shall be subject to site plan control by the applicable policies of this Plan.

3.3.4 Settlement Area Boundary Expansions

3.3.4.1 The Region of Niagara Official Plan identified two *settlement area* Boundary expansion areas identified on Schedule A.

3.3.4.2 These two *settlement area* boundary expansion areas will undergo a Secondary Plan process before being eligible for *development*.

3.3.5 Employment

The Town shall promote economic *development* and competitiveness and ensure an adequate land supply for various employment uses to accommodate the employment growth forecast of a minimum of 7,140 jobs by the year 2051.

3.3.5.1 The Town shall plan for, protect and provide employment areas for current and future uses and ensure that necessary *infrastructure* is provided to support current and projected needs to the Plan horizon and beyond.

3.3.5.2 Provide opportunities for a diversified economic base, including maintaining a range and choosing suitable employment sites that support a wide range of financial activities and ancillary uses and consider the needs of existing and future businesses.

3.3.5.3 Direct most employment growth to the *settlement area*s through *development* in the *built-up area* and the intensification of existing *development*.

3.3.5.4 Support employment uses and investment in lands outside the *settlement area* through promotion and investment in the agricultural sector and small-scale dry industrial uses along Webber Road near the Airport.

3.3.5.5 Employment lands within the *settlement area* will be planned to achieve the overall density target over the long term. These lands will be designated to permit a range and mix of uses that support employment growth.

3.3.5.6 Employment uses that generate low job densities are generally encouraged to be located on appropriately designated lands within the town's *built-up area* with convenient access to transportation routes.

3.4 Building a Complete Community

Ensuring the Town of Pelham is a strong, resilient, and inclusive community is a key objective of this Plan. The growth and *development* of our communities must consider the needs of all residents, encouraging incremental change that improves function, community character, equity, and the provision of basic needs for daily living. How the various elements of a community are organized and the impacts these elements have on the community as a whole need to be comprehensively evaluated and understood as part of the *development* process.

Planning for a *complete community* is focused on achieving a well-designed, compact, vibrant Town that provides convenient access to an appropriate mix of employment opportunities, a full range of *housing options*, including *affordable housing options*, and the public *infrastructure* and local services to support a growing population.

This Plan also recognizes that the agricultural areas of the Town, particularly the specialty croplands, are an important component of its character. The policies of this Plan will continue to support, protect, and enhance these areas so that they continue to serve an important role locally and as part of the greater regional economy.

3.4.1 Housing Supply

The Town of Pelham encourages a mix and range of housing types, styles and tenures designed for various ages, backgrounds, cultures and incomes to meet the needs of a growing and prosperous community.

The Town will encourage a range and mix of *housing options* across all neighbourhoods, in *low-density residential*, *medium-density residential*, and *high-density residential developments*; providing the broadest range of price, occupancy, and tenure is a key objective of the *complete community*'s framework and policies of this Plan. This Plan emphasizes the *compatibility* of built form and provision of diverse *housing options* rather than focusing on dwelling typologies and unit counts. Housing is encouraged in detached and attached unit types, often in the form of ground-oriented units. Housing *development* standards shall form part of the implementing Zoning By-Law and applicable Town guidelines.

This Plan intends to ensure that *development* and *redevelopment* of housing occur in appropriate locations in an orderly, efficient, and sustainable manner, aligning with *infrastructure* capacity, public services, and the financial capability of the Town according to the policies of this Plan. This Plan also intends to provide opportunities for monitoring and adjusting town housing policies due to changes in the market, community needs, or similar matters that seek to address removing barriers to housing. The policies of this section shall apply to the *development* or *redevelopment* of housing within any designations that permit residential or accessory uses.

3.4.1.1 Appropriate water and sanitary sewage systems shall be provided to satisfy the approval authority having jurisdiction.

3.4.1.2 The Town shall encourage innovative and *compatible* housing *development* that exhibits sustainable and high design standards in *compact built form*, which may represent non-traditional additions to the Town's housing stock.

3.4.1.3 In addition to the policies of this Plan, the Town shall develop flexible zoning and other implementation standards that permit a range and mix of housing forms, types, sizes, and tenures to help eliminate barriers to housing, specifically *affordable* housing and *additional needs housing*.

3.4.1.4 The *development* and *redevelopment* of housing shall be *compatible* and complimentary to adjacent uses and integrate historical attributes and characteristics of areas, when applicable, according to the relevant policies of this Plan.

3.4.1.5 Housing *development* and *redevelopment* shall be universally designed, ensuring equitable size, location, and type of units while providing a mix of household incomes, including market rent and *affordable* housing to meet community needs. Other uses that directly support housing *development* shall also be encouraged in accordance with this Section of the Plan.

3.4.2 Additional Residential Units within Settlement Areas

3.4.2.1 The *additional residential unit* may qualify for severance from the principal dwelling provided it meets the policies for consent in the applicable land use designation of this Plan.

3.4.2.2 The *additional residential unit* shall only be permitted on properties of a size where the site conditions are suitable for the long-term provision of such services with no *negative impacts*, as may be confirmed by a hydrogeological assessment prepared by a qualified professional.

3.4.2.3 A maximum of three units (one principal unit and two *additional residential units*) shall be permitted within a rural *settlement area*. Where units exceeding three are proposed on a property within a rural *settlement area*, such *development* shall not be considered under the *additional residential unit* typology and policies.

3.4.2.4 Where an *additional residential unit* is contemplated to be severed from the principal dwelling, such consent will not prevent the creation of a subsequent *additional residential unit* on the severed or retained lots.

3.4.2.5 Where the *additional residential unit(s)* are in the form of a detached unit(s), the location, massing, and overall aesthetic should be considerate of the surrounding built characteristics, and the unit(s) should be secondary to the primary residential use.

3.4.2.6 The preferred method of servicing an *additional residential unit* in the *settlement area*s is servicing *infrastructure* provided through the principal dwelling.

3.4.2.7 An *additional residential unit* in rural *settlement area*s should utilize an existing well and septic or the same well and septic as the principal dwelling, wherever possible.

3.4.2.8 Parking for an *additional residential unit* shall be provided on the property containing the *additional residential unit*, in addition to the required parking spaces for the principal dwelling. Any reduction in the required parking for either the primary unit or *additional residential unit(s)* will require approval through a Zoning By-law Amendment.

3.4.2.9 An *additional residential unit* shall ensure safe and unobstructed access from the municipal right-of-way to the satisfaction of the Town of Pelham's Emergency Services providers.

3.4.2.10 When questions arise about determining which residential unit is the principal unit, the principal unit shall have the most *significant* building envelope.

3.4.3 Additional Residential Units Outside of Settlement Areas

3.4.3.1 The *additional residential unit* shall only be permitted on properties of a size where the site conditions are suitable for the long-term provision of such services with no *negative impacts*, as may be confirmed by a hydrogeological assessment prepared by a qualified professional.

3.4.3.2 The *additional residential unit* shall be located close to the principal dwelling unit, which may include being located within an existing farm building cluster to cluster existing residential units and prevent further *negative impacts* on surrounding farming operations.

3.4.3.3 An *additional residential unit* shall leverage the same well and septic services as the principal dwelling on the property.

3.4.3.4 Parking for an *additional residential unit* should be provided on the property containing the *additional residential unit* and the required parking spaces for the principal dwelling. Any reduction in the required parking for either the

primary unit or *additional residential unit*(s) will be required to seek approval through a Zoning By-law Amendment.

3.4.3.5 An *additional residential unit* shall ensure safe and unobstructed access from the municipal right-of-way to the satisfaction of the Town of Pelham's Emergency Services providers.

3.4.3.6 Where the *additional residential unit*(s) are in the form of a detached unit(s), the following shall apply:

a) the total *development* area of the residential unit(s) shall be limited in area, including the associated *additional residential unit*(s) and any attributed accessory structures, septic, well, landscaped open space, parking, additional driveway area and *site alteration*;

b) the *additional residential unit*(s) shall not have a negative impact on the ability of surrounding farming operations to expand. In this regard, the unit shall comply with the *minimum distance separation* formulae and shall be located no closer to neighbouring livestock than the existing principal dwelling unit;

c) the *additional residential unit*(s) shall use the same driveway entrance from the municipal right-of-way as the primary dwelling unit; and

d) the *additional residential unit*(s) shall be located within an existing building cluster of the lot or, where no building cluster exists, no further from the principal dwelling than the minimum frontage requirement for the property.

3.4.3.7 When questions arise about determining which residential unit is the principal unit, it shall have the most *significant* building envelope.

3.4.3.8 Where an additional residential unit is within an accessory building, the accessory building must be secondary in size and scale to the principal residential building.

3.4.3.9 An accessory building containing an additional residential unit may not be severed from the lot accommodating the principal residential building. In no case shall an *additional residential unit* be considered a residence surplus to a farm operation.

3.4.4 Additional Residential Units in the Greenbelt Plan Area

In addition to the policies in Section 3.4.3 above, the following guidelines shall apply to lands within the Greenbelt Plan area.

3.4.4.1 Notwithstanding section 3.4.3, within the Protected Countryside of the Greenbelt Plan, but outside of the *natural heritage system* as identified in the Greenbelt Plan, one additional residential unit is only permitted within either a single detached dwelling or an accessory building that existed on (or building permits were issued before) December 6, 2004.

3.4.5 Affordable Housing

This plan, by its objectives and policies, intends to encourage multiple residential unit *development* in various forms as *affordable housing options* wherever *compatible* and feasible.

3.4.5.1 The Town will support "missing middle" housing *development* through low-rise and medium-rise residential *developments*, which maintain the neighbourhood character and contribute to a diversified housing stock.

3.4.5.2 To maintain and enhance a healthy and *complete community*, the Town will make provisions for an adequate range of housing types and affordability options by:

a) establishing and implementing minimum housing targets for the provision of housing that is *affordable* to low and moderate-income households, in consultation with Niagara Regional Housing; and

b) permitting and facilitating all forms of housing required to meet social, health and well-being requirements, including special needs requirements of current and future residents.

3.4.5.3 Additional and *accessory residential units* shall be incidental to the principal use of the property. In the case of an *accessory residential unit*, this shall mean incidental to a permitted on-residential use.

3.4.5.4 *Affordable* housing should be located:

a) in areas with existing services or planned municipal water and wastewater services/systems and urban amenities;

b) near existing or planned transit; and

c) near public service facilities.

3.4.5.5 The Town will work towards streamlining planning approvals for *affordable* housing *development*, prioritizing *developments* receiving time-*sensitive* government funding.

3.4.5.6 The Town will encourage financial incentive programs, such as grants, *development* charge deferrals and property tax reductions that promote brownfield *redevelopment* and *affordable housing options*, including purpose-built rental housing.

3.4.5.7 The Town will examine opportunities for demolition control and residential replacement by-laws that would prohibit the demolition of existing rental units without replacing them with the same or a higher number of units.

3.4.5.8 In consultation with Regional Niagara Housing, develop a housing strategy that:

a) identifies land use planning tools and other housing initiatives and programs, including those listed in this Section, that support housing needs within the municipality;

b) establishes *affordable* housing targets that contribute to achieving targets outlined in the Region's Housing and Homelessness Action Plan; and

c) identify performance indicators that monitor achieving the strategy's targets and objectives.

3.4.6 The Preservation of Housing

This plan aims to increase the town's *affordable* housing and *affordable* housing stock. Protecting existing *affordable* housing and *affordable* housing stock is a key objective of this plan to ensure the Town meets the goals within the Region of Niagara's Housing and Homelessness Action Plan and the growing community need.

Attention is directed to the needs of those households with the lowest 40 percent income levels and other vulnerable groups within the community.

3.4.6.1 The Town's existing housing stock represents a *significant affordable* housing component. When it is not required for *intensification* efforts, the housing should be maintained and updated to reflect current building standards and energy conservation efforts to promote its retention.

3.4.6.2 The Town will use the provisions of the Town's Property Standards By-law under the *Municipal Act* and Demolition Control provisions under the *Planning Act* to protect and promote the continued useful life of existing housing.

3.4.6.3 *Conversion* of *affordable* housing rental units to another tenure should only be considered when:

a) the rental vacancy rate for the community has been at or above 3 percent for two consecutive surveys as reported by the Canada Mortgage and Housing Corporation (CMHC) Rental Housing Market Survey;

b) the approval of such *conversion* does not result in the reduction of the vacancy rate below 3 percent, and

c) the requirements of any applicable Provincial legislation or regulations are met.

3.4.6.4 The *conversion* of rental housing to condominium or ownership tenure that would have the effect of removing *affordable* units should not be permitted unless:

a) at least the same number, size, affordability and type of rental housing units are replaced and maintained with rents like those in effect at the time the *development*, *redevelopment*, or *conversion* application was made;

b) an acceptable tenant relocation and assistance plan addressing the right to return to occupy one of the replacement units at similar rents, the provision of alternative accommodation at similar rents, and other assistance to lessen hardship; or

c) the overall rental vacancy rate for the Town (or the Region of Niagara if data is unavailable for the Town), as reported by the Canada Mortgage and Housing Corporation, has been at or above 3.0 percent for the preceding four consecutive annual surveys.

3.4.6.5 To ensure that the existing supply of rental housing in the Town is maintained or increased, the Town will:

a) maintain a record of purpose-built rental buildings of six or more units; and

b) develop an implementation process and criteria to monitor the demolition or *conversion* of purpose-built rental properties of six or more units.

3.4.6.6 When reviewing a *development* application to create a plan of condominium, which would result in the *conversion* of *affordable* housing rental units to condominium ownership, the Town shall only support such application where:

a) the rental vacancy rate for comparable units is at or above 3% for the preceding three years or

b) the *conversion* will address and result in the creation of *affordable* housing for *affordable* home ownership or

c) the *conversion* will rectify existing health and safety issues through the completion of building renovations/retrofits, the cost of which would necessitate an increase in rent levels above the affordability threshold and

d) The owner/applicant submits a detailed inspection report on the property's physical condition by a qualified architect or engineer to the town's satisfaction.

3.4.7 Climate Change

The Town of Pelham is experiencing the impacts of the changing climate. Weather in the Town has become warmer and wetter, with more extreme weather events such as extreme heat days and precipitation events causing flooding and wind events that have led to fallen trees and power failures. The Town has also dealt with reoccurring spongy moth (LDD moth) infestations and an increase in invasive species infestations. These effects of *climate change* have *significant* human and environmental costs, disproportionately impacting vulnerable populations and increasing financial risks to households, businesses and governments.

Land use planning is *essential* for mitigating and adapting to *climate change* to reduce human, environmental and financial risks. Addressing *climate change* requires two complementary sets of strategies: mitigation and adaptation. Mitigation refers to reducing sources of greenhouse gas emissions, such as burning fossil fuels for electricity or enhancing carbon 'sinks' that store these gases. The Town's approach to mitigation is embedded throughout this Plan through policies within the *Natural Environment System*, transportation, urban structure, urban design and land use.

Adaptation involves actions to minimize vulnerabilities to the impacts of *climate change*. It includes planning and strategic decisions that anticipate changes in temperature, precipitation, severe weather, and increased global and local variability. The Town's approach to adaptation is reflected in the Corporate *Climate change* Adaptation Plan and embedded throughout this Plan. Among other issues, climate adaptation is *significant* to *infrastructure* planning, flood protection, emergency management and planning for secure access to water and food.

3.4.7.1 The Town shall plan to reduce greenhouse gas emissions and prepare for the impacts of a changing climate through sustainable, long-term and tangible approaches. The general objectives of the Town include:

a) to increase community resiliency to *climate change*;

b) to identify land use planning policy direction that supports the Region's goals for transition to net-zero, climate-resilient communities; and

c) to support and improve policy direction that reflects the goals and actions of the Town's Corporate *Climate Change* Adaptation Plan.

3.4.7.2 The Town will implement urban design and *development* standards to reduce *climate change* impacts on public works and *infrastructure*, including roads, bridges, water, wastewater, stormwater and energy distribution systems.

3.4.7.3 The Town will promote *development* and land use patterns that conserve biodiversity and consider the impacts of a changing climate.

3.4.7.4 The Town will grow as a sustainable community over the long term by utilizing planning and capital investment tools, as well as urban design approaches, in its strategic planning for *infrastructure* and approval of *development* by:

a) promoting an efficient, cost-effective land use pattern as well as built forms which conserve land, capitalize on existing *infrastructure*, and minimize the cost of new *infrastructure*;

b) avoiding *development* or land use patterns which may create environmental, public health or safety concerns;

c) recognizing, protecting and, where possible, enhancing natural heritage features and their ecological and *hydrologic function*s;

d) planning for increased densities and a great mixture of uses to create a more efficient, *total developable area*, walkable and bikeable community;

e) promoting zero or low carbon and energy efficient built forms, where appropriate and the use of renewable energy;

f) providing increased mobility options that promote walking, cycling and transit to reduce dependence on automobiles and improve air quality; and

g) protecting water quality and quantity, including promoting best practices for stormwater management and low-impact *development*.

h) providing opportunities for the *development* of energy supply including electricity generation facilities and transmission and distribution systems, *energy storage systems*, district energy, *renewable energy systems*, and *alternative energy systems*, to accommodate current and projected needs.

3.4.7.5 New planning, engineering and conservation concepts must be considered and incorporated, mainly related to *climate change*, energy conservation and *green infrastructure*. This shall be achieved through:

a) the implementation of strategies or initiatives related to water conservation, energy conservation, air quality protection and integrated waste management opportunities;

b) Identify opportunities for energy efficiency and alternative energy strategies, such as district energy generation, renewable/*alternative energy systems*, distribution and demand management plans, land use patterns, and urban design standards, to support energy conservation objectives.

c) promoting innovative residential and public building designs that contribute to low carbon design, energy use reduction and natural resource conservation, as well as collaborations between buildings and site management practices; and

d) *Green infrastructure* should be prioritized to complement existing *infrastructure*, including the requirement for innovative, low-impact *development* opportunities and best practices that minimize the risks associated with natural hazards.

3.4.7.6 To encourage energy conservation, energy-efficient practices and sustainable design, the Town will work with the Niagara Region to develop a Community Energy Plan and/or Green *Development* Standards at the Region's initiative.

3.4.7.7 The Town will develop and implement policies and other strategies in support of the following conservation objectives:

a) water conservation, including water demand management for the efficient use of water and water recycling to maximize the reuse and recycling of water;

b) a sustainable groundwater supply and wastewater system that ensures water quality and quantity are protected, improved or restored;

c) energy conservation;

d) protection of air quality, including the reduction of emissions;

e) support for integrated waste management as part of the *development* review process to enhance waste reduction, composting and recycling and the identification of new opportunities for source reduction, reuse and diversion where appropriate; and

f) conserve cultural heritage and *archaeological resources* where feasible.

3.4.7.8 The Town will reduce energy consumption and promote renewable and *alternative energy systems* by developing policies and programs for:

a) implementing energy conservation for municipally owned facilities;

b) identifying and implementing opportunities for renewable and alternative energy generation and distribution;

c) developing and implementing energy demand management to reduce energy consumption;

d) establishing land use patterns and urban design standards that encourage and support energy-efficient buildings; and

e) conserving energy by encouraging renovation and efficient design of buildings and *development*.

3.4.7.9 The Town will leverage the objectives and goals of the Town of Pelham Natural Asset Management Project to balance ecological and environmental considerations with economic and social considerations in its decision making processes.

3.4.7.10 Subject to Provincial requirements, the Town will ensure new or expanding renewable energy generation facilities will be designed to take into consideration safety, compatibility with surrounding uses and mitigation of adverse impacts through good design and construction principles.

3.4.7.11 Wind energy systems and associated distribution infrastructure shall be located, designed, and constructed to eliminate or minimize adverse impacts on agricultural operations, lands, and activities; significant natural heritage features; existing mineral aggregate operations; and cultural and built heritage resources.

3.4.7.12 Wind energy systems shall be designed and constructed to be appropriately buffered and/or separated from sensitive land uses to prevent adverse effects and to minimize the risk to public health and safety.

3.4.7.13 Wind energy systems are generally permitted throughout the Town subject to applicable municipal criteria, Provincial plan policies, and policies set out in this Plan, except large scale wind energy systems will require an Official Plan Amendment.

3.4.7.14 Application for wind energy *development* should comply with Section 11 for Complete Applications and the following:

a) a justification/impact report that demonstrates:

i) the need for, and public benefit of, locating the proposed generating capacity in these areas;

ii) an assessment of impacts on agricultural operations, lands and activities, natural heritage features, nearby residences and other sensitive land uses in the area; and

iii) the means of minimizing any adverse effects.

b) a visual impact assessment;

c) a noise report demonstrating compliance with Provincial requirements; and

d) a report demonstrating compliance with Provincial shadow flicker guidelines.

3.4.7.15 The *development* of new or expanded wind energy systems within an area regulated under the Niagara Escarpment Planning and *Development* Act will be subject to the provisions of the Niagara Escarpment Plan. The policies of this Plan will be the basis for providing municipal comments to the Niagara Escarpment Commission during the review of wind energy system applications.

3.4.7.16 The *development* of new wind energy systems in areas adjacent to or on known deposits of aggregate, mineral or petroleum resources shall be permitted where it has been demonstrated that the energy system serves a greater long-term public interest during the lifetime of the wind energy system and does not compromise the future extraction of the aggregate, mineral or petroleum resources.

3.4.7.17 The *development* of wind energy systems shall be prohibited where they may cause a potential aviation safety hazard as determined by Transport Canada or the appropriate agency

3.4.8 Cultural Heritage Resources

Cultural heritage resources are the roots of the community. They may include tangible features, structures, sites or landscapes that, either individually or as a part of a whole, are of historical, architectural, scenic or archaeological value. Cultural heritage resources may also represent intangible heritage such as customs, ways of life, values and activities. These resources may represent local, regional, provincial or national heritage interests and values. They may include *built heritage resource*s, *cultural heritage landscape*s and *archaeological resources*.

In the spirit of reconciliation and building meaningful relationships with Indigenous communities based on mutual respect, transparency, trust, and dialogue, the Town of Pelham supports the stewardship of cultural heritage through opportunities for traditional knowledge and practices, cultural activities, the creation of spaces for Indigenous art and interpretations and signs identifying areas of cultural significance. Preserving Indigenous cultural and built heritage, including places and stories significant to Indigenous Nations is an important part of the Town of Pelham's history.

Cultural heritage resources paint the history of the Town, providing identity and character while instilling pride and contributing to economic prosperity.

3.4.8.1 The Town of Pelham seeks to proactively identify, inventory, conserve, and protect its community character and cultural heritage through the preservation of cultural heritage resources throughout the Town. While the presence and significance of some cultural heritage resources have been identified and inventoried by the Town of Pelham, the presence and importance of others can only be determined after their documentation and evaluation. A key objective of this plan is to take a proactive approach to identifying, documenting and conserving cultural heritage resources.

3.4.8.2 The town may establish guidelines for cultural heritage resource impact assessments, cultural heritage conservation plans, and cultural heritage reviews, which will be used when evaluating *development* and

redevelopment in association with designated and non-designated properties in the Municipal Register of Cultural Heritage Properties. Cultural Heritage Reviews will assess non-designated properties listed on the Municipal Register of Cultural Heritage Properties.

3.4.8.3 The Town shall encourage the conservation of *significant built heritage resource*s and *significant cultural heritage landscape*s to foster a sense of place and benefit communities, including First Nations and Indigenous communities. These may include archaeological sites, buildings, structures, streetscapes of historical and architectural value, and natural features.

3.4.8.4 *Cultural heritage landscape*s may be included within a heritage conservation district or designated as individual properties under Part IV of the *Ontario Heritage Act*. When a register of cultural heritage resources is completed, the register may be incorporated in this Plan.

3.4.8.5 The Town shall conserve cultural heritage resources by utilizing its authority under the *Ontario Heritage Act* to designate individual properties and heritage conservation districts of cultural heritage value or interest.

3.4.8.6 The Town may establish a municipal heritage committee to advise and assist the Council on Parts IV and V of the *Ontario Heritage Act*. The Town may also consult the Heritage Committee on issues related to cultural heritage conservation and identify properties that may warrant designation.

3.4.8.7 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.

3.4.8.8 Proposals to alter, demolish or erect a structure on any designated or listed property located on or adjacent to a selected or proposals to demolish a listed property or a property 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.

3.4.8.9 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.

3.4.8.10 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:

a) identify the *significant* and specific *heritage attributes* of the cultural heritage resource;

b) provide a site history and a description of the heritage resource;

c) describe the proposal;

d) identify the impacts the proposal will have on the heritage resource;

e) include recommendations on how the impacts of the proposal on the heritage resource will be mitigated;

f) where appropriate, establish a justification for demolition of the resource; and

g) the recommended design alternatives.

3.4.8.11 *Development* 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*.

3.4.8.12 The Town may maintain a register of all properties designated under Part IV of the *Ontario Heritage Act*. This register may also contain properties not designated but considered by the Council to be of cultural heritage value or interest.

3.4.8.13 The Town shall ensure cultural heritage resources are *conserved* and *areas of archaeological potential* as identified in the Town's Heritage Master Plan viewed 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 assessments and other satisfactory measures to mitigate any adverse impacts affecting the identified

3.4.8.14 The Town shall consider the interests of and engage early with First Nations and Indigenous and Aboriginal communities when identifying, protecting, managing and conserving built heritage resources and cultural heritage landscapes.

3.4.8.15 The Town shall ensure that each Town-owned cultural heritage resource where sold, transferred, or leased to another owner or lessee is subject to a heritage conservation easement agreement or covenant that guarantees its

conservation, maintenance, and use in a manner which respects its cultural heritage value or interest and, when appropriate, is subject to a heritage restoration agreement which shall require that the new owner or lessee carry out specific restoration works to a standard acceptable to the Town.

3.4.8.16 Where potential *built heritage resource*s have been identified on lands within *settlement area*s slated for future *development*, the conservation of *built heritage resource*s shall occur early in the *development* process. Where the designation of a resource may not be feasible, the preferred methods for the preservation of the resource would be as follows, noting that the examples provided are not exhaustive:

a) where the structure can no longer function with its original use, it should be integrated into the *development* through adaptive reuse. For example, an old farmhouse on properties designated for employment uses could be reused for supportive uses to the employment designation (such as an office or commercial space), or an old home on properties intended for *intensification* could be integrated into the design of the intensified site as a community space (such as an indoor park, art gallery or event space); and

b) Where the structure can no longer function in its original location, relocation to a location within the Town of Pelham will provide further community benefit and public access. For example, an old house could be moved to a nearby park or property owned by the Town of Pelham for seasonal or recreational purposes.

3.4.8.17 Should the permitted uses of a property prevent the policies above from being implemented, the Town of Pelham will consider a reasonable and appropriate compromise to meet the overall objectives of this plan concerning cultural heritage conservation and land use *compatibility* and the overall objectives of a *development* proponent.

3.4.8.18 Where a property or structure with potential heritage value or interest is conveyed to the Town of Pelham, or where a structure is adapted, restored and/or integrated as part of a *development* to the satisfaction of the Town of Pelham with input from the Town of Pelham Municipal Heritage Committee, the Town may consider the reduction of fees or parking requirements or the bonusing of height for a proposed *development* under the same ownership. The Town of Pelham may consider the requirement for a designation under the *Ontario Heritage Act* as part of implementing this policy.

3.4.9 Archaeological Resources

3.4.9.1 The Town recognizes archaeological remnants of pre-contact and early historic habitation and archaeological potential areas. The Heritage Master Plan (2012) identified lands that have the potential for the discovery of *archaeological resources*. The Town may identify additional areas based on the definition of *areas of archaeological potential* as defined in this Plan and in relevant provincial standards and guidelines as amended.

3.4.9.2 Where *archaeological resources* or areas of potential *archaeological resources* have been identified or have the potential to be present on lands proposed for *development* or *site alteration*, the Town shall require the preparation of an Archaeological Assessment by a consultant archaeologist holding a valid professional license as per Section 48 of the *Ontario Heritage Act*.

3.4.9.3 The Town of Pelham is dedicated to continuing to work with Indigenous communities as partners and friends now and into the future. Specifically, the Town recognizes the expertise and advice of First Nations regarding archaeological significance and the environmental protection of the community.

3.4.9.4 *Development* and *site alteration* shall only be permitted on lands containing *archaeological resources* or areas of potential *archaeological resources* if it has been demonstrated that the *significant archaeological resources* have been *conserved* by removal and documentation or by preservation on site. Where *significant archaeological resources* must be preserved on site, only *development* and *site alteration* which maintains the integrity of the archaeological resource may be permitted.

3.4.9.5 *Development* and *site alteration* shall not commence on lands containing *archaeological resources* or areas of potential *archaeological resources* until an Archaeological Assessment, prepared to the satisfaction of the Province and the Town, has been completed that:

a) identifies the affected *areas of archaeological potential* and *archaeological resources*;

b) assesses the archaeological significance of the subject land;

c) recommends conservation and/or preservation measures required to retain the heritage value, attributes and integrity of the resource; and

d) meets the Standards and Guidelines for Consultant Archaeologists, as amended, of the *Ontario Heritage Act* and its regulations.

3.4.9.6 If there is potential for the presence of partially or fully submerged marine features such as ships, boats, vessels, artifacts from the contents of boats, old piers, docks, wharfs, fords, fishing traps, dwellings, aircraft and other by a licensed archaeologist pursuant to the *Ontario Heritage Act*.

3.4.9.7 Archaeological assessments are required as part of Town of Pelham public works projects with ground disturbance and/or work on undisturbed ground in areas of archaeological potential.

3.4.9.8 Environmental Assessment projects undertaken by the Town will review the areas of archaeological potential on Schedule F and determine if archaeological assessments are required as part of the Environmental Assessment process. Where a project is within an area of archaeological potential, the archaeological assessment should be initiated as part of the study process.

3.4.9.9 Unexcavated archaeological sites and archaeological resources shall be protected against disturbance until all required archaeological assessments and requirements from the Province have been completed.

3.4.9.10 The Town and project proponents shall follow the emergency protocol for the unexpected discovery of archaeological resources as detailed in the Archaeological Management Plan. The protocol will be shared with 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.

3.4.9.11 The Town will support conservation of archaeological resources by reviewing municipal projects, whether or not they are subject to the *Environmental Assessment Act*, such as site alteration, *development* and/or infrastructure projects that involve construction, erection or placing of a building or structure, other activities such as site grading, excavation, removal of topsoil, or peat and the placing and dumping of fill; drainage works, except for the maintenance of existing municipal and agricultural drains, to determine impacts upon potential archaeological resources.

Section 4: Protecting What is Valuable

This part of the Plan addresses the features and resources that are highly valued and *essential* to ensure health and safety, enhance energy sustainability and enhance the quality of life within the Town and includes:

- Natural Environment System; and
- Public Health and Safety

4.1 Natural Environment System

A diverse and well-connected *Natural Environment System* (NES) contributes to the Town's environmental, social, cultural and economic values. The wide range of ecological services provided by the NES includes but is not limited to, the protection of *natural heritage features and areas*, *ecological function*s, biodiversity and water resources, reduced need for engineered stormwater management, attenuation of air and water pollutants, moderation of the urban heat island effect, the provision for natural and open spaces for leisure activities and aesthetic enjoyment and opportunities for residents and visitors to experience nature in the Town.

The NES is made up of *natural heritage features and areas* linked by natural corridors, which are necessary to maintain biological and geological diversity, natural functions, viable populations of indigenous species and ecosystems within the Town. The system can include lands that have been restored and areas with the potential to be restored to a natural state. This is accomplished by protecting *natural heritage features and areas* for the long term and maintaining, restoring and, where possible, improving the biodiversity and connectivity of *natural heritage features and areas* and *ecological function*s of the NES while recognizing and maintaining *linkages* between and among natural heritage and surface water and *ground water feature*s.

The Town of Pelham has a responsibility to the stewardship and protection of the land and water and seeks opportunities for partnerships and connections with First Nations.

Ongoing engagement with Indigenous communities will ensure that this Plan achieves environmental stewardship and recognizes traditional knowledge and significant protection of natural resources. The Town acknowledges the importance of protecting our water resources, green spaces, natural areas and wildlife to the health and vitality of Indigenous natural heritage.

The policies of Section 4 aim to strike a balance between protecting the NES and permitting limited *compatible development*. The NES fosters partnerships with public agencies, community organizations, and private landowners by promoting the stewardship and enjoyment of these natural assets.

4.1.1 Natural Environment System Components

4.1.1.1 The Town's *Natural Environment System* (NES) is comprised of four separate but integrated components:

a) the Town's *natural heritage system (NHS)* which comprises of features such as *wetlands*, *woodlands*, *valleylands*, and *wildlife habitat*s, as well as components such as *linkages*, *buffer*s, supporting features, and *enhancement areas*. The NHS intends to preserve and enhance the NES's biodiversity, connectivity and long-term *ecological function;*

b) the *water resource system* (*WRS*) which includes groundwater and *surface water feature*s and areas. The *WRS* intends to protect the ecological and hydrological integrity of water resources and the various *watershed*s in the Town;

c) the Greenbelt Plan Area and the *Greenbelt Plan Natural Heritage System (GBNHS)* which comprises of features such as *key hydrologic areas*, *key hydrologic features* and *key natural heritage features*. This system is mapped and issued by the Province of Ontario in accordance with the Greenbelt Plan; and

d) the Niagara Escarpment Plan (NEP) which is a Provincial land use plan that is governed by the Niagara Escarpment Commission, the NEP prevails over any local Official Plan or Zoning By-law where conflicts occur between them.

4.1.1.2 The *NHS*, *WRS*, Greenbelt Plan Area and *GBNHS* and NEP are identified on Schedule B as an overlay. Together, these elements maintain local biological, hydrological, and geological diversity, ecological functions, and connectivity, support viable populations of Indigenous species, and sustain local biodiversity. They are known collectively as the NES.

4.1.1.3 Nothing in this Section, or 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.*

4.1.2 Objectives

4.1.2.1 To implement a systems approach that ensures that the diversity and connectivity of natural features in the Town and the long-term *ecological function* and biodiversity of the NES are maintained, restored or, where possible, improved, recognizing *linkages* between and among *natural heritage features and areas* and surface water and *ground water feature*s.

4.1.2.2 Recognize the NES's important role in mitigating *climate change* impacts by protecting and enhancing natural features.

4.1.2.3 To identify and maintain *hydrologic function*s and connections among groundwater, natural, and *surface water feature*s.

4.1.2.4 To maintain wetland areas and the hydrological and *ecological function*s they provide and to enhance wetland cover where possible.

4.1.2.5 To protect *significant woodlands* and their biodiversity, restore *ecological function*s and enhance woodland cover through reforestation and restoration.

4.1.2.6 To protect provincially and regionally *significant earth science* and life science *areas of natural and scientific interest*.

4.1.2.7 To identify and protect *other woodlands* to maintain treed areas within the Town.

4.1.2.8 To identify *linkages* to protect ecological connectivity in the Town.

4.1.2.9 To protect *fish habitat* and the habitat of threatened and/or *endangered species* in accordance with Provincial and Federal legislation.

4.1.2.10 To protect and enhance water resources through proactive *watershed* and sub*watershed planning*.

4.1.2.11 To minimize the risks to human health, safety, and property associated with natural hazards.

4.1.2.12 To minimize the impacts of invasive species through the proper management and control, and the promotion of native species plantings in the Town.

4.1.2.13 To recognize the role and value of *compatible* and complementary agricultural and rural uses within and adjacent to the NES.

4.1.2.14 To consider the cumulative impacts through *watershed planning* and the *development* application review process.

4.1.2.15 To protect, maintain, enhance and restore the NES to the greatest extent possible while providing for *compatible development* and activities as identified that do not negatively impact the *natural heritage features and areas* and their ecological or *hydrologic function*s now and in the long term.

4.1.3 Enhancement Areas

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

a) increasing the size of natural heritage features and areas, hydrologic features and/or *natural heritage features and areas*;

b) connecting *natural heritage features and areas*, hydrologic features and/or *natural heritage features and areas* to create larger contiguous natural areas;

c) improving the shape of *natural heritage features and areas*, 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 function*s.

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

4.1.3.3 When carrying out an EIS, hydrological evaluation, or sub*watershed* 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, *hydrologic feature* and/or *natural heritage features 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 function*s of the nearby key natural heritage feature, *hydrologic feature* and/or *natural heritage features and area* are enhanced;

c) considers how the function and spatial extent of an enhancement area can be incorporated into the design and layout of the proposed *development*; and

d) assesses the potential for *compatible* uses, such as stormwater management facilities, within the enhancement area to ensure that the area's intended *ecological function* is achieved.

4.1.3.4 In a case where an enhancement area is identified in accordance with Policy 4.1.3.2, the lands within the enhancement area shall be planted and left as natural self-sustaining vegetation. The enhancement area may also be designed to include other *compatible* land uses and *infrastructure*, such as stormwater management ponds if it can be demonstrated that the long-term *ecological function* of the enhancement area would be retained.

4.1.4 Enhancements to the Natural Environment System

4.1.4.1 The Town supports enhancements to the NES to support *ecological function*s and improve the ecological integrity of the NES as a whole. Enhancements can result from a range of specific actions undertaken by a landowner, developer, or public agency.

4.1.4.2 Where the preparation of a sub*watershed* 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:

a) increases in the spatial extent of a feature or features;

b) increases in biological and habitat diversity;

c) enhancement of ecological system function;

d) enhancement of *wildlife habitat*;

e) enhancement or creation of *wetlands*, water systems or *woodlands*;

f) enhancement of riparian corridors;

g) enhancement of ecological services;

h) enhancement of groundwater recharge areas; and

i) establishment or enhancement of *linkages* or connectivity between key natural heritage features, and/or *natural heritage features and areas*.

4.1.5 Cumulative Impacts

4.1.5.1 Considering cumulative impacts shall be required when an environmental impact study, hydrological evaluation, or sub*watershed* study is undertaken.

4.1.5.2 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 related to impacts on the *natural environment system*.

4.1.6 Stewardship

The Town recognizes that private landowners have a detailed understanding of their properties and play a key role in restoration and promoting biodiversity in the Town. Private landowner stewardship is about individuals and organizations caring for their land in a way that preserves its environmental, economic and cultural values, keeping it healthy for generations to come. The Town encourages private landowner stewardship at all times, and not just when there is an application for *development* or *site alteration*.

4.1.6.1 The Town will encourage land owners to practice good stewardship and to enhance, or wherever feasible, restore natural features on their property through a range of measures including, but not limited to:

a) plantings;

b) riparian restoration;

c) conservation easements;

d) vegetative *buffer*s;

e) invasive species identification and removal;

f) citizen science projects; and

g) wherever appropriate, fencing.

4.1.6.2 The Town, in collaboration with the *Conservation Authority* and organized interest groups, will provide advice and information on other land stewardship programs to landowners wishing to exercise good stewardship of lands within the *Natural Environment System*.

4.1.6.3 In addition to the above, the Town supports community outreach programs related to natural environment enhancement and *climate change* initiatives.

4.1.6.4 The Town promotes, in conjunction with other public agencies and through stewardship programs, the donation of privately owned lands in the *Natural Environment System* to public agencies or charitable organizations or the transfer of the protection of the *ecological function*s and features on such lands to a public agency or charitable organization through a conservation easement agreement.

4.1.7 Implementation and Interpretation

4.1.7.1 Where a property in mapped as part of the NES overlay, both the applicable policies of this section and the applicable policies of the underlying official plan designation shall apply.

4.1.7.1 The Town's Zoning By-law will be the implementation tool for these policies. The NES may be mapped as an overlay, and where an individual component of the NES includes a vegetation protection zone or a minimum buffer, both the feature and buffer shall be mapped.

4.1.7.2 In addition to the requirements of this Plan, the Zoning By-law will define the specific regulations for that overlay in a manner that implements this plan.

4.2 Natural Heritage System

The role of the Town's *NHS* is to protect and enhance biodiversity, *ecological function*s, and natural processes within the Town. It acts as a network of interconnected natural areas, including core features and *linkages*, to support wildlife movement, maintain ecosystem health, and provide various ecological services.

4.2.1 Policies

4.2.1.1 The features and components of the *NHS* are mapped on Schedule B as an overlay. Individual features are shown on Schedule B1 for identification purposes and the *WRS* and its components are identified on Schedule B2.

4.2.1.1 The features and components of the *NHS* are listed in Appendix 5. Appendix 5 also includes the criteria for each of the features and components.

4.2.1.2 In addition to the features and components listed in Appendix 5, the following features and areas are also required components of the *NHS*:

a) *groundwater features*:

i) recharge/discharge areas;

ii) water tables; and

iii) aquifers and unsaturated zones.

b) *surface water features*:

i) headwater drainage features;

ii) recharge/discharge areas; and

iii) associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics; and

c) other *hydrologic function*s.

4.2.1.3 The features and areas identified in Policy 4.2.1.2 should be screened for during the completion of a watershed plan or subwatershed study. If identified, appropriate land use planning policies or other natural resource management tools should be put in place for their protection, enhancement, or restoration, as appropriate.

4.2.1.4 The features and components of the *NHS* are mapped as a single overlay on Schedule B to this Plan. Specific features are mapped on Schedule B1, and hydrologic areas, which are a component of the NES, are mapped separately on Schedule B2. Associated buffers are not mapped as part of this overlay. The purpose of Schedules B, B1 and B2 is to allow for preliminary screening and to determine if the policies of the NHS may apply.

4.2.1.5 Individual *natural heritage features and areas*, hydrological features, and other individual components that are considered mapped features of the NHS are shown on Schedule B2. These individual components include:

a) *significant woodlands*;

b) *other woodlands*;

c) *provincially significant wetlands*;

d) *other wetlands* and non-*provincially significant wetlands*;

e) life science *areas of natural and scientific interest*;

f) earth science *areas of natural and scientific interest*;

g) *permanent and intermittent streams*;

h) *inland lakes*; and

h) *linkages*.

4.2.1.6 Not all of the features and components that make up the *NHS* can or have been mapped as part of the schedules to this Plan. Where features or components of the *NHS* listed in Appendix 5 are not mapped, detailed area-specific or site-specific studies such as an environmental impact study, hydrological evaluation, or subwatershed study are required for their identification.

4.2.1.7 Where through the review of an application for *development* or *site alteration* or through the completion of a sub*watershed* study, it is found that there are features or components of the *natural environment system* or related ecological and/or *hydrologic function*s 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*, or key hydrological features, the policies of this Plan will be applied to the lands as appropriate.

4.2.1.8 Where lands are mapped or identified as two or more features or components of the *NHS*, the policies which provide the highest level of environmental protection shall apply in the event of any conflict.

4.2.2 Refinements to the Limits of the Natural Heritage System

4.2.2.1 Changes to the limits of classification of individual features or components of the NHS identified through the Town's criteria may be considered through the submission of an environmental impact study and/or hydrologic evaluation based on terms of reference approved by the Town in accordance with the policies of this plan and in consultation with the *Conservation Authority* as appropriate.

4.2.2.2 If the change to the limit or classification of an individual feature or component of the *NHS* identified through local criteria can be justified to the satisfaction of the Town, an amendment to this Plan shall not be required. Further details on the scope of the study required to support a change to the limit or classification of the NHS are included in the Region's Environmental Impact Study Guidelines and/or Hydrologic Evaluation Guidelines.

4.2.2.3 Changes to the limit or classification of individual features or components of the *NHS* identified through local criteria may also be considered through the findings of a sub*watershed* 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 *NHS* can be justified to the satisfaction of the Town, an amendment to this Plan shall not be required.

4.2.2.4 Changes to the limit or classification of individual features of the NHS identified through Provincial criteria require approval from the Province. If the changes to the limit or classification of an individual feature have been approved by the Province, an amendment to this Plan shall not be required.

4.2.2.5 Where the limits of a feature or component of the *NHS* have been refined through an approved environmental impact study, hydrologic evaluation or sub*watershed* study, the lands that are no longer included as part of the NHS overlay shall continue to be designated based on the underlying land use, unless otherwise determined through a *Planning Act* application.

4.2.2.6 The town shall regularly update the appropriate schedules of this Plan to incorporate any approved refinements to the *NHS*.

4.2.2.7 Where *development* or *site alteration* is proposed within or adjacent to the *NHS*, new lots shall not be created that would fragment a natural heritage feature or area, key natural heritage feature, or *hydrologic feature*. The lands retained in the NHS shall remain in a natural state, and the natural features and any required *buffer* or *vegetation protection zone* shall be maintained in a single block and zoned to protect the natural features and their *ecological function*s. The Town encourages the appropriate public and private conservation organization(s) to assume ownership of these lands.

4.2.2.8 Applications for lot boundary adjustment shall avoid the fragmentation of *provincially significant wetlands* and *significant woodlands*.

4.2.2.9 Applications for lot boundary adjustment should avoid the fragmentation of other *natural heritage features and areas*, as well as natural heritage features and areas or hydrologic features, wherever possible and practical.

4.2.3 Development and Site Alteration in the Natural Heritage System

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

a) *provincially significant wetlands; and*

b) *significant woodlands*.

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

a) *other woodlands*;

b) *significant valleylands*;

c) *significant wildlife habitat*; and

d) *areas of natural and scientific interest*.

4.2.3.3 Notwithstanding Policies 4.2.3.1 and 4.2.3.2, permitted uses in a *natural heritage feature and area* are limited to:

a) forest, *fish* and wildlife management;

b) conservation and flood or erosion control projects, subject to demonstrating the project is necessary in the public interest and after all alternatives have been considered;

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

d) expansion to existing buildings and structures, accessory structures and uses, and *conversion*s 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 use*s, *agricultural-related uses* or *on-farm diversified use*s 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 of the feature and its *ecological function*s is minimized and mitigated to the maximum extent possible;

f) small-scale structures for recreational uses, including, but not limited to, boardwalks, footbridges, fences, docks and picnic facilities, subject to measures taken to minimize the number of such structures and their *negative impacts*; and

g) passive recreational uses and conservation/education facilities on lands owned and managed by the Town or a public agency.

4.2.34 Notwithstanding Policy 4.2.3.1 a), new or expanding *mineral aggregate operation*s may be permitted in *significant woodlands* if it has been demonstrated through the preparation of an environmental impact study that there will be no *negative impacts* on the natural feature or its *ecological function*s.

4.2.3.5 Notwithstanding any other policies of this Plan, *development* and *site alteration* in and adjacent to watercourses, *provincially significant wetlands*, *significant valleylands* and *other wetlands* that the *Conservation Authority* regulates 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 Town of the land use or regulatory policies that will apply.

4.2.3.6 Where another *wetland* or non-*provincially significant wetland* in a *settlement area* has been identified, 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 hydrologic evaluation as part of an application for *development* or *site alteration* or through a sub*watershed* study to determine the appropriate classification and protection or management of the feature.

4.2.3.7 Outcomes of the evaluation completed in Policy 4.2.3.6 could include the in-situ protection with appropriate *buffer*s or incorporation of the *hydrologic function* into the design of the *development* in accordance with the following:

a) if the other *wetland* is a treed community with a canopy coverage greater than 25% and the other criteria for *other woodlands* are met, the other woodland policies of this Plan shall apply;

b) if the other wetland is a treed community with a canopy coverage greater than 60% and the other criteria for *significant woodlands* are met, the *significant woodland* policies of this plan shall apply;

c) no negative impact on the *ecological function* of the other *wetland*; and

d) maintain the *hydrologic function* of the other *wetland*.

4.2.3.8 If the evaluation completed in Policy 4.2.3.6 finds one or more other *natural heritage features and areas*, the appropriate policies of this Plan shall be applied to the lands and natural features that are subject to the application to *development* or *site alteration*.

4.2.4 Buffers Outside of Settlement Areas

Buffer requirements for environmental features outside of the *settlement area* in the Town vary, but generally involve a minimum of 10-30 metres, with potentially wider *buffers* for more sensitive areas and significant features. The exact buffer width may be determined by a number of factors including the type of feature, its sensitivity, the type of development proposed, and any other specific requirements outlined through the development application process.

For minimum *buffers*, which apply to lands outside of the settlement area, the policies of this Plan state the minimum *buffer* required. The *buffer* width cannot be less than the required minimum with the exception of specific uses generally related agriculture or passive uses of the land as determined through the preparation of an EIS that demonstrates there will be no *negative impacts* as defined by the Provincial Planning Statement. Minimum *buffers* may be larger than those stated based on the determination of an EIS, hydrological evaluation or subwatershed study.

4.2.4.1 Outside *settlement area*s, a minimum *buffer* on all *natural heritage features and areas* is required, as set out in Table 4.1.

4.2.4.2 *Buffers* should be actively restored through a restoration or landscape plan.

Table 4.1 Minimum Prescribed Buffer to a Natural Heritage Feature Outside of Settlement Areas

Natural Heritage Feature and Area	Minimum Buffer
Provincially significant wetlands	30 metres
Significant Woodlands	20 metres
Life Science *Areas of natural and scientific interest*	20 metres
Significant Valleylands	15 metres
Other Woodlands	10 metres

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

4.2.4.3 *Development* or *site alteration* shall not be permitted within the minimum *buffer* set out in Table 4.1, with the exception of that described in Policy 4.2.3.5 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.

4.2.4.4 Notwithstanding Policy 4.2.4.3, outside of *settlement area*s, consideration can be given to including passive recreational uses such as trails in *buffer*s if it has been demonstrated that the *buffer* will continue to provide the *ecological function* for which it was intended.

4.2.4.5 Notwithstanding Policy 4.2.5.1 and 4.2.6.3, the following types of minor construction is permitted within minimum buffers set out in Table 4.1 and adjacent lands set out in Table 4.2 provided there is no alternative, without an EIS and/or hydrologic evaluation:

a) new buildings and structures for agricultural use, agricultural-related uses, or on-farm diversified uses below 200m^2;

b) expansions to existing buildings and structures for agriculture 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 m^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.

4.2.5 Buffers in Settlement Areas

A mandatory buffer is required from natural heritage features and areas within the settlement areas. For a mandatory buffer, the policies of this Plan do not state any minimum for the buffer width. The determination is made through the preparation of an EIS, hydrological evaluation or subwatershed study.

4.2.5.1 Mandatory *buffer*s from *natural heritage features and areas* are required within *settlement area*s. The width of an ecologically appropriate *buffer* would be determined through an environmental impact study and/or hydrologic evaluation when an application for *development* or *site alteration* is made or through the completion of a sub*watershed* 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 function*s from the proposed *development* or *site alteration* and the potential for impacts on the feature and the *ecological function*s as a result of the proposed change in land use.

4.2.5.2 *Development* or *site alteration* shall not be permitted in the mandatory *buffer*, except for that described in Policy 4.2.3.3 or *infrastructure* serving the agricultural sector unless it has been demonstrated through the preparation of an environmental impact study that there will be no *negative impacts* and the *buffer* will continue to provide the *ecological function* for which it was intended.

4.2.5.3 Notwithstanding any other policy in this Plan, the *Conservation Authority* has its own *buffer* requirements for watercourses, which shall apply. Reductions in any *buffer* required by the *Conservation Authority* may be considered in *settlement area*s where supported by a site-specific study approved by the Town and the *Conservation Authority*.

4.2.5.4 Notwithstanding Policy 4.2.5.2, within *settlement area*s, consideration can be given to including passive recreational uses such as trails in *buffer*s, provided an appropriate *buffer* width is maintained, as determined through the environmental impact study and/or hydrologic evaluation.

4.2.6 Development and Site Alteration in Adjacent Lands to the Natural Heritage System

The Provincial Planning Statement (2024) requires that the Town include in its Official Plan, policies for *development* and *site alteration* on lands which are adjacent to a *natural heritage feature or area*(s). *Adjacent lands* are those contiguous to a specific *natural heritage feature or area* where it is likely that *development* or *site alteration* would negatively impact the *natural heritage feature or area*. Generally, an Environmental Impact Study (EIS) or *Environmental Assessment* (EA) is required to assess the potential impacts of the proposed activities and recommend appropriate *setback*s (i.e. established *buffer*s) from the natural heritage feature or area within the *adjacent lands* to ensure no *negative impacts*. The minimum *buffer*s, where applicable, are identified to prevent damage and degradation to the *natural heritage features and areas* that are part of the NHS.

4.2.6.1 A proposal for new *development* or *site alteration* which is adjacent to a *natural heritage feature or area* shall require an environmental impact study and/or hydrologic evaluation to determine that there are no *negative impacts* on the feature, *ecological function* or *hydrologic function* in accordance with the *adjacent land* distances outlined in Table 4.2

Table 4.2 Adjacent Lands for Natural Heritage System Features

Natural Heritage Features and Area	**Adjacent Lands**
Provincially significant wetland	120 metres
Significant Woodland	120 metres
Other Woodland	50 metres
Significant Valleyland	50 metres
Significant Wildlife habitat	50 meters
Habitat of endangered species and threatened species	50 metres
Life Science *Areas of natural and scientific interest*	50 metres

4.2.6.2 Notwithstanding Table 4.2, the requirement for an environmental impact study and/or hydrologic evaluation may be waived if the proposed *development* or *site alteration* is minor and not anticipated to have a negative impact on the *NHS* in accordance with the waiving requirements outlined in the Region's Environmental Impact Study and/or Hydrologic Evaluation Guidelines.

4.2.6.3 Notwithstanding Policy 4.2.6.1, an environmental impact study will not be required for a proposal for *development* or *site alteration* on a site where the only *natural heritage features and area* is the *habitat of endangered species and threatened species*.

4.2.6.4 Notwithstanding Policy 4.2.6.1, new buildings and structures for *agricultural use*s, agricultural-related uses or *on-farm diversified use*s will not be required to undertake an environmental impact study and/or hydrologic evaluation if a minimum 30-metre *buffer* is provided from a *natural heritage features and area*.

4.2.7 Other Woodlands

4.2.7.1 *Development* and *site alteration* shall not be permitted in *other woodlands* unless it has been demonstrated through the preparation of an environmental impact study that there will be no *negative impacts* on the other woodland or its *ecological function*s.

4.2.7.2 Outside of *settlement area*s, *other woodlands* are subject to a 10-metre minimum *buffer* in accordance with Policy 4.2.4.1.

4.2.7.3 Inside *settlement area*s, *other woodlands* are subject to an ecologically appropriate *buffer* to be determined when an application is made for *development* or *site alteration* in accordance with Policy 4.2.5.1.

4.2.7.4 Notwithstanding Policies 4.2.7.1 to 4.2.7.3, policies related to *other woodlands* do not apply to new or expanding *mineral aggregate operation*s.

4.2.7.5 Notwithstanding Policies 4.2.7.1 to 4.2.7.3, policies related to *other woodlands* do not apply to new or expanding buildings or structures for *agricultural use*s, *agriculture-related uses*, or *on-farm diversified use*s if they are located, designed and constructed to minimize impacts on the NES.

4.2.7.6 Notwithstanding Policy 4.2.7.1, consideration can be given to including passive recreational uses, such as trails within *other woodlands* and their established *buffer*s, if it has been demonstrated that the feature will continue to provide the *ecological function* intended.

4.2.8 Linkages

4.2.8.1 Large, medium, and small *linkages* outside of *settlement area*s and outside of the Greenbelt Plan Area and *GBNHS* and small *linkages* inside of *settlement area*s which are identified between *natural heritage features and areas*, *natural heritage features and areas*, and hydrologic features are shown on Schedule B1.

4.2.8.2 Only *linkages* mapped as part of the NHS are shown on Schedule B1. Opportunities for additional, ecologically appropriate, *linkages* shall be screened for when a sub*watershed* study is completed to support a secondary plan.

4.2.8.3 When a sub*watershed* study is being undertaken or when *development* or *site alteration* is proposed in or within 30 metres of a linkage shown on Schedule B1, 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 *natural heritage features and areas*, hydrologic features, and/or *natural heritage features and areas*;

c) describes the *ecological function*s the linkage is intended to provide and identifies how these *ecological function*s 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 function*s of the linkage can be maintained or enhanced;

e) assesses potential impacts on the linkage as a result of the *development*; and

f) recommends ways to protect, enhance, or mitigate impacts on the linkage and its *ecological function*s through avoidance and planning, design, and construction practices.

4.2.8.4 Possible outcomes of an evaluation carried out in accordance with Policy 4.2.8.3 include:

a) the incorporation of the linkage into the *development*, such that *development* would not occur on those lands;

b) the incorporation of the linkage into the *development*, with linear *infrastructure* and other *infrastructure* and associated small-scale structures permitted in the linkage in such a manner that protects the long-term *ecological function* of the linkage;

c) the refinement of the location, form, size, shape, or *ecological function* of the linkage; or

d) the elimination of the linkage based on area or site-specific analysis. If a linkage is proposed to be eliminated, it must be demonstrated to the satisfaction of the 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*.

4.2.8.5 In a case where all or part of a linkage area is retained in accordance with Policy 4.2.8.4 a), b), or c), the lands within the linkage area shall be planted and left as natural self-sustaining vegetation (except for those lands used for *infrastructure* – if permitted) or remain in *agricultural use*. The linkage may also be designed to permit *compatible* uses, as evaluated in Policy 4.2.8.3, so long as the *ecological function* of the linkage is maintained.

4.2.8.6 Notwithstanding Policy 4.2.8.3 the full range of existing and new *agricultural use*s, *agriculture-related uses*, *on-farm diversified use*s, and *normal farm practice*s are permitted within a mapped linkage shown on Schedule B1.

4.2.8.7 Notwithstanding Policy 4.2.8.3, the following types of minor construction is permitted within a linkage shown on Schedule B1, provided there is no alternative, without requiring an evaluation:

a) new accessory buildings for residential use (garage, workshop, etc.) below 50 m2;

b) expansions to existing accessory buildings to a residential use below 50 percent of the size of the original building;

c) expansions to existing residential buildings below 50 percent of the size of the original building; and

d) reconstruction of an existing residential dwelling of the same size in the same location.

4.2.8.8 Notwithstanding the above, the policies of Section 4.2.8 do not apply to new or expanding *mineral aggregate operation*s.

4.3 Watershed Planning and Water Resource System

Protection, conservation, and enhancement of the Town's water resources are integral to sustaining the community's environmental, social, and economic well-being. The Town employs a *watershed*/sub*watershed*-based planning approach to inform broader-scale natural heritage, land use, and *infrastructure* planning policy. The Town emphasizes

water resource protection and conservation, ensuring long-term safety and security by identifying potential quality and quantity threats to surface water and groundwater resources.

4.3.1 Objectives

4.3.1.1 To work with the *Conservation Authority* and Region of Niagara to use a *watershed*/sub*watershed planning* systems approach to inform the identification, evaluation and protection of the natural environment.

4.3.1.2 To protect, improve or restore the quality and quantity of the Town's surface water and groundwater resources through municipal initiatives and community stewardship.

4.3.1.3 To incorporate source protection objectives into the land use planning process to ensure that water sources are not compromised in the future due to land use decisions.

4.3.1.4 To practice and encourage effective management of stormwater drainage in order to maintain or enhance the water resources of the Town.

4.3.1.5 To use stormwater management to assist in regulating the quantity and quality of stormwater run-off to receiving natural watercourses, *wetlands* and recharge facilities.

4.3.1.6 To educate the public on the value of protecting the Town's water resources and how the community can contribute to its protection.

4.3.2 Watershed Planning

4.3.2.1 The Town will use sub*watershed planning* as a basis for environmental, land use and *infrastructure* planning. Sub*watershed planning* informs the NHS and may serve as a comprehensive Environmental Impact Study framework but will not replace the need for detailed Environmental Impact Studies required in support of *development* applications.

4.3.2.2 The Town will work with the *Conservation Authority*, Region of Niagara, local area municipalities, stakeholders, and other agencies to develop and implement *watershed*, sub*watershed*, master drainage, and Stormwater Management Plans.

4.3.2.3 Sub*watershed* studies will be used:

a) to identify *surface water feature*s, *ground water feature*s, *hydrologic function*s and natural heritage features and *linkages* which are

necessary for the ecological and hydrological integrity of the *watershed*;

b) to ensure *linkages* and related functions among *surface water feature*s, *ground water feature*s, *hydrologic function*s and natural heritage features are maintained;

c) as the basis for stormwater management plans, augmenting natural heritage feature protection, restoration and enhancement where applicable and the requirements for major municipal *infrastructure*;

d) to provide guidance for monitoring, mitigation measures and alternative *development* approaches within the *watershed* and the intended purpose of maintaining and enhancing the natural health and quality of surface water and *ground water feature*s, natural heritage features and associated ecological and hydrological functions within the sub*watershed*; and

e) to inform and assist in the land use planning process.

4.3.2.4 A sub*watershed* study is required to inform the identification and refinement of the NHS and the *development* of policies to protect the NHS when secondary plans are prepared for designated *built-up areas* or other large undeveloped areas. A sub*watershed* study should generally include, but is not limited to:

a) an inventory of existing ecological and hydrological data and conditions;

b) the identification of existing and proposed land uses and the modelling of potential *development* impacts;

c) water quality targets in accordance with the *watershed* plan, Provincial guidelines or other industry standards and best practices;

d) procedures for monitoring water quality and quantity before, during and after *development*;

e) completion of water balance;

f) consideration of all elements of the NHS as described in Section 4.1 of this Plan;

g) refinement to the boundaries of the NHS;

h) identification of opportunities for and constraints to *development*;

i) guidelines for best management practices for *development* design, environmental design, construction management etc.;

j) the recommendation of appropriate stormwater management techniques in accordance with Provincial, Regional and Town guidelines and industry best practices;

k) an analysis of the cumulative impact of *development*; and

l) implementation and adaptive monitoring plans.

4.3.2.5 Planning studies and *development* applications will consider the recommendations of *watershed*/sub*watershed* studies and related master plans. Schedules B1 and B2 display the town's *surface water feature*s, including rivers, creeks, and *wetland* areas.

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

4.3.2.7 The findings and recommendations of *watershed*/sub*watershed* studies and Environmental Impact Studies may be used for initial benchmarking for monitoring and implementing mitigation measures.

4.3.2.8 The Town, in consultation with the Region, the *Conservation Authority* and affected landowners if appropriate, shall determine the terms of reference for the sub*watershed* study.

4.3.3 Hydrologic Areas, Hydrologic Features and Other Important Water Resources

4.3.3.1 Hydrologic areas, features and other water resources are part of the *NHS* and are mapped as a separate overlay on Schedule B2.

4.3.3.2 *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 area*s, hydrologic features, *sensitive surface water feature*s and *sensitive ground water feature*s;

b) the *hydrologic function*s of key hydrologic areas, hydrologic features, *sensitive surface water feature*s and *sensitive ground water feature*s;

c) the interaction and linkage between key hydrologic areas, hydrologic features, *sensitive surface water feature*s and *sensitive ground water feature*s and other components of the NES;

d) the natural hydrologic characteristics of watercourses such as base flow, form and function, and headwater drainage areas;

e) natural drainage systems and *shoreline areas*; and

f) flooding or erosion.

4.3.3.3 Mitigative measures and/or alternative *development* approaches may be required to protect, improve, or enhance key hydrologic areas, features, *sensitive* surface water and *ground water feature*s, and their *hydrologic function*s. The Town, Region or *Conservation Authority* may require the establishment of appropriate *development* conditions and monitoring programs through the *development* approval process.

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

4.3.3.5 Groundwater across the Town is an important resource for all, specifically, a source of potable drinking water for many rural residents.

4.3.3.6 *Development* or *site alteration* shall not negatively impact *hydrologic area*s or their *hydrologic function*s. In areas where *development* and *site alteration* could negatively impact groundwater quality or quantity, the Town shall require further review of potential impacts through the completion of a sub*watershed* study or through the completion of a hydrologic evaluation during the review of an application for *development* or *site alteration*.

4.3.3.7 Outside of *settlement area*s, proposals for large-scale *development* proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan may be permitted within a *key hydrologic area* where it is demonstrated through a hydrologic evaluation that the *hydrologic function*s, including the *quality and quantity of water*, of these areas will be protected and, where possible enhances 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 sub*watershed* studies if applicable; and

c) meeting any applicable Provincial standards, guidelines and procedures.

4.3.3.8 Policy 4.3.3.7 does not apply to *development* in the Greenbelt Plan area that is a new or expanding building or structure for *agricultural use*s, *agriculture-related uses* or *on-farm diversified use*s where the total impervious surface does not exceed 10 percent of the lot.

4.3.4 Water Resource Protection and Conservation

4.3.4.1 The Town will protect, improve or restore the *quality and quantity of water* by:

a) minimizing potential *negative impacts*, including cross-jurisdictional and cross-*watershed* impacts;

b) implementing necessary restrictions on *development* and *site alteration* to protect all municipal drinking water supplies and designated vulnerable areas;

c) promoting efficient and sustainable use of water resources, including practices for water conservation and sustaining water quality; and

d) ensuring stormwater management practices minimize stormwater volumes and contaminant loads.

4.3.4.2 Reducing water consumption will be encouraged through upgrading and/or retrofitting existing buildings and facilities. The Town may require a Water Conservation Efficiency Study in conjunction with new *development*.

4.3.4.3 Landscaping and maintenance practices that minimize water consumption and reduce the use of potable water for irrigation associated with *development* are encouraged.

4.3.4.4 The use of potable water for outdoor watering is discouraged.

4.3.4.5 The Town will increase the use of low-maintenance and drought-tolerant landscaping at municipal facilities.

4.3.4.6 The Town will encourage and implement *Low impact development* (LID) where appropriate.

4.3.4.7 Alternative water supply and demand management systems, such as rainwater harvesting and greywater reuse, are encouraged throughout the Town and in all new *development*s.

4.3.4.8 The Town will ensure, through consultation with the Region and *Conservation Authority*, that all *development* meets provincial water quality and quantity objectives for surface water and groundwater.

4.3.4.9 The Town will ensure that *development* activities do not impair the future ability of the area's groundwater and surface water resources to provide a quality water supply to satisfy the town's residential and business needs and sustain the area's natural ecosystem.

4.3.4.10 *Development* should be restricted in or near *sensitive surface water feature*s and *sensitive ground water feature*s and tributaries such that these features and their related *hydrologic function*s and water quality functions shall be protected, improved or restored. Mitigative measures and/or alternative *development* approaches may be required to protect, improve or restore *sensitive surface water feature*s, *sensitive ground water feature*s and their *hydrologic function*s.

4.4 Greenbelt Plan Area

The Town's NES includes lands that are designated through the Province of Ontario's Greenbelt Plan. The Greenbelt Plan was introduced in 2005 to help shape the Greater Golden Horseshoe's future and protect some of Canada's most ecologically and hydrologically *significant* natural environments and scenic landscapes. The Greenbelt Plan consists of *key hydrologic areas*, *key hydrologic features* and *key natural heritage features*.

4.4.1 Policies

4.4.1.1 The policies of Section 4.4.1 apply to lands within the mapped Greenbelt Plan Area and *GBNHS*.

4.4.1.2 Notwithstanding Policy 4.4.1.1, the policies of Section 4.4.1 that apply to *key hydrologic features* apply in all areas of the Town outside of settlement areas, whether or not they are in the mapped Greenbelt Plan Area or *GBNHS* in accordance with Provincial policy.

4.4.1.3 Required within the *GBNHS* is a 30-metre wide *vegetation protection zone* adjacent to *significant woodlands*, *wetlands* as well as *permanent and intermittent streams* and *inland lakes*.

4.4.1.4 Notwithstanding policy 4.4.1.3, a 15-metre wide *vegetation protection zone* applies to certain *key hydrologic features* in parts of the Greenbelt Plan area in accordance with the policies of the Greenbelt Plan.

4.4.1.5 *Development* or *site alteration* is not permitted within *key natural heritage features* and within *key hydrologic features* outside of *settlement area*s, including any associated *vegetation protection zone*, except for:

a) forest, *fish*, and wildlife management;

b) conservation and flood or erosion control projects, but only if they have been demonstrated to be necessary for 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) single dwellings on existing lots of record in the Greenbelt Plan area, provided they were zoned for such use as of the date the Greenbelt Plan initially came into effect;

f) *mineral aggregate operation*s and *wayside pits and quarries* subject to Provincial policy, and the applicable policies of this Plan;

g) recreational uses in the *GBNHS* in accordance with the requirements of the Greenbelt Plan and the applicable policies of this Plan;

h) small-scale structures for recreational uses, including but not limited to, boardwalks, footbridges, fences, docks, picnic facilities and supporting *infrastructure* such as ground signs, if measures are taken to minimize the number of such structures and their *negative impacts*;

i) expansions to existing buildings and structures and uses, and *conversion*s of legally existing uses which bring the use more into conformity with this Plan, subject to demonstration that the use does not expand into the *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;

j) expansions or alterations to existing buildings and structures for *agricultural use*s, *agriculture-related uses*, or *on-farm diversified use*s 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.

4.4.1.6 New *development* or *site alteration* within the *GBNHS* will demonstrate that:

a) there are no *negative impacts* on *natural heritage features and areas* or hydrologic features or their functions to the satisfaction of the Town;

b) connectivity along the system and between *natural heritage features and areas* and 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 *natural heritage features and areas* and hydrologic features is avoided, where possible. Such features should be incorporated into the planning and design of the proposed use wherever possible;

d) except for uses described in and governed by the policies in Section 9.6, *Mineral aggregate resources*, the disturbed area, including any buildings and structures, will not exceed 25 percent of the *total developable area*, and the impervious surface will not exceed 10 percent of the *total developable area*;

e) with respect to golf courses, the disturbed area will not exceed 40 percent of the *total developable area*; and

f) at least 30 percent of the *total developable area* will remain or be returned to natural self-sustaining vegetation, except where specified in accordance with the policies in Section 9.6, *Mineral aggregate resources*.

4.4.1.4 Notwithstanding Policy 4.4.1.5, the full range of existing and new *agricultural use*s, *agriculture-related uses*, *on-farm diversified use*s, and *normal farm practice*s are permitted within the *GBNHS*, subject to the respective requirements of the Greenbelt Plan. New buildings or structures for *agricultural use*s, *agriculture-related uses*, or *on-farm diversified use*s are not subject to Policy 4.4.1.3 but are subject to Policy 4.4.1.9.

4.4.1.5 A proposal for new *development* or *site alteration* within 120 metres of any key natural heritage feature within the Greenbelt Plan or any *hydrologic feature* within the Niagara Escarpment Plan, or otherwise outside of *settlement area*s may require an environmental impact study and/or hydrologic evaluation, or equivalent study prepared to the satisfaction of the Town and relevant approval authorities, 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*, it is no less than 30 metres measured from the outside boundary of the feature.

4.4.1.6 Studies and evaluations undertaken per Policy 4.4.1.5 will also identify any additional restrictions to be applied before, during, and after *development* to protect the feature's *hydrologic function*s and *ecological function*s.

4.4.1.7 *Development* or *site alteration* will not be permitted in the *vegetation protection zone*, except as described in Policies 4.4.1.3 and 4.4.1.4.

4.4.1.8 Notwithstanding Policies 4.4.1.5 and 4.4.1.7, an environmental impact study may 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*.

4.4.1.9 Notwithstanding Policies 4.4.1.5 and 4.4.1.7, new buildings and structures for *agricultural use*s, *agriculture-related uses*, or *on-farm diversified use*s will not be required to undertake an environmental impact study and/or hydrologic evaluation if a minimum 30-metre *vegetation protection zone* is provided from a key natural heritage feature or *hydrologic feature*.

4.4.1.10 Uses permitted in accordance with Policy 4.4.1.9 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 will pursue best management practices to protect and restore *natural heritage features and areas*, hydrologic features, and their functions.

4.4.1.11 Notwithstanding Policy 4.4.1.7, the following types of minor construction are permitted without an environmental impact study and/or hydrologic evaluation within the *GBNHS* but outside of the *vegetation protection zone* adjacent to a key natural heritage feature or *hydrologic feature*:

a) new accessory facilities to residential use (garage, workshop, etc.) below 50m^2;

b) expansions to existing accessory facilities to a residential use below 50 percent of the size of the original building;

c) expansions to existing residential buildings below 50 percent of the size of the original building; and

d) reconstruction of an existing residential dwelling of the same size in the same location.

4.4.1.12 Parkland dedication and school sites required as a condition of approval for *development* within an urban *settlement area* shall not be permitted within the *GBNHS*.

4.4.2 Recreational Uses on Lands Subject to the Greenbelt Plan

4.4.2.1 Residential dwelling units other than for an employee shall not be permitted in association with recreational uses.

4.4.2.2 An application to establish or expand a major recreational use in the *GBNHS* shall be accompanied by a vegetation enhancement plan that incorporates planning, design, landscaping and construction measures that:

a) maintain or, where possible, enhance the amount of natural self-sustaining vegetation on the site and the connectivity between adjacent *natural heritage features and areas* or hydrologic features;

b) wherever possible, keep intermittent stream channels and drainage swales in a free-to-grow, low-maintenance condition;

c) minimize the application and use of pesticides and fertilizers; and

d) locate new natural self-sustaining vegetation in areas that maximize the *ecological function*s and ecological value of the area.

4.4.2.3 An application to expand or establish a major recreational use shall be accompanied by a conservation plan demonstrating how water, nutrients, and biocide use shall be kept to a minimum, including establishing and monitoring targets.

4.4.2.4 Small-scale structures for recreational uses, including but not limited to, boardwalks, footbridges, fences, docks and picnic facilities, are permitted within *natural heritage features and areas* and hydrologic features; however, the number of such structures and the *negative impacts* on these features should be minimized. In order to determine potential impacts, the Town may require that an environmental impact study and/or hydrological evaluation be prepared.

4.4.3 Niagara Peninsula Tender Fruit and Grape Area

4.4.3.1 Notwithstanding any other policies in this Plan, within the Niagara Peninsula Tender Fruit and Grape Area, new buildings or structures for agricultural, *agriculture-related* and *on-farm diversified use*s are permitted within 30 metres of *permanent and intermittent streams*, where:

a) the permanent or intermittent stream also functions as an agricultural swale, roadside ditch or municipal drain as determined through provincially approved mapping;

b) a minimum 15 metre *vegetation protection zone* is established between the building or structure and the permanent or intermittent stream; however, this *vegetation protection zone* is not required to be maintained as natural self-sustaining vegetation if the land is and will continue to be used for agricultural purposes;

c) there is no alternative location for the building or structure on the property without impacting lands that are designated specialty crop area;

d) a new or replacement individual on-site sewage system will not be located within 30 metres of the stream; and

e) *agricultural use*s, *agriculture-related uses* and *on-farm diversified use*s shall pursue best management practices to protect or restore hydrologic features and functions.

4.4.4 Fonthill Kame-Delta Earth Science Area of Natural Scientific Interest (ANSI)

The Fonthill Kame-Delta is a Provincially *Significant* Earth Science Area of Natural and Scientific Interest (ANSI). The Kame-Delta is a unique glacial landform composed of sand and gravel left by retreating Wisconsin glaciers. The Fonthill Kame-Delta ANSI is one of the most prominent landforms on the Niagara Peninsula and is characterized as having the highest elevation in the Niagara Region at 290 metres above sea level. This creates a unique microclimate that supports the production of tender fruits. The Fonthill Kame-Delta ANSI captures the best representation of five identifiable geomorphic themes that made up the landform and which serve to demonstrate the sequence of post-glacial events. The Fonthill Kame-Delta ANSI is identified on Schedule B2 of this Plan.

Given the significance and uniqueness of the landform feature, the town prioritizes the protection and/or maintenance of the Fonthill Kame-Delta ANSI subject to the Greenbelt Plan and policies of this Plan. The Town will work with public and private stakeholders to ensure the long-term protection of the feature through public ownership and conservation easements.

4.4.4.1 *Development* and *site alteration* shall not be permitted within the Fonthill Kame-Delta ANSI 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* with the potential for *negative impacts* shall be accompanied by an earth science heritage evaluation which shall be reviewed in consultation with the Provincial Ministry with jurisdiction. The earth science heritage evaluation shall:

a) identify planning, design and construction practices that will ensure protection of the geological or geomorphological attributes for which the earth science area of natural and scientific interest was identified; and

b) determine whether a *buffer* is required, and if so, specify the width of that *buffer*.

4.4.4.2 Notwithstanding Policy 4.4.4.1, policies related to the Fonthill Kame-Delta ANSI are not intended to limit the ability of *agricultural use*s to continue. It is recommended, however, that *agricultural use*s pursue best management practices in order to protect the Fonthill Kame-Delta ANSI and its *ecological function*s.

4.4.4.3 Notwithstanding Policy 4.4.4.1, a new *mineral aggregate operation* or wayside pits and quarries may only be considered on primary and secondary selected sand and gravel resources of the Fonthill Kame, as identified by Aggregate Resources Inventory Paper #4, if the applicant demonstrates that:

a) substantially the same land area shall be rehabilitated back to an *agricultural condition* which allows for the same range and productivity of specialty crops common in the area; and

b) the microclimate on which the site and surrounding area may be dependent for specialty crop production shall be maintained or restored; and

c) rehabilitation, mitigation, or compensation methods that recreate the landform or enhance educational and scientific values shall be considered appropriate in assessing negative impacts related to new or expanding *mineral aggregate operations* within the Fonthill Kame-Delta ANSI.

4.5 Niagara Escarpment Plan Area

On February 8, 1990, the Bureau of the United Nations Educational, Scientific and Cultural Organization (UNESCO) Man and Biosphere program approved the designation of the Niagara Escarpment as a Biosphere Reserve. The Niagara Escarpment is a prominent and environmentally *significant* landform in the Town of Pelham and covers approximately 20 per cent of the Town's total land area.

The Niagara Escarpment is the source of some of southern Ontario's prime rivers and streams and one of the provinces principal outdoor recreation areas and is a key component to the Niagara mico-climate for growing grapes and tender fruit.

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

4.5.1 Policies

4.5.1.1 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.

4.5.1.2 Policies that are more rigorous or restrictive than the Niagara Escarpment Plan policies are not interpreted to conflict with the Niagara Escarpment Plan based on policy 4.5.1.1.

4.5.1.3 The outer boundary of the Niagara Escarpment Plan Area (NEPA) is fixed and inflexible and shall only be changed by an amendment to the Niagara Escarpment Plan. Should the NEPA be amended by the Niagara Escarpment Commission, the NEPA boundary as shown on the Schedules of this Plan shall be revised to comply without an amendment to this Plan.

4.5.1.4 All new *development* requires a *Development* Permit from the NEC. Within the NEPA, *development* includes a change in the use of any land, building or structure.

4.5.1.5 When commenting on a *Development* Permit Application for a proposed *development*, the Town shall apply the policies of the Niagara Escarpment Plan except where there are more specific or restrictive policies in this Plan that do not conflict with the Niagara Escarpment Plan, in which case Staff will request the Niagara Escarpment Commission to apply the more specific or restrictive policies when rendering a decision on an application.

4.5.1.6 The establishment of a new waste disposal site is not permitted in the Niagara Escarpment Plan Area.

4.6 Other Natural Environment System Policies

4.6.1 Fish habitat

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

4.6.1.2 If a *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 the *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.

4.6.2 Habitat of Endangered Species and Threatened Species

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

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

4.6.2.3 To determine the presence of and 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 impact endangered 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.

4.6.2.4 It is the responsibility of a proponent to work directly with the Province to determine that the *Endangered species Act* has been, or will be, complied with as a condition of any permit received from the Provincial Ministry with jurisdiction.

4.6.3 Supporting Features and Areas

4..3.1 *Supporting features and areas* are lands that have been restored or have the potential of being restored, and include:

a) grasslands, thickets, and meadows that support the *ecological function*s of adjacent natural heritage features and areas, hydrologic features, and/or *natural heritage features and areas*;

b) *valleylands*, which includes lands that may have ecological and/or *hydrologic function*s, 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.

4.6.3.2 The presence of *supporting features and areas* shall be screened for by a proponent when an environmental impact study and/or hydrological evaluation is required to support a *development* or *site alteration* application both inside and outside of *settlement area*s or when a sub*watershed* study is being undertaken.

4.6.3.3 If *supporting features and areas* are identified through an environmental impact study, hydrological evaluation, or sub*watershed* study, an evaluation shall determine:

a) the extent of the supporting feature or area along with its *ecological function*s and relationship to nearby natural heritage features and areas, 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 function*s of nearby natural heritage features and areas, hydrologic features and/or *natural heritage features and areas*; and

c) the conditions to be attached to approve the proposed *development* or *site alteration*.

4.6.4 Natural Features that Have Been Disturbed

4.6.4.1 Where a *natural heritage features and area*, or hydrologic feature has been removed without authorization, as required in advance of making, or prior to the approval of, an application for *development* or *site alteration*, Regional, Local, and/or *Conservation Authority* staff shall use all available information to determine the limit and classification of the feature that existed and restoration of the feature shall be required through the approval of the application for *development* or *site alteration*.

4.6.4.2 Where a *natural heritage features and area*, or hydrologic feature has been removed without authorization, as required in advance of making, or prior to the approval of, an application for *development* or *site alteration*, and is also regulated by the *Conservation Authority* the owner may be subject to the compliance and enforcement policies of the *Conservation Authority*.

4.6.5 Cultural and Regenerating Woodlands

4.6.5.1 The *ecological function*s of some *significant woodlands* or *other woodlands* in *settlement area*s may be substantially compromised as a result of prior land use activity and as a result would be difficult to restore and/or manage as a native *woodland* in an urban setting. In these circumstances, consideration

can be given to reclassifying all or a portion of such a *significant woodland* or *other woodland* as a *cultural and regenerating woodland*.

4.6.5.2 If it has been determined, through the completion of an environmental impact study, that a woodland has met all of the criteria outlined in the Appendix 5, to be reclassified as a *cultural and regenerating woodland* to the satisfaction of the Town, the removal of the treed area, or a portion thereof, may be permitted subject to preparing a *woodland enhancement plan* that demonstrates an enhancement in woodland area is achieved, either on the same property or in a reasonable proximity.

4.6.5.3 *Woodlands* (including plantations) established and/or managed for the purpose of restoring a native tree community cannot be classified as *cultural and regenerating woodlands*.

4.6.6 Aquatic Species at Risk

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

a) all reasonable alternatives have been considered to reduce and minimize impacts on natural features and *ecological function*s, 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.

4.6.7 Woodland Cover

4.6.7.1 Woodland cover shall be maintained and enhanced in the Town by 2051.

4.6.7.2 The Town supports opportunities for the enhancement of woodland cover, which may be achieved through a number of means including, but not limited to:

a) supporting the *development* and implementation of a Greening initiative;

b) supporting regional 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, sub*watershed* studies, or similar plans; and

f) require tree and woodland protection and planting through the *development* application process for *development* or *site alteration*.

4.6.8 Urban Forest

The Town of Pelham's *urban forest* consists of all trees and their growing environments on public and private lands within the Town's boundaries. This forest is crucial in maintaining a healthy, resilient, and sustainable community by offering numerous ecological, social, and economic benefits. These include erosion prevention, hydrological and nutrient cycling, clean air, long-term carbon storage, and creating microclimates that provide shade. Additionally, it supports *wildlife habitat*s, enhances connections between natural heritage features, and contributes to visually appealing streetscapes and landscapes. The *urban forest* also offers outdoor recreational opportunities, making it an *essential* component of the Town's overall well-being.

4.6.8.1 The *urban forest* will be managed and protected with the following objectives:

a) to maintain and increase the Town's current canopy cover from 32% to 40% by 2035;

b) to improve and expand the species, structural diversity, and overall health; and

c) to support and encourage the even distribution of the tree canopy across the Town.

4.6.8.2 The Town will encourage tree planting by all community sectors to contribute to achieving the Town's *urban forest* goals and targets.

4.6.8.3 The Town will investigate opportunities to set tree planting, maintenance and tree canopy targets by developing a Town of Pelham *Urban forest* Management Plan. The goals of the Plan may include, but not be limited to:

a) inventorying Pelham's *urban forest* and monitoring and assessing health, changes and ecosystem services over time;

b) maintaining the health, structure, functions, and ecosystem services of Pelham's *urban forest*;

c) growing and enhancing the *urban forest* by increasing the Town's canopy cover and improving species richness, structural diversity, overall health and even distribution across the Town;

d) developing and implementing a strategic, proactive maintenance program pertaining to trees on public land;

e) protecting existing trees and their growing environment, woodland ecosystems, and other vegetation; and

f) encourage all community members to participate in these goals and build strong *urban forest* partnerships to help realize Pelham's vision for *urban forest*.

4.6.8.4 Pelham's *urban forest* will be recognized as *green infrastructure* and a natural asset, and trees and wooded natural areas will be incorporated into municipal asset management planning.

4.6.8.5 Through the *development* review process, the Town will conserve and enhance its *urban forest* resilience by ensuring:

a) no net *negative impacts* by requiring an arborist report/tree inventory and protection plan, as necessary, that demonstrates tree preservation and protection both pre and post-construction and where preservation of some trees is not feasible, identifies opportunities for replacement to the satisfaction of the Town in compliance with any Town Tree Conservation By-law and associated tree compensation requirements;

b) the protection of mature tree canopies in existing *settlement area*s is prioritized over removal and replacement or monetary compensation to the greatest extent practical to help maintain the ecological benefits they provide and the character of an area;

c) where healthy trees are to be protected, appropriate tree protection zones, grading, and building *setback*s are provided to ensure their long-term health;

d) the value of healthy mature trees notable for their age, distinctive character, species, rarity, size, and form will be prioritized by striving to protect and integrate them into public spaces;

e) encouraging the protection of trees that are part of *significant hedgerow*s and *cultural heritage landscape*s, mainly through their protection and integration within the public realm;

f) appropriate planting locations and sustainable growing environments for trees are provided through suitable landscaped areas that include high-quality soil and adequate soil volumes;

g) the application of best management practices and *green infrastructure* techniques where trees are proposed to be planted in areas of hardscape, such as medians, sidewalks, plazas, parking lots and other public spaces to ensure their long-term survival, growth, and health;

h) a diversity of tree species is used, including species resilient to a changing climate and

i) non-native tree and shrub species that are invasive are not used.

4.6.8.6 Required tree replacement/compensation plantings do not replace the standard landscape planting requirements as part of approving any *development* or *site alteration*. Where tree replacement cannot be accommodated on-site, the Town may require cash-in-lieu of replacement trees elsewhere.

4.6.8.7 All public *infrastructure* work will first require an arborist report/tree inventory and protection plan, as necessary, that demonstrates tree preservation and protection both pre- and post-construction, and where preservation of some trees is not feasible, identifies opportunities for replacement. The arborist report/tree inventory and protection plan will be prepared to the satisfaction of the Town, in compliance with the Town's tree compensation requirements, and in accordance with applicable *Conservation Authority* requirements.

4.6.8.8 *Development* and implementation of woodlot management plans may be required prior to the conveyance of *woodlands* to the Town.

4.6.8.9 To support the management, protection, and enhancement of the *urban forest*, the Town will:

a) continue to promote public awareness and engagement initiatives that educate residents about the value of the Town's *urban forest* and encourage participation in its care and stewardship;

b) continue to promote the management and enhancement of the *urban forest* on public and private property; and

c) Work jointly with area municipalities, the Region of Niagara, and the *Conservation Authority* to undertake *urban forest* studies and develop strategies to support programs and initiatives to maintain and enhance the *urban forest* canopy.

4.6.8.10 The Town will exercise the powers and apply the tools provided by legislation to implement and enforce its policies to protect and enhance the *urban forest* and *woodlands*, particularly the *Municipal Act*, 2001, and the *Planning Act*.

4.6.8.11 The Town may enact a private tree protection by-law in accordance with the provisions of the *Municipal Act*, 2001.

4.6.8.12 At the discretion of the Town, a proponent of *development* or *site alteration* may be required to submit an arborist report and/or tree assessment and preservation plan demonstrating how impacts to on-site and surrounding trees will be mitigated or minimized. Where impacts cannot be avoided, the Town may require tree replacements at a net gain or a cash-in-lieu payment to the Town as a condition of any approval, authorization or permit to remove trees.

4.6.8.13 To ensure the long-term viability of trees planted as part of approved *development*, the Town will require appropriate tree species, soil volume, drainage, and technology through by-laws, site plan control, landscape standards, and Green *Development* Standards.

4.6.8.14 Planning and *development* approvals should prioritize retaining and protecting large, healthy trees over replacement tree plantings and/or compensation.

4.6.8.15 The Town will encourage the planting of native tree species and vegetation that are resilient to *climate change* and provide high levels of carbon sequestration.

4.6.8.16 The Town will develop guidelines for tree assessment and preservation plans to minimize impacts to trees on private land.

4.6.9 Wetland Cover

4.6.9.1 *Wetland* cover shall be maintained and enhanced in the Town by 2051.

4.6.9.2 The Town supports opportunities to maintain and restore *wetland* functions at a *watershed* and sub*watershed* scale based on historic reference conditions.

4.6.10 Riparian Vegetation Cover

4.6.10.1 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.

4.6.10.2 The Town supports opportunities for enhancement of riparian vegetation cover which may be achieved through a number of means including:

a) requiring a naturally vegetated shoreline 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.

4.6.11 Native and Non-Native Species

4.6.11.1 The Town requires individuals and agencies to use native species appropriate when planting within the *natural environment system* or contiguous to elements of the *natural environment system*. To provide guidance, the Town may prepare a list of non-native species considered invasive and unsuitable for such use and/or a list of adequate native species.

4.6.11.2 The Town will require the planting of appropriate native species as a condition of all *development* and *site alteration* applications where applicable.

4.6.11.3 The Town encourages the use of native species plantings at municipal facilities and along transportation and utility corridors which fall outside the *development* approval process.

4.7 Public Health and Safety

Natural and human-made hazards pose threats to human health, safety and well-being. Natural hazards are naturally occurring processes that create unsafe conditions for *development*, generally identified as flooding, erosion, unstable bedrock and unstable soils. Human-made hazards result from human activities on the landscape, including contaminated sites and *mineral aggregate operation*s. *Development* on these sites must be carefully managed to reduce human and environmental health risks.

Natural and human-made hazards may result in constraints to *development* on affected and *adjacent lands*. A precautionary and proactive policy that directs and manages *development* within or adjacent to these areas is intended to ensure safety, prevent loss of life, reduce property damage, limit social disruption, and minimize public and private expenditures.

4.7.1 Natural Hazards

4.7.1.1 *Development* shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

a) *hazardous lands* adjacent to river, stream, and small inland lake systems which are impacted by *flooding hazard*s and/or *erosion hazard*s; and

b) *hazardous sites*.

4.7.1.2 *Development* or *site alteration* shall not be permitted within:

a) defined portions of the *flooding hazard*s along the Welland River;

b) areas that would be rendered inaccessible to people and vehicles during times of *flooding hazard*s and *erosion hazard*s 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.

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

a) an *institutional use* including hospitals, retirement or long-term care homes, pre-schools, school nurseries, daycares, 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*.

4.7.1.4 Where a two-zone concept for *flood plains* 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 Provincial Ministry with jurisdiction.

4.7.1.5 Further to Policy 4.7.1.4, and except where prohibited in Policy 4.7.1.2, *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 floodproofing, protection works, and *access standards*;

b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion, and other emergencies;

c) new hazards are not created, and existing hazards are not aggravated; and

d) no adverse environmental impacts will result.

Section 5: Movement of People and Goods

The *transportation system* will serve the existing and proposed land use patterns and facilitate the efficient, safe, convenient, and energy-efficient movement of goods and people throughout the Town. The Official Plan recognizes the relationship between land use and all modes of transportation.

Transportation generally accounts for a high percentage of energy use and greenhouse gas emissions. This Plan recommends reducing energy from transportation through measures such as improving access to public transit and encouraging a compact urban form to reduce the number of automobile trips.

An integrated *transportation system* contributes to a *complete community* by designing road networks that ensure pedestrians and cyclists comfortably and safely coexist with motor vehicles, thus improving health and quality of life.

5.1 Objectives

5.1.1 To provide a *transportation system* involving all transport modes to move people and goods safely, efficiently and economically while contributing positively to the social, cultural and natural environments of the Town.

5.1.2 To ensure that the *transportation system* is accessible and meets the needs of all members of the community.

5.1.3 To ensure that the *transportation system* is planned, implemented and maintained financially sustainably.

5.1.4 To encourage and support walking and cycling as healthy, safe and convenient modes of transportation all year round and ensure that the design of pedestrian and cycling networks are integrated with other modes of transportation.

5.1.5 To continue to work with the Niagara Transit Commission on Regional Transit options for the Town that accommodate current and anticipated regional transportation movements

5.1.6 To develop and maintain an appropriate hierarchy of roads to ensure the desired movement of people and goods within the Town and coordinate with the Region of Niagara with regards to *development* applications submitted along a regional road including the review of noise studies and the evaluation of urban design.

5.1.7 To reduce the amount of energy used for transportation.

5.2 Transportation System

5.2.1 The Town has jurisdiction over public roads and pedestrian and bicycle path facilities which serve a primary function. Those road facilities which serve Regional and Provincial functions are the responsibility of the Region and the Province of Ontario, respectively.

5.2.2 The town will develop and support a diverse *transportation system* supporting various transportation modes, including road, rail, transit, cycling, pedestrian, and transportation demand management.

5.2.3 The Town will plan, implement and maintain a *transportation system* to facilitate an increase in the non-auto mode shares for average daily trips and a reduction in the energy used for transportation.

5.2.4 The Town shall maintain its existing *transportation system* and ensure its sustainability while planning for new *infrastructure development*.

5.2.5 *Transportation infrastructure* planning, land use planning, and transportation investment will be coordinated and integrated to implement this plan's growth objectives and planned urban structure.

5.2.6 The Town will work with the Niagara Transit Commission to implement inter-regional transit projects that will better serve the Town's public transit needs.

5.2.7 A multi-modal approach will be used to plan and implement transportation improvements and encourage the increased use of non-automobile modes of travel.

5.3 Barrier-Free Transportation

5.3.1 The Town's *transportation system* shall be developed to be inclusive of the needs of persons with disabilities, seniors, children and those with reduced mobility by:

a) ensuring that sidewalks are accessible and accommodate people with impaired or reduced mobility;

b) encouraging the use of voice signals at crosswalks;

c) ensuring that any transit facilities and stops are accessible and use barrier-free design principles by the Accessibility for *Ontarians with Disabilities Act*;

d) requiring off-street parking spaces for persons with disabilities through the Zoning By-law; and

e) accessibility considerations are taken into account when designing the *transportation system*.

5.4 Active Transportation

5.4.1 *Active transportation*, which includes pedestrian movement, cycling and any non-motorized modes of transportation, is a component of achieving the Town's transportation, sustainability, community energy and healthy community objectives.

5.4.2 The Town supports walking and cycling as priorities when designing the *transportation system*, focusing on connecting land uses to meet the Town's mobility needs.

5.4.3 The Town supports the ongoing enhancement of a convenient and safe pedestrian and bicycle system that serves all users and provides access throughout the Town.

5.4.4 The following provisions will promote *active transportation* measures:

a) ensure that streets, spaces and public facilities are designed to be safe and comfortable for pedestrians and cyclists;

b) require, provide and maintain *infrastructure* that maximizes safe and convenient passage for pedestrians and cyclists through the Town;

c) ensure that bikeways and pedestrian walkways are integrated into and designed as part of new roadway systems and other *infrastructure* projects in the Town. Special consideration will be given to matters such as bike lanes, separated bikeways and provisions for a comfortable pedestrian environment, which may include shade trees, street furniture, bicycle racks, lighting, signed and safe street crossings and other traffic controls;

d) require minimum provisions for on-site parking and storage for bicycles and other personal transportation devices in the Zoning By-law for uses such as employment and commercial, schools, and high and *medium-density residential development*;

e) implement design and maintenance standards which can reduce the risk of collisions and injuries;

f) provide for unobstructed pedestrian movement by using ramped sidewalk facilities and by offering crossings at reasonable intervals across *significant* barriers and priority crossing as high activity signalized intersections, wherever possible; and

g) provide linkages between *intensification* areas, major trip generators and adjacent neighbourhoods, including connections, where possible, to inter-*Municipal Act*ive transportation networks.

5.4.5 If rail lines within the Town become abandoned or opportunities for multi-use rail corridors become available, the Town will actively promote the provision of bicycle and pedestrian paths along these corridors, where appropriate.

5.5 Public Transit

5.5.1 The Town shall continue to work with the Niagara Transit Commission to increase public transit options for the Town and promote *total developable area* land use *development*.

5.5.2 The Town shall explore opportunities for providing public transit, including coordinated transit planning with adjacent municipalities.

5.5.3 To ensure that public transit is an attractive, energy-efficient and convenient means of travel, the Town will:

a) plan for compact urban form by promoting mixed and *total developable area* land uses, urban *intensification*, a strong downtown and corridors between urban areas;

b) ensure the creation of a road network that permits reasonable walking distances to and from potential transit stop locations for a majority of residences, jobs and other activities in the area;

c) ensure that the phasing of new *development* allows for the provision of transit service when it is available in the early phases of new growth so that using transit is a viable option for the initial occupants; and

d) Consider the impacts on transit when planning the locations for higher-density housing, commercial, and employment areas.

5.6 Road Network

An efficient road network will accommodate all modes of travel, including vehicular traffic, and a reasonable level of service.

5.6.1 Road right-of-ways will be planned and designed to enable safe and comfortable use by all users, including pedestrians, cyclists, motorists and transit riders of all ages and abilities.

5.6.2 Generally, private roads should be discouraged. Where permitted, they shall generally be designed to be publicly accessible.

5.6.3 *Development* will generally be restricted on non-winter-maintained roads, private roads, unopened road allowances, and individual rights-of-way unless an agreement on services is registered on the title.

5.6.4 The town will use various design mechanisms and operational techniques to promote the efficient utilization of its road system, such as requiring shared driveways in commercial strips and synchronized traffic signals.

5.6.5 All roads, existing and proposed within the Town, will have regard to the Town's Engineering Standards with respect to road design, including width, right-of-way requirements, landscaping and general road design practices.

5.7 Functional Hierarchy of Roads

The functional hierarchy of roads is identified on Schedule C: Transportation and includes the following:

5.7.1 Regional Roads

5.7.1.1 Regional roads carry traffic through and to the Town as part of the regional road network.

5.7.1.2 All *development* abutting a regional road shall be subject to the jurisdiction of the Region of Niagara.

5.1.7.3 As conditions of the approval of a *development* application under the Planning Act:

a) the Region may acquire land from the landowner required for the road allowance as identified in Table 5.1, at no cost to the Region and free of all encumbrance, encroachments, and improvements unless otherwise agreed to by the Region; and

b) the Region shall be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened road allowance is in place.

5.1.7.4 The conveyance of land shall be required at no cost to the Region as a condition of the approval of a *development* application, beyond the designated road allowance widths identified in Schedule M, to accommodate items such as sight triangles, turning lanes, channelization, grade separations, traffic control devices, rapid transit, public transit facilities and rights-of-way, active transportation, cuts, fills and storm drainage requirements, as required to meet accepted engineering design standards. These do not require an amendment to this Plan.

5.1.7.5 Further to Policy 5.1.7.4, the Region may, without an amendment to this Plan, update the designated road allowance widths in Table 5.1 where an alternate width has been approved through a completed Municipal Class Environmental Assessment.

5.1.7.6 Additional land that exceeds the road allowance widths identified in Table 5.1 or Policy 5.1.7.4 may be acquired by the Region at its own expense, without an amendment to this Plan.

5.1.7.7 Land for Regional Road widenings will be required equally from both sides of the centreline of the designated Regional Road unless existing land uses, topographic features or other physical or environmental constraints necessitate taking greater widening on one side than the other.

5.1.7.8 As part of the *development* application process, a road allowance not yet owned by the Region and identified in the Region's Transportation Master Plan should be protected in the following cases:

a) a local street that could be ultimately assumed by the Region; and

b) plans for the extension of an existing road allowance.

Table 5.1 Regional Road Allowance Widths

Regional Road #	Road Name	Road Segment	Width in Metres
20*	Highway 20 West	Western Boundary of Pelham – Lookout Street	35.0
		Lookout Street – Haist Street	26.2
		Haist Street – Pelham Street	20.1
	Highway 20 East	Pelham Street – Station Street	20.1
		Station Street – Eastern Boundary of Pelham	30.5

24	Victoria Avenue	Southern Boundary of Pelham – Northern Boundary of Pelham	30.5
29	Webber Road	Victoria Avenue – Murdock Street	30.5
37	Merrit Road	Rice Road – Eastern Boundary of Pelham	26.2
54	Rice Road	Southern Boundary of Pelham – Highway 20	26.2
69	Twenty Road	Victoria Avenue – Northern Boundary of Pelham	26.2
529	River Road	Airport Entrance – Effingham Street	26.2
	Effingham Street	River Road – Webber Road	26.2
627	O'Rielly's Road	Southern Boundary of Pelham – River Road	26.2

*Regional Road 20 is under the jurisdiction of Niagara Region, but retains the name Highway 20

5.1.7.9 Regional site triangle requirements are required on all Regional Roads in accordance with the Table 5.2.

Table 5.2: Minimum Site Triangle Requirements

Regional Intersection Type	Minimum Site Triangle Dimension Requirements
Urban (signalized)	10m x 10m
Urban (non-signalized)	6m x 6m
Rural	15m x 15m

5.7.2 Arterial Roads

5.7.2.1 Arterial roads are intended to move moderate to large traffic volumes over moderate distances within the Town and direct it to the regional road network.

5.7.2.2 Direct access from arterial for *significant developments* to individual properties may be restricted to avoid interference with the primary function of the roadway unless traffic impacts have been assessed and, if required, mitigated.

5.7.2.3 Arterial roads identified in this Plan may be subject to the conveyance of land for a road widening or road improvement at the time of, or as a condition to, the approval of any *Planning Act* application.

5.7.2.4 In certain instances, on-street parking may be permitted in conjunction with street-oriented *development* to achieve the urban design objectives and functions of this Plan. In these instances, special design provisions will be incorporated within the street right-of-way to ensure the safe passage of traffic for pedestrians, cyclists, transit users, and motorists while also permitting motor vehicle movement.

5.7.3 Collector Roads

5.7.3.1 Collector roads are intended to move low to moderate traffic volumes within specific areas of the Town and collect local traffic for distribution to the arterial or regional road system.

5.7.3.2 Direct access to private property may be controlled to avoid traffic hazards.

5.7.3.3 Collector roads identified in this Plan may be subject to the conveyance of land for a road widening or road improvement at the time of, or as a condition to, the approval of any *Planning Act* application.

5.7.3.4 Parking may be permitted when parking needs have been identified and can be safely accommodated with abutting land uses.

5.7.4 Local Roads

5.7.4.1 Public roads not otherwise identified in the functional hierarchy shall be considered local.

5.7.4.2 Local roads provide low traffic volume and access to abutting private property.

5.7.4.3 Local roads are designed for low speed, having capacity for two lanes of undivided traffic with through traffic discouraged.

5.7.4.4 Local roads identified in this Plan may be subject to the conveyance of land for a road widening or road improvement at the time of, or as a condition to, the approval of any *Planning Act* application.

5.7.4.5 Parking may be permitted where appropriate.

5.7.4.6 The desirable right-of-way width shall range from 18 to 20 metres.

5.7.4.7 It is recognized that local roads of less than 18 metres presently exist, and widening to achieve the desirable minimum may not be practical.

5.7.5 Seasonal Roads

5.7.5.1 Seasonal roads are those that the Town does not assume for winter maintenance purposes.

5.7.5.2 Where the Town proposes to assume a seasonal road to provide winter maintenance, an amendment to this Plan will be required to change the road classification.

5.7.6 Laneways

5.7.6.1 Laneways may be either public or privately owned to the satisfaction of the Town. They will provide vehicular access to garages or parking facilities for grade-related low-rise, mid-rise and high-rise residential and mixed-use buildings.

5.7.6.2 Laneways are planned to be located at the rear of properties.

5.7.6.3 Where laneway-based *development* is provided, the following shall generally apply:

a) laneways shall be used to provide access to garages where front-facing garages are not permitted;

b) a maximum right-of-way width of 9 metres shall be permitted for laneways for grade-related residential dwelling blocks. Wider laneways may be required for blocks sited with low-rise apartments, mid-rise and high-rise buildings, and

c) permeable materials shall be encouraged in lane construction to assist in stormwater management within the community.

5.7.7 Other Road Types

5.7.7.1 Other types of roads in the Town include:

a) private roads which cross private property to access a lot;

b) unopened municipal road allowances;

c) unassumed roads; and

d) roads owned and maintained by a public authority for only a part of the year.

5.7.7.2 All lots that front any of the roads identified in Section 5.7.7.1 shall be subject to Site Plan Control and may be subject to a Holding Provision in the Zoning By-law that prohibits the *development* of a dwelling and any enlargement, renovation or addition to a dwelling unit that existed on the date Council passes the Zoning By-law until the applicant satisfies the requirements for removing the Holding Symbol.

5.7.7.3 The construction or *development* of new private roads or extensions to existing private roads shall not be permitted unless the private road is in a

Plan of Condominium. The Committee of Adjustment may grant new rights-of-way, in the form of private driveways for access only to presently land-locked parcels, which are the site of an otherwise legal residential use on the date the implementing By-law is passed. All proposed rights-of-way for existing land-locked parcels must be developed from an existing public road maintained year-round and of a standard acceptable to the Town and have regard to the Town's Engineering Standards.

5.8 Road Design

5.8.1 The Town will ensure that any impacts on the *Natural Environment System* and cultural heritage resources are addressed in the design process for road projects, as required by the provisions of this Plan.

5.8.2 The Town shall have regard for and, when necessary, will require measures to mitigate adverse impacts on cultural heritage resources, especially the character of landscapes, streetscapes, treelines, bridges, views and points of scenic interest and the prevailing pattern of settlement, when considering the construction of new roads and road improvements, including road re-alignment and road widening.

5.8.3 The road system in new *development* areas will be connected to the existing road network, facilitating linkages between existing and future *development* and ensuring continuity of sidewalks, bicycle facilities, and transit routes as applicable. The road network design will minimize travel distances for pedestrians, cyclists, and transit and shall generally be a modified grid.

5.8.4 Road design will incorporate streetscape and design elements determined through the road design processes that are consistent with the urban design objectives of this Plan where appropriate based on the road's planned function and have regard to the Town's Engineering Standards.

5.8.5 The Town will require the submission of Traffic Impact Studies for *development* proposals considered *significant* traffic generators along arterial and collector roads to determine whether the *development* would compromise the road's planned function.

5.8.6 The Town shall consider road designs that are innovative in terms of environmental considerations and that support pedestrians, cycling and transit.

5.8.7 When developing road cross-section designs as part of alternative *development* standards, the Town will consider all modes of transportation and how to create a strong pedestrian realm in accordance with this plan's urban design objectives.

5.8.8 The Town will consider the impact of existing utility *infrastructure* and opportunities for enhancement or replacement as part of road improvement or maintenance projects through discussion with utility providers.

5.8.9 The Town will work with the Region to support the design of Regional Roads within the downtown and community core areas to:

a) function as flexible spaces to support place-making, temporary community events and initiatives to support complete communities;

b) encourage the creation of seasonable outdoor patios and seating areas;

c) improve accessibility;

d) include pedestrian and cycling infrastructure; and

e) give priority to pedestrian and cycling infrastructure where sufficient street parking can be provided.

5.9 Trucking and Goods Movement

5.9.1 The Town will coordinate with the Region of Niagara and other local municipalities to plan and design an efficient goods management system that minimizes community and traffic impacts.

5.9.2 Truck traffic in the Town shall be managed by:

a) directing it away from, or around, residential or *sensitive* areas where road capacities are inadequate or where there is a potential for noise and/or safety hazards;

b) designating, establishing and monitoring truck routes in coordination with the Region;

c) encouraging the relocation of existing land uses which generate volumes of truck traffic which contribute to current noise and safety hazards to more suitable locations in the Town; and

d) discouraging the movement of heavy truck traffic on all collector and local streets in residential areas.

5.10 Railways

5.10.1 The Town shall support and protect the Canadian Pacific rail line for freight movement and limit conflicts with vehicular traffic and adjacent land uses.

5.10.2 Consultation is required with Canadian Pacific 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 to evaluate *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.

5.10.3 The Town will work with the Province to plan for and expedite improvements to major goods movement facilities and corridors and planned corridors to support freight-supportive employment *development* and re*development*.

5.11 TransCanada Pipeline

TransCanada PipeLines Limited (TCPL) operates one high pressure natural gas pipeline within its right-of-way crossing the Town.

5.11.1 Policies

5.11.1.1 *Development* resulting in increased population density in proximity to TCPL's right-of-way and compressor stations may result in TCPL being required to replace its pipeline(s) to comply with CSA Code Z662. Early consultation with TCPL or its designated representative, for any *development* proposals within 200 metres of its pipelines and within 750 metres of TCPL's compressor station should be undertaken to ensure TCPL can assess potential impacts and provide recommendations to avoid adverse impacts to its facilities.

5.11.1.2 TCPL is regulated by the Canadian Energy Regulator which has a number of requirements regulating *development* in proximity to its pipelines. This includes approval requirements for activities within 30 metres of the pipeline centreline, such as conducting a ground disturbance, constructing or installing a facility across, on, or along the pipeline right-of-way, driving a vehicle, mobile equipment or machinery across the right-of-way, and the use of explosives.

5.11.1.3 A minimum setback of seven metres shall be provided from the edge of the right-of-way for all permanent buildings and structures. Accessory buildings

and structures shall have a minimum setback of at least three metres from the edge of the right-of-way.

5.11.1.4 A minimum setback of seven metres shall be provided from the edge of the pipeline right-of-way for: a. road rights-of-way (paralleling pipeline rights-of-way), private driveways, parking spaces and parking areas; and b. stormwater management facilities.

5.11.1.5 Throughout any built-up areas, the TCPL's right-of-way is encouraged to be designated for passive parkland or open space use.

5.12 Parking

5.12.1 Policies

5.12.1.1 The Town will ensure that adequate parking facilities are provided to meet the parking demands generated by various land uses. These requirements will be explicitly outlined in the Town's Zoning By-law.

5.12.1.2 Parking standards and regulations for all land uses shall promote accessibility, safety, *active transportation* options and the efficient use of land.

5.12.1.3 The Town may require *infrastructure* for the provision of Electric Vehicle charging facilities as a condition of *development* or a standard for parking requirements.

5.12.1.4 To ensure safe and efficient movement of all users, parking facilities

5.12.1.5 The Town may acquire, develop and operate parking facilities.

5.11.1.6 The Town, under applicable legislative authority, may implement provisions for payment instead of the provision of parking for components of a required parking supply by any applicable implementation By-law or agreement.

5.12.1.7 Reduced parking requirements may be considered part of a parking study, particularly within the Downtown Transition Area or for *affordable* housing.

5.12.1.8 The Town may develop zoning regulations for shared parking arrangements between multiple facilities to optimize the staggered nature of parking demand on a time-of-day, weekday/weekend, and monthly basis.

5.12.1.9 Any modifications to the parking requirements of this Plan or the Town's Zoning By-law will require a zoning by-law amendment.

5.12.2 Off-Street Parking Requirements

5.12.2.1 The Town shall specify off-street parking requirements and may establish minimum and maximum parking requirements in the Zoning By-law, where appropriate.

5.12.2.2 Off-street parking areas and facilities shall be provided through zoning and site plan requirements.

5.12.3 On-Street Parking Requirements

5.12.3.1 On-street parking is permitted on all arterial, collector or local roads within the *settlement area* boundary, where feasible unless otherwise signed.

5.12.3.2 No on-street parking is permitted during winter maintenance operations.

5.12.3.3 The availability of on-street parking is not considered a parking space for any regulated use.

Section 6: Municipal Services and Infrastructure

The provision of *infrastructure*, including drinking water, wastewater, stormwater and waste management, and electrical and telecommunication services, all support *development*. The provision of these services will be financially viable and manage demand and optimize existing *infrastructure* in order to reduce the need for new facilities. The Town is not responsible for providing all of these services but plays a collaborative role in ensuring that these are provided efficiently. Additionally, this Section includes provisions for controlling *site alteration*.

6.1 Objectives

6.1.1 To encourage the efficient use of municipal services and utilities.

6.1.2 To ensure full municipal services are provided for all forms of *development* with the Settlement Boundary.

6.1.3 To ensure that all new lot creation outside of the Settlement Boundary establishes and maintains sustainable private services in perpetuity where municipal water and/or wastewater services are unavailable.

6.1.4 To ensure groundwater resources, on which Pelham's water supply is based in the rural area and which sustain the area's natural environment, are respected, protected and *conserved*.

6.1.5 To promote the retention, repair and upgrading of *infrastructure* in older parts of the Town.

6.1.6 To consider the impacts of a changing climate, including assessing *infrastructure* risks and vulnerabilities and identifying strategies to address these challenges.

6.1.7 To promote and encourage good drainage practices in order to mitigate drainage issues in the *settlement area*, especially for infill and *intensification development* and *redevelopment* and in the rural area around municipal drains.

6.2 Servicing and Utilities

6.2.1 The Town will ensure the fiscal sustainability of *infrastructure* and utilities per the recognized urban *development* standards for *infrastructure* and utilities in the *settlement area*s and the rural standards in areas outside the *settlement area*s.

6.2.2 The Region shall provide infrastructure and services within its jurisdiction to accommodate existing *development* and anticipated growth within the financial capability of the Region.

6.2.3 The Town will ensure there is an adequate supply of serviced land and *intensification* opportunities to meet future *development* needs.

6.2.4 The provision and extensions of full municipal services and utilities to all new *development*s within the Town's *Settlement area* Boundaries will be required. Full municipal services shall include facilities for:

a) sanitary sewage disposal;

b) water supply;

c) stormwater management;

d) solid waste management, subject to approval process;

e) electrical power; and

f) transportation networks, including public transit where applicable, and pedestrian and cycling networks.

6.2.5 Within the *Settlement area*, electrical and cabled services within new *development*s shall be located underground. Providers are encouraged to relocate electric and cable services underground upon replacement.

6.2.6 The Town shall ensure that before permitting a *development* proposal, adequate provision is made for municipal water, wastewater treatment, solid waste, and stormwater management facilities to accommodate the *development*. The Town is responsible for ensuring the provision and capacity of the distribution system for water and wastewater systems. The Niagara Region is responsible for the provision and capacity of the trunk system and treatment facilities for water and wastewater facilities and solid waste management. The Region shall ensure that there is the required water and wastewater servicing capacity available to support *development* prior to their approval. The roles and responsibilities for stormwater management include the Town, the Region and the *Conservation Authority*.

6.2.7 Private lateral connections of Regional water or wastewater mains are discouraged.

6.2.8 The Town will consult with utility providers to facilitate the efficient provision of services.

6.2.9 Town Council may pass by-laws and enter into agreements, including financial arrangements with property owners for the installation of municipal services.

6.2.10 The Town will consider using alternate *development* standards to provide municipal services where the effectiveness and efficiency of the service are retained and when *development* cost savings and energy efficiencies may be realized.

6.2.11 The Town will guide the direction, location, scale and timing of *development* to ensure compact, orderly *development* and to minimize the cost of municipal services and related *infrastructure*.

6.2.12 The Town and the Region will endeavour to:

a) ensure new *development* will not put the Town of Region out of compliance with regulations and will consider opportunities to maintain or reduce wet weather overflow occurrence; and

b) provide reliability, redundancy and security in its water and wastewater systems with attention to high-risk and critical areas.

6.2.13 The Town will ensure full utilization of existing municipal services and utilities and conservation measures as appropriate.

6.2.14 The Town will ensure that *infrastructure* and public service facilities are provided in a coordinated, efficient, integrated and cost-efficient manner to meet current and projected needs including:

a) the optimization of existing *infrastructure and public service facilities*, where feasible, before giving consideration to new *infrastructure* or *public service facilities*; and

b) the strategic location of *infrastructure* and *public service facilities* to support effective and efficient delivery of emergency management services.

6.2.15 The Town will ensure that sewage and water service systems are financially viable and comply with regulatory requirements, can be sustained by the Town's water resources, and protect human health and the natural environment.

6.2.16 The Town's servicing requirements for planned *development* and projected growth in coordination with the Niagara Region will be monitored to ensure that the sustainable water and wastewater system capacities are not exceeded and to provide sufficient lead time for the planning, design, approval, financing and construction of new facilities.

6.2.17 The Town will discourage non-residential *development* that requires high volumes of water use and/or wastewater discharge if the *development* has the potential to compromise the Town's ability to service existing and planned levels of population and employment or where the *development* would require unduly costly water and/or wastewater system upgrades.

6.2.18 *Development* outside of the Town's Settlement Boundary shall be by private well or cistern and private septic system. The creation of new communal water or wastewater treatment systems is prohibited. Extensions of municipal services outside of or beyond the Settlement Boundary are prohibited. Municipal water supply mains or municipal sewers shall not be extended outside the urban areas except:

a) where necessary to correct an existing health problem as determined by the Medical Officer of Health or where there is a clean-up order from the Ministry of the Environment, Conservation and Parks, and provided all alternatives to municipal mains for resolving health concerns have been considered; and

b) where extensions of the water supply system are for necessary operating purposes, such as looping of existing mains, the replacement of existing mains, and the interconnection of urban areas.

6.2.19 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 Town and the Region will work collaboratively to reduce wet weather flows in the sanitary system.

6.2.20 The Town will not support *intensification* or infill *development* that does not have adequate municipal or private services or will negatively impact neighbouring properties' servicing requirements.

6.2.21 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.

6.2.22 The Region shall provide waste management systems that are an appropriate size and type to accommodate present and future requirements and facilitate, encourage and promote reduction, reuse and recycling objectives.

6.2.23 The Town, in collaboration with the Region will ensure that official plan, zoning by-law, plan of subdivision approvals and site plan approvals for new *development* comply with the Region's requirements for waste collection to ensure safe and efficient waste collection and diversion and includes support for the resource recovery of food and organic waste for residents.

6.2.24 The Town and Region will confirm, as part of the *development* review process, that utility providers are able to provide services to support the proposed *development* in a timely manner and that, if required, appropriate locations for large utility equipment and utility cluster sites have been determined.

6.2.25 Utility providers proposing to locate, relocate or replace a facility within a Regional Road allowance will require Regional approval and be subject to the provisions of all applicable Regional policies, by-laws, standards and guidelines.

6.2.26 All servicing requests must have regard to the Town's Engineering Design Standards.

6.2.1 Extension Beyond Urban Limits

6.2.1.1 Notwithstanding the provisions of Section 6.1 of this Plan, the extension of a sanitary sewer forcemain is permitted on Haist Street outside the Fonthill urban area to serve the Pelham Evangelical Friends Church located at 940 Haist Street and two intervening, existing residential dwellings located on Haist Street between the Settlement Boundary and the church building.

6.2.1.2 The following waterlines have been reviewed in accordance with the policies of Section 6 of this Plan and are deemed to comply:

a) a 150 millimtre waterline extending 225 metres north along Lookout Street from Highway 20;

b) a 150 milimetre waterline extending 1.3 kilometres along Regional Road 20 westerly from Lookout Street to the eastern boundary of the property occupied by E.L. Crossley Secondary School; and

c) two centimetre lateral connections to a local municipal waterline for land uses along the east side of Rice Road between Hurricane Road and the City of Welland municipal boundary.

6.2.1.3 Lateral connections to Regional water or wastewater mains are not permitted outside the settlemt area boundaries.

6.2.2 Infrastructure in the Greenbelt Plan Area

6.2.2.1 In the Greenbelt Plan Area, all existing, expanded or new *infrastructure* that is subject to and approved under the Federal Impact Assessment Act, the *Environmental assessment* Act, the *Planning Act*, the Aggregate Resources Act, the Telecommunications Act or by the National or Ontario Energy Boards, or which receives a similar environmental approval, will be permitted within the Protected Countryside provided it meets one of the following two objectives:

a) it supports agriculture, recreation and tourism, Villages and Hamlets, resource use or the rural economic activity that exists and is permitted within the Greenbelt; or

b) it serves the *significant* growth and economic *development* expected in southern Ontario beyond the Greenbelt by providing for the appropriate *infrastructure* connections among urban centres and between these centres and Ontario's borders.

6.2.2.2 In the Greenbelt Plan Area, the location and construction of *infrastructure* and expansions, extensions, operations and maintenance of *infrastructure* in the Protected Countryside will be subject to the following requirements:

a) planning, design and construction practices will minimize, wherever possible, the amount of the Greenbelt, and particularly the *Natural heritage system* and *Water resource system*, traversed and/or occupied by such *infrastructure*;

b) planning, design and construction practices will minimize, wherever possible, the *negative impacts* on and disturbance of the existing landscape, including, but not limited to, impacts caused by light intrusion, noise and road salt;

c) where practicable, existing capacity and coordination with different *infrastructure* services will be optimized so that the rural and existing character of the Protected Countryside and the overall hierarchy of areas where growth will be accommodated in the Greater Golden

Horseshoe established by the Greenbelt Plan and the Growth Plan are supported and reinforced;

d) new or expanding *infrastructure* will avoid *natural heritage features and areas*, hydrologic features, *key hydrologic area*s and Prime Agriculture Area unless need has been demonstrated and it has been established that there is no reasonable alternative;

e) where *infrastructure* crosses the *Natural heritage system* or intrudes into or results in the loss of a key natural heritage feature, *hydrologic feature* or *key hydrologic area*s, including related landform features, planning, design and construction practices will minimize *negative impacts* on and disturbance of the features or their related functions, and where reasonable, maintain or improve connectivity; and

f) Where *infrastructure* crosses the *Prime agricultural area*, an *agricultural impact assessment* or equivalent analysis will be undertaken as part of an *environmental assessment*.

6.2.2.3 In the Greenbelt Plan Area, elements of *infrastructure* that serve the agricultural sector, including agricultural irrigation systems, are permitted to be located within *natural heritage features and areas* or hydrologic features and their associated *vegetation protection zone*s in accordance with Section 4.2.1.3 of the Greenbelt Plan and the applicable policies of this Plan. In such instances, these elements may be established within the feature itself or its associated *vegetation protection zone*s, but all reasonable efforts will be made to keep such *infrastructure* out of *natural heritage features and areas* or hydrologic features and their associated *vegetation protection zone*s.

6.2.2.4 In the Greenbelt Plan Area, all existing, expanded or new *infrastructure* that is subject to and approved under the *Environmental assessment* Act, or which receives a similar approval will only be permitted if it supports the needs of adjacent *settlement area*s or projected growth and economic *development*, and the goals and objectives of the Greenbelt Plan.

6.3 Stormwater Management

The Town will use the *watershed planning* process to handle stormwater from urban *development*. This process comprises a hierarchy of plans, including *Watershed*, sub*watershed*, and Stormwater Management Plans. Information from this process will set the criteria for site-specific *development*. Additional policies addressing the relationship of sub*watershed* plans to stormwater management are found in Section 4, *Watershed planning* and Water Resources.

6.3.1 Objectives

6.3.1.1 To protect, maintain, enhance and restore the quality and quantity of surface and groundwater resources through sound stormwater management and to recognize the importance of groundwater and sourcewater protection.

6.3.1.2 To implement an integrated *watershed planning* approach in the design of stormwater management such that *Watershed* Plans, Sub*watershed* Plans and Stormwater Management Master Plans to guide site-specific *development* and ensure sub*watershed* plans are kept up to date.

6.3.1.3 To implement stormwater management practices that:

a) maintain the pre-*development* hydrologic cycle;

b) maintain or enhance the quality and quantity of stormwater runoff discharged to receiving natural watercourses, *wetlands* and infiltration facilities; and

c) minimize erosion, flooding, wildlife and *fish*eries impacts.

6.3.1.4 To recognize stormwater runoff as a resource rather than a waste product.

6.3.1.5 To ensure that infill and *intensification development* and *redevelopment* are designed and developed to not negatively impact the surrounding properties and facilities.

6.3.2 Policies

6.3.2.1 All *development* and *redevelopment* shall occur in accordance with Sub*watershed* Plans or Stormwater Management Plans, as approved by the Town of Pelham, the Region and the *Conservation Authority*.

6.3.2.2 Where Sub*watershed* Plans have not been completed or approved, the Town may consider *development* proposals where:

a) a stormwater management plan is prepared to address impacts to water quantity, quality, grading and drainage, erosion and sediment control; and

b) a scoped Environmental Impact Study is prepared to address potential *negative impacts* of the proposed *development*, including but not limited to impacts to water temperature, base flow, wildlife and *fish*eries habitat and mitigation measures.

6.3.2.3 *Development* and *redevelopment* shall require the preparation of a detailed Stormwater Management and Engineering Report in accordance with 6.3.2.1 or 6.3.2.2 above, to the satisfaction of the Town, Region and the *Conservation Authority*, where applicable, that addresses the following matters and other issues as may be identified and required by the Town:

a) demonstrate how the design and construction of the stormwater management facility will protect, improve or restore the quality and quantity of surface and groundwater resources;

b) demonstrate how the proposed stormwater management design will be consistent with and implement the recommendations of the appropriate *watershed*, sub*watershed* or Stormwater Management Plans, as approved by the Town for the subject area;

c) geotechnical and hydrogeologic information to identify soil infiltration rates, depths to the seasonally high water table and deeper regional aquifers beneath the site and surrounding area;

d) information on the potential impact in terms of quality and quantity of any proposed stormwater management techniques on the Town's groundwater resources; and

e) demonstration that pre-*development* stormwater flows from the site match post-*development* stormwater flows for a storm event.

6.3.2.4 The Town will require appropriate use of on-site infiltration measures within the stormwater management design.

6.3.2.5 When considering an application for *development* or *site alteration*, the Town shall seek to reduce areas with impervious surfaces and increase areas retained in a natural undisturbed state to minimize stormwater volumes and contaminant loads. Alternative stormwater management techniques, including *green infrastructure* and low-impact *development* measures, should be explored, where appropriate, to minimize and attenuate runoff volumes, peak flow rates to p*redevelopment* levels, and appropriate temperatures of stormwater discharge to streams.

6.3.2.6 In keeping with the recommendations of the Town's Natural Assest Management Project, the Town encourages the use of landscaped-based stormwater management planning and practices (also referred to as Low-Impact *Development*), including rainwater harvesting, green roofs, bioretention, permeable pavement, infiltration facilities, and vegetated swales, in the design and construction of new *development* where site conditions and other relevant technical considerations are suitable.

6.3.2.7 The Town encourages approaches to stormwater management that include a combination of lot level, conveyance, and end-of-pipe stormwater controls to maintain the natural hydrologic cycle, protect water quality and quantity, and minimize erosion, *site alteration*, and flooding impacts.

6.3.2.8 All *development* shall be required to adhere to any approved Town policies, guidelines and standards including the Town's Engineering Design Guidelines. These plans and guidelines are intended to augment the Ontario Ministry of the Environment's Stormwater Management Practices Planning and Design Manual, as amended from time to time and are intended to achieve the highest level of utilization, aesthetics, environmental benefits and ease of maintenance for stormwater management facilities.

6.3.2.9 Stormwater management facilities are permitted in all land use designations on Schedule A. Detention and retention facilities are not permitted in natural heritage features or in *buffer*s to natural heritage features, except as provided for under the *Natural heritage system* policies of this Plan. The Town recognizes that controlled discharge from stormwater facilities to receiving *wetlands* and watercourses is required to maintain or enhance the water quality and quantity of the receiving waterbody.

6.3.2.10 Watercourses regulated by the *Conservation Authority* should be left in an open and natural state unless approval to alter the watercourse is obtained from the *Conservation Authority*. The enclosure of open watercourses or their channelization into open concrete channels will be prohibited.

6.3.2.11 The Town will explore opportunities to restore watercourses that have been enclosed or channelized to open and natural watercourses.

6.3.2.12 Approvals from the Town, the Region of Niagara, the *Conservation Authority* and any other relevant agencies shall be required prior to the alteration of any watercourse, the design and construction of any stormwater management facility or the commencement of any grading or filling.

6.3.3 Stormwater Management in the Greenbelt Plan Area

6.3.3.1 The Town will require a stormwater management plan for applications for *development* and *site alteration* in the Protected Countryside of the Greenbelt Plan. These stormwater management plans will meet the objectives of the Greenbelt Plan and demonstrate that:

a) planning, design and construction practices will minimize vegetation removal, grading and soil compaction, sediment erosion and impervious surfaces;

b) an integrated treatment approach will be used to minimize stormwater flows and mimic natural hydrology through lot-level controls, low-impact *development* and other conveyance techniques;

c) applicable recommendations, standards or targets within local sub*watershed* studies, or equivalent studies, and water budgets are complied with;

d) applicable objectives, targets, and any other requirements within a stormwater master plan will be met in accordance with the Growth Plan; and

e) planning, design and construction of stormwater management *infrastructure* be carried out in accordance with the stormwater management policies of this Plan.

6.3.3.2 In the Greenbelt Plan Area, stormwater management systems will be prohibited in *natural heritage features and areas*, hydrologic features and their *vegetation protection zone*s, in accordance with the Greenbelt Plan, except as permitted by Section 4.2.3.3 of the Greenbelt Plan for those portions of the Protected Countryside that define the major river valleys that connect the Niagara Escarpment to Lake Ontario.

6.3.3.3 In the Greenbelt Plan Area, the planning, design and construction of stormwater management *infrastructure* will be carried out in accordance with the stormwater management policies of this Plan and applicable Provincial legislation.

6.3.4 Low-Impact *Development* Design

6.3.4.1 With the goal of replicating the existing hydrologic regime, the Town shall encourage the implementation of *low-impact design* standards as outlined in the Ministry of Environment, Conservation and Parks "Low Impact Design Stormwater Management Guidance Manual, which emphasizes the use of bio-swales, innovative stormwater practices, and at-source infiltration, in order to contain stormwater runoff from the 90th percentile storm (25mm) on site.

6.3.4.2 To minimize the negative impacts of urbanization on the area's natural heritage features, the Town shall encourage *low-impact design* methods when treating stormwater runoff to a treatment train to an enhanced standard (the highest standard as prescribed by the Ministry of the Environment, Conservation, and Parks).

6.3.4.3 With the goal of adapting to *climate change* and mitigating the impacts of severe storm events, the Town shall encourage the following;

a) include robust major overland flow routes through all new *development* to reduce the risk of overland flooding;

b) new *development* should be designed to minimize the risk of basement flooding from groundwater infiltration;

c) heating, ventilation, and air conditioning (HVAC) and electrical systems should be well elevated from the basement floor or located above grade;

d) if the home foundation drain connects to a storm sewer, a backwater valve should be installed on the storm sewer lateral to prevent stormwater from backing up into the basement if the storm sewer is overloaded;

e) if the home foundation does not connect to a storm sewer, a primary and back-up sump pump should be installed complete with a back-up power system;

f) driveways should be built to slope away from homes or garages (i.e. reverse slope driveways should not be permitted);

g) consideration should be given to increasing the capacity of all new storm *infrastructure* by a minimum of 25% to account for more frequent and severe rainfall events;

h) consideration should be given to implementing a minimum building setback from all mapped *flood plain*s to account for more severe rainfall events.

6.3.4.4 The Town shall encourage the introduction of *green infrastructure*, such as bioswales, within the street rights-of-way to enhance ground water infiltration and improve water quality as part of a comprehensive water management plan.

6.3.4.5 The Town shall encourage a rainwater harvesting program to provide the passive irrigation of public and/or private greenspace, including absorbent landscaping, landscaped walls, cisterns, rain barrels, underground storage tanks and/or infiltration trenches.

6.3.4.6 The Town shall encourage xeriscaping using native, drought-tolerant plants, a cost-effective landscape method to conserve water and other resources on a community-wide level.

6.4 Municipal Drains

Municipal drains are part of the Town's *infrastructure* and are developed and maintained in accordance with the requirements of the *Drainage Act*. The Town recognizes that the primary function of municipal drains is to provide drainage for agricultural lands. The Town supports ongoing drain maintenance in accordance with the Federal Department of *Fish*eries and Oceans' Class Authorization System for Agricultural Municipal Drains.

6.4.1 Policies

6.4.1.1 Where *development* and *site alteration* or building is proposed adjacent to a municipal drain, a vegetative protection zone a minimum of ten metres in width measured from the stable top of bank shall be required to provide access for drain maintenance, protect the integrity of the drains and protect environmental health.

6.4.1.2 The Town supports the design, construction and maintenance of Requisition and Petition Drains authorized under the *Drainage Act* in accordance with Best Management Practices to avoid *significant* detrimental effects on farmland, water resources, and the *natural heritage system*.

6.4.1.3 Municipal drains may be identified as *flood plain*s and may have setback requirements identified in the implementing Zoning By-law.

6.4.1.4 Where new *development* is proposed that results in changes to property boundaries for lands located in the Municipal Drain Assessment schedule, the proponent shall be responsible for updating the assessment schedule to reflect the new property boundaries.

6.5 Solid Waste Management

There are no open waste disposal sites and two closed waste disposal sites in the Town.

6.5.1 Policies

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

6.5.1.2 In the Greenbelt Plan Area, new waste disposal sites and facilities and organic soil conditioning sites are prohibited in *natural heritage features and areas*, hydrologic features and their associated *vegetation protection zone*s.

6.5.1.3 The Region will provide for the disposal and treatment of solid wastes to the Town, and in alignment with the Region's Long Term Waste Management Strategic Plan.

6.6 Site Alteration

6.6.1 The Town will regulate *site alteration* prior to *development*, through a *site alteration* by-law, in an effort to:

a) maintain *significant* landforms;

b) preserve topsoil;

c) minimize impacts on watercourses;

d) ensure proper lot grading and drainage

e) minimize flooding or ponding of water on adjacent properties and/or roadways; and

f) preserve vegetation.

Section 7: Community Infrastructure

Community *Infrastructure* includes services that are integral to the town's social, health, educational, cultural, and recreational needs. These services contribute to the quality of life for existing and future residents of all ages, abilities, interests, cultural backgrounds, and income levels.

7.1 Community Facilities

7.1.1 Objective

7.1.1.1 To promote the maintenance and *development* of sustainable neighbourhoods by providing community facilities that support a high quality of life standard for all residents.

7.1.2 Policies

7.1.2.1 The Town will encourage the adequate provision of community facilities in conjunction with new residential growth. For this Plan, community facilities include, but are not limited to:

a) municipal recreational facilities, including public art;

b) *institutional* health care facilities;

c) schools and educational facilities;

d) fire, police and EMS services;

e) library services;

f) cultural facilities; and

g) religious facilities.

7.1.2.2 Community facilities should be strategically located to support the effective and efficient delivery of emergency management services. Community facilities should be co-located where feasible to promote cost-effectiveness and facilitate service integration.

7.1.2.3 The Town recognizes that not all of the community facilities described in Policy 7.1.2.1 are within the Town's administrative jurisdiction. As such, coordination between the Town, public and private boards, indigenous groups, agencies, and the Region of Niagara is *essential*. This Plan promotes

dialogue and informed decision-making between all agencies and boards active within the Town of Pelham community.

7.1.2.4 Regarding the provision of school facilities within the community, this Plan promotes the adequate distribution and supply of school spaces to meet the current and future educational needs of the town's residents.

7.1.2.5 Within new growth areas of the Town, and as required, this Plan encourages the provision of new schools within a reasonable time of the construction of new housing in the area.

7.1.2.6 The Town may require residential *development* proposals to be phased where it is determined, in consultation with the School Board(s), that there is not an adequate supply of school spaces within the community.

7.1.2.7 Community facilities in the older established areas of the Town add to the stability of neighbourhoods and should be retained where feasible.

7.1.2.8 The Town will develop a cultural policy that clarifies the Town's role in providing and facilitating access to cultural facilities and experiences.

7.1.2.9 Cultural facilities are supported as an integral part of the social and cultural fabric of the Town.

7.1.2.10 New cultural facilities that serve the Town or the larger region are encouraged to be located in the Downtown Areas.

7.2 Open Space System: Trails and Parks

The Town's open space system accommodates a variety of recreational pursuits while having regard for and complementing the Town's natural areas. The open space system consists of parks, trails and open space areas that are not part of but may be interconnected with or supportive of the *Natural heritage system* and conservation lands. Further, the town is designated as a bicycle-friendly community. The open space system plays a vital role in defining the character of the Town and promoting community health and wellness.

The Towns' Recreation, Culture and Parks Master Plan identifies the needs and priorities related to recreation, parks, cultural services, programs and facilities within the Town and how to implement those priorities. The Town will monitor and review the implementation of the Recreation, Culture and Parks Master Plan to ensure that the goals and objectives are being achieved and that they accurately reflect the community's needs and interests for recreational services.

7.2.1 Objectives

7.2.1.1 To develop a connected open space system of trails and parks that provides residents and visitors exposure, awareness and interaction with nature, contributing to an overall healthier community.

7.2.1.2 To develop a cohesive and comprehensive town-wide trail system that connects people and places through an off-road network, wherever possible, supported by on-road links.

7.2.1.3 To create a hierarchy of open space, trails and parks based on size, function, and population to be served.

7.2.1.4 To provide a sufficient open space system of parks and trails to meet the community's active and passive recreational needs that are accessible to all residents.

7.2.1.5 To accommodate the growing park and trail needs created by *residential intensification* and new *development*, emphasizing walkability.

7.2.1.6 To reduce parkland deficiencies within Town neighbourhoods.

7.2.1.7 To encourage the use of the Town's parks as living community centres that provide spaces serving as activity hubs for neighbourhoods and the community in accordance with the Town's Recreational, Culture and Parks Master Plan.

7.2.1.8 To protect and enhance trails, parks and open spaces for current and future generations.

7.2.1.9 To encourage Indigenous biological diversity, *naturalization* and environmental enhancement of appropriate open space and park locations.

7.2.1.10 To ensure that *urban forest*ry is a key component of park design.

7.2.1.11 To plan appropriate connections, protection and enhancement opportunities between the open space system and the *natural environment system*.

7.2.1.12 To establish pedestrian and cycling networks within Secondary Plan Areas, including connections to existing trails.

7.2.1.13 To formalize the connection to Lathrop Nature Preserve from Pelham Street.

7.2.1.14 To establish or expand partnerships that support public access to and nature-based programming within non-municipal trails and natural areas.

7.2.1.15 To secure, at minimum, an additional 8.0 hectares of parkland by 2031 to address gaps and meet the growth-related needs of the community.

7.2.1.16 To implement the goals and objectives of the Town's Recreation, Culture and Parks Master Plan, including:

a) responding to growth and providing expanded activity choices;

b) optimizing facilities and parks while enhancing service and capacity; and

c) ensure financial sustainability.

7.2.2 Trail Network

The Town's trail network connects users through *active transportation. It includes* a network of off-road trails and on-road links that connect people and places throughout the Town and to neighbouring municipalities while enhancing opportunities for the community to stay active throughout all seasons.

Further, the Town is designated a Bicycle Friendly Community, the first community of its size to achieve the silver award level. This program encourages the *development* of attractive, safe, convenient and practical multi-use trails, sidewalks and amenities that connect neighbourhoods to civic destinations and make walking or cycling viable for residents.

7.2.2.1 The Town will continue to pursue the *development* of interconnected trail systems throughout the Town and assign priority to the continued maintenance and expansion of the recreational trail system.

7.2.2.2 Under most circumstances, trail *development* should be restricted to public lands; private lands will not be considered until a mutually agreeable arrangement between the Town and the land-owner has been prepared.

7.2.2.3 The following measures may be used to assist in realizing the objective of creating a publicly accessible linked trail network:

a) acquiring land to complete the system through purchases, leases, easements, rights-of-way, dedications and any other applicable means;

b) integrating abandoned railway properties into the Trail Network as they become available;

c) supporting measures by the *Conservation Authority*, or any other public agency, to improve the river banks; and

d) ensure that as part of a *development* proposal, lands must be reserved for future public open space, park and trail linkages, where applicable.

7.2.2.4 The Town will investigate methods to establish a trail connection between Fonthill and Fenwick

7.2.2.5 The Town will work to improve and expand the trail network, add missing links and overcome physical barriers.

7.2.2.6 The Town may develop sections of the trail network to alleviate identified park deficiencies.

7.2.2.7 To improve attractiveness, continuity, accessibility and utility the Town will develop linkages between parks and different levels of the park hierarchy. Such linkages may consist of:

a) an environmental corridor, ecological linkage or open space area;

b) a walkway, right-of-way or easement;

c) a defined route that makes use of the street system;

d) walkways/trails through existing or proposed parks;

e) abandoned or underused railway lines and

f) storm drainage channels or natural drainage systems.

7.2.3 Parks

An appropriate level and equitable distribution of parkland is *essential* to ensuring a high quality of life and maximizing accessibility to services and amenities that achieve community objectives. This plan sets out a hierarchy of parks, which are differentiated primarily based on function, size, amenities, and population served. The Park Hierarchy comprises Parkland (Community Parks, Neighbourhood Parks and Village Squares) and Open Space (Natural Areas, Open Space Linkages). An inventory of active parks is set out in Table 7.1.

Table 7.1 Inventory of Active Parks

Name	Hectares	Classification
Centennial Park	16.29	Community
Cherry Ridge Park	1.02	Neighbourhood
Civic Square (undeveloped)	0.44	Village Square
East Fonthill Park (undeveloped)	2.73	Neighbourhood
Gordon L. Klager Park (Private – Fonthill Lions)	2.16	Community
Harold Black Park	4.77	Community
Hurleston Community Park	0.27	Neighbourhood
Lookout Park	1.07	Neighbourhood
Marlene Stewart Streit Park	4.73	Community
North Pelham Park	3.76	Community
Peace Park	0.93	Community
Pelham Corners Park	1.13	Neighbourhood
River Estates Park	0.20	Neighbourhood
Rolling Meadows Park	2.03	Neighbourhood
Saffron Meadows Park	1.5	Neighbourhood
Weiland Heights Park	0.68	Neighbourhood
Woodstream Park	2.83	Neighbourhood

An inventory of municipal open spaces (natural areas) is set out in Table 7.2

Table 7.2 Municipal Open Spaces (Natural Areas)

Name	Hectares	Classification
Centre Street Leash Free Park (Region)	2.27	n/a
Harold S. Bradshaw Memorial Park	20.44	Natural Area
Hillcrest Park	2.61	Natural Area
Kunda Park	0.77	Natural Area
Memorial Drive Woodland	0.48	Natural Area
Rosewood Forest	6.1	Natural Area

7.2.3.1 Parkland: Community Parks

7.2.3.1.1 Community Parks are used by groups of residents and visitors for community events, festivals and active recreation. They may contain athletic amenities for organized recreation (such as sports fields, support buildings and community-wide recreation amenities), pathways, pavilions and/or unique elements that make the park a destination. Complete services (water, sanitary, etc.) are required.

7.2.3.1.2 Community Parks shall service the entire town and beyond.

7.2.3.1.3 Community Parks should maintain a provision of 1.79 hectares per 1,000 population.

7.2.3.1.4 Community Parks shall maintain a target size of at least 3.0 hectares.

7.2.3.2 Parkland: Neighbourhood Parks

7.2.3.2.1 Neighbourhood Parks primarily support children's play activities. They are often situated within residential areas to promote walkability and contain playgrounds, local-level play features and activity areas, seating and/or passive open space intended to serve the immediate area. Unlike Community Parks, most do not have off-street parking, although they may be coordinated with school sites.

7.2.3.2.2 Neighbourhood parks shall service the surrounding neighbourhood (500-metre radius).

7.2.3.2.3 Neighbourhood Parks shall maintain a provision of 0.73 hectares per 1,000 population.

7.2.3.2.4 Neighbourhood Parks shall maintain a target size of between 0.4 and 3.0 hectares.

7.2.3.2.5 The following criteria will be considered in the provision of Neighbourhood Parks:

a) that the site is located within a five to ten-minute walk from the residential area served (service radius of approximately 500 metres) and is unobstructed by *significant* barriers;

b) that the site, where feasible and desirable, is located adjacent to school sites;

c) that the site contains adequate street frontage for visibility and safety;

d) that the site can be linked, where feasible, to the trail network; and

e) the site contains sufficient table land (approximately 80 percent of the site) and is well drained, except where the site takes advantage of a specific natural feature.

7.2.3.3 Parkland: Village Square

7.2.3.3.1 Village squares are publicly owned lands in prominent and accessible locations, typically in gateways, commercial areas, or higher-density mixed-use areas. They support the Town's social and cultural fabric, create a sense of place for pedestrians and the broader community, and create a destination. They are typically characterized by hardscaped areas for events and gatherings, public art, seating areas, and related civic uses.

7.2.3.3.2 Village Squares shall service a localized area.

7.2.3.3.3 Village Squares shall maintain a provision of 0.02 hectares per 1,000 population.

7.2.3.3.4 Village Squares shall maintain a target size of less than 0.4 hectares.

7.2.3.4 Parkland: Natural Areas

7.2.3.4.1 Natural areas are municipal open spaces and natural properties used for conservation and/or passive recreational activities. These lands will remain largely undeveloped and contain open space or natural heritage features such as woodlots, *wetlands*, conservation habitats, etc. The acquisition of these lands do not constitute parkland dedication requirements given their primary conservation function and role.

7.2.3.5 Parkland: Open Space Linkages

7.3.2.5.1 Open Space Linkages are typically comprised of trails, linear parks or open space parcels which provide connections within the open space system (for habitat) and between local points of interest (for pedestrian and/or cyclists). They consist largely of unimproved open space and/or trail *infrastructure*. They may be town-owned or controlled (e.g. via easement, agreement etc.).

7.3.2.5.2 The minimum width for open space linkages shall be at least 7.5 metres.

7.2.4 Public Consultation and Parkland Deficiencies

7.2.4.1 The general public and area residents will be consulted and engaged in the design and *development* process for park master plans as appropriate.

7.2.4.2 The Town will endeavour to maintain a town-wide parkland provision rate of 2.2 hectares per 1000 residents in accordance with the recommendations of the Town's Recreation, Culture and Parks Master Plan (2023).

7.2.4.2 The Town will work to reduce identified parkland deficiencies, where feasible, through the following:

a) by acquiring additional lands to enlarge existing small parks, where appropriate;

b) by acquiring vacant infill sites to create new small parks;

c) by acquiring redundant school properties or parts thereof, where appropriate;

d) by improving the quality and usefulness of existing parks through better design and *development*;

e) by encouraging and working with the local School Boards to upgrade the design and *development* of their open space areas;

f) by developing portions of certain community parks to meet neighbourhood needs and

g) by enhancing connections between park and open space areas.

7.2.5 Other Agencies

7.2.5.1 The Town is not the only provider of open space within the community. To enhance its open space, parks, and trail systems, the Town will work closely with the local School Boards, the *Conservation Authority*, the Niagara Region, the Province, public utilities and institutions, private organizations, and individual property owners.

7.2.5.2 Where appropriate, the Town may consider the following measures:

a) encourage other agencies to provide parks and amenity areas for public use;

b) enter into agreements for joint use/management concerning the *development* of specific recreational facilities that are available to the general public;

c) provide linkages between municipal parks and open space areas and recreation facilities provided by other agencies or private organizations;

d) ensure that adequate private outdoor parks, open space, indoor and outdoor recreation facilities and amenities are provided as part of the

regulations about the *development* of residential and non-residential uses to ensure a satisfactory living and working environment; and

e) where park standards may not be met in existing *built-up area*s, the Town shall endeavour to increase the supply of parks through bequests, donations and partnerships with other public agencies.

7.2.5.3 School sites provide a vital park resource within the community. The town will continue cooperating with the local school boards to obtain new school sites, where necessary, and integrate such sites with municipal parks. More specifically, the Town will:

a) where feasible, municipal parks will be developed in conjunction with elementary or secondary school sites;

b) where there is a shortage of Neighbourhood or Community Parks, and there are underdeveloped school sites within the neighbourhood or larger community, the Town may enter into an agreement with the respective School Board regarding the *development* of land for park purposes.

c) where municipal parks are obtained adjacent to a new school site, such parks shall be of a size, configuration, condition and location and have appropriate access so that they can function adequately as a Neighbourhood or Community Park if the school property is not developed;

d) where schools are not to be provided in a new residential neighbourhood, the Town may provide additional Neighbourhood Parks at the rate of 0.73 hectares/1000 population and

e) where a school is to be closed by a local School Board and the neighbourhood in which the school is located is deficient in park space; as a result, the Town will consider the acquisition of the site and building, where appropriate, to maintain the desired ration of neighbourhood and/or community parkland and facilities.

7.3 Parkland Dedication and Acquisition

7.3.1 Objectives

7.3.1.1 The Town will adopt a "parkland-first" approach to parkland dedication that prioritizes the dedication of land in appropriate locations rather than cash-in-lieu of parkland during the *development* process.

7.3.1.2 To maximize parkland dedication through *development* and *redevelopment* applications, as well as alternate parkland acquisition strategies.

7.3.1.3 The Town may prepare a parkland acquisition strategy to enhance current and future community access to parks, with consideration of alternative acquisition tools (e.g. reallocation of surplus municipal lands, purchase/lease, land exchanges, partnerships etc).

7.3.1.4 To work with area school boards and other service providers to maximize community access to quality outdoor parks and recreation amenities on non-municipal sites.

7.3.2 Parkland Dedication

7.3.2.1 The Town will require parkland dedication as a condition of *development*, consent or subdivision proposals per the Town's Parkland Dedication By-law.

7.3.2.2 Council may pass and update a by-law in accordance with the *Planning Act* outlining the rates of parkland dedication that are to be applied as a condition of the *development* approval process of land for residential and non-residential purposes.

7.3.2.3 Lands consisting of natural heritage features and natural hazard lands, as outlined in this Plan, will not be accepted as parkland dedications. The town may acquire these lands for conservation purposes.

7.3.2.4 Parks held in private ownership will not be considered part of parkland dedication.

7.3.2.5 Where this Plan requires parkland dedication, the Town will ensure that the land is suitable for *development* as a park. Generally, the parkland acquired should satisfy the following:

a) that the site satisfies the *development* criteria for the type of park proposed;

b) that the site is not susceptible to *significant* flooding, poor drainage, erosion, steep slopes or other environmental or physical conditions that would interfere with its potential *development* or use as an active public recreation area. Sites subject to these conditions may be integrated, where possible, into the *development* of municipal park areas by serving as pedestrian walkways, as part of a linear trail system, as passive recreation areas, or as natural areas;

c) that the site is orientated to take advantage of favourable topography, vistas and mature stands of trees where possible and desirable; and

d) that the lands be dedicated in a condition suitable for parkland *development* in accordance with the standards of the Town.

7.3.2.6 Cash-in-lieu of parkland dedication may be required in the following circumstances:

a) where the application of the rate of parkland dedication would render the remaining portion of the *development* site unsuitable or impractical for *development*;

b) where the amount of parkland dedication would be insufficient to accommodate the *development* of a desirable range of appropriate recreational facilities;

c) where existing municipal parkland is available in sufficient quantity and quality to accommodate further *development* in the particular area or

d) where more suitable parcels of land are available for municipal park purposes in other locations.

7.3.2.7 Where the town receives cash-in-lieu of the parkland dedication, priority will be placed on using the funds to meet the neighbourhood requirements in which the *development* is located. The funds collected may be applied to other areas if the neighbourhood has sufficient parkland.

7.3.2.8 Parkland dedication requirements under the *Planning Act* may be used, whenever necessary and feasible, to conserve *significant* cultural heritage resources.

7.3.3 Parkland Acquisition Alternatives

7.3.3.1 Some of the Town's future parkland requirements will be addressed through the conveyance of lands through the land *development* process. However to address local needs the Town may need to consider methods beyond the land *development* process including:

a) evaluate proposed *development* applications for future park dedication and connectivity opportunities (i.e. sidewalks, trails etc.);

b) evaluate other municipal or public lands that are not currently designated as parks for their ability to be used as parkland or, at minimum, accommodate a public playground;

c) consider improvements to parks to enhance active and passive recreational opportunities in the vicinity of growth areas;

d) encourage volunteer conveyance, donations, gifts and bequests from individuals or corporations; and

e) monitor real estate opportunities and seek to purchase, or swap, one or more properties that could be developed as a municipal park.

Section 8: General Land Use

This Section establishes the objectives, policies, and permitted uses for each of the land use designations identified on Schedule A. The designations and policies provide direction for *development* and the basis for decision-making regarding applications under the *Planning Act*.

Schedule A establishes the pattern of land use in the Town by establishing the following Land Use Designations:

Open Space
Greenbelt Plan Area and Greenbelt Natural Heritage System
Natural Heritage System
Niagara Escarpment Plan Area

Secondary Plans adopted through amendment to this Plan may provide more detailed policies and land use schedules for the areas they apply.

8.1 All Land Use Designations Excluding Natural Environment System

8.1.1 Policies

8.1.1.1 The following permitted uses and policies apply to all land use designations excluding *Natural Environment System* (NES) and Niagara Escarpment Plan Area:

a) public and private *infrastructure*; and

b) municipal parks and municipal recreation facilities.

8.1.1.2 All *development* and *site alteration* proposed adjacent to the NES shall be subject to the NES policies in Section 4.

8.1.2 Public and Private Infrastructure

8.1.2.1 The following public and private *infrastructure* may be permitted in all land use designations unless otherwise limited by the provisions of this Plan:

a) all electric power facilities (i.e. transmission lines, transformer and distribution stations) provided that such *development* satisfies the provisions of the *Environmental Assessment Act* and any other relevant Acts or regulations.

b) utilities and services necessary for the supply and distribution of municipal water and sewage, public roads, bridges and railway lines, subject to the *Environmental Assessment Act*, where applicable, and the provisions of this Plan;

c) any *infrastructure*, building, or facility of the Town of Pelham or Niagara Region, provided that such *development* satisfies the provisions of the *Environmental Assessment Act*, where applicable;

d) the facilities and *infrastructure* lines of any privately owned utility but not including uses such as administrative offices, sales outlets, studios, garages, depots or yards; and

e) non-exempt *renewable energy system*s and *alternative energy systems* for generation.

8.1.2.2 Public and private *infrastructure* listed in Policy 8.1.2.1 shall only be permitted if:

a) the facilities conform with the objectives and policies of the land use designations where they are proposed;

b) the facilities are *compatible* in scale, magnitude, function and character with the residential environment where proposed adjacent to or with a designation permitting residential uses;

c) the facilities do not have an adverse impact on residential or other *sensitive land use*s with regard to traffic and parking or cause disturbances such as noise, odour, air or water pollution, dust or vibration;

d) the facilities are designed and located to mitigate impacts through appropriate measures such as set-backs, screening, landscaping and enclosing structures; and

e) The facilities do not adversely fragment or bisect a residential area or adversely impact the *development* potential of the adjacent regions designed for future *development*.

8.1.2.3 Where there is some question as to the *adverse effect*s a proposed land use may have on the environment, the Town will consult with appropriate authorities to be satisfied that any such effect or risk of impact can be appropriately mitigated through Federal or Provincial legislative requirements and associated regulations before permitting such use. The council will not permit uses or *development* when such consultation indicates that the use represents a *significant* health or safety risk to the public, employees or the environment.

8.1.3 Parks and Open Space

The Town contains a variety of green spaces, including parks, open spaces and trails, as well as many natural heritage 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. This includes lands associated with the Steve Bauer Trail system, all community parks, passive and/or unimproved public parkland, and all *Conservation Authority* lands. The Town promotes an active, healthy lifestyle for residents, providing parks, trails and recreational facilities that are well-distributed and connected.

8.1.3.1 Objectives

8.1.3.1.1 To establish walking and cycling *infrastructure* as a recreational amenity and a *transportation system* supporting physical activity.

8.1.3.1.2 To provide a system of trails for pedestrians and bicycles that links open spaces, recreational areas, neighbourhoods, commercial areas, and industrial areas in the community.

8.1.3.1.3 To provide active and passive parks and recreation areas for the Town residents.

8.1.3.1.4 To provide community and cultural facilities to serve the Town residents.

8.1.3.1.5 To enhance existing parkland areas wherever possible to respond to changing public needs and preferences.

8.1.3.1.6 To ensure that the Town acquires appropriate amounts and types of parkland through *development*.

8.1.3.1.7 Encourage the dedication and donation of environmentally *sensitive* lands into public ownership to ensure their continued protection.

8.1.3.1.8. To establish a coordinated linear parkland system within the settlement area.

8.1.3.1.9 To ensure that environmentally sensitive areas within the parks and open space system are planned and managed in a way that protects their natural heritage values.

8.1.3.2 Permitted Uses

8.1.3.2.1 The use of land-designated Parks and Open Spaces shall include:

a) active and passive recreational uses;

b) recreational and community facilities;

c) *conservation uses*;

d) nature trails; and

e) cemeteries.

8.1.3.2.1 Small-scale commercial uses that are ancillary to and support the permitted Parks and Open Space designation may also be allowed.

8.1.3.3 Parks and Open Space Policies

8.1.3.3.1 Public parks and public open spaces may be located within any land use designation within the *Settlement area*s. The Town intends 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 visitors.

8.1.3.3.2 The Town shall coordinate the parks and open space system with an *active transportation* network to facilitate safe, enjoyable walking and cycling connections for recreational and everyday travel.

8.1.3.3.3 Where possible, the Town will utilize natural heritage corridors to facilitate walking and cycling for recreational purposes and everyday travel in accordance with the Town Trail and Bikeway network shown in this Plan, which also identifies the regional bicycling network.

8.1.3.3.4 The parks and open space system is a major functional and aesthetic component of the Town and should be designed to distribute amenity spaces for various uses.

8.1.3.3.5 The Town shall cooperate with the *Conservation Authority* to examine the potential to establish a trail system within the Conservation Areas and a route linking these areas to the Town.

8.1.3.3.6 The Town shall cooperate with the Niagara Escarpment Commission and the *Conservation Authority* to ensure the preservation and conservation of environmentally *sensitive* lands.

8.1.3.3.7 The Town shall utilize the Recreation, Culture, and Parks Master Plan to implement trail, park, and bike facilities through projects to develop and redevelop land and roadways.

8.1.3.3.8 *Development* within designated Parks and Open Space areas will complement the natural environment.

8.1.3.3.9 The Town shall encourage accessibility for all residents, including those with reduced mobility or special needs, in developing parks, open space areas, and recreation facilities.

8.1.3.3.10 To improve accessibility to existing and developing parks and open space areas for the town's residents, the municipality may require the dedication of land and construction of pedestrian walkways and/or recreation trails as a condition of *development* or *redevelopment*.

8.1.3.3.11 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 Section 8.2.3 and the value of constructed facilities.

8.1.3.3.12 The Town has a diverse topography that contains many environmental, ecological, historical, archaeological, and cultural features. To preserve and protect these features and make them available to the public for low-intensity, passive recreational use, the Town shall develop a strategy, in consultation with the *Conservation Authority*, where appropriate, to identify further the significance of, the preservation and protection of, and the public usage of these natural areas.

8.1.4 Greenbelt Plan Area and Greenbelt Natural Heritage System

8.1.4.1 The policies of Section 4.3: Greenbelt Plan Area apply to all lands within the delineated boundaries of the Greenbelt Plan as illustrated on Schedule B.

8.1.5 Natural Heritage System

8.1.5.1 The policies of Section 4.2: *Natural Heritage System* apply to all lands designated as *Natural Heritage System* within the Town.

8.2 Niagara Escarpment Plan Area

Through the Niagara Escarpment Planning and *Development* Act, the province of Ontario provides for maintaining the Niagara Escarpment and land in its vicinity 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 *development* permit is required from the Niagara Escarpment Commission for all *development* not explicitly 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 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.

8.2.1 Objectives

8.2.1.1 To substantially maintain the Niagara Escarpment and land in its vicinity as a continuous natural environment.

8.2.2.2 To ensure that all new *development*s are *compatible* with the natural environment.

8.3.1 Policies

8.3.1.1 The Niagara Escarpment Plan, as amended occasionally, prescribes designations, policies and *development* criteria to regulate land use within the Niagara Escarpment Plan area within the Town. The outer boundary of the Niagara Escarpment Plan Area is fixed and inflexible 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.

8.3.1.2 The Niagara Escarpment Commission regulates *development* within the Niagara Escarpment Plan *Development* Control Area by issuing *development* permits.

8.3.1.3 *Development* within the Niagara Escarpment Plan Area includes changing the use of any land, building, or structure.

8.3.1.4 In 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 guidelines 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.

8.3.1.5 Section 9.1.6 of this Plan shall apply to the consideration of a *Development* Permit application to establish a new indoor cannabis or industrial hemp cultivation facility.

8.3.1.6 Notwithstanding Schedule D: Transportation, new roads and road improvements within the Niagara Escarpment Plan Area shall harmonize 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.

8.3.1.7 The Town will support the *development* of the Niagara Escarpment Parks and Open Space Systems within the Plan Area.

Section 9: Agriculture and Rural Settlement Land Use

This Section establishes the objectives, policies, and permitted uses for each land use designation identified on Schedule A1—Agriculture and Rural Land Use. The land use designations and policies provide direction for *development* and the basis for decision-making involving applications under the *Planning Act*.

Schedule A1 – Agriculture and Rural Land Use establishes the pattern of land use in the Town by establishing the following Land Use Designations:

Agriculture and Rural Settlement	Employment
Specialty Agriculture	Industrial
Prime Agriculture	Rural Commercial
Rural Settlement	Airport
	Mineral Aggregate Extraction

9.1 Agriculture

The town's agricultural area comprises specialty agriculture lands, Prime Agriculture lands, and the rural *settlement area*s of Ridgeville and North Pelham. Within the farm area are environmental features managed as part of the *Natural Environment System* (NES), which also makes up part of the *agricultural system*. Preserving the integrity and function of the farm area is *essential* to the ongoing sustainability of the agricultural sector and a key objective of this Plan.

The Specialty Agriculture designation implements the Province of Ontario's Greenbelt Plan. It recognizes the unique ability of specialty croplands to produce certain crops and their importance in the Provincial, Regional, and Town economies. The Prime Agriculture designation protects and maintains land suitable for agricultural production and permits uses that support and/or are *compatible* with agriculture.

Preserving a balance between the ability of agricultural operations to function efficiently and profitably and the protection and management of natural heritage features is *essential* to the ongoing sustainability of agricultural protection. Initiatives to restore lands to natural heritage status must consider impacts on farming. Where there are potential conflicts or adverse impacts on the right to farm, the right of *agricultural use*s to continue will prevail.

Agricultural lands within the Town are diversified and support producing a broad and evolving range of crops and raising livestock and poultry. These lands are an *essential* 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's economy.

The Town is committed to fostering a vibrant and diverse agricultural sector supporting entrepreneurship and innovation, recognizing agriculture's vital role in our economic growth. Through this Official Plan, we encourage the *development* of new and innovative *agricultural use*s, such as sustainable farming practices, agri-tech ventures, *on-farm diversified use*s, and agritourism initiatives that contribute to the vitality of the local economy.

By promoting a flexible regulatory environment and supporting entrepreneurial endeavours, the Town aims to create opportunities for farmers and new agricultural businesses to thrive while maintaining the integrity of the rural landscape. This approach will help diversify the farm economy, create new jobs, and strengthen the connection between the community and the land.

The key objectives of this designation are to recognize, respect and value the full range of goods and services delivered to the community through good farming practices and to promote the preservation of agricultural lands.

9.1.1 Permitted Uses

Subject to the policies of this Plan and any applicable implementing By-laws or guidelines, the following uses are generally supported on lands designated as Specialty Agriculture or Prime Agriculture:

a) *Normal farm practice*s and *agricultural use*s, including *on-farm diversified use*s.

b) *Agriculture-related uses*;

c) Residential uses, including *additional residential units*, bed and breakfast, home industries and home-based businesses, provided either of the following is met:

   i) the lot is a legally existing lot-of-record, and the dwelling complies with *minimum distance separation* formulae; and

   ii) the dwelling is an accessory to an agricultural or *agriculture-related use*.

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

e) Licensed indoor cannabis and industrial hemp cultivation 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*, and the Town of Pelham Site Plan Control By-law.

9.1.2 Policies

9.1.2.1 Agricultural lands are delineated on Schedule A1 as Speciality Agriculture or Prime Agriculture.

9.1.2.2 Agriculture and *normal farm practice*s shall be the predominant land use with the Specialty Agriculture or Prime Agriculture designations. All types, sizes, and intensities of *agricultural use*s and *normal farm practice*s shall be prioritized and protected.

9.1.2.3 Lot creation and land uses for non-agricultural purposes shall be directed away from the Specialty Agriculture or Prime Agriculture designation and to *settlement area*s. Limited residential lot creation may be considered on rural settlement lands subject to applicable policies.

9.1.2.4 Where there is a possibility of potential conflict between agricultural and non-*agricultural use*s, land use *compatibility* will be achieved by avoidance. Where avoidance is not possible, minimizing and mitigating adverse impacts on the *agricultural use*(s) shall be required in accordance with the recommendations of an *Agricultural impact assessment* or similar study to the satisfaction of the Town. Where mitigation is needed, the applicant shall incorporate applicable mitigation measures as part of developing non-*agricultural use*.

9.1.2.5 An application for *development* or *site alteration* related to agricultural impact shall be prepared by a qualified professional, such as an Agrologist, as part of a complete application. Such a study would be undertaken to evaluate the potential impacts of non-*agricultural use*s on agricultural lands and operations, demonstrate *compatibility* with surrounding agrarian uses, and recommend ways to avoid the *adverse effect*s on the agricultural land base.

9.1.2.6 The *Minimum distance separation* Formulae (MDS), as amended occasionally, shall be utilized for locating new *development*s where permitted. Separation distances between new or expanding livestock operations and other land uses in the area shall also be in accordance with the MDS.

9.1.2.7 Where accommodations are required for seasonal workers to support a farming operation, such accommodations are considered an *agricultural use* and may be provided in a permanent structure either located within an existing building cluster or within a structure existing on the date of passing of this Plan that will be retrofitted, provided the permanent structure:

a) meets *minimum distance separation* formulae and will not hinder adjacent farming operations from being able to expand;

b) removes minimal lands from agricultural production, being located priority agricultural lands as identified through Canada Land Inventory Soil Capability Data; and

c) provides accommodations for day-to-day or extended seasonal labour.

9.1.2.8 All types, sizes and intensities of *agricultural use*s shall be encouraged.

9.1.2.9 The redesignation of lands within the Prime Agriculture or Specialty Agriculture designation will not be supported where it would result in the removal of lands from the agricultural area, does not comply with *minimum distance separation* calculations, cannot prove an identified need within the planning horizon of this Plan, and where reasonable alternative locations for

the proposal exist. Such a request requires approval from the Minister of the Ministry of Municipal Affairs and Housing in accordance with Ontario Regulation 525/97 under the *Planning Act*.

9.1.2.10 Waste disposal sites, transfer stations, and automotive recycling uses, including tire storage and recycling, are not permitted in the Prime Agriculture or Specialty Agriculture designation. Other uses such as 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-agricultural source material are also prohibited in the Prime Agriculture or Specialty Agriculture designation if the use is not primarily related to the farm operation on the lands.

9.1.3 Specialty Agriculture

The Specialty Agriculture designation aims to implement the Province of Ontario's Greenbelt Plan and recognize the importance of specialty croplands in the Provincial and Regional economies.

9.1.3.1 The re-designation of lands in the Speciality Agriculture designation to another designation in this Plan is not permitted except in accordance with the Greenbelt Plan or any amendment made thereto.

9.1.3.2 All lands in the Specialty Agriculture designation shall be placed in an Agricultural Zone in the implementing Zoning By-law. Existing uses of this Plan permits shall be placed in appropriate exception zones 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.

9.1.3.3 Uses not permitted in the Speciality Agriculture designation but were established on or before December 16, 2004, shall be deemed permitted. Permission to expand buildings, structures or accessory uses associated with a legal nonconforming use may be considered and legally established existing uses may be converted into uses 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, the Committee shall have regard for the following criteria:

a) the proposal does not result in the intrusion of new in*compatible* uses;

b) the impacts the proposed *development* would have on adjacent agricultural activities and the tillable area of the property;

c) where applicable, the proposal conforms with OMAFRA's Guidelines as updated;

d) the proposal does not negatively impact the integrity of a non-*agricultural use*;

e) in the event of a *conversion* or *development* proposal, an *agricultural impact assessment* shall be completed by a qualified professional;

f) the proposal does not require the provision or extension of a municipal water or sewer system;

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

h) where the proposed expansion is located within lands regulated by the *Conservation Authority*, which includes watercourses, valleys, *flood plains*, *wetlands*, unstable soil and unstable bedrock, a permit will also be required from the *Conservation Authority*.

9.1.4 Consents in the Prime Agricultural Area

The division of lands within the *prime agricultural area* is subject to the applicable policies in this Plan, any applicable implementation By-Laws or guidelines, and any agency having jurisdiction. Residential lot creation in prime agriculture areas is only permitted in accordance with provincial guidance, and the following policies shall apply:

9.1.4.1 Where consent is granted in the *prime agricultural area* of the Town, a The Zoning By-Law Amendment will not be required to recognize an undersized lot, and the lot shall be deemed to comply with the minimum lot area established within the Comprehensive Zoning By-Law.

9.1.4.2 A new lot will not be deemed to be created where consent to sever is proposed to consolidate two or more lots into one, minor adjustments to rectify encroachment, legal or technical reasons, and severing two or more lots that unintentionally merged in title.

9.1.4.3 Consents may be supported for *infrastructure* where the facility or corridor cannot be accommodated through easements or rights-of-way.

9.1.4.4 Consents may be supported for conveyance to public bodies or non-profit entities for natural heritage conservation, provided the conveyance does not create a separate lot for a residential dwelling.

9.1.4.5 Consents may be supported for *agricultural use*s having a minimum lot area of 40 hectares within the Agriculture and Countryside designations.

9.1.4.6 Consents may be supported for *agriculture-related uses* within the Prime Agriculture designation provided that:

a) the retained lot has a minimum lot area of 40 hectares;

b) the lot area to accommodate the *agriculture-related use* is limited to a size that will include the use, water and wastewater servicing *infrastructure*, and minimize agricultural land consumption;

c) A hydrogeological Assessment is submitted as part of a complete application prepared by an engineer and

d) an *agricultural impact assessment* or similar study is submitted as part of a complete application prepared by a qualified professional, such as an agrologist.

9.1.4.7 A consent may be supported for a residence surplus to a farming operation as a result of a farm consolidation on lands within the prime agricultural area, provided that the applicant has demonstrated as part of a complete application that:

a) the residence surplus to the farming operation is the direct result of a farm consolidation where the farming operation is merged with a contiguous farming operation in which no new lot is created or located within the Town or an adjacent municipality;

b) the residence surplus to the farming operation must be considered a habitable residential dwelling that meets building code requirements for occupancy;

c) the lands to be consolidated as part of the farming operation have been purchased by a bona fide farming operator before the application for consent, or there is a legally binding agreement of purchase and sale;

d) that the proposal will comply with the *Minimum distance separation* Formulae, specifically:

i) where the existing surplus residence is to be severed, and a livestock facility or anaerobic digestor is located on separate lots before the consent, *Minimum distance separation* Formulae I is not required. However, a warning clause may be required as a

condition of the surplus residential lot regarding potential odour nuisance;

ii) as per Provincial guidelines, reductions in Minimum Distance Separation Formulae I are not permitted where the existing surplus residence and livestock facility or anaerobic digestor are located on the same lot before the consent but will be located on a separate lot from an existing livestock facility or anaerobic digester on the farmlands to be consolidated after the consent is created.

e) where located in or within 300 metres of a deposit of *mineral aggregate resources* or an existing *mineral aggregate operation*, it shall comply with the *mineral aggregate resources* policies of this Plan concerning land use *compatibility* and not hinder access to resources or expansion of existing operations. In this regard, an assessment of potential impacts, mitigation and/or warning clause may be required;

f) where new servicing is required, a surplus farm dwelling severance shall only be permitted where servicing can be provided with no *negative impacts* on water quality and quantity as demonstrated by a Hydrogeological Study completed by a qualified engineer.

g) the severed lot containing the residence shall have a minimum lot area of 0.4 hectares and a maximum lot area of 1 hectare based on:

i) accommodation of the surplus residence, accessory residential buildings and structures, existing access, and water and wastewater services;

ii) minimum lot frontage of 20 metres, measured from the front of the lot to the rear of the lot;

iii) safe and direct access to a public road, maintained year-round to the satisfaction of the road authority;

iv) *compatibility* with surrounding established lot fabric;

v) location within proximity to an existing building cluster;

vi) minimization of agricultural land consumption; and

vii) the lands containing the residence surplus to the farming operation have been owned by a bona fide farming operator for

at least three years, as demonstrated through land titles and a farm business registration number;

9.1.4.8 For a surplus farm dwelling consent, a bona fide farming operator:

a) must own and be the operator of a farming operation on the lands from which the surplus dwelling is proposed to be severed;

b) must provide proof of ownership of other farm properties, including evidence of a farm business registration number applicable to the properties;

c) must own a residence elsewhere, therefore rendering the residence on the subject farm surplus to their needs; and

d) may include a limited company sole proprietorship, incorporated company, numbered company, partnership, non-profit, or similar ownership forms, provided they have a farm business registration number.

9.1.4.9 In situations where the agricultural portion of the subject lands is rented in whole or in part to others, the owner shall not qualify as a bona fide farming operator, unless there is a shared crop agreement in place.

9.1.4.10 New residential dwellings will be prohibited through the applicable implementation bylaw on any remnant parcel of the retained lands to be consolidated as part of the farming operation.

9.1.4.11 Surplus farm dwelling severance proposals for irregular or flag-shaped lots, having a narrow frontage or another form of lotting fabric inconsistent with the surrounding area, should not be supported.

9.1.4.12 Consents may be supported for minor boundary adjustments or technical reasons such as an easement or right-of-way, which do not create a separate building lot, does not negatively impact the farming operation, and does not create increased fragmentation of a key natural heritage or hydrologic feature.

9.1.4.13 Consents may be supported for *infrastructure* purposes as permitted in this Plan, where the facility or corridor cannot be accommodated through an easement or right-of-way and provided the Provincial Planning Statement and the Greenbelt Plan support the *infrastructure*.

9.1.4.14 Consents may be supported for conveyance to public bodies or non-profit entities for natural heritage conservation, provided the conveyance does not create a separate lot for a residential dwelling.

9.1.5 Consents in the Specialty Agriculture Area

In addition to the policies in subsection 9.1.4 above, the following shall apply to all lands within the Specialty Agriculture designation in accordance with the Greenbelt Plan.

9.1.5.1 The severance of a surplus farm dwelling as a result of farm consolidation, on which a habitable residence was an existing use constructed before December 16, 2004, is permitted, subject to the following:

a) the severance will be limited to the 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and private sewage disposal system as determined by the Provincial and Regional requirements to a maximum of 1 hectare. Proposals that exceed 1 hectare may be considered, subject an amendment to this Plan;

b) the farms must be merged in title, or the remnant farm parcel must be rezoned to preclude residential *development* in perpetuity;

b) the applicant must be a bona fide farming operator; and

c) the remnant parcel of farmland should be of a substantive size to function as a *significant* part of the overall farm unit.

9.1.5.2 Consents may be supported for *agricultural use*s provided that the remnant and retained parcels are both to be used for farming purposes and maintain a minimum lot size of 16 hectares.

9.1.5.3 Consents may be supported for *infrastructure* purposes as permitted in this Plan, where the facility or corridor cannot be accommodated through an easement or right-of-way and provided the Provincial Planning Statement and the Greenbelt Plan support the *infrastructure,* provided that:

a) the need has been demonstrated and it has been established that there is no reasonable alternative; and

b) an agricultural impact assessment has been completed by a qualified professional.

9.1.6 Indoor Cannabis and Industrial Hemp Cultivation

Indoor cannabis and industrial hemp cultivation facilities that the Federal Government authorizes may be permitted in the Specialty Agriculture and Prime Agriculture designations subject to the passage of an amendment to the implementing Zoning By-law. Before considering the approval of a Zoning By-law Amendment or an application to expand a legal non-conforming indoor cannabis facility, the Town shall be satisfied that:

9.1.6.1 The proposed greenhouse or other type of building will be designed and sited to blend in with surrounding land uses to maintain the area's existing agricultural and rural character.

9.1.6.2 The *adverse effect*s of the noise, dust, odour and light from the proposed facility on *sensitive land use*s in the area can be avoided and, if avoidance is not possible, minimized and appropriately mitigated, as demonstrated by the required studies identified in Sections 9.1.6.17 to 9.1.6.20, Section 12.2 and Table 12.1 of this Plan;

9.1.6.3 *Sensitive surface water feature*s and *sensitive ground water feature*s in the area will be protected, improved or restored with consideration given to the taking of water and the generation of effluent;

9.1.6.4 Adequate parking facilities are available on the lot for the proposed facility and the traffic generated by the proposed facility can be accommodated on area roads;

9.1.6.5 The proposed facility can be serviced with an appropriate water supply and an appropriate means of sewage disposal;

9.1.6.6 Stormwater management needs can be met on site;

9.1.6.7 The waste generated from the facility can be appropriately managed; and

9.1.6.8 The proposed setback, as determined by the required studies in Sections 9.1.6.17 to 9.1.6.20, Section 11.2 and Table 11.1 of this Plan, from *sensitive land use*s in the area is appropriate to avoid, and if avoidance is not possible, minimize and appropriately mitigate any *adverse effect*s.

9.1.6.9 If a component(s) of the proposed facility includes value-added components that would make this component of the facility an *agriculture-related use*, it must be demonstrated that this component of the facility:

a) shall be *compatible* with and shall not hinder surrounding agricultural operations;

b) is directly related to farm operations in the area;

c) supports agriculture;

d) benefits from being in close proximity to farm operations; and

e) provides direct products and/or services to farm operations as a primary activity.

9.1.6.10 Approved indoor cannabis and industrial hemp cultivation facilities shall be subject to Site Plan Control.

9.1.6.11 It is the intent of this Plan that Site Plan approval will be required for all proposed indoor cannabis and industrial hemp cultivation facilities that may be permitted in accordance with the Policies of Section 9.1.6 to the maximum extent afforded under the *Planning Act*, in order to proactively mitigate *adverse effect*s where possible and to maximized *compatibility* with land uses in the surrounding area.

9.1.6.12 In order to assist with the consideration of a proposed agriculture-related use involving cannabis or industrial hemp, regard should be given to the Guidelines on Permitted Uses in Ontario's *Prime agricultural area*. An amendment to this Plan is not required for a proposed agriculture-related use involving cannabis or industrial hemp.

9.1.6.13 Any construction of a building or structure associated with a proposed indoor cannabis or industrial hemp cultivation facility is subject to the Ontario Building Code and will require the submission of Mechanical and Electrical Design Specifications and Drawings for review prior to the issuance of a building permit. Final as-built drawings will also be required. These specification and drawings include those associated with air/odour filtration systems and equipment for light pollution mitigation.

9.1.6.14 In recognition of the known *adverse effect*s of odour, the avoidance of effects shall be a first principle. If *adverse effect*s cannot be avoided, the minimization and mitigation of *adverse effect*s must be considered. One of the ways to avoid, minimize and mitigate *adverse effect*s is through the separation of in*compatible* uses through the use of setbacks.

9.1.6.15 Given the rolling topography of lands within the Specialty Agriculture designation and the resultant creation of numerous microclimates, it is anticipated that it will be more difficult to avoid *adverse effect*s in this area when compared to lands within the Prime Agriculture designation if an indoor cannabis or industrial hemp cultivation facility was proposed.

9.1.6.16 The setbacks that are derived as a result of the review of an application for Zoning By-law Amendment or to expand a legal non-conforming indoor cannabis cultivation facility will depend on:

a) whether the facility is a greenhouse or an industrial-type building and if a greenhouse is proposed, whether the proposed greenhouse is purpose built for cannabis or industrial hemp or already exists;

b) the size and scale of the proposed facility;

c) the proximity and number of *sensitive* uses in the area including the potential for additional *sensitive* uses on vacant lots that are zoned to permit a *sensitive* use;

d) the location of the proposed facility in relation to prevailing winds;

e) the nature of the *adverse effect*s that exist at the time in relation to existing indoor cannabis cultivation facilities; and

f) the impact of topography on the dispersion of odour.

Specific Required Studies

9.1.6.17 The studies listed in this Section shall be required to satisfy the *development* criteria set out in Sections 9.1.6.1 to 9.1.6.8 of this Plan and peer reviews of these studies may be carried out by the Town at no cost to the Town. The studies listed in this section would be in addition to an other studies required in Section 12.2 and Table 12.1.

9.1.6.18 At no cost to the Town, the proponent will submit an Air Quality Study (AQS) that is prepared by a Licensed Engineering Practitioner (which means they must be licensed by Professional Engineers Ontario) that shall:

a) document the emission sources at the facility and quantify the emission rates of air contaminants including odour, chemicals and particulate matter;

b) detail the proposed air filtration and odour control systems and other mitigation measures that will be used to manage odour.

c) include atmospheric dispersion modelling predictions that show odour and containment concentration predictions along the property line and extend outward 5 kilometres from the facility into the surrounding community.

d) include a review of the impacts of other cannabis and industrial hemp facilities within the area to determine the extent of the potential cumulative *adverse effects*;

e) in addition to subsections b through d) and to minimize the likelihood of *adverse effects*, the AQS should target a *sensitive* receptor impact of two odour units, however the Town will consider other odour impact predictions. An electronic copy of the atmospheric dispersion model files used in the AQS shall be included with the submission; and

f) in addition to the above, the proponent of the proposed facility will submit a Contingency Odour Mitigation Plan, prepared by a Licensed Engineering Practitioner that considers additional air filtration systems or other mitigation measures for use in the event of substantiated future complaints after the use has been established. Agreement on the appropriate triggers for additional mitigation will be made in advance.

9.1.6.19 At no cost to the Town, the proponent will submit a Light Mitigation Plan, prepared by a Licensed Engineering Practitioner that shall:

a) fully describes the proposed light mitigation measures and demonstrates that the proposed facility will not causes light pollution, including sky glow or light trespass onto neighbouring properties; and

b) in addition to subsection a), the proponent will also submit a Contingency Light Pollution Mitigation Plan, prepared by a Licensed Engineering Practitioner that considers additional mitigation measures and implementation timelines for use in the event of substantiated future complaints after the use has been established. Agreement on the appropriate triggers for additional mitigation will be made in advance.

9.1.6.20 At no cost to the Town, the proponent will submit a Traffic Impact Study to the satisfaction of the Town that demonstrates that the proposed facility will not cause any traffic hazards or an unacceptable level of congestion on roads in the area.

Implementing Zoning By-law

9.1.6.21 Only lands that have satisfied the requirements of Section 9.1.6 of this Plan shall be placed in a zone that permits indoor cannabis and industrial hemp cultivation facilities in the implementing Zoning By-law.

9.1.6.22 In accordance with Sections 9.1.6.17 to 9.1.6.18, Section 12.2 and Table 12.1 of this Plan, the Town will determine what supporting information (i.e. reports and studies) are required as part of the complete application submission involving a rezoning application and inform the applicant of these requirements through the Town's pre-consultation process. In an application is proposed to be submitted to the Committee of Adjustment to expand a legal non-conforming indoor cannabis or industrial hemp cultivation facility, the applicant is encouraged to consult with the Town to determine study requirements.

9.1.7 Agriculture-Related and On-farm Diversified Uses

Agriculture-related and *on-farm diversified use*s 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. This preserves the agricultural land base, supports the agricultural community and maintains the scenic quality of the agricultural landscape. Such uses may be permitted subject to any implementing By-laws and guidelines and to the applicable policies of this Plan including the following:

9.1.7.1 In determining what constitutes an *agricultural use* versus an agricultural-related use or *on-farm diversified use* reference shall be made to the definitions and policies of this Plan and the implementing Zoning By-law, and the Guidelines on Permitted Uses in Ontario's *Prime agricultural area*s (Publication 851).

9.1.7.2 *Development* and *intensification* of agriculture-related and *on-farm diversified use*s shall be *compatible* with, and not hinder, surrounding farming operations and *agricultural use*s.

9.1.7.3 The *development* and *intensification* of agriculture-related and *on-farm diversified use*s shall be *compatible* with available rural services such as road access, private water and wastewater services, utilities, fire protection, emergency services, and other public services.

9.1.7.4 Agriculture-related and *on-farm diversified use*s shall be developed in accordance with all applicable municipal, *provincial and federal requirements* on emissions, noise, odour, nuisance, *compatibility*, water, and wastewater standards and receive all relevant environmental approvals. Where applicable, the applicant shall demonstrate that all applicable federal and provincial approvals have been obtained to ensure a coordinated approach to planning and *development* of said use.

9.1.7.5 *Agriculture-related uses* may be subject to applicable policies in this Plan, implementing By-laws, Provincial Guidelines, any agency having jurisdiction, and where the applicant has demonstrated the proposed use:

a) is a farm-related commercial or industrial use;

b) is *compatible* with and will not hinder surrounding agricultural operations;

c) is directly related to farm operations in the area;

d) benefits from being in close proximity to farm operations;

e) supports agriculture; and

f) provides direct products and/or services to farm operations as a primary activity.

9.1.7.6 *On-farm diversified use*s may be permitted subject to applicable policies in this Plan, implementing By-laws, Provincial Guidelines, any agency having jurisdiction and where the applicant has demonstrated that the following will be achieved:

a) the use will be located within the limits of a farming operation;

b) the use is limited in size and scale, relative to the size of the farm property;

c) the use shall remain secondary to the principal agriculture uses of the property; and

d) the use shall be subject to the *Minimum distance separation* Formulae.

9.1.7.7 Agriculture-related and *on-farm diversified use*s shall be subject to Site Plan Control.

9.1.8 Special Exceptions

The following existing land uses do not conform to the permitted uses listed in Section 9.1.1. However, notwithstanding Section 9.1, they are considered to be permitted to be used 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.

9.1.8.1 Harold S. Bradshaw Park

a) In addition to the permitted uses of the Prime Agriculture designation, those lands located at in Part Lot 10, Concession 13 and known

municipally as 520 Chantler Road, may also be used for a public park and accessory uses.

9.1.8.2 Harold Black Park

a) In addition to the permitted uses of the Prime Agriculture designation, those lands located in Block 58, Plan 59M-104 and Parts 1 to 3 Plan 59R-2485 and Part 1, Plan 59R-3710, municipally known as 953 Haist Street, may also be used for a public park and accessory uses.

9.1.8.3 Centennial Park

a) In addition to the permitted uses of the Speciality Agriculture designation, those lands located in Part Lots 7, 8, 9 and 11; Plan 703 and Part Block C; Plan 16, Part 4; 59R-7488, Part 2; 59R-11264, Part 1; 59R-1377 and Part 1; 59R-11639 located in Part 14, Concession 14, may also be used for a public park and accessory uses.

9.1.8.4 1732 Cream Street

a) In addition to the permitted uses of the Specialty Agriculture designation, those lands located at 1732 Cream Street may also permit a secondary dwelling on a heritage property and the subject lands are exempt from Site Plan Control.

9.1.8.5 392 Killman Road

a) In addition to the permitted uses of the Speciality Agriculture designation and any applicable policies of the Niagara Escarpment Plan, those lands located at 392 Killman Road may also permit a day camp use including a picnic pavilion, washroom facility, and playing fields involving approximately two hectares (5 acres) on the northern upland portion of the 57 hectare (140 acre) parcel of land on Part of Lots 7 and 8, Concession 5 subject to the following:

i) day campers are limited to no more than 50 people per day;

ii) non-agricultural buildings and structures are limited to picnic pavilion and a 4500 litre/day washroom facility;

iii) uses on the site, excluding the approximately two hectare (5 acre) parcel on the upland portion, are to be limited to agriculture, conservation, nature viewing, and walking trails;

iv) overnight camping is not permitted; and

v) recreation uses and *development* on the site shall be in accordance with the policies of the Niagara Escarpment Plan.

9.1.8.6 1389 Effingham Street

a) In addition to the permitted uses in the Specialty Agriculture designation, those lands located at 1389 Effingham Street may also allow a farm winery, subject to the following:

i) a farm winery shall be defined as:

Farm Winery means a use that utilizes fruit to produce and market wine per Provincial law and regulation. A farm winery may also include a distillery, cidery or microbrewery. A farm winery can include the retail sale of wine, a hospitality room with food and wine service, a winery office and a laboratory.

ii) the maximum ground floor area for buildings and structures for a farm winery shall not exceed 520 m^2; and

iii) in addition to the farm winery of 520m2, agricultural, agriculture-related and/or *on-farm diversified use*s will be subject to the policies of the Official Plan.

9.2 Rural Settlement

The Rural Settlement designation aims to recognize the existing *settlement area*s of North Pelham and Ridgeville, which are not expected to experience *significant* growth in the Town. The key objectives of this designation are to provide for limited *development* in the Rural *Settlement area* while maintaining its small community character.

9.2.1 Permitted Uses

Subject to the policies of this Plan and any applicable implementing By-laws or guidelines, the following uses are generally supported on lands designated as Rural Settlement:

a) Residential uses, including *additional residential units*, home industries and home-based businesses, bed and breakfasts and group homes;

b) *Institutional use*s, including elementary and secondary schools, community facilities, churches and places of worship and *public service facilities*;

c) Parks and open space; and

d) Small-scale industrial or commercial uses that serve the needs of the settlement and the surrounding agricultural area.

9.2.2 Policies

9.2.2.1 Rural *settlement area*s play an important housing, cultural and economic role for the rural *settlement area* and the surrounding agricultural area.

9.2.2.2 New lots shall be created through consent or in accordance with Section 11.10.1 of this Plan and shall meet the following conditions:

a) future growth should be encouraged in depth rather than in linear strips along existing roads;

b) 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;

c) all *development* must have adequate private water supply and be suitable for private waste disposal in accordance with the requirements of the Town and/or the Ministry of the Environment; and

d) 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 adversely impacting the quality of the groundwater and the adjacent uses.

9.2.2.3 All lands currently used for residential and non-residential purposes shall be placed in an appropriate Zone Category 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 exist on the date the implementing Zoning By-law comes into force and effect.

9.2.2.4 New non-residential uses may be permitted in the Rural Settlement designation and may be 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 new non-residential uses as outlined in Policy 9.2.1, the Town shall be satisfied that:

a) the proposed use is *compatible* with the character of the Rural Settlement;

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

c) the proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;

d) the use shall not have a negative impact on the enjoyment and privacy of the neighbouring properties;

e) adequate parking, loading and landscaping can be provided on site;

f) where the proposed use in 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 use*s; and

g) 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 adequate separate screening between the uses.

9.2.2.5 Proposals for *development* will be reviewed to ensure that the *development* is orderly and well planned and the Town shall be satisfied that:

a) adequate services such as school bussing and fire protection can be provided;

b) the added *development* will not interfere with the operation of the arterial road system;

c) existing problems such as pollution, inadequate water supply or conflicting land uses will not be aggravated; and

d) *development* should minimize the impact on agricultural lands, natural hazard lands and on lands with the *Natural Environment System*.

9.2.2.6 No new Rural *Settlement area*s, expansions or minor boundary adjustments to existing Rural *Settlement area*s are permitted in the Specialty Agriculture designation.

9.2.2.7 Minor boundary adjustments of existing Rural *Settlement area*s shall be completed through an Official Plan Amendment subject to the following criteria:

a) the adjustment is to address property boundary corrections such as split lots or property corrections/adjustments;

b) the property area is minor in nature;

c) the property area does not create a new lot;

d) locally designated and/or listed heritage building(s) and/or features 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;

e) the adjustment does not include any lands that are identified as part of the *Natural Environment System* unless the lands are already part of the Rural *Settlement area*; and

f) the boundary adjustment should comply with MDS formulae, as applicable.

9.3 Rural Commercial

The rural commercial designation recognizes long-standing existing commercial lands which are primarily located along Highway 20 at the corner of Highway 20 and Maple Street and are serviced by private onsite sewage and water systems. The key objectives of the rural commercial designation is to recognize existing commercial uses that support the local agricultural community.

9.3.1 Permitted Uses

Subject to the policies of this Plan and any other applicable implementing by-laws or guidelines, the following uses are generally supported on lands designated as Rural Commercial:

a) Small-scale industrial or commercial uses that serve the needs of the settlement area and the surrounding agricultural and rural areas;

b) Agriculture and *agriculture-related use*s, including, but not limited to, farm supply and service establishments, and farm produce markets

c) Service sector industries including transportation, communication, and business services.

9.3.2 Policies

9.3.2.1 The Zoning By-law shall regulate commercial rural uses through the establishment of appropriate zone categories.

9.3.2.2 New or expanding rural commercial uses shall be subject to Site Plan Control. In reviewing and application for Site Plan Control, the Town shall be satisfied that:

a) the proposed use is *compatible* with the character of the Rural Settlement;

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

c) the proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal;

d) the use shall not have a negative impact on the enjoyment and privacy of the neighbouring properties;

e) adequate parking, loading and landscaping can be provided on site;

f) 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 use*s; and

g) 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 adequate separate screening between the uses.

9.4 Industrial

The industrial designation provides an area where existing and new rural employment uses can be consolidated to promote *compatibility* and economic *development* within the Town. These lands are generally located along Webber Road and are serviced by private onsite sewage and water systems. They are intended to complement the adjacent Niagara Central Dorothy Rungeling Airport and regional agri-business.

The key objectives of the industrial designation are to maintain a supply of industrial lands to meet the long-term needs of the Town, as well as to provide employment opportunities and support industrial uses that contribute to agri-business within the

Town. The policies of this Plan will encourage high-quality architectural design, landscape design and site design in all industrial *development* visible from the Webber Road corridor while minimizing the impacts of industrial areas on surrounding lands, particularly *sensitive land use*s.

9.4.1 Permitted Uses

Subject to the policies of this Plan and any other applicable implementing by-laws or guidelines, the following uses are generally supported on lands designated as Industrial:

a) Manufacturing, processing, assembling, fabricating, servicing, and storage of goods and raw materials;

b) Warehousing and wholesaling;

c) Agriculture and agriculture-related research uses which do not involve the keeping of livestock;

d) Service sector industries including transportation, communication and business services.

e) Licensed indoor cannabis and industrial hemp cultivation in accordance with the Cannabis Act and subject to the policies of Section 9.1.6 of this Plan may be permitted subject to the Town's Zoning By-law and site plan control pursuant to the *Planning Act* and the Town of Pelham Site Plan Control By-law, except that;

   i) A retail use is not permitted as an accessory use to an indoor cannabis or industrial hemp cultivation facility

f) Automobile repair and service and auto sales.

g) Uses incidental or ancillary to industrial operations, such as a retail or wholesale division operated as a subsidiary function of any industry, may be permitted in the Industrial designation.

g) Retailing is only permitted as an accessory use to a permitted use and will be limited in size so as not to interfere with or detract from the primary function of the area. Major retail uses are considered to be non-employment uses and are not permitted.

9.4.2 Policies

9.4.2.1 The Zoning By-law shall regulate industrial uses through the establishment of appropriate zone categories. The following principles will guide the preparation of industrial zone categories:

a) the groups of industries with similar characteristics and performance standards;

b) the need for a *compatible* environment for industries free from interference and restriction by other uses;

c) minimizing land use conflict by ensuring industrial types are not indiscriminately mixed;

d) the protection of adjacent land uses, particularly residential areas, from the effects of industries; and

e) maximizing the amenity of the industrial area through the strategic placement of particular industrial uses.

9.4.2.2 Wherever industries abut residential, *institutional*, airport, 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 industrial activity including visual appearance.

9.4.2.3 The industrial area, located along Webber Road 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 standard. In addition to the Urban Design Guidelines in Appendix 4 of this Plan, the following design principles shall be utilized:

a) the implementing Zoning By-law shall contain performance criteria embracing building material, surfacing treatment, landscaping etc;

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

c) open storage of goods and materials shall only be permitted in accordance with the provisions of the Zoning By-law and appropriate landscaping and screening devices shall be utilized to shield the open

storage areas to ensure the open storage areas will not detract from the intended character of the area;

c) parking and loading areas shall generally be restricted to side and rear yards;

d) parking facilities shall be provided in accordance with the provisions of the Zoning By-law, and ingress and egress to such parking areas shall be provided to minimize potential conflict with vehicular and pedestrian traffic; and

d) all industrial activities shall be within wholly enclosed buildings.

9.4.2.4 The Town has a finite supply of industrial lands. Therefore, lands within the Industrial designation shall not be redesignated or rezoned to any other non-employment use except with the support of an Official Plan Amendment. In undertaking an Official Plan Amendment, it shall be demonstrated that:

a) there is a need for the *conversion*;

b) the municipality will meet the employment forecasts prescribed by the Province;

c) the *conversion* will not adversely affect the overall viability of the employment area and the achievement of the *intensification* or density targets or other policies of this Plan;

d) there is existing or planned *infrastructure* to accommodate the proposed use;

e) the lands are not required over the long term for employment purposes; and

f) cross-jurisdictional issues have been considered.

9.4.2.5 All *development* within the Industrial designation shall be subject to Site Plan Control in accordance with the policies of this Plan.

9.4.2.6 Uses permitted in the Industrial designation are intended to be developed on private water and sewer services. Where any use is proposed to generate greater than 10,000 litres per day of wastewater, such use shall be required to submit a Functional Servicing Report and Hydrogeological Assessment for review by the Ministry of the Environment, Conservation and Parks in conjunction with an application for Site Plan Control.

9.5 Airport

The Niagara Central Dorothy Rungeling Airport is an important transportation asset that enhances the *development* potential of the lands immediately surrounding the airport and provides an important transportation mode in the Region.

9.5.1 Permitted Uses

Subject to the policies of this Plan and any other applicable implementing by-laws or guidelines, the following uses are generally supported on lands designated as Airport:

a) Public and private airport facilities and accessory uses;

b) Maintenance, storage and warehouse uses;

c) Bulk fuel storage and sales;

d) Aviation-related training and educational facilities;

e) Private aviation clubs; and

f) Aviation-related commercial and industrial uses.

9.5.2 Policies

9.5.2.1 The *development* of uses in the Airport designation will be subject to Site Plan Control.

9.5.2.2 Any *redevelopment* of existing industrial uses involving an expansion of the floor area of more than 25% may also be subject to Site Plan Control. In reviewing an application for Site Plan approval, Council or its delegate shall be satisfied that:

a) the proposed use is compliant with the Ministry of Environment D-Series Guidelines to ensure the industrial use is *compatible* with adjacent uses;

b) the proposed use is compliant with any regulation, standard, guideline; and/or specification established by both Transport Canada and Nav Canada;

c) Adequate parking and loading facilities are provided on the site;

d) Stormwater can be adequately managed in accordance with Town and NPCA standards. In the case of *development* proposed within the Coyle

Creek *watershed*, stormwater should be treated for quality and quantity to a normal standard. In the case of *development* proposed within the Welland River *watershed*, stormwater should be managed for quality purposes to an enhanced standard.

e) The proposed buildings or structures on un-vegetated sites incorporate landscaping to enhance the site and surrounding area; and

f) Outdoor storage areas are substantially screened from view from passing traffic.

9.5.2.3 All lands located in the Airport designation shall be required to be placed in zone categories that reflect existing uses in the implementing by-law.

9.5.2.4 Permitted uses in the Airport designation shall be serviced by private water and sewage systems.

9.5.2.5 The extension of public sewer and water systems to lands located in the Airport designation is not permitted.

9.6 Mineral Aggregate Extraction

Mineral aggregate resources such as sand, gravel, stone and shale form an important component of the Town's economy. These resources are finite and must be protected from in*compatible* land uses or uses that would limit their extraction in the future.

The Province provides direction to municipalities that as much of the mineral aggregate resource as is realistically possible, shall be made available as close to market as possible. The extraction, processing and transportation of *mineral aggregate resources* must take place in a manner that minimizes social, economic and environmental impacts. This includes defining haul routes and managing truck traffic, conserving and recycling *mineral aggregate resources* and rehabilitating pits and quarries.

The key objectives of the Mineral Aggregate Extraction designation are to ensure that *mineral aggregate resources* are protected for long-term future use and the Plan will provide policy direction to:

a) protect existing *mineral aggregate operation*s;

b) provide for efficient extraction of *mineral aggregate resources*;

c) minimize *negative impacts* of proposed or expanding *mineral aggregate operation*s;

d) define haul routes and manage aggregate truck traffic;

e) ensure *compatible* and sustainable rehabilitation of mineral aggregate extraction sites;

f) conserve and recycle aggregates and manage excess soil;

g) facilitate temporary *mineral aggregate operation*s

h) locate *mineral aggregate operation*s to minimize impacts on other *significant* resources and features;

i) coordinate with the Niagara Escarpment Commission on applications within the Niagara Escarpment Plan Area; and

j) provide clear criteria for evaluating applications for *mineral aggregate operation*s.

9.6.1 Mineral Aggregate Resources

9.6.1.1 Schedule D – *Mineral aggregate resources* identifies where known deposits of *mineral aggregate resources* are located based on Provincial mapping.

9.6.1.2 Updates to Schedule D of this Plan based on new mineral aggregate resource mapping from the Province, will not require an amendment to this Plan.

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

a) resource use would not be feasible;

b) the proposed land use or *development* serves a greater long-term public interest; and

c) public health, public safety and environmental impacts are addressed.

9.6.2 Mineral Aggregate Operations

9.6.2.1 Existing *mineral aggregate operation*s are identified on Schedule D of this Plan.

9.6.2.2 Proposed new *development* or other activities in areas located within 500 metres (sand and gravel) and 1000 metres (bedrock) or 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 of any required mitigation measures shall be borne by the applicant.

9.6.2.3 Existing licensed *mineral aggregate operation*s, as identified on Schedule D, shall be permitted to continue without the need for an official plan amendment, zoning by-law amendment or other approval under the *Planning Act*. When a license for a *mineral aggregate operation* ceases to exist, policies which protect the *deposits of mineral aggregate resources* will continue to apply where deposits are still present.

9.6.2.4 All of the licenses shown on Schedule D pre-date the policies of this Plan. Accordingly, these areas do not include site specific policies. Additional site specific policies may be included where a *mineral aggregate operation* is approved through amendment to this Plan. Site specific policies and their associated licensed area shown on Schedule D shall be removed once the *mineral aggregate operation* land is rehabilitated and the license is surrendered to the Provincial Ministry with jurisdiction.

9.6.2.5 An amendment to this Plan is required for expansions of existing mineral aggregate operations beyond the limits of the site identified on Schedule D.

9.6.3 Extraction of Mineral Aggregate Resources

9.6.3.1 An application to permit a *mineral aggregate operation* shall not be required to demonstrate the need for the resource.

9.6.3.2 The Town will consider applications for a *mineral aggregate operation* within the *deposits of mineral aggregate resources*, which are identified on Schedule D, and outside known *deposits of mineral aggregate resources* where the applicant has demonstrated that there is a sufficient quantity and quality of resources to warrant extraction.

9.6.3.3 In the case of adjacent *mineral aggregate operation*s, the Town will, wherever practical, encourage the removal of all economically viable material between the operations and require continuous and comprehensive rehabilitation.

9.6.4 Proposed Mineral Aggregate Operations

9.6.4.1 New *mineral aggregate operation*s are not permitted within settlement areas. The removal of economically viable material on site within a *settlement area* in advance of other approved *development* shall be considered on a site-by-site basis.

9.6.4.2 An application to permit a *mineral aggregate operation* shall require a site specific amendment to this Plan.

9.6.4.3 Applications to permit a *mineral aggregate operation* shall:

a) be consistent with the Provincial Planning Statement;

b) conform to all applicable Provincial Plans and this Plan; and

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

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

a) potential for *negative impacts* on existing and future adjacent and surrounding land uses;

b) potential for negative impact on views and vistas;

c) potential for negative air quality, noise, vibration, social, and health impacts;

d) potential for *negative impacts* on *significant built heritage resource*s, *significant cultural heritage landscape*s, and *archaeological resources* or *areas of archaeological potential*;

e) potential for *negative impacts* on the *natural environment system*;

f) proposed manner of operation and rehabilitation;

g) proposed haulage routes and the potential *negative impacts* on roads and other users of the *infrastructure*;

h) potential for impacts on Regional *infrastructure* and services;

i) potential economic and financial impacts/benefits;

j) potential for *negative impacts* on agricultural operations in prime agricultural areas;

k) potential geotechnical considerations as appropriate; and

l) other potential impacts which may be specific to a proposed operation or site.

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

a) *provincially significant wetlands*;

b) *habitat of endangered species and threatened species*; and

c) *significant woodlands* unless the woodland is occupied by young plantation or early successional habitat, as defined by the Province, in which case, the application must demonstrate to the satisfaction of the approval authority that Provincial policies have been addressed.

9.6.4.6 Any application for a new *mineral aggregate operation* within a Provincial *natural heritage system* will be required to demonstrate how:

a) connectivity between *natural heritage features and areas* and key hydrologic features will be maintained before, during, and after the extraction of *mineral aggregate resources*;

b) the operator could replace *natural heritage features and areas* and key hydrologic features that would be lost from the site with equivalent features on another part of the site or on *adjacent lands*;

c) the key *water resource system* will be protected and enhanced; and

d) any *natural heritage features and areas* and hydrologic features and any associated *vegetation protection zone*s not identified in Policy 9.6.4.5 will be addressed in accordance with Provincial policy and the policies of this Plan.

9.6.4.7 An application to permit the expansion of an existing mineral aggregate operation within a Provincial *natural heritage system* may be permitted, including in *natural heritage features and areas*, hydrologic features and any

associated *vegetation protection zone*s, if the related decision and rehabilitation is consistent with the policies of this Plan and Provincial policies.

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

9.6.4.9 Applications to permit a *mineral aggregate operation* shall demonstrate how potential *negative impacts* to ground and surface water resources will be minimized. Where extraction is proposed below the water table, applicants shall demonstrate how impacts on both water quality and quantity are avoided first and mitigated where avoidance in not possible.

9.6.4.10 In *prime agricultural area*s, applications to permit a new mineral aggregate operation shall be supported by an *Agricultural impact assessment* in accordance with Provincial guidance. The *Agricultural impact assessment* shall provide guidance on how to maintain or improve connectivity of the *agricultural system* and be completed by a qualified professional.

9.6.5 Haul Routes and Aggregate Truck Traffic

9.6.5.1 Mineral aggregate truck traffic shall be directed away from *settlement area*s 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.

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

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

b) impacts on the road network and potential mitigation measures;

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

d) social and environmental impacts and any mitigation measures.

9.6.5.3 The Town may require applicants to enter into Haul Route Agreements as part of the process to permit a *mineral aggregate operation* to ensure haul routes are defined and utilized; to secure for improvements and additional maintenance in accordance with the ARA; and to outline the formula for the method of payment by a licence-holder, where required. Improvements required to a Regional or Local road due to a new or expanded mineral aggregate operation shall not be at the public expense.

9.6.5.4 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.

9.6.5.5 *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 and shipping routes.

9.6.6 Compatible and Sustainable Rehabilitation

9.6.6.1 Applications to permit a *mineral aggregate operation* shall include a rehabilitation plan to satisfy the requirements of the Province, and the Town Official Plan policies.

9.6.6.2 Progressive and final rehabilitation for *mineral aggregate operation*s is required. Rehabilitation plans must achieve the following:

a) accommodate subsequent land uses;

b) promote *compatibility* with surrounding land uses and approved land use designations;

c) recognize the interim nature of extraction; and

d) mitigate *negative impacts* to the extent possible.

9.6.6.3 *Comprehensive rehabilitation* planning is encouraged where there is a concentration of *mineral aggregate operation*s.

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

a) the disturbed area of a site shall be rehabilitated to a state of equal or greater ecological value and, for the entire site, long-term ecological integrity shall be maintained or enhanced;

b) if there are *natural heritage features and areas*, key natural heritage features or hydrologic features on the site, or if such features existed on the site at the time of an application:

i) the health, diversity and size of these natural heritage features and areas, *natural heritage features and areas* and key hydrologic features shall be maintained or enhanced; and

ii) any areas where extraction of mineral aggregates was permitted within a *natural heritage features and area*, key natural heritage feature or *hydrologic feature* shall be rehabilitated as early as possible in the life of the operation.

c) aquatic areas remaining after extraction shall be rehabilitated to an aquatic environment representative of the natural ecosystem in that particular setting or eco-district, and the combined terrestrial and aquatic rehabilitation will meet the intent of subsection b); and

d) outside a Provincial *natural heritage system*, final rehabilitation shall appropriately reflect the long-term land use of the general area and the policies of this Plan. In *prime agricultural area*s, the site shall be rehabilitated in accordance with Provincial policy and the requirements of this Plan.

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

a) where there is no extraction below the water table, an amount of land equal to that under natural vegetated cover prior to extraction, and no less than 35 per cent of the land subject to each licence in the Provincial *natural heritage system*, shall be rehabilitated to forest cover, which will be representative of the natural ecosystem in that particular setting or eco-district. If the site is also in a prime agricultural area, the remainder of the land subject to the licence shall be rehabilitated back to an *agricultural condition*;

b) where there is extraction below the water table, no less than 35 per cent of the non-aquatic portion of the land subject to each licence in the Provincial *natural heritage system* shall be rehabilitated to forest

cover, which will be representative of the natural ecosystem in that particular setting or eco-district. If the site is also in a prime agricultural area, the remainder of the land subject to the licence shall be rehabilitated in accordance with Provincial policy and the policies of this Plan; and

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

9.6.6.6 In *prime agricultural area*s on *prime agricultural land*s, extraction of mineral aggregate resources is permitted as an interim use provided that the site will be rehabilitated back to an *agricultural condition* in accordance with the Provincial Planning Statement and Greenbelt Plan requirements.

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

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

9.6.7 Recycled Aggregates and Managing Excess Soil

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

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

9.6.8 Temporary Mineral Aggregate Operations

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

9.6.9 Applications in the Greenbelt Plan Area

9.6.9.1 Extraction of *mineral aggregate resources* is permitted within the Protected Countryside area in the Provincial Greenbelt Plan, subject to all other applicable legislation, regulations and the policies of this Plan. Policies for the extraction of *mineral aggregate resources* within the Greenbelt Plan apply together with other policies of this Plan.

9.6.9.2 An application to permit a *mineral aggregate operation* or wayside pit and quarry within the Protected Countryside shall be required to ensure that:

a) the rehabilitated area will be maximized and disturbed area minimized on an ongoing basis during the life cycle of an operation;

b) progressive and final rehabilitation efforts will contribute to the goals of the Greenbelt Plan;

c) any excess disturbed area above the maximum allowable disturbed area, as determined by the Ministry of Northern *Development*, Mining, Natural Resources and Forestry, will be rehabilitated. For new operations, the total disturbed area shall not exceed an established maximum allowable disturbed area; and

d) the applicant demonstrates to the satisfaction of the approval authority that the quantity and quality of groundwater and surface water will be maintained as per Provincial standards under the Aggregate Resources Act.

9.6.9.3 Notwithstanding any provisions of this section to the contrary, within the specialty crop area, *mineral aggregate operation*s are subject to the following requirements:

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

b) a new *mineral aggregate operation* or *wayside pits and quarries* may only be considered on primary and secondary selected sand and gravel resources on the Fonthill Kame, as identified by the Aggregate Resource Inventory Paper #4, if the applicant demonstrates that:

i) there will be no negative impact on the Fonthill Kame-Delta *ANSI* through rehabilitation, mitigation or compensation methods that recreate the landform or enhance educational and scientific values;

ii) substantially, the same land area shall be rehabilitated back to an *agricultural condition* which allows for the same range and productivity of specialty crops common in the area; and

iii) the microclimate on which the site and the surrounding area may be dependent for specialty crop production shall be maintained or restored;

c) a new *mineral aggregate operation* or *wayside pits and quarries* shall only be permitted in specialty crop areas not identified under subsection a) and b) where the applicant demonstrates the following:

i) the physical characteristics of the proposed site allow for the rehabilitation of the property back to an *agricultural condition*; or

ii) if the physical characteristics of the proposed site will not allow for the rehabilitation of the property back to an agricultural condition, the applicant has considered alternative locations; and

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

9.6.10 Applications within the Niagara Escarpment Plan

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

9.6.11 Comprehensive Planning Review

9.6.11.1 The Town encourages applicants to complete a pre-consultation meeting under the terms of Section 11.2 of this Plan prior to the submission of an application to permit a *mineral aggregate operation*.

9.6.11.2 The Town will require peer reviews of some or all of the technical studies in support of an application for a *mineral aggregate operation* at the applicant's cost. The applicant will be required to enter a Cost Acknowledgement Agreement with the Town as part of a Complete Application. The Cost Acknowledgment Agreement will outline the conditions associated with the applicant’s responsibility to pay for costs such as peer reviews of technical studies, the services of an Aggregate Advisor, and a facilitator to support the public consultation process, as required.

Section 10: Settlement Area Land Use

This section establishes the objectives, policies, and permitted uses for each land use designation identified in Schedule A2 – Fonthill *Settlement area* and Schedule A3 – Fenwick *Settlement area*. Land use designations and policies provide direction for *development* and the basis for decision-making regarding applications under the *Planning Act*.

Secondary Plans adopted through amendments to this Plan may require more detailed policies and land use schedules for the areas they apply to.

Schedule A2 – Fonthill *Settlement area* and Schedule A3 – Fenwick *Settlement area* established the pattern of land use in the Town by establishing the following Land Use Designations:

Residential	Commercial and Mixed-Use
Urban Residential	Mixed Use Downtown Commercial Highway Commercial

10.1 Settlement Areas

The *Settlement area*s in the Town include lands intended to support the majority of the Town's growth over the horizon of this Plan. Key objectives of the *Settlement area* policies are to support the achievement of complete communities, connect residents, provide equitable access to amenities, protect the natural environment, and encourage economic and cultural activities that help residents' health and prosperity.

The *Settlement area* comprises the Town's primary *settlement area*s of Fonthill and Fenwick and is intended to accommodate the majority of current and future residential and employment growth to 2051. These *Settlement area*s have a defined *Settlement area* Boundary that is split into a delineated *built-up area* boundary with a built boundary line defined by the Province, lands which are "*designated and available*" and two *settlement area* boundary expansion areas ("*designated growth area*s"). The purpose of these two areas is to manage growth and track performance targets. These two *settlement area*s only accommodate growth on existing or planned municipal water and wastewater systems. Specifically, the delineated *built-up area* is related to the Town's *intensification* target, and the *designated growth areas* are related to the density target of the Town's developable lands.

These *Settlement area*s vary in size, diversity of community and employment uses, and intensity of *development*. They are only considered entirely "urban" when a full municipal *infrastructure* servicing and allocation strategy is available to ensure a coordinated phasing approach. This will ensure that these *settlement area*s can support the achievement of competing communities for *intensification* in the delineated *built-up area*, *development*s in the *designated growth areas*, and growth of the economic base by supporting employment areas.

10.2 Urban Residential

The urban residential designation represents existing stable neighbourhoods where the predominant land use is residential, with housing types and densities directed by this Section's policies.

10.2.1 Permitted Uses

Subject to the policies of this Plan and any applicable implementation By-laws or guidelines, the following uses are generally supported on lands designated Urban Residential on Schedules A1 and A2 of this Plan:

a) Residential uses of all types, including *low-density residential, medium-density residential* and *high-density residential* housing types, including *additional residential units* and home-based businesses;

b) *Institutional*, *public service facilities*, neighbourhood commercial, office and community uses provided the use primarily supports the surrounding neighbourhoods; and

c) Parks and open space uses.

10.2.2 Policies

10.2.2.1 Various types of *medium-density residential* and *high-density residential* accommodation will be considered by the land use designations on Schedules A2 and A3 and the policies of this Plan. In providing for *medium-density residential* and *high-density residential 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.

10.2.2.2 Secondary Plans have been prepared for areas undergoing *significant development* and *redevelopment* and where any major *development* proposal would substantially alter the land use pattern in a particular area. The secondary plans establish more specific policies that apply to specific neighbourhoods in the town, which are outlined in Appendices 1-3 of this plan.

10.2.2.3 In established Residential areas, the opportunities for *development* and *redevelopment* will be encouraged to support the objective of a *complete community* and diversity in built form. Building designs, heights and densities of proposals should integrate with the surrounding residential area, provide opportunities for housing choice and diversity, and consider opportunities for improved neighbourhood convenience commercial and amenities where appropriate. Site design matters for *development* and *redevelopment* should consider matters related to land use *compatibility*, including the provision of:

a) landscape *buffer*s;

b) building location and orientation;

c) parking layout;

d) access;

e) location of amenity areas; and

f) grading and drainage.

10.2.2.4 In the *development* of new residential areas and the *redevelopment* of established areas, the Town should require the following to achieve high standards of residential amenity:

a) the provision and maintenance of adequate off-street parking for the *development*;

b) the provision, improvement and/or maintenance of on-site landscaping, parks and recreational areas; and

c) the provision and maintenance of adequate separation distances and the placement of *buffer* features between residential uses of differing densities and other land uses.

10.2.2.5 *Developments* in the *Settlement area* that are not accessible to municipal services within the Town's service expansion program or cannot be readily serviced will be considered premature and of low priority.

10.2.2.6 Schools, parks and other neighbourhood facilities should adequately serve the increased residential population resulting from any *development* proposal(s).

10.2.2.7 Water, sanitary and storm services shall be adequate to accommodate increased residential densities.

10.2.2.8 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 concerning the relationship of the proposed *development* to the existing *development* in the vicinity to ensure *compatibility*.

10.2.2.9 Innovative forms of housing will be considered based on the policies of this Plan.

10.2.2.10 Established non-residential uses in residential areas may be recognized in the Zoning By-law, provided they are not detrimental to the residential neighbourhood.

10.2.2.11 Neighbourhood commercial and *institutional uses* are not intended to be standalone uses but rather provide a mix of residential and commercial uses on one property in a way that shall support opportunities for live-work units and a mixed-use streetscape. They are subject to site plan control in accordance with the applicable policies of this Plan.

10.2.2.12 Neighbourhood commercial and *institutional use*s may be permitted to be located within the main floor of multiple residential and apartment buildings, provided that the location and design of such uses are *compatible* with the primary residential use and will conform to this section of the Plan. Where applicable, Zoning By-law Amendments passed in support of such 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 by 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.

10.2.2.13 Neighbourhood-supportive uses shall be limited to commercial uses that cater to pedestrian, bicycle, and non-vehicular travel. They are intended to support the immediate neighbourhood and should provide a mix of residential uses wherever feasible.

10.2.2.14 Home-based businesses shall be limited to uses that do not create a noticeable change in traffic, parking, noise, odour, or residential character of the property and area and are intended to remain accessories to the residential uses of the property.

10.2.2.15 The appropriate policies of Section 3 of this Plan support *additional residential units* in all single-detached, semi-detached, and townhouse dwellings.

10.2.2.16 All new residential *development*s over 10 units shall be subject to site plan control in accordance with this plan's applicable policies.

10.2.3 Lot 177 Special Policy

10.2.3.1 Lot 177 is a special policy area located in the residential designation. The residential neighbourhood of Lot 177 represents the most substantial infill area within the Fonthill *Settlement area* outside of the Secondary Plan Areas.

10.2.4 Special Exceptions

10.2.4.1 819 and 825 Canboro Road

a) In addition to the permitted uses in the Urban Residential designation, those lands located at 819 and 825 Canboro Road may also allow the following uses:

i) retail sale of farm produce, food and grocery items;

ii) café and food service;

iii) bakery

iv) education and agri-tourism uses

v) produce storage and on-site processing;

vi) growing of produce in the existing greenhouse(s); and

vii) landscape supply and garden centre.

10.2.4.2 760 Foss Road, Fenwick

a) In addition to the permitted uses in the Urban Residential designation, those lands located at 760 Foss Road may also allow the following uses:

i) retail sale of farm produce, food and grocery items;

ii) café and food service;

iii) bakery

iv) education and agri-tourism uses

v) produce storage and on-site processing;

vi) growing of produce in existing greenhouse(s); and

vii) landscape supply and garden centre.

10.3 Mixed Use

The Mixed Use designation recognizes transition areas between adjacent stable residential neighbourhoods and the Downtown Commercial areas, which contain a mixture of residential uses, live-work units and small-scale commercial uses.

10.3.1 Permitted Uses

Subject to the policies of this Plan and any applicable implementation By-laws or guidelines, the following uses are generally supported on lands designated Mixed Use on Schedules A1 and A2 of this Plan:

a) Residential uses of all types, including *low-density residential*, *medium-density residential* and *high-density residential* housing types, including

additional residential units, live-work units, home-based businesses and home industries; and

b) *Institutional*, *public service facilities*, and commercial uses, such as offices, retail and service commercial uses;

10.3.2 Policies

10.3.2.1 *Development* within this designation is intended to facilitate a mix of uses, including smaller or medium-scale businesses and commercial and residential uses, that complement downtown's mixed-use, pedestrian-oriented focus.

10.3.2.2 *Intensification* and infill *development* will be supported in the mixed-use designation to maximize existing and planned *infrastructure* and create streetscapes that are attractive, safe and accessible for all users of the public and private spaces.

10.3.2.3 *Institutional* and commercial uses may be permitted to be located within the main floor of multi-unit residential *development*s, provided that the location and design of such uses are *compatible* with the primary residential use and will conform to this section of the Plan.

10.3.2.4 *Development* and *intensification* within this designation shall require a high urban design and built-form standard. All *development* and *intensification* will have regard to the Urban Design Guidelines in Appendix 4 of this Plan.

10.3.2.5 All *development* within the mixed-use designation shall be subject to Site Plan Control in accordance with the applicable policies of this Plan, except residential *development* under 10 units.

10.4 Downtown Commercial

The Downtown Commercial designation focuses on retail, office, specialized and service uses. The purpose is to maintain and promote Downtown Fonthill and Downtown Fenwick as the focal points for commerce and hospitality in the Town and establish a definitive boundary for these Downtown areas. The main objectives of this designation are to encourage a sufficient level and variety of retail activity to satisfy the consumer demands of residents and foster a vibrant, connected, walkable, bikeable, retail and commercial environment.

10.4.1 Permitted Uses

Subject to the policies of this Plan and any applicable implementation By-laws or guidelines, the following uses are generally supported on lands designated Downtown Commercial on Schedules A1 and A2 of this Plan:

a) Mixed uses consisting of a combination of commercial, *institutional* and *medium-density residential* or *high-density residential development*;

b) Commercial uses, including retail, offices, personal services, restaurants, micro-breweries, entertainment and hotels; and

c) Public and government uses, and *public service facilities*.

10.4.2 Policies

10.4.2.1 The Downtown Commercial areas of Fonthill and Fenwick are the town's commercial, social, and cultural centres. All new *developments* shall reinforce and strengthen this role in the Downtown.

10.4.2.2 The design of all new *development* in the Downtown Commercial areas shall recognize and enhance the existing mixed-use, pedestrian-scale, and historic character of the Downtown while allowing for growth.

10.4.2.3 The Town will encourage renovating and rehabilitating buildings within the Downtown Commercial areas and promoting similar architectural treatment of new buildings.

10.4.2.4 New commercial *development* will be encouraged to include residential units as an integral part of any *development*.

10.4.2.5 The Town shall encourage and support the physical and aesthetic improvement of the Downtown Commercial areas, including co-ordinating streetscape amenities, furniture, and signage.

10.4.2.6 The need for commercial and retail services beyond the Downtown Commercial areas is limited. Additional commercial *development* may be considered by way of an amendment to this Plan, provided it is immediately adjacent to the Downtown Commercial areas, does not contribute to the proliferation of strip *development*, and is subject to the other policies of this Plan.

10.4.2.7 New *development* and *redevelopment* shall be encouraged within the Downtown Commercial areas. Proposals for *development* or *redevelopment* shall be *sensitive* to the existing character and scale of the present

development, provide adequate off-street parking, and not generate traffic that will unduly disrupt adjacent residential neighbourhoods.

10.4.2.8 Providing convenient, adequate, but not excessive, off-street parking is recognized as necessary in promoting and enhancing the Downtown Commercial areas. 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 Downtown Commercial areas, The Town shall investigate the *development* of a municipal parking lot in the area where appropriate and where lands are available and/or the use of cash-in-lieu for parking under the *Planning Act*.

10.4.2.9 To revitalize the Downtown Commercial areas, new residential *development* is encouraged and will be permitted by the Zoning By-law Amendment. New Residential *development* shall occur in apartment buildings, street or block townhouses and units above commercial buildings. Residential units shall not be located at grade directly adjacent to a public street in the Downtown Commercial designation.

10.4.2.10 The town may establish business improvement areas within the Downtown Commercial areas in collaboration with local businesses.

10.4.2.11 All new *development*s within the Downtown Commercial areas shall be designed with regard to the Urban Design Guidelines outlined in Appendix 4 of this Plan.

10.4.2.12 All *development* within the Downtown Commercial designation shall be subject to site plan control in accordance with the applicable policies of this Plan, except residential *development* under 10 units.

10.5 Highway Commercial

The Highway Commercial designation is a mixed-use node and corridor to identify existing commercial lands along Highway 20. This plan promotes business and commerce, with the intent that this area be designated for small—and larger-scale business, commercial, and residential uses that utilize existing buildings and complement the mixed-use, pedestrian-oriented focus of the Downtown Commercial designation. These areas rely more on vehicular traffic for their economic existence.

The key objectives of the Highway Commercial designation are to encourage the provision of a sufficient level and variety of retail activity within the Town to satisfy residents' consumer demands while ensuring that commercial *development* does not adversely impact adjacent land uses, particularly those of a residential nature.

10.5.1 Permitted Uses

Subject to the policies of this Plan and any applicable implementation By-laws or guidelines, the following uses are generally supported on lands designated Highway Commercial on Schedules A1 and A2 of this Plan:

a) Mixed uses consisting of a combination of commercial, *institutional* and *medium-density residential* or *high-density residential development*;

b) Commercial uses including retail, offices, supermarkets, personal services, restaurants and drive-thrus, automotive-related retail uses, service stations, sales and service uses; wholesale, home improvement hardware and nursery establishments, entertainment uses and hotels; and

c) Public and government uses and *public service facilities*.

10.5.2 Policies

10.5.2.1 Separate Zoning By-law categories shall regulate highway commercial uses. Every effort shall be made to minimize the impact of commercial uses on adjacent land uses, mainly residential uses. To this end, the Zoning By-law shall require increased side and rear yard setbacks and/or appropriate landscape *buffering* provision between commercial uses and residential or *institutional use*s.

10.5.2.2 The Town shall endeavour to attract highway commercial growth to Fonthill to recapture retail outflow to adjacent market areas. Additional commercial *development* may be considered by way of an amendment to this Plan, provided it is immediately adjacent to the Highway Commercial designation subject to the appropriate policies of this Plan.

10.5.2.3 New highway commercial *development* will be encouraged to include residential units as an integral part of any *development*.

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

a) the *compatibility* of the proposed use with the surrounding area;

b) the physical suitability of the site for the proposed use;

c) the adequacy of the existing and proposed street network;

d) the convenience and accessibility of the site for both pedestrian and vehicular traffic; and

e) The adequacy of utilities and municipal services.

10.5.2.5 The design of all proposed highway commercial *developments* shall have regard to the Urban Design Guidelines in Appendix 4.

10.5.2.6 All *development* within the highway commercial designation shall be subject to Site Plan Control in accordance with the applicable policies of this Plan, except for residential *development* under 10 units.

10.5.3 Special Exceptions

10.5.3.1 227 Regional Road 20

a) In addition to the permitted uses in the Highway Commercial designation, those lands located at 227 Regional Road 20 are iconic. They will increase the profile of the entrance to the Town and shall be recognized for their importance as a gateway property, anchored by taller, high-density, mixed-use commercial and residential buildings, positioned near the Regional Road 20 Road allowance. This landmark building will signify the transition from Thorold's low-intensity commercial and agricultural uses to the urban, mixed-use character of the Town's East Fonthill Secondary Plan area and downtown Fonthill.

b) In addition to the policies of the Highway Commercial designation, the following Gateway uses shall apply:

i) mixed uses, including commercial and *high-density residential* apartment dwellings along the Highway 20 frontage;

ii) ground-floor, pedestrian-oriented retail and other commercial uses within the mixed-use buildings, supporting a walkable, vibrant streetscape;

iii) *Medium-density residential* and *low-density residential development* located between the high-density, mix-use gateway building and the settlement boundary to the north; and

iv) pedestrian and cycling connections, where appropriate, along Regional Road 20 to the west, enhancing connectivity and contributing to a positive pedestrian environment along the key corridor leading to downtown Fonthill.

c) All new residential *developments* over 10 units shall be subject to site plan control in accordance with this Plan's applicable policies.

d) *Development* and intensification within this special policy area shall require a high level of urban design and built form. All *development* and intensification will have regard to the Urban Design Guidelines in Appendix 4 of this Plan.

Section 11: Implementation

The Official Plan is a tool to establish a policy framework that can be implemented to meet the goals and objectives of the Town's overall vision for sustainable and managed growth and a charming, prosperous, and inclusive community. High-quality *development* shall be promoted while protecting what we value to create a thriving place to live, work, and play.

To manage growth forecasted over the long-term planning horizon and guide *development* to 2051, a Growth Management Strategy and Phasing of *Development* Plan form part of Section 3: Planning a Complete and Healthy Community of this Plan. These tools will be used to stage *development* and ensure growth occurs in an orderly manner consistent with the implementation of servicing and *infrastructure* within areas designated for *development*.

The Official Plan shall also be implemented using the powers conferred upon the Town by the *Planning Act*, *Municipal Act*, *Ontario Heritage Act*, and such other statutes as may be applicable.

11.1 General Development Criteria

11.1.1 Policies

11.1.1.1 The Town may use a variety of planning and regulatory tools to implement this Plan and ensure:

a) *development* and *site alteration* reflect the strategic direction, objectives, and policies of this Plan to provide sustainable and managed growth;

b) *development* and *site alteration* are consistent with the requirements of the *Planning Act*, Provincial Planning Statement, Provincial plans, and any other applicable guidelines and legislation;

c) *development* and *site alteration* are *compatible* with adjacent land uses and the complete communities' framework in accordance with the policies of this Plan;

d) the Comprehensive Zoning By-Law is updated promptly, and/or a community Planning Permit System is established.

e) comprehensive planning is undertaken through such processes and studies as Master Environmental Servicing Plans and *Watershed*

Planning to ensure that there is adequate *infrastructure* and public services to support *development*;

f) an atmosphere of cooperation through early engagement with the Town, government agencies, the public, Indigenous Communities and stakeholders to identify critical issues and resolve conflicts

g) monitor and measure the implementation of this Plan to ensure the policies remain responsive to community trends and issues; and

h) manuals, guidelines, and terms of reference are created to identify minimum standards for *development*, clarify expectations, and streamline the process.

11.2 Application Requirements

Early consultation is an *essential* tool in achieving sustainable and managed growth in accordance with this Plan, as well as Municipal, Provincial, and Federal legislation, policies, plans, and guidelines, and to ensure that the requirements of other agencies are met. To avoid unnecessary costs on lands unsuitable for *development* and identify key issues, applicants must consult and discuss their project with the Town, applicable agencies, and Indigenous communities before submitting a *Planning Act* Application.

These consultations allow agencies and the Town to advise applicants on *development* constraints and concerns, provide preliminary feedback on project design, and determine what studies and approvals may be required. All relevant information and materials related to a planning application are available early in the process, which is *essential* for making informed land use decisions.

Further, requiring this information at the time of submission enables Council to make a well-informed decision within the timeframe provided by the *Planning Act*, while also ensuring that the public and other stakeholders have access to it early on.

Understanding the issues related to *development* and completing the appropriate studies early can help avoid delays and provide opportunities to resolve potential differences before Council considers the matter.

11.2.1 Pre-Consultation and Complete Application Requirements

11.2.1.1 A Pre-Consultation application and meeting are required for any *development*, *redevelopment*, *site alteration* or related *Planning Act* application(s). The Pre-Consultation process must precede filing any formal *Planning Act* application(s). Plans, studies, and other information required to be completed by the applicant and form part of a complete application will be identified in writing as part of the Town's Pre-Consultation process. The

Pre-Consultation process may be scoped at the town's discretion, depending on the nature of the application.

11.2.1.2 The Pre-Consultation process is intended to assist the applicant by identifying planning related legislation, policies and guidelines that may be applicable, discussing the merits of the proposal and scope of the issues associated with a *development* proposal, and setting out submission requirements for a complete application for a *Planning Act* application. It is the responsibility of the applicant to complete the necessary studies and plans to demonstrate conformity with the *Planning Act* and related regulations, policies and guidelines and to ensure that the proposal complies with all applicable laws, such as permits that other agencies may require.

11.2.1.3 The Town shall deem a *development* application premature for processing under the *Planning Act* without an applicant completing the pre-consultation process. Once the pre-consultation process is complete, the town shall issue written comments in meeting minutes. Pre-consultation shall expire one calendar year after written comments have been issued by the Town unless otherwise determined by the Town.

11.2.1.4 Applicants must ensure their application contains all prescribed information in the *Planning Act*, associated regulations and other information or material as required by the Town to be deemed complete. Applicable regulations under the *Planning Act* include but may not be limited to O. Reg. 545/06 on Zoning By-Laws, Holding By-Laws and Interim Control By-Laws; O. Reg. 544/06 on Plans of Subdivision; O. Reg. 543/06 on Official Plans and Plan. Amendments; O. Reg. 200/96 on Minor Variance Applications; and O. Reg. 197/96 on Consent Applications.

11.2.1.5 A *development* application submitted under the *Planning Act* shall not be deemed complete, and the period in which the Town is required to make a decision shall not commence until the following is submitted by the applicant in a format as determined by the Town:

a) the prescribed *development* application fee;

b) a *development* application form completed in full as prescribed by the Town;

c) a cover letter outlining the existing and proposed *development*;

d) clear legible drawings, each with an accompanying legend, illustrating existing conditions and the proposed *development*;

e) the prescribed information and material as required under the planning act and associated regulations, and other information or material as required by the Town;

f) A public consultation strategy is required under the *Planning Act* and associated regulations, such as in the case of an official plan amendment, zoning by-law amendment or minister's zoning order, and a plan of subdivision. As part of the strategy, the applicant shall be required to notify all owners within 120 metres of the application and host a neighbourhood meeting before submission of an application. The public consultation strategy shall outline how public feedback has been incorporated as part of the proposal;

11.2.1.6 A planning justification report addressing, at minimum, how the proposed *development*:

a) conforms with the policies of this Plan and any applicable Town standards and guidelines; the *Planning Act*, any applicable Provincial policies, plans and procedures; and the requirements of any other legislation and/or agency having jurisdiction;

b) meets the minimum *intensification* targets or minimum densities as established in this Plan;

c) may impact the financial sustainability of the Town;

d) meets the Town's *affordable*, housing policies; and

e) whether an amendment to this Plan or implementing Zoning By-Law is required, including draft amended wording.

11.2.1.7 The need, extent, and timing of supporting plans, studies, and information shall be determined by the Town on a site-specific basis in consideration of the size, nature and intent of the proposed *development*, the site's land use context and regarding the policies in this Plan, and Indigenous, municipal, provincial, and federal legislation, policies, guidelines and standards. Applicants of *Planning Act* applications shall be advised in writing by the Town of the required supporting studies, plans, and information contents during the Pre-Consultation process.

11.2.1.8 To be deemed a complete application, all plans, studies, and information must be completed in accordance with any applicable Town and Provincial or Federal policies, guidelines, standards and/or Terms of Reference; requirements identified during Pre-Consultation and/or as required by any other agency having jurisdiction.

11.2.1.9 The table below lists plans, studies and information that may be required for a complete application. Additional information not identified within this table may be required at the discretion of the Town and/or as required by other agencies having jurisdiction.

Table 11.1: Plans, Studies, and Information that may be required as part of a Complete Application or Planning Process

Pre-Consultation Meeting Minutes	Deed and/or Offer of Purchase	Floor Plan and/or Building Elevations
Demonstration of how *development* contributes to Growth Plan density and *intensification* targets	Draft Plan of Subdivision, Consent Plan, Site Plan, Condominium Description, Zoning By-Law Amendment Schedule and/or Official Plan proposed amendment, including schedules and text	Employment and/or Residential Lands Needs Assessment
Minimum distance separation Assessment and Calculation	Employment Lands *Conversion* Justification Report	Aggregate Impact Assessment
Affordable housing Report	*Attainable* Housing Report	Parks Facility Fit Plan
Rental Housing Market Analysis	Open Space, Parks and Recreation Study	Regional Housing Market Analysis
Urban Design Study	Neighbourhood Design Plan	Building Mass Model
Architectural Renderings	Public Consultation Strategy	Pedestrian Wind Study
Sun and Shadow Analysis	Streetscape Analysis	Archaeological Assessment
Cultural Heritage Impact Assessment	*Cultural heritage landscape* Assessment	Cultural Heritage Conservation Plan
Building Protection Plan	Market Impact Study	Economic Impact Study
Watershed Study	Agricultural Business Plan	Planning Justification Report
Nutrient Management Strategy or Plan	Approved Class *Environmental assessment*	*Agricultural impact assessment*
Sub*watershed* Study	Environmental Impact Study	Landscape Plan
Tree Inventory, Preservation and Compensation Plan	Community Natural Areas and Green Space Plan	Environmental Implementation Plan
Soil Stability and Geotechnical Analysis	*Flood plain* analysis and delineation	*Erosion hazard* delineation and geotechnical analysis
Headwater Drainage Study	Hydrogeological Study	Hydrology Study
Water Budget	Bird-Friendly Building Design	Topographical Survey
Climate change Mitigation Plan	Carbon Emissions Assessment	Water Conservation Efficiency Study
Energy Conservation Efficiency Study	District Energy Feasibility Study	Renewable Energy Feasibility Study

Grading and Drainage Plan and/or Report	Erosion and Sediment Control Plan	Storm Water Management Plan and/or Report
Compatibility Study	*Infrastructure* Study	Functional Servicing Report
Water and Wastewater Servicing Study	Construction Management Plan	Transportation Demand Management Plan
Traffic Impact Assessment	Parking and Loading Study	Traffic and Truck Turning Plan
Noise and/ or Vibration Study	Long Term Maintenance Cost Assessment	Air Quality Study, Dust Study
Fire Route and Signage Plan	Odour Study	Site Screening Questionnaire
Phase 1 Environmental Site Assessment	Phase 2 Environmental Site Assessment	*Development* Viability Assessment
Landfill Impact Study	Soil Conservation Strategy	Record of Site Condition
Demonstration of Need	Dark Sky Compliant Design	Photometric Plan
Source Water Protection Analysis	*Infrastructure* Cost Assessment	Municipal Financial Impact Assessment
Green infrastructure and Low-Impact *Development* Plan	Other plans or studies as may be specified by the Town and any agency having jurisdiction.	

11.2.1.10 Plans, studies, and information identified within this Plan, which may be required as part of a complete application, are not intended to preclude any additional information the Town may need or that may be identified during the planning process due to circumstances such as new issues identified through consultation, changing legislation, guidelines, and/or proposal changes by the applicant.

11.2.1.11 Where appropriate and at the Town's discretion, plans and studies may be waived or scoped if:

a) previously undertaken for an earlier *Planning Act* application;

b) not deemed to be out of date by the Town; and

c) where no useful purpose would be served by completing the plans or studies.

11.2.1.12 All plans and studies shall be prepared by an appropriately designated qualified professional, retained by and at the applicant's expense.

11.2.1.13 The Town may require a peer review at the sole cost of the applicant of any plans or studies submitted as part of a *Planning Act* application where the Town does not have the appropriate expertise to review such plans or

studies and/or is not satisfied with the extent and quality of the work submitted by the applicant.

11.2.1.14 The Town, through its Shared Services Agreement with the Region of Niagara, will require the review and approval of any Environmental Impact Study prepared as part of a complete application at the sole cost of the applicant.

11.2.1.15 The town shall notify the applicant and all other parties in writing of a complete application in accordance with the *Planning Act*.

11.3 Consultation and Engagement

11.3.1 Policies

11.3.1.1 On matters of Town interest, the Town shall involve First Nations and Indigenous communities as well as various interested participants from across the Town, which may include other Area Municipalities, residents, businesses, organized groups, the *Conservation Authority*, and other levels of government and applicable agencies.

11.3.1.2 Consultation will take place in a timely manner to ensure an accountable and transparent decision-making process on land use planning matters.

11.3.1.3 The Town shall provide opportunities for participation from the public (including different demographic and gender groups) and organized interest groups in the *development*, adoption, implementation and monitoring of Town planning policies in accordance with this Plan, the *Planning Act*, the *Environmental Assessment Act* and other relevant legislation and policy.

11.3.2 Communication and Engagement Tools and Techniques

11.3.2.1 The Town is committed to communication in plain language on land use planning matters.

11.3.2.2 The Town will employ appropriate tools and techniques to inform, consult, involve, collaborate with or empower where appropriate.

11.3.2.3 In all cases of engagement, the Town will provide responses to feedback received, including how feedback has been considered in the matter being addressed.

11.3.2.4 The Town may use various communication methods, including innovative and enhanced participatory methods, to seek input on planning matters or

provide public information. 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.

11.3.2.5 When undertaking engagement, the Town will provide a safe and comfortable environment where individuals can freely contribute their thoughts, opinions and directions.

11.3.2.6 When undertaking engagement, the Town will ensure that all comments are documented in a transparent and easily accessible manner.

11.3.2.7 Where a decision under the *Planning Act* is required, the Town shall make available all relevant materials and information, including a copy of the proposed plan, at least 20 days prior to the date of the Statutory Public Meeting. At a minimum, all documents shall be made available at the Town's office and on the Region's website.

11.3.3 Consult and Engage with Other Governments

11.3.3.1 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. The Town will collaborate with the Region and other Local Area Municipalities where required on the *development* of joint input to the Province to ensure local municipal perspectives are incorporated.

11.3.3.2 The Town will be proactive and, where appropriate, provide practical and meaningful input to adjacent municipalities where proposed plans may have the potential to impact the Town, organized interest groups, businesses and/or the general public at large.

11.3.3.3 Where appropriate, the Town will seek out opportunities to collaborate with the Federal government, the Province, and the Region adjacent municipalities on matters of cross-jurisdictional interest.

11.3.4 First Nations and Indigenous Communities Engagement

11.3.4.1 The Town will explore opportunities for collaboration on common objectives and build relationships with First Nations and Indigenous communities to advance reconciliation.

11.3.4.2 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 or public works projects.

11.3.4.3 The Town shall engage with First Nations and Indigenous communities and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources, planning for sustainability and climate change, and the *natural environment system*.

11.3.4.4 The Town will require archaeological assessments that identify sites and archaeological resources of Indigenous interest to be provided to the community of closest cultural affiliation to the site and/or resources. The Town shall:

a) direct the proponent to the appropriate First Nations and Indigenous communities and facilitate communication by providing contact names and numbers, and a list of those agencies that can assist with the engagement process;
b) require proponents to engage with First Nations and Indigenous communities at the earliest opportunity and consider their interests when identifying, protecting, and managing cultural heritage resources and archaeological resources;

c) require documentation that the licensed archaeologist has engaged with First Nations and Indigenous communities in accordance with the Region of Niagara Standards and Guidelines for Consulting Archaeologists and Policy 11.3.4.4 b) of this Plan;

d) require documentation that the proponent has provided a copy of the archaeological assessment report to those communities with the closest cultural affiliation to identified archaeological resources and in whose traditional territories the archaeological resources were found; and

e) notify, in advance of on-site archaeological assessment work completed as part of Town public works projects, First Nations and Indigenous communities with the closest cultural affiliation to the project area and/ or archaeological resources and in whose traditional territories the archaeological resources were located.

11.3.4.5 Proponents are encouraged to engage with all relevant First Nations and Indigenous communities as determined by treaty, traditional territory. And/or cultural affiliation to the site and/or archaeological resources and in whose traditional territories the archaeological resources were found, to address their interests in the resource, when planning for sustainability and climate change, and relative to *natural environment system*. Proponents should confirm whether the First Nation or Indigenous community would like to repatriate the archaeological resources, and if not, define interpretive and

commemorative opportunities related to the resource, where preservation of the resource is not possible in its current location.

11.3.4.6 Consultation/engagement protocols between the Town and individual First Nations and Indigenous communities will be encouraged.

11.3.5 Public Consultation

11.3.5.1 All *Planning Act* applications shall adhere to the prescribed measures for public consultation strategies, public meetings, and notification procedures in accordance with the *Planning Act* and associated regulations. In some instances, public consultation required by the Town may exceed these requirements as deemed appropriate and as outlined in this Plan.

11.3.5.2 The Town shall use various communication methods to seek input on planning matters and provide information to the public. Depending on the issues, and in accordance with the *Planning Act* and associated regulations, the Town shall choose the most appropriate method of communication, which may include any or all of the following:

a) personal service or prepaid first-class mail;

b) E-mail;

c) public notice signs;

d) surveys, electronic or mail-out;

e) neighbourhood Open Houses and/or Public Information Centres;

f) neighbourhood Working Groups or Focus Groups;

g) information meetings;

h) statutory Public meetings;

i) Town website or internet engagement platforms (e.g. EngagingPelham); and/or;

j) any other methods deemed necessary by the Town and established by amendment to this Plan.

11.3.5.3 Public meetings will be held to inform and obtain feedback from the public on *Planning Act* applications in accordance with the *Planning Act*, the policies

of this Plan, and where required by the Town. The public meeting format shall be based on the type of *Planning Act* application and may be an Information Meeting, a Statutory Public Meeting, or both.

11.3.5.4 One (1) public "Statutory Public Meeting" will be held for all Minor Zoning By-Law Amendments, Minor Variances, and consent applications not involving the creation of a new lot(s).

11.3.5.5 Depending on the nature and scope of the *development* application, the Town may require the applicant to hold a neighbourhood open house as part of the Pre-Consultation before submitting a complete application. As prescribed by the *Planning Act* and associated regulations, all applicants must complete a Public Consultation Strategy as part of an Official Plan Amendment, Zoning By-Law Amendment, or Plan of Subdivision. The Town may also require a neighbourhood meeting and strategy as part of a Plan of Condominium.

11.3.5.6 The Town may require the applicant to hold additional meetings beyond the Pre-Consultation Meeting, Neighbourhood Meeting, Information Meeting, and Statutory Public Meeting to provide the community with further information regarding the proposal, such as technical studies and to provide opportunities for conflict resolution.

11.3.5.7 In accordance with the *Planning Act*, s. 17(19.3), s. 34(14.3), s. 51(19.3.1) and s. 53(4.3), the Town may establish alternative public consultation measures to notify prescribed persons and public bodies of the proposed *development* as corporate policies adopted by By-law outside of this Plan, provided the Council approves the By-law with appropriate public input. Council may delegate its authority to administer these procedures to an appointed Committee, officer or employee identified by by-law.

11.4 Land Use Controls Under the Authority of the Planning Act

11.4.1 Secondary Plans

11.4.1.1 Secondary Plans will be prepared for specific areas of the Town where more detailed planning objectives and policies to guide and direct *development* are considered necessary.

11.4.1.2 Secondary Plans may be prepared for established, partially developed or areas of the Town:

a) in partially developed or underdeveloped areas, Secondary Plans may be prepared to ensure that future subdivision and site *development*s

conform to an overall community *development* concept and approved planning policies and

b) in established neighbourhoods, Secondary Plans are intended to guide future *redevelopment* and renewal activities.

11.4.1.1 Secondary Plans shall be incorporated into the Official Plan by amendment, and these amendments shall be subject to the same administrative and public involvement procedures as required for an Official Plan Amendment.

11.4.1.2 Secondary Plans shall be subject to and implement the provisions of the Official Plan. However, where the Secondary Plan provides more detail, the provisions of the Secondary Plan shall prevail.

11.4.1.3 Secondary Plans shall generally address the following:

a) patterns of land use, land use designations and density;

b) an appropriate range and mix of land uses to meet projected needs and density targets (where applicable);

c) connectivity and integration with existing developed or planning *development* areas of the Town;

d) urban design;

e) natural heritage features and systems;

f) cultural heritage resources and *archaeological resources*;

g) transportation, including transit, pedestrian and bicycle connections;

h) servicing strategy;

i) policies, including phasing policies and other strategies, to achieve the *intensification* target and density target of this Plan;

j) water resources, including surface and groundwater and stormwater management plans;

k) open space system and trails and parks;

l) fiscal impact analysis;

m) implementation of specific policies of this Plan as applicable; and

n) any other matters deemed appropriate.

11.4.1.4 The Town will initiate and undertake secondary plans. The town will prepare detailed terms of reference, including establishing boundaries of the study area, which council will approve to guide the secondary planning process.

11.4.2 Comprehensive Zoning By-law and Amendments

11.4.2.1 A Comprehensive Zoning By-law may be used to implement the policies of this Plan. The Town's Comprehensive Zoning By-Law shall be updated to ensure the implementation of this Plan or other applicable plans or studies.

11.4.2.2 Approval of a Zoning By-Law Amendment is required where *development* or use is proposed that does not meet the permitted uses and regulations in the Zoning By-Law.

11.4.2.3 In accordance with the *Planning Act* and upon approval of enabling regulations, the Town may impose conditions on zoning. It may require an agreement related to the conditions, which may be registered on the property's title.

11.4.3 Lawfully Established Non-Conforming Uses

11.4.3.1 It is the intention and expectation of the Town that legal non-conforming use(s), buildings, shall eventually cease to exist and be replaced by uses that conform with this Plan.

11.4.3.2 Notwithstanding any policies in this Plan to the contrary, any lands used for legally existing purposes in any designation for which this Plan makes no provision for such activity to be permitted, the lands may continue to be used for such purpose and shall be recognized as a legal non-conforming use(s). If such legal non-conforming use(s) cease to exist or are interrupted by an otherwise legal land use(s), then the legal non-conforming status shall lapse, and rights derived from such use(s) shall terminate.

11.4.3.3 Council, or its delegate, may pass by-laws or otherwise facilitate the extension and/or enlargement of such use(s) within the confines of the lands on which the activity is located without an amendment to this Plan provided that the applicant has demonstrated:

a) the use would not pose public health or safety risks or negative impacts on groundwater and surface water quality and quantity and is not located within or adjacent to *hazardous lands*, *hazardous sites*, or human-made hazards;

b) the use is *compatible* with and would not result in *adverse effect*s on a *sensitive land use* or the establishment or expansion of major facilities;

c) the use can provide parking with no negative traffic impacts and

d) there is a demonstrated need for the use and adequate screening and *buffering* can be accommodated.

11.4.4 Holding Provision By-laws

Holding provisions may be applied in conjunction with any land use designation, applied through the implementing Zoning By-Law, to specify the use to which lands, buildings, or structures may be put at such time as the holding symbol is removed. A holding provision may be applied where the Town has determined the suitable and specific land use for an area or parcel of land but has determined that *development* of the lands for the intended use is premature until certain requirements and/or conditions are fulfilled.

11.4.4.1 Any lands within the Town of Pelham, whether developed or undeveloped, may be subject to holding provisions.

11.4.4.2 Such requirements and conditions applied through the holding provisions may include, but are not limited to:

a) provision of adequate water, wastewater, and other services as required to support the proposed *development*;

b) appropriate phasing of the *development*;

c) completion of specific structure related to traffic, *infrastructure*, drainage, agriculture, environmental issues, the natural environment system, cultural heritage conservation, urban design, and/or archeology; and

d) entering into a *development* agreement with the Town of Pelham.

11.4.4.3 The removal of a holding provision will occur by By-Law where Council, or its delegate, is satisfied that all conditions or requirements have been satisfied and that *development* will occur in accordance with the objectives of the Plan and any applicable legislative changes.

11.4.4.4 Notwithstanding the generality of 11.4.4.3, in an area intended to be developed by means of plans of subdivision, the holding symbol may be

removed only after the owner has entered into a subdivision agreement with the Town of Pelham.

11.4.4.5 When lot creation occurs through the consent procedures of this Plan, the holding provision may be removed when the applicant has satisfied all the conditions of the approval, including any requirements to enter into *development* agreements.

11.4.4.6 Until such time as the holding symbol is removed, the by-law may permit or limit interim uses. The interim uses may include existing uses and minor expansions of the uses where they will not jeopardize the ultimate intended use and *development* of the lands.

11.4.4.7 Additional regulations apply to the lands during the period in which the holding provision is in place may also be set out in the implementing By-Law.

11.4.5 Interim Control

11.4.5.1 The Town may pass Interim Control By-Laws in accordance with the Planning Act to place immediate restrictions on the use of certain lands or on certain land uses where the Town has directed that a study or studies related to land use planning be undertaken. An Interim Control By-Law may be passed for a period of up to one year and extended provided the by-law does not go beyond two years of its original date of passage.

11.4.6 Inclusionary Zoning

11.4.6.1 Inclusionary Zoning is a planning tool that the Town may implement through an established Community Planning Permit System to require *affordable* housing units within buildings or projects containing other residential units and ensuring those *affordable* housing units shall be maintained for a specified period.

11.4.6.2 Implementation of Inclusionary Zoning shall be used as a mechanism to assist in meeting *affordable* housing goals set out within the Region of Niagara *Affordable* Housing Action Strategy, updated every five years by the Region of Niagara.

11.4.7 Minor Variances

11.4.7.1 When considering an application for a minor variance to the use and/or regulations of the Town's Zoning By-law, the Committee of Adjustment shall give consideration to the provisions of the *Planning Act*. In addition, the Committee will consider the following matters in its decision deliberations:

a) that the requested variance is minor in nature;

b) that the intent and purpose of the Zoning By-law is maintained;

c) that the general intent and purpose of the Official Plan is maintained; and

d) that the variance is desirable for the appropriate *development* and use of the land, building or structure.

11.4.7.2 The Committee of Adjustment may attach such conditions, as it deems appropriate and desirable to the approval of the application for minor variance.

11.4.7.3 The Town may pass a By-law that establishes additional criteria that the Committee of Adjustment shall consider when making a decision on a minor variance application.

11.4.7.4 In determining whether a variance is minor, the Committee of Adjustment will have more regard for the degree of impact resulting from the relief and less regard for the magnitude of numeric or absolute relief sought by the applicant.

11.4.7.5 The applicant who requests a minor variance should be prepared to demonstrate a need for the requested relief on the basis that the subject zoning regulation is not warranted in a particular circumstance, causes undue hardship or is otherwise impossible to comply with.

11.4.8 Site Plan Control

11.4.8.1 Site Plan Control will be used per the *Planning Act* to achieve well-designed, functional, accessible and sustainable built form and public spaces.

11.4.8.2 The site plan approval process will:

a) ensure the adequate provision and maintenance of site-specific facilities required by *development*;

b) require necessary easements or otherwise control the location of necessary services and utilities;

c) ensure that the proposed *development* is functional for the intended use;

d) ensure *compatibility* of design between sites;

e) minimize any *adverse effect*s of the *development* on adjacent properties;

f) secure necessary road widening and lands for intersection improvements from abutting properties in accordance with the policies of this Plan;

g) ensure that the site is accessible to persons with disabilities and provides facilities to support transit and cycling;

h) ensure that *development* is completed and maintained as approved by Council;

i) ensure that *development* is *compatible* with on-site or adjacent property natural heritage features and cultural heritage resources; and

j) ensure that *development* contributes to the achievement of the objectives of the Town's Corporate *Climate Change* Adaptation Plan.

11.4.8.3 Council may identify specific types of *development* that are subject to site plan control and those that are exempt in a By-law.

11.4.8.4 The Town may require the following to be shown on plans or drawings, to the satisfaction of the Town and in accordance with the provisions of the *Planning Act*:

a) plans showing the location of all buildings and structures to be erected and showing the location of all facilities and works to be provided;

b) plan, elevation and cross-section views of buildings and structures;

c) the massing and conceptual design of the proposed building(s);

d) the relationship of the proposed building to adjacent buildings, street and exterior areas to which members of the public have access;

e) the provision of interior walkways, stair, elevators and escalators to which members of the public have access from streets, open spaces and interior walkways to adjacent buildings;

f) the sustainable design elements on any adjoining municipal right-of-way including without limitation trees, shrubs, hedges, plantings or

other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities;

g) facilities designed to have regard for accessibility for person with disabilities;

h) landscaping and *buffering*;

i) grading, drainage and provisions for the disposal of storm, surface and wastewater;

j) vehicle access and off-street circulation, loading and parking;

k) signage and lighting;

l) pedestrian access, walkways and walkway ramps and bicycle facilities;

m) facilities for the storage of waste materials or other requirements of collection; and

11.4.8.5 The Town will use this plan's urban design guidelines, the Town's Engineering Design standards, and application provisions in reviewing and approving Site Plans.

11.4.8.6 The Town may establish sustainable, aesthetic, and functional design guidelines to assist in preparing site plans and building designs.

11.4.8.7 The Town may, as a condition of approval pursuant to the *Planning Act*, require the owner of lands subject to site plan control to enter into one or more agreements which may be registered against the title of the subject lands.

11.4.8.8 Site plan approval will be required for all proposed indoor cannabis and industrial hemp cultivation facilities that may be permitted in accordance with the Policies of Section 9.1.6 to the maximum extent afforded under the *Planning Act*, in order to proactively mitigate *adverse effect*s where possible and to maximize *compatibility* with land uses in the area.

11.4.8.9 Site plan control may be utilized to formalize and/or implement the recommendations of an Environmental Impact Study, prepared in support of *site alteration* or *development* within or adjacent to natural heritage features identified in this Plan.

11.4.8.10 All lands within the Town of Pelham are designated as site plan control areas except:

a) any one or two unit dwelling, not including the following:

i) farm help house;

ii) any one or two unit dwelling being developed within a block type *development* such as a plan of condominium or a leasehold type *development*; and

iii) *development* identified in this Plan as specifically requiring Site Plan Approval.

b) any alteration or addition to a one-unit or two-unit dwelling, including an *Additional residential unit*(s);

c) *development*s of up to 10 residential units;

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 use*s, farm diversification uses and greenhouses; and

g) buildings or structures used for flood control or conservation purposes.

11.4.9 Temporary Use Provision and Minor By-laws

11.4.9.1 The Town may pass a by-law in accordance with the *Planning Act* to authorize the temporary use of land, buildings, or structures for:

a) purposes that are otherwise prohibited by this Plan or the implementing Zoning By-Law;

b) council, or its delegate, to assess a use which is unfamiliar to determine whether the use should be considered as a conforming use by site-specific amendment to this Plan or implementing Zoning By-Law upon the expiry of the temporary authorization or whether the use should be extended or discontinued;

c) pilot projects and tracking of uses that may be of interest to the Town but require further studies and information prior to permanent permissions being enacted;

d) the temporary use of vacant land for a purpose which is not otherwise permitted by this Plan, pending the future *development* of the land;

e) the temporary establishment and use of a garden suite on a property.

11.4.9.2 Temporary use by-laws may be passed provided the applicant has demonstrated that the following requirements shall be met:

a) the proposed use shall be temporary and shall not entail major construction or investment, such that the owner shall not experience undue hardship in reverting to the permitted uses upon the termination of temporary use by-law;

b) the proposed use is *compatible* with the surrounding land uses;

c) the proposed use can be adequately serviced;

d) the proposed use shall not have *adverse effect*s, shall not cause a public health and safety risk, is not within or adjacent to a human-made or natural hazard, and is in accordance with the Town's Natural Environment System policies; and

e) the proposed use shall not adversely affect traffic or on-site parking.

11.4.9.3 An applicant may be required to enter into an agreement with the Town and post securities, if necessary, to ensure that structures associated with a temporary use provision are removed upon expiry of the By-Law.

11.4.10 Demolition Control

11.4.10.1 To prevent the premature demolition of residential buildings within designated areas of the Town, Council may prepare, enact and enforce a Demolition Control By-law in accordance with the provisions of the *Planning Act.*

11.4.10.2 Applications to demolish protected, designated or listed heritage buildings and structures shall be considered in accordance with the provisions of the *Ontario Heritage Act* and the policies of this Plan.

11.5 Subdivision of Land under the Authority of the Planning Act

11.5.1 Plans of Subdivision, Plans of Condominium and Part Lot Control

11.5.1.1 All lands within the Town shall be subject to subdivision control pursuant to the *Planning Act*.

11.5.1.2 All Plans of Subdivision or Plans of Condominium shall be developed in accordance with the policies of this Plan, providing a diverse mix of land uses and a range and mix of *housing options*, including types, tenure, and *affordable* housing where feasible, to ensure the *development* of complete communities.

11.5.1.3 The division of land shall proceed by way of Plan of Subdivision when one or more of the following are applicable as determined by the Town:

a) the *development* requires the construction of a new public road or the extension of an existing road, other municipal *infrastructure* or public services;

b) a cumulative total of four or more lots are being created and/or the owner is retaining sufficient lands resulting in the potential to create a cumulative total of four or more lots on the subject lands;

c) centralized services are necessary, as opposed to on-site services for individual lots;

d) grading, drainage, access, *Natural heritage features and areas*, natural hazards, land use *compatibility* and other planning matters must be planned in a coordinated manner;

e) a number of studies and justification reports are required to determine the suitability of the *development*;

f) long-term monitoring, the posting of securities and an agreement are required to implement conditions for the *development*; and/or

g) the Town deems it in the public interest for the proper *development* of the subject lands and/or to ensure proper integration with adjoining lands.

11.5.1.4 If adequate *infrastructure* and public services are not available as required by this Plan, a *development* application for Draft Plan of Subdivision or Plan

of Condominium shall not be supported by the Town and shall be considered premature.

11.5.1.5 The Schedules and policies of this Plan shall be referenced to determine if and under what circumstances lot creation is permitted. The creation of a new lot(s) constitutes *development* and is restricted by many policies, designations, and constraints to *development* such as to provide for the permanent protection of the Town's *Agricultural system*, Natural environment system, and life and property from natural hazards, and the conservation of cultural heritage resources.

11.5.1.6 As part of a complete application, an applicant shall submit the prescribed information required by the pre-consultation process and the policies of this Plan.

11.5.1.7 An application for a phased Plan of Subdivision or Plan of Condominium must demonstrate phasing to the satisfaction of the Town, with all necessary easements and agreements for independent operation.

11.5.1.8 The applicant shall confirm feasibility of servicing for *development* or *redevelopment* to the satisfaction of the Town to ensure the proposal shall not adversely affect Town finances with regard to municipal water and sanitary sewer, or by communal or private well and wastewater disposal system where municipal services are not planned or existing; fire protection services; construction and maintenance of roads; integration with existing *transportation system*s; waste disposal; and community facilities and services.

11.5.1.9 All lots within a Plan of Subdivision shall have frontage along a public road with safe and direct access to and from a public road that is maintained on a year-round basis, to a standard satisfactory to the Town and any agency having jurisdiction. Each lot shall have a direct access to either a maintained public right-of-way or to a private road that is part of a Plan of Condominium. No shared easements shall be permitted as a means to create such access to a public road except in the immediate vicinity of the publicly owned right-of-way. For greater clarity, where safe sight lines do not exist or direct access to a public road would not be supported by the policies of this Plan or any agency having jurisdiction, an easement shall not be supported which traverses multiple lots; in such cases a private road through a Plan of Condominium or a public road through a Plan of Subdivision shall be required. A Plan of Condominium shall have access to a public road maintained on a year-round basis.

11.5.1.10 Draft approval of Plans of Subdivision or approval of a Plan of Condominium shall include conditions that must be satisfied prior to final approval of the

plan. Such conditions may be required to be satisfied within an initial specified period of three years, or draft approval may be withdrawn by the Town. Conditions of approval may be changed prior to final approval.

11.5.1.11 Where no action is taken by the applicant to fulfill or implement Draft Plan Conditions associated with any phase of a Draft Plan approval within three years of approval, the Town shall:

a) withdraw its approval; or

b) renew the approval, subject to the applicant submitting a request for draft plan approval extension and demonstrating the proposal is consistent with this Plan and any applicable changes to federal and provincial legislation, and that the *development* meets community needs with respect to residential and/or employment land needs within a specified time by the Town, pending system capacity.

11.5.1.12 Prior to final approval of the Plan of Subdivision or Plan of Condominium, the owner shall be required to enter into an agreement with the Town and file the necessary financial securities to the satisfaction of the Town to ensure that conditions of approval shall be fulfilled.

11.5.1.13 In accordance with the *Planning Act*, the Town may enact a By-Law to exempt properties from Part Lot Control, to permit the creation of lots within a registered Plan of Subdivision and to establish easements.

11.5.2 Consents

11.5.2.1 The cumulative creation of up to three lots, including retained lands, may be permitted by severance (consent) if deemed appropriate by the Town and the proposal does not meet the criteria of this Plan for a Plan of Subdivision or Plan of Condominium. The cumulative creation of four or more lots, including any retained lands having the potential to create a cumulative total of four or more lots, shall be deemed to be a Plan of Subdivision or Plan of Condominium in accordance with this Plan.

11.5.2.2 The Schedules and policies of this Plan shall be referenced to determine if and under what circumstances lot creation is permitted. The creation of a new lot(s) constitutes *development* and is restricted by many policies, designations, and constraints to *development* such as to provide for the permanent protection of the Town's *Agricultural system*, Natural heritage system, and life and property from natural hazards.

11.5.2.3 Notwithstanding any other policies in this Plan, a new lot(s) shall not be deemed to have been created where consent to sever is proposed for:

a) consolidation of two or more lots into one lot;

b) minor adjustments to lots to rectify problems created by encroachments of buildings, structures, access, private wells, or individual wastewater treatment systems on abutting lots, provided that such adjustments do not result in the creation of any lot(s) capable of being held, in distinct and separate ownership pursuant to the *Planning Act*. In no case shall the lot line adjustment be greater than 0.5 hectares;

d) acquisition of land for *infrastructure*, where the need for the project has been demonstrated through an *Environmental assessment* or other appropriate study approved by the Town, and the facility or corridor cannot be accommodated with easements or rights-of-ways;

e) legal or technical reasons such as easements, rights-of-way, correction of deeds, and quit claims that do not result in the creation of a separate lot(s). However, consents where such easements or rights-of-way are intended to facilitate the construction of new buildings or structures on a vacant lot of record that is otherwise undevelopable due to a lack of frontage on a public road, shall be considered a *development* application to create a new lot(s) and shall be subject to the policies of this Plan; and

f) severing two or more lots that have unintentionally merged in title, provided the severances reflect the original lot lines.

11.5.2.4 As part of a complete application for a Severance to create a new lot(s) or a Lot Line Adjustment, an applicant shall submit the prescribed information, a Planning Justification Report and any other materials and information as identified by the Town and any agency having jurisdiction, to demonstrate the following:

a) the proposed *development* conforms with the policies of this Plan and any applicable Town by-laws, standards and guidelines; the Planning Act, any applicable Provincial policies, plans and guidelines; and the requirements of any other agency having jurisdiction;

b) the lands can be adequately serviced on municipal services. Where private servicing is permitted by this Plan, any proposed private potable water and onsite sewage disposal systems must be supported by a Hydrogeological Study. The study shall be prepared by a qualified engineer and must demonstrate and provide detailed explanation as to how the proposed *development* shall not negatively impact groundwater and surface water quality and quantity, and that

each lot is capable of supporting private services;

c) the creation of a new lot(s) or a Lot Line Adjustment does not result in a landlocked parcel where there is not sufficient area for *development* and associated uses such as a dwelling, accessory structures, access and servicing, due to restrictions such as being located in the Town's *Natural heritage system* or the presence of *hazardous lands*, as determined by the Town in consultation with any agency having jurisdiction;

d) the retained lot and each severed lot have frontage along a public road with safe and direct access to and from a public road that is maintained on a year round basis, to a standard satisfactory to the Town and any agency having jurisdiction.

e) The retained lot and each severed lot shall each have direct access to either a maintained public right-of-way or to a private road that is part of a Plan of Condominium.

f) no shared easements shall be permitted as a means to create such access to a public road except in the immediate vicinity of the publicly owned right-of-way. For greater clarity, where safe sight lines do not exist or direct access to a public road would not be supported by the policies of this Plan or any agency having jurisdiction, an easement shall not be supported which traverses multiple lots; in such cases a private road through a Plan of Condominium or a public road through a Plan of Subdivision shall be required;

g) the lot configuration(s) proposed for the retained and severed lot(s) shall not restrict the future *development* or *redevelopment* potential of the lands or nearby parcels of land, particularly as it relates to *intensification* targets, the provision of access, servicing, and stormwater management, and where such lands are designated for *development* by this Plan.

11.5.2.5 In accordance with the *Planning Act*, conditions of approval may be applied to provisional approval of a Severance and shall be fulfilled within the mandated time frame as set out in the *Planning Act*. The Town may require as a condition of approval, that the applicant enter into a *development* agreement including the posting of securities with the Town regarding such matters as deemed appropriate which may include, but not be limited to:

a) financial requirements;

b) the provision of *infrastructure*;

c) a Site Plan for *development*;

d) access, grading, drainage, servicing and stormwater management;

e) architectural design; conservation of cultural heritage resources, and *archaeological resources*;

f) completion and implementation of an environmental implementation plan or tree inventory, protection and compensation plan;

g) sustainable building and site design features;

h) measures to protect health and safety; and

i) any other measures as deemed appropriate to enhance *compatibility* with the surrounding community character.

11.6 Community Planning Permit System

A Community Planning Permit System is a planning tool that the Town may establish to allow for the replacement and combining of Zoning Amendments, Minor Variances, and Site Plan Control processes, the regulation of vegetation removal and *site alteration*, as well as other types of *development*. This system offers opportunities to streamline the planning approvals process and clearly establish rules and criteria for *development* and *site alteration* within the by-law.

11.6.1 Policies

11.6.1.1 All lands within the Town of Pelham shall be a proposed *development* permit area.

11.6.1.2 Council may enact a by-law to establish a Community Planning Permit System for all or part of the lands within the Town of Pelham.

11.6.1.3 Delegation of authority for any scope of decision-making related to the Community Planning Permit System may be made to a Committee of Council, an Advisory Committee, Officer, or Employee and shall be delegated through an applicable Town of Pelham By-Law to delegate specific administrative and legislative matters to staff under the authority of legislation that includes, but is not limited to, the *Planning Act* and the *Municipal Act*.

11.6.1.4 Within the *development* permit area, the general goals, objectives, and policies for establishing a Community Planning Permit System include:

a) identifying specific discretionary uses that would be permitted based on them being complementary to existing *development*;

b) relaxing some land use regulations and enabling flexibility in design with a focus on regulating those matters that will uphold the shared vision for the area as detailed in the area specific Community Planning Permit By-Law;

c) allowing minor variations to *development* and design standards by specifying the type and extent of variation that would be appropriate and that would uphold the policies, objectives and intent of the area-specific Community Planning Permit By-Law regulations;

d) simplifying and streamlining the *development* approval process, thereby reducing the time involved in obtaining permission to develop a permitted discretionary use;

e) promoting the use of sustainable transportation and active transportation;

f) allowing for mixed use *development*, and for residential densities that will support commercial activities and a wider range of uses where appropriate;

g) protecting and enhancing *natural heritage features and areas*, key hydrologic features, *vegetation protection zone*s and supporting components of the Town's *natural environment system*;

h) protecting *archaeological resources* and *cultural heritage landscape*s and resources;

i) maintaining the character of the affected area(s); and

j) minimizing the impact of a proposed *development* on lands adjacent to and outside the area specific Community Planning Permit By-Law boundary.

11.6.1.5 In addition to the goals, objectives, and policies listed above, where a by-law is passed to establish a specific area within the Town of Pelham as a *development* permit area, such a by-law may include additional details on goals, objectives, and policies that may apply in one defined *development* permit area and not another.

11.6.1.6 The general types of criteria that may be included in the *development* permit by-law to determine whether any class of *development* or any use of land may be permitted by *development* permit shall include:

a) official Plan policies for the specific geographic area;

b) the goals, objectives, criteria and regulations noted in the area-specific Community Planning Permit By-Law;

c) the class of *development*;

d) the appropriateness of the location and parcel for the proposed *development* or use;

e) the impact of the proposed *development* or use with respect to adjacent *development* and uses in the Community Planning Permit affected area and on lands adjacent to the boundary;

f) the servicing requirements and the extent to which the use may impact negatively on the quality and quantity of surface and groundwater;

g) in the *agricultural system*, demonstration that every effort has been made to locate the use in an area of poorer soils where appropriate;

h) access and transportation requirements for sustainable modes; and

i) parking and pedestrian circulation on the site.

11.6.1.7 In addition to the types of criteria listed above, where a by-law is passed to establish a specific area within the Town as a *development* permit area, such a by-law may include additional details on types of criteria to determine whether any class of *development* or any land use be permitted that may apply in one defined *development* permit area and not another.

11.6.1.8 Within an area for which a Community Planning Permit By-Law has been enacted, the Zoning By-Law and Site Plan Control By-Law shall not apply.

11.6.1.9 The placement of a portable classroom on a school site existing on January 1, 2007, shall be exempt from community planning permit regulations.

11.6.1.10 If a Community Planning Permit By-Law is enacted, the use and *development* of land shall comply with the permitted uses, standards, and criteria set out in the by-law, as demonstrated by the issuance of a community planning permit, unless the proposed use or *development* is expressly exempted from a permit as indicated in the Community Planning Permit By-Law.

11.6.1.11 Where an existing Site Plan Control Agreement is registered on a property, the agreement may be amended as part of the community planning permit process if the amendments proposed comply with applicable provisions of the Community Planning Permit By-Law.

11.6.1.12 A Community Planning Permit By-Law in the Town of Pelham shall, at a minimum:

a) contain a description of the area to which the by-law applies;

b) set out and define permitted and discretionary uses;

c) set out *development* standards with specified minimum and maximum standards;

d) set out any internal review for permit decisions;

e) describe notification procedures for decisions;

f) set out criteria for determining whether a proposed use or *development* is permitted;

g) describe the process for amending *development* permits, *development* permit agreements, and pre-existing Site Plan Control Agreements;

h) outline any conditions of approval that may be imposed; and

i) set out the scope of delegated authority, including any limitations.

11.7 Community Improvement

The Community Improvement provisions of the *Planning Act* allow municipalities to prepare and adopt community improvement plans for designated Community Improvement Project Areas. Once the Town has adopted a Community Improvement Plan and has come into effect, the Town may undertake a wide range of actions for the purpose of carrying out the Community Improvement Plan, including but not limited to, the acquisition of and *development* of land and/or buildings and the provision of grants and loans to owners and tenants of land and their assignees.

11.7.1 Policies

11.7.1.1 Under the authority of Part IV of the *Planning Act*, the Town may establish a Community Improvement Project Area designated and established by By-Law to any area, in whole or in part.

11.7.1.2 The Town may acquire, hold, or prepare land for community improvement, or to facilitate private investment.

11.7.1.3 Community Improvement Plans may contain incentive based programs which may include grants, loans, property tax assistance or other methods deemed appropriate by the Town.

11.7.1.4 Through Community Improvement Plans the Town may support the planning or replanning, design or redesign, re-subdivision, clearance, *development* or *redevelopment*, construction, reconstruction and rehabilitation, *built heritage* preservation, improvement of energy efficiency or mitigation of greenhouse gas emissions, and provision of *affordable* housing within a Community Improvement Project Area.

11.7.1.5 Within a Community Improvement Project Area, the provision of such residential, commercial, industrial, public, recreational, *institutional*, religious, charitable, or other uses, buildings, structures, works, improvements, or facilities, and/or spaces, as may be appropriate or necessary to achieve the improvement envisioned by the Town shall be encouraged.

11.7.1.6 The improvement sought may be because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic *development* reason.

11.7.1.7 The Town may prepare a Community Improvement Plan for known brownfield and greyfield properties, in accordance with applicable Provincial policies and policies of this Plan and may explore additional opportunities to use a variety of incentives to promote the remediation and *redevelopment* of these sites.

11.8 Property Acquisition and Disposal of Surplus Lands

11.8.1 Property Acquisition

11.8.1.1 The Town may acquire land to implement any element of this Plan in accordance with the provisions of the *Municipal Act*, the *Planning Act*, *Ontario Heritage Act* or any other Act.

11.8.1.2 In acquiring land, the Town shall consider all options for the acquisition of land, including but not limited to:

a) dedication;

b) donations;

c) assistance from other levels of government, agencies, conservation organizations, charitable foundations;

d) density transfers;

e) land exchanges;

f) long-term leases;

g) easement agreements;

h) purchase agreements;

i) the bonusing provisions of the *Planning Act*, subject to the other relevant policies of this Plan;

j) partnerships;

k) land trusts;

l) placing conditions on *development* approvals; and

m) expropriation.

11.8.2 Parkland Dedication

11.8.2.1 Parkland Dedication shall occur and be provided by applicants in accordance with the provisions of the *Planning Act*, this Plan, and the Town's Parkland Dedication By-Law.

11.8.2.2 The Town shall secure the maximum benefit of the *Planning Act* from *development* with respect to Parkland Dedication and Community Benefits related to parkland.

11.8.2.3 The Town's Parkland Dedication By-Law may establish uses in which Parkland Dedication shall be reduced or waived by the Town.

11.8.2.4 Lands to be dedicated as parkland by the applicant shall be selected in consultation with the Town to ensure site specifications and suitability in size, location, configuration, and access are to the satisfaction of the Town.

11.8.2.5 Cash-in-lieu of Parkland Dedication may be required to be provided by the applicant in the following circumstances, as determined by the Town:

a) there is no suitable area of land for parkland based on factors such as public access, size, location, and Town requirements for parkland;

b) the required Parkland Dedication would result in remnant land that is unsuitable or impractical for *development*;

c) the area proposed for *development* or *redevelopment* is already serviced by an adequate system of parks in which no further land is required;

d) the cash-in-lieu would be better suited in achieving Town targets for other parkland initiatives for larger community parks and facilities;

e) lands used for storm water management facilities, lands containing natural hazards or part of the *Natural Environment System*, roadways, walkways or any other non parkland purposes conveyed to the Town by the applicant shall not be considered part of the Parkland Dedication required in accordance with the *Planning Act* and the Town's Parkland Dedication By-Law.

11.8.2.6 The Town may require that where applicable, lands adjacent to the Natural Environment System and natural hazards be dedicated for parkland, to increase public access to natural areas and rivers. Where feasible, lands dedicated for parkland shall contribute to a linked system of Town parks, Provincial parks, conservation areas, nature preserves, trail systems and other public lands of natural or recreational value, with an emphasis on developing corridors along rivers and *woodlands* and shall be provided with at least one frontage on a public street.

11.8.2.7 In the case of *development* or *intensification* for residential purposes, the Town may by by-law in accordance with the *Planning Act*, require that land be conveyed to the Town for park or other public recreational purposes at the maximum alternative rate determined by the *Planning Act* or at such lesser rate as may be specified in the Town's Parkland Dedication By-Law.

11.8.2.8 Any lands conveyed to the Town shall be in a condition acceptable to the Town.

11.8.3 Public Open Space System

11.8.3.1 The Town recognizes the importance of acquiring and providing a well-connected public open space system consisting of parks, greenspaces, and natural heritage areas.

11.8.3.2 Wherever possible, lands should be acquired by the Town that contribute to a comprehensive system of municipal parks and recreational areas, trails systems, conservation areas, nature preserves, and other public natural areas. Public access to open space systems contributes to the quality of life that make the Town a great place to live, work, and play.

11.8.3.3 The Town may acquire and hold lands within the Town for the purposes of implementing a public open space system in accordance with the provisions of the *Municipal Act*, *Planning Act*, or any other applicable Act.

11.8.3.4 Mechanisms to secure lands within the *natural heritage system* and/or containing *hazardous lands* may include, but may not be not limited to the following property acquisition tools:

a) placing conditions on *development* applications;

b) land dedication or conveyance;

c) purchase agreements;

d) voluntary sale of lands and public purchase by the Town;

e) land exchanges;

f) long-term leases;

g) partnerships;

h) assistance from other government agencies, charitable foundations, lands trusts and/or conservation organizations;

i) donations, gifts, bequests from individuals and/or corporations;

j) density transfers;

k) expropriation; and/or

l) other land acquisition methods as deemed appropriate with the Town.

11.8.3.5 Where there is a *development* application, the preferred method of land acquisition is for lands within the *natural heritage system* and/or hazardous lands to be dedicated to the Town, as a condition of approval. Where feasible, the Town shall require the conveyance of lands as a condition of approval of a *development* application, to provide for the permanent protection of natural areas, life, and property from natural hazards and to provide for *compatible* public access to a public open space system.

11.8.3.6 Where the Town is not able to acquire or secure lands in the natural heritage system and/or containing natural hazards, the Town may require stewardship techniques to ensure protection of lands, features, and functions including, but not limited to:

a) Site Plan Control, *development* agreements, Plan of Subdivision Agreements, and/or conditions of approval;

b) methods as recommended through an environmental impact study approved by the Town;

c) stewardship agreements;

d) information and education programs;

e) conservation easements; and/or

f) any other methods as deemed appropriate by the Town.

11.8.3.7 The Town may establish a Land Securement Fund to be used to contribute to the costs associated with acquisition of lands that would contribute to a public open space system.

11.8.3.8 Any lands conveyed to the Town shall be in a condition acceptable to the Town.

11.8.4 Disposal of Town Surplus Lands

11.8.4.1 In accordance Section 270 of the *Municipal Act*, as may be amended or updated, it is the policy of the Town to require that the disposal of surplus real property be undertaken in a transparent and accountable manner that maximizes social, economic, environmental, and cultural return to the Town.

11.8.4.2 The disposal of surplus real property shall be implemented in a manner that is consistent with the vision, objectives, and policies of this Plan.

11.9 Fiscal Management

The Town shall strive to ensure optimal service delivery and implementation of this Plan. With limited financial resources available to all levels of government, the implementation of this Plan must be financially viable and sustainable. This Plan shall be managed to ensure that the required capital expenditure to provide the services for growth and *development* is paid in an equitable and appropriate manner by those benefiting from the services for *development* and improvement. The Town shall strive to maintain financial sustainability and integrity by managing its financial resources and by undertaking *development* in a fiscally responsible manner.

11.9.1 Policies

11.9.1.1 The Town shall diligently seek the maximum revenues possible from senior levels of government to compensate for any federal or provincial responsibilities transferred to it in relation to the provision of public *infrastructure*, community soft services, and land use planning.

11.9.1.2 The Town is responsible for delivering services to local residents, provide hard and soft *infrastructure* and manage finances effectively, through a Long-Term Financial Plan.

11.9.1.3 Where possible, the Town shall use financial mechanisms available to it under any legislative authority, including the *Municipal Act*, *Development* Charges Act, *Planning Act*, and any other applicable legislation.

11.9.1.4 Municipal capital expenditures implementing any aspect of this Plan shall be guided by the annual Municipal Budget for Capital works and applicable forecasting. The Town shall undertake capital works programs, in accordance with the approved capital budget, to provide the municipal services and *infrastructure* necessary for new growth.

11.9.1.5 Future *development* shall be monitored to ensure that a balance is maintained between demands for service and the overall fiscal capacity of the Town.

11.9.1.6 The Town may request a Municipal Financial Impact Assessment from the owner/applicant of any *development* application. The terms of reference of such a study shall be determined by the Town at the time of the request. The Assessment shall be prepared and may be peer reviewed at the owner/applicant's expense. *Development* applications or proposals may be refused or deferred on the basis of financial impact and burden on the Town if suitable mitigation measures are not available.

11.9.2 Development Charges

11.9.2.1 *Development* Charges shall be collected in accordance with the provisions of the *Development Charges Act*, this Plan, and the Town's *Development* Charges By-Law.

11.9.2.2 The Town may exempt some or all *Development* Charges or exempt certain *development* or *redevelopment* from *Development* Charges to promote specific *development*, *redevelopment*, or revitalization objectives in accordance with this Plan.

11.9.3 Community Benefits Charges By-Law

11.9.3.1 The Town shall prepare a background study and enact a By-law in accordance with the *Planning Act* to collect Community Benefits. The Town may enact a Community Benefits Charges By-law that applies to the Town as a whole, and/or to specific geographic areas.

11.9.3.2 The Town may exempt some or all Community Benefits Charges or exempt certain *development* or *redevelopment* from the Community Benefits Charges to promote specific *development*, *redevelopment*, or revitalization objectives in accordance with the *Planning Act* and the policies of this Plan.

11.9.3.3 Community Benefits Charges shall be applied, calculated, and collected in accordance with the *Planning Act*, this Plan, and the Town's Community Benefits Charge By-law.

11.10 Property Standards

The Town's Property Standards By-law sets out minimum standards of property maintenance and occupancy for the purpose of setting a basic standard of good appearance for all properties within the community, for encouraging the preservation and maintenance of existing buildings and the removal of buildings that have declined to the point where they cannot be satisfactorily and economically rehabilitated.

11.10.1 Policies

11.10.1.1 The Town of Pelham may regulate the provisions of property conditions by:

a) prescribing standards for the maintenance and occupancy of properties within the Town of Pelham, or a portion thereof, as defined in a Property Standards By-Law;

b) prohibiting occupancy or use of such property that does not conform with the standards as defined and established in a Property Standards By-Law; and

c) require the repair and maintenance of such property that does not conform with the standards established in such a By-Law to level that conforms with the standards and may require the site to be cleared of all buildings, structures, debris, or refuse, and left in a graded and levelled condition to the satisfaction of the Town of Pelham.

Section 12: Definitions

The following definitions provide an interpretation of Official Plan content and are to be used in understanding the intent of the policies of this Plan. Terminology with specifically noted definitions have been italicized in the body of this Official Plan.

For definitions pertaining to matters typically dealt with through zoning performance standards and implementation, reference to the Town's Zoning By-law will be required to avoid duplication with the Town of Pelham Zoning By-law.

In all other instances, terms shall be defined in accordance with their common usage, and, if necessary, reference to Black's Law Dictionary or the Canadian Oxford Dictionary may be required. The terms are listed in alphabetical order.

Access standards means *access standards* as defined in the Provincial Planning Statement.

Accessible housing means housing that is entirely developed using universally accessible design.

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 agricultural 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 units means self contained residential units with kitchen and bathroom facilities and sleeping area located within a primary dwelling or within an accessory structure that is detached from the primary 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 *agricultural condition* as defined in the Provincial Planning Statement.

Agricultural impact assessment means an *agricultural impact assessment* as defined in the Provincial Planning Statement.

Agricultural system means an *agricultural system* as defined in the Provincial Planning Statement.

Agricultural use means *agricultural use* as defined in the Provincial Planning Statement.

Agri-food network means the *agri-food network* as defined in the Provincial Planning Statement.

Agri-tourism use means *agri-tourism use*s as defined in the Provincial Planning Statement.

Agriculture-related use means *agriculture-related uses* as defined in the Provincial Planning Statement.

Alternative energy systems means an alternative energy system 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 mineral potential means *areas of mineral potential* as defined in the Provincial Planning Statement.

Areas of natural and scientific interest **(ANSI)** means areas natural and scientific interest as defined in the Provincial Planning Statement.

Bonafide farmer means and individual who:

a) owns, is employed on, and manages a farm operation;

b) earns a majority of his/her income from farming (the scale of the farm operation should be capable of generating reasonable operating profit under "normal" economic conditions;

c) spends a majority of his/her working time on the farm and is available to work on the farm when required by the farm operation;

d) demonstrates a continuing commitment to the farm operation, such as through farm maintenance practices, and investment in equipment, buildings, and crops; and

e) for the purposes of this definition, a farmer is defined as the principal operator of the farm together with his/her spouse.

Brownfield site means *brownfield site*s as defined in the Provincial Planning Statement.

Built heritage resource means a *built heritage resource* 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 function*s by mitigating impacts of the proposed *development* or *site alteration*. *Buffer*s shall consist of natural self-sustaining vegetation as a condition of *development* (except where certain *agricultural use*s are exempt from the requirement of a *buffer*).

***Built-up area*(s)** means the limits of developed urban areas as defined by the Minister in consultation with the Town for the purpose of measuring the minimum *intensification* target in this Plan.

Built heritage means *built heritage resource*s as defined in the Provincial Planning Statement.

Climate change means long-term changes in weather patterns including extreme weather events and increased climate variability.

Compact built form means *compact built form* as defined in the Provincial Planning Statement.

Compatibility/Compatible means *development* or *redevelopment* which may not be the same or even similar to existing *development* in the vicinity but rather *development* or *redevelopment* can co-exist without causing any undue adverse impact and enhances the surrounding community by providing choice and diversity in built form.

Complete community means complete communities as defined in the Provincial Planning Statement.

Complete streets means streets planned to balance the needs of all road uses including pedestrians, cyclists, transit-users and motorists.

Comprehensive rehabilitation means *comprehensive rehabilitation* as defined in the Provincial Planning Statement.

Conservation Authority means the Niagara Peninsula *Conservation Authority* or its successors.

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.

Conversion means the alteration or change of use of any existing building or structure to some other use.

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

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

Cultural heritage landscape means a *cultural heritage landscape* 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 area*s as defined in the Provincial Planning Statement.

Developable land area means the area of a property less the area occupied by natural heritage features and any related *buffer*s.

Development means *development* 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.

Ecological function means the *ecological function* as defined in the Provincial Planning Statement.

Endangered species means an *endangered species* as defined in the Provincial Planning Statement.

Energy storage system means an *energy storage system* as defined in the Provincial Planning Statement.

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

a) connect natural features and areas to create larger contiguous natural areas;

b) reduce edge habitat and increase proportion of interior conditions (> 100 m from edge); and

c) include critical function zones and important catchment areas critical to sustaining *ecological function*s.

Environmental assessment means a planning process to determine the potential impacts of an *infrastructure* project as determined by the *Environmental assessment Act*.

Erosion hazard means *erosion hazard* as defined in the Provincial Planning Statement.

Essential means that (1) there is a demonstrated need, and (2) it has been demonstrated that no other reasonable alternatives exist.

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.

Flood plain means *flood plain* as defined in the Provincial Planning Statement.

Flooding hazard means *flooding hazard* as defined in the Provincial Planning Statement.

Floodproofing standard means flooding standard as defined in the Provincial Planning Statement.

Floodway means *floodway* as defined in the Provincial Planning Statement.

Green infrastructure means *green infrastructure* as defined in the Provincial Planning Statement.

Greenbelt plan natural heritage system (GBNHS) means the *natural heritage system* mapped and issued by the Province in accordance with the Greenbelt Plan.

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 *natural heritage system*, but does include other forms of non-residential *development* (such as roads, parks, *infrastructure* etc.).

Ground water feature means *ground water feature*s 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 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.

Hedgerow means trees left standing or planted along the edge of a former or existing agricultural field or laneway to create a physical and/or visual barrier. *Hedgerow*s also typically include trees remaining along farm fence lines.

Heritage attributes means *heritage attributes* as defined in the Provincial Planning Statement.

High-density residential means the *development* of townhouses, apartments and other forms of multi-unit residential uses.

Highly vulnerable aquifer means a *highly vulnerable aquifer* as defined in the Greenbelt Plan.

Housing options means *housing options* as defined in the Provincial Planning Statement.

Hydrologic function means *hydrologic function*s 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.

Individual on-site water services means individual on-site water services as defined in the Provincial Planning Statement.

Infrastructure means *infrastructure* as defined in the Provincial Planning Statement.

Inland lakes means and inland body of permanently standing water larger than a pool or a pond or a body of water filling a depression in the earth's surface, where their water levels and *hydrologic functions* are not directly influenced by either Lake Erie or Lake Ontario. *Inland lakes* do not include stormwater management ponds, ponds constructed for irrigation purposes, such as those on golf courses or used for agriculture, lakes that have been constructed and managed with the sole purpose of supporting essential infrastructure or where their *ecological function* is not a consideration for their management.

Institutional use means government buildings, hospitals, schools, churches and cemetery uses. For the purposes of Section 4 of this Plan means land uses where there is a threat to the safe evacuation of vulnerable populations such as older persons, persons with disabilities, and those who are sick or young, during an emergency as a result of flooding, failure of floodproofing measure or protection works or erosion.

Intensification means *intensification* as defined in the Provincial Planning Statement.

Intermittent stream means and *intermittent stream* as defined in the Greenbelt Plan.

Key hydrologic area means *key hydrologic area* as defined in the Greenbelt Plan.

Key hydrologic feature means *key hydrologic feature* as defined in the Greenbelt Plan.

Key natural heritage feature means *key natural heritage feature* as defined in the Greenbelt Plan.

Linkage 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 the long-term sustainability of the overall NES.

Low and moderate income households means *low and moderate income households* as defined in the Provincial Planning Statement.

Low-density residential means the *development* of single detached dwellings, semi-detached dwellings, duplexes, and townhouse uses.

Low impact development means *low impact development* as defined in the Provincial Planning Statement.

Medium-density residential means the *development* of townhouses, low-rise apartments and other forms of multi-unit residential uses.

Mineral aggregate operation means a *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 deposits means *mineral deposits* as defined in the Provincial Planning Statement.

Minimum distance separation formulae means *minimum distance separation* formulae 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 *natural heritage features and areas* as defined in the Provincial Planning Statement.

Natural environment system means an ecologically integrated system made of the Town's *natural heritage system*, *water resource system*, lands within the Greenbelt Plan Area and *Greenbelt Plan Natural Heritage System* and Niagara Escarpment Plan.

Natural heritage system means a *natural heritage system* as defined in the Provincial Planning Statement.

Naturalization means a process whereby an areas that has been previously disturbed by humans or from natural events, is allowed to regenerate naturally with input of seeds and other propagules from the existing soil and/or adjacent natural areas.

Negative impacts means *negative impacts* as defined in the Provincial Planning Statement.

Neighbourhood supportive uses means uses which are complimentary, serve the needs of local residents and support the *development* of a walkable and *complete community* and do not create an adverse impact on the surrounding residential uses.

Normal farm practices means *normal farm practice*s as defined in the Provincial Planning Statement.

Permanent stream means a *permanent stream* as defined in the Greenbelt Plan.

On-farm diversified uses means *on-farm diversified use*s as defined in the Provincial Planning Statement.

One hundred year flood level means the *one hundred year flood level* 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 of tree cover is greater than 25%. *Other woodlands* do not include *woodlands* meeting the criteria as *significant woodlands*.

Partial services means *partial services* as defined in the Provincial Planning Statement.

Prime agricultural area means *prime agricultural area*s as defined in the Provincial Planning Statement.

Prime agricultural land means *prime agricultural land*s 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 a *protected heritage property* as defined in 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.

Provincially significant species (see "*Significant*")

Provincially significant wetland (see "*Significant*")

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.

Redevelopment means *redevelopment* as defined in the Provincial Planning Statement.

Renewable energy source means a *renewable energy source* as defined in the Provincial Planning Statement.

Renewable energy system means a *renewable energy system* 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*;
- 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, *additional residential units*, rooming houses and other *housing options*

Seepage areas and springs means *seepage areas and springs* as defined in the Greenbelt Plan.

Sensitive means *sensitive* as defined in the Provincial Planning Statement.

Sensitive land uses means *sensitive land use*s as defined in the Provincial Planning Statement.

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

Settlement area means *settlement area*s as defined in the Provincial Planning Statement.

Sewage and water services means *sewage and water services* as defined in the Provincial Planning Statement.

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 area means a significant groundwater recharge area as defined by the Greenbelt Plan and includes areas that has been identified as:

a) a significant groundwater recharge area by any public body for the purposes of implementing the Provincial Planning Statement;

b) a significant groundwater recharge area in the assessment report required under the Clean Water Act, 2006; or

c) an ecologically significant groundwater recharge area delineated in a subwatershed study or equivalent in accordance with provincial guidelines.

Groundwater recharge areas are also classified as "significant" by the *Conservation Authority*, where they supply more water to an aquifer than the surrounding area. 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 surface water contribution areas means *significant surface water contribution areas* as defined by the Greenbelt Plan.

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

Note: the *Conservation Authority* also regulates valleyland erosion hazards. The definitions for valleys and the identification of valleylands that are regulated by the *Conservation Authority* is not necessarily consistent with the definition for *valleyland* and *significant valleyland* nor the identification of *significant valleylands* in accordance with the criteria for *significant valleylands*.

Significant woodlands (see "S*ignificant*")

Site alteration means *site alteration* as defined in the Provincial Planning Statement.

Specialty crop area means *specialty crop areas* as defined in the Provincial Planning Statement.

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 NES.

Surface water feature means *surface water feature*s as defined in the Provincial Planning Statement.

Threatened species means *threatened species* as defined in the Provincial Planning Statement.

Total developable area means the *total developable area* as defined in the Greenbelt Plan.

Total developable area means *total developable area* as defined in the Provincial Planning Statement.

Transportation infrastructure means works such as maintenance, repair or installation of roads or bridges/overpasses as well as underpasses and culverts, and rail lines, but does not include buildings or parking that may be associated with these *infrastructure* components.

Transportation system means a *transportation system* as defined in the Provincial Planning Statement.

Two zone concept means a *two zone concept* as defined in the Provincial Planning Statement.

Urban forest means all trees in urban and rural *settlement area*s and the soils that sustain them, located on public and private property. The *urban forest* includes trees in natural areas and trees in manicured settings such as parks, yards and boulevards.

Valleylands means *valleylands* as defined in the Provincial Planning Statement.

Vegetation protection zone means a *vegetation protection zone* as defined in the Greenbelt Plan.

Waste management system means a *waste management system* as defined in the Provincial Planning Statement.

Watershed means a *watershed* as defined in the Provincial Planning Statement.

Watershed planning means *watershed planning* as defined in the Provincial Planning Statement.

Water resource system means a *water resource system* as defined in the Provincial Planning Statement.

Wayside pits and quarries means wayside pits or quarries as defined in the Provincial Planning Statement.

Wetlands means *wetlands* as defined in the Provincial Planning Statement.

Wildlife habitat means *wildlife habitat* as defined in the Provincial Planning Statement.

Woodlands means *woodlands* as defined in the Provincial Planning Statement.

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

a) if the removal occurs within the *settlement area* that the enhancement also be provided in the *settlement area*;

b) that the enhancement be in the form of a woodland and not just the planting of individual trees, i.e., street planting or ornamental tree planting in a park

c) the goal of the woodland enhancement is it so create a native woodland of equal or greater size;

d) landscape ecology principles including size, patch shape, connectivity, edge to area ratio should be considered;

e) responsibilities will be determined for who will undertake the restoration of the woodland and the schedule for implementing the plan;
f) the *woodland enhancement plan* includes a program for the long-term maintenance and management of the restoration *woodland* until such time as it is deemed to be self-sufficient or when a public agency assumes responsibility for it; and

g) the plan includes a monitoring plan and periodic reporting to determine if the *woodland* is progressing toward the approved goal(s) and objectives of the plan.

Town of Pelham

Official Plan Schedules

N

TOWN OF LINCOLN

CITY OF ST. CATHARINES

CITY OF THOROLD

TOWNSHIP OF WEST LINCOLN

TOWNSHIP OF WEST LINCOLN

CITY OF WELLAND

TOWNSHIP OF WAINFLEET

TOWNSHIP OF WAINFLEET

Spring Creek Road
Twenty Road
Pelham Road
Beamer Street
Moyer Street
Wessel Drive
Oille Street
Sawmill Road
Twenty Mile Road
Roland Road
Roland Road
Maple Street
Sixteen Road
McGlashan Street
Balfour Street
Centre Street
Kilman Road
Cream Street
Effingham Street
Metler Road
Maple Street
Overholt Road
Moore Drive
Tice Road
Brady Street
Maple Street
Cream Street
Lookout Street
Highway 20
Highway 20 East
Station Street
Highway 20 West
Pelham Street
Port Robinson Road
Rice Road
Haist Street
Memorial Drive
Pancake Lane
Merritt Road
Balfour Street
Cream Street
Centre Street
Canborough Road
Canboro Road
Welland Road
Line Avenue
Quaker Road
Farr Street
Church Street
Balfour Street
Cream Street
Centre Street
Haist Street
Clare Avenue
Victoria Avenue
Foss Road
Balfour Street
Cream Street
Centre Street
Poth Street
Sumbler Road
Balfour Street
Cream Street
Poth Street
Effingham Street
Chantler Road
Cream Street
Poth Street
Effingham Street
Pihach Street
Webber Road
Farr Street
Church Street
Balfour Street
Effingham Street
River Road
River Road
River Road

0 0.5 1 1.5 2 km

Town of Pelham
Official Plan
Schedule A
Land Use Plan

- Natural Environment System Overlay
- Niagara Escarpment Plan Area
- Greenbelt Plan Area
- Settlement Area
- Rural Settlement Area
- Approved Settlement Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

Town of Pelham
Official Plan
Schedule A1
Agricultural and Rural

N

TOWN OF LINCOLN

CITY OF ST. CATHARINES

CITY OF THOROLD

TOWNSHIP OF WEST LINCOLN

TOWNSHIP OF WAINFLEET

CITY OF WELLAND

Spring Creek Road
Twenty Road
Pelham Road
Beamer Street
Moyer Street
Wessel Drive
Oille Street
Sawmill Road
Twenty Mile Road
Roland Road
Maple Street
Sixteen Road
McGlashan Street
Balfour Street
Centre Street
Kilman Road
Cream Street
Effingham Street
Metler Road
Overholt Road
Moore Drive
Tice Road
Brady Street
Lookout Street
Highway 20
Highway 20 East
Highway 20 West
Station Street
Pelham Street
Port Robinson Road
Rice Road
Haist Street
Memorial Drive
Pancake Lane
Merritt Road
Line Avenue
Canborough Road
Canboro Road
Welland Road
Quaker Road
Clare Avenue
Farr Street
Church Street
Victoria Avenue
Foss Road
Poth Street
Sumbler Road
Chantler Road
Pihach Street
Webber Road
River Road

0 0.5 1 1.5 2 km

Prime Agriculture
Specialty Agriculture
Aggregate
Airport
Rural Commercial
Industrial
Natural Environment System Overlay
Niagara Escarpment Plan Area
Greenbelt Plan Area
Rural Settlement Area
Settlement Area
Approved Settlement Expansion Area
Municipal Boundary

Pelham NIAGARA

May 21, 2025

N

Overholt Road

Tice Road

Lookout Street

Highway 20 West

Canboro Road

Pancake Lane

Haist Street

Welland Road

Ramp

Highway 20 East

Rice Road

Hurricane Road

Highway 20

Station Street

Port Robinson Road

Pelham Street

Merritt Road

Line Avenue

Quaker Road

Clare Avenue

0 0.1 0.2 0.3 0.4 km

Town of Pelham
Official Plan
Schedule A2
Fonthill

- Urban Residential
- Downtown Commercial
- Highway Commercial
- Mixed Use
- Environmental Protection
- Open Space
- Secondary Plan Area
- Niagara Escarpment Plan Area
- Settlement Area Boundary
- Approved Settlement Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

N

Memorial Drive

Balfour Street

Maple Street

Canboro Road

Welland Road

61212121

Balfour Street

Cream Street

Church Street

Foss Road

Church Street

Balfour Street

Cream Street

0 100 200 300 400
Metres

Town of Pelham
Official Plan
Schedule A3
Fenwick

- Urban Residential
- Downtown Commercial
- Environmental Protection
- Open Space
- Secondary Plan Area
- Settlement Area Boundary
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

N

TOWN OF LINCOLN

CITY OF ST. CATHARINES

CITY OF THOROLD

TOWNSHIP OF WEST LINCOLN

TOWNSHIP OF WAINFLEET

CITY OF WELLAND

Spring Creek Road
Twenty Road
Beamer Street
Moyer Street
Sawmill Road
Twenty Mile Road
Wessel Drive
Ollie Street
Pelham Road
Roland Road
Maple Street
Sixteen Road
McGlashan Street
Balfour Street
Centre Street
Kilman Road
Cream Street
Effingham Street
Metler Road
Overholt Road
Moore Drive
Tice Road
Brady Street
Lookout Street
Highway 20
Highway 20 East
Highway 20 West
Station Street
Pelham Street
Port Robinson Road
Rice Road
Haist Street
Memorial Drive
Pancake Lane
Merritt Road
Canborough Road
Canboro Road
Welland Road
Line Avenue
Quaker Road
Clare Avenue
Farr Street
Church Street
Victoria Avenue
Foss Road
Poth Street
Sumbler Road
Chantler Road
Pihach Street
Webber Road
River Road

0 0.5 1 1.5 2 km

Town of Pelham
Official Plan
Schedule B
Natural Environment System

- Greenbelt Plan Natural Heritage System
- Natural Heritage System Overlay
- Niagara Escarpment Plan Area
- Waterbody
- Permanent and Intermittent Streams (Region)
- Greenbelt Plan Area
- Settlement Area
- Rural Settlement Area
- Approved Settlement Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

Town of Pelham
Official Plan
Schedule B1
Natural Environment System Features

- Permanent and Intermittent Streams (Region)
- Earth Science ANSI (MNRF)
- Life Science ANSI (MNRF)
- Provincially Significant Wetlands (MNRF)
- Significant Woodlands (Region)
- Other Woodlands (Region)
- Other Wetlands (Region)
- Linkages (Region)
- Waterbody
- Niagara Escarpment Plan Area
- Settlement Area
- Rural Settlement Area
- Approved Settlement Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

N

TOWN OF LINCOLN

CITY OF ST. CATHARINES

CITY OF THOROLD

TOWNSHIP OF WEST LINCOLN

CITY OF WELLAND

TOWNSHIP OF WAINFLEET

TOWNSHIP OF WAINFLEET

Spring Creek Road
Twenty Road
Twenty Mile Road
Sixteen Road
Kilman Road
Metler Road
Tice Road
Roland Road
Overholt Road
Moore Drive
Highway 20
Highway 20 West
Highway 20 East
Memorial Drive
Canboro Road
Chantler Road
Webber Road
Foss Road
Sumbler Road
Pelham Road
Port Robinson Road
Pancake Lane
Merritt Road
Welland Road
River Road

Beamer Street
Moyer Street
Wessel Drive
Oille Street
Maple Street
McGlashan Street
Balfour Street
Centre Street
Cream Street
Effingham Street
Brady Street
Lookout Street
Station Street
Pelham Street
Rice Road
Haist Street
Line Avenue
Victoria Avenue
Farr Street
Church Street
Poth Street
Pihach Street

0 0.5 1 1.5 2 km

Town of Pelham
Official Plan
Schedule B2
Water Resource System

- Permanent and Intermittent Streams (Region)
- Waterbody
- Niagara Escarpment Plan Area
- Significant Groundwater Recharge Area
- Highly Vulnerable Aquifers
- Settlement Area Boundary
- Rural Settlement Area Boundary
- Urban Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

N

TOWN OF LINCOLN

CITY OF ST. CATHARINES

CITY OF THOROLD

TOWNSHIP OF WEST LINCOLN

TOWNSHIP OF WAINFLEET

CITY OF WELLAND

Spring Creek Road
Twenty Road
Twenty Mile Road
Sawmill Road
Roland Road
Sixteen Road
Kilman Road
Metler Road
Overholt Road
Moore Road
Tice Road
Highway 20
Highway 20 West
Memorial Drive
Canboro Road
Welland Road
Foss Road
Sumbler Road
Chantler Road
Webber Road
River Road
Pelham Road
Port Robinson Road
Merritt Road
Pancake Lane

Beamer Street
Moyer Street
Wessel Drive
Oille Street
Maple Street
Balfour Street
Centre Street
McCrahan Street
Cream Street
Effingham Street
Brady Street
Lookout Street
Station Street
Pelham Street
Rice Road
Haist Street
Line Avenue
Clare Avenue
Farr Street
Church Street
Victoria Avenue
Poth Street
Pihach Street

North Pelham
Ridgeville
Fenwick
Fonthill

0 0.5 1 1.5 2 km

Town of Pelham
Official Plan
Schedule C
Transportation

- Regional Road - Variable Width
- Arterial Road - Variable Width
- Collector Road - Variable Width
- Local Road - Typical 20m Road Width
- Closed Winter Road - Variable Width
- Private Road
- Canadian Pacific Railway
- TransCanada Pipeline
- Interprovincial Pipeline - Enbridge
- Former CPR Railway - Municipal Owned
- Niagara Escarpment Plan Area
- Settlement Area Boundary
- Rural Settlement Area Boundary
- Approved Settlement Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

N

TOWN OF LINCOLN

CITY OF ST. CATHARINES

CITY OF THOROLD

TOWNSHIP OF WEST LINCOLN

TOWNSHIP OF WEST LINCOLN

CITY OF WELLAND

TOWNSHIP OF WAINFLEET

TOWNSHIP OF WAINFLEET

Spring Creek Road
Twenty Road
Twenty Mile Road
Sawmill Road
Beamer Street
Moyer Street
Wessel Drive
Oille Street
Pelham Road
Roland Road
Maple Street
Sixteen Road
McGlashan Street
Balfour Street
Centre Street
Kilman Road
Cream Street
Effingham Street
Metler Road
Overholt Road
Moore Drive
Tice Road
Brady Street
Lookout Street
Highway 20
Highway 20 East
Highway 20 West
Station Street
Port Robinson Road
Pelham Street
Rice Road
Haist Street
Memorial Drive
Pancake Lane
Merritt Road
Line Avenue
Canboro Road
Welland Road
Farr Street
Church Street
Foss Road
Poth Street
Victoria Avenue
Sumbler Road
Chantler Road
Pihach Street
Webber Road
River Road

0 0.5 1 1.5 2 km

Town of Pelham Official Plan Schedule D Mineral Aggregate Resources

- Licensed Aggregate Operations

Sand and Gravel Resources

- Primary
- Secondary
- Tertiary
- Stone Resource

- Niagara Escarpment Plan Area
- Settlement Area Boundary
- Rural Settlement Area Boundary
- Approved Settlement Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

N

TOWN OF LINCOLN

CITY OF ST. CATHARINES

CITY OF THOROLD

TOWNSHIP OF WEST LINCOLN

TOWNSHIP OF WAINFLEET

CITY OF WELLAND

Spring Creek Road
Twenty Road
Twenty Mile Road
Sawmill Road
Beamer Street
Moyer Street
Pelham Road
Wessel Drive
Ollie Street
Roland Road
Maple Street
Sixteen Road
McGlashan Street
Balfour Street
Centre Street
Kilman Road
Cream Street
Metler Road
Effingham Street
Overholt Road
Moore Drive
Tice Road
Brady Street
Lookout Street
Highway 20
Highway 20 East
Highway 20 West
Station Street
Port Robinson Road
Pelham Street
Haist Street
Rice Road
Memorial Drive
Pancake Lane
Merritt Road
Line Avenue
Canboro Road
Welland Road
Farr Street
Church Street
Foss Road
Poth Street
Victoria Avenue
Sumbler Road
Chantler Road
Pihach Street
Webber Road
River Road

0 0.5 1 1.5 2 km

Town of Pelham
Official Plan
Schedule E
Special Exceptions

- Special Exceptions
- Niagara Escarpment Plan Area
- Assessment Parcels
- Settlement Area Boundary
- Rural Settlement Area Boundary
- Approved Settlement Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

N

TOWN OF LINCOLN

CITY OF ST. CATHARINES

CITY OF THOROLD

TOWNSHIP OF WEST LINCOLN

CITY OF WELLAND

TOWNSHIP OF WAINFLEET

TOWNSHIP OF WAINFLEET

Spring Creek Road
Twenty Road
Beamer Street
Moyer Street
Sawmill Road
Twenty Mile Road
Wessel Drive
Ollie Street
Pelham Road
Roland Road
Maple Street
Sixteen Road
McGlashan Street
Balfour Street
Centre Street
Kilman Road
Cream Street
Effingham Street
Metler Road
Overholt Road
Moore Drive
Tice Road
Brady Street
Lookout Street
Highway 20
Highway 20 East
Highway 20 West
Station Street
Port Robinson Road
Rice Road
Pelham Street
Haist Street
Memorial Drive
Pancake Lane
Merritt Road
Line Avenue
Quaker Road
Clare Avenue
Canborough Road
Canboro Road
Welland Road
Farr Street
Church Street
Foss Road
Victoria Avenue
Poth Street
Sumbler Road
Chantler Road
Pilnach Street
Webber Road
River Road

0 0.5 1 1.5 2 km

Town of Pelham
Official Plan
Schedule F
Areas of Archeological Potential

- Areas of Archeological Potential
- Niagara Escarpment Plan Area
- Settlement Area Boundary
- Rural Settlement Area Boundary
- Approved Settlement Expansion Area
- Municipal Boundary

Pelham NIAGARA

May 21, 2025

Town of Pelham

Official Plan Appendices

Appendix 1: Northwest Fonthill Secondary Plan

The Northwest Fonthill Secondary Plan was approved in 2003 and establishes a planning framework for the coordinated *development* of the Northwest Fonthill Secondary Plan Area, which is identified on Schedule "A2".

The Northwest Fonthill Secondary Plan is intended to provide policies that protect the *natural heritage features* of the area and to establish a comfortable and attractive neighbourhood with a wide range of housing types.

The Northwest Fonthill Secondary Plan has been prepared in conjunction with the Official Plan of the Town of Pelham. Unless otherwise specifically identified, all of the policies of the Official Plan apply to this Secondary Plan. Where there is conflict between the policies of this Secondary Plan and any other policies of this Official Plan, the policies of the Secondary Plan shall apply.

A1.1 Objectives

The *development* objectives provide the framework for the planning and *development* within the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Secondary Plan and the Official Plan.

The general objectives of this Secondary Plan are:

A1.1.1 To ensure that the community is developed with a compact urban form at an appropriate scale that is pedestrian-oriented and fosters community interaction.

A1.1.2 To create a sense of identity and continuity through design treatments that residents and visitors can recognize as characteristic of the community.

A1.1.3 To create a residential community with a safe, healthy and functional environment that can accommodate approximately 550 people, based on about 215 dwelling units, with a housing mix consisting of single detached units and townhouse dwellings.

A1.1.4 To establish a network of open spaces accessible to all residents with natural and cultural features integrated into open space areas.

A1.1.5 To create open spaces with a clear function and relationship to the community.

A1.1.6 To ensure the preservation and enhancement of *significant natural heritage features* and views.

A1.1.7 To ensure the maintenance and, where possible, the enhancement of the existing hydrological and hydrogeological conditions on the Fonthill Kame and within the Twelve Mile Creek and Coyle Creek systems.

A1.1.8 To develop a land use pattern and *transportation system* that supports vehicular traffic, cyclists and pedestrians.

A1.1.9 To design roads at a pedestrian scale, that are attractive public spaces while still serving vehicular traffic functions.

A1.1.10 To design roads based on a range of urban and semi-urban cross-sections that recognize the character of the community and the environmental constraints of the site.

A1.1.11 To ensure that all new *development* occurs on the basis of full urban water and sanitary sewer facilities.

A1.1.12 To design a stormwater management system that is integrated with the open space system and which mitigates impacts on the natural environment.

A1.1.13 To ensure that the necessary *infrastructure* and services are in place to facilitate the timely and orderly *development* of the community.

A1.1.14 To ensure that the costs of the services and facilities required to permit and support the *development* of the community are financed in accordance with:

a) the ability of the Town, the Region and landowners to pay;

b) the provisions of the *Development* Charges Act; and,

c) the *Development* Charges By-laws adopted by both the municipality and the Region.

A1.2 Land Use Designations

A1.2.1 The Residential Neighbourhood is focused on the components of the open space network. The area intended to accommodate higher density residential uses is located in the southern half of the Secondary Plan Area. Lower density forms of housing are located in the north half of the Area. The land use designations used within the Residential Neighbourhood, as shown on Schedule 1, include:

a) Townhouse Residential;

b) *Low-density residential*; and

c) *Low-density residential* – Special Policies.

A1.2.2 A site for use as housing for the elderly, including a continuing care facility is provided at the intersection of Highway 20 and Lookout Street. The land use designation used for this site, as shown on Schedule C1, is Mixed Institutional/Commercial.

A1.2.3 The public parks within the neighbourhood are identified by the Open Space II Designation.

A1.2.4 The location of these designations throughout the community and the transportation and engineering aspects of this Secondary Plan are established conceptually on Schedule 1.

A1.2.5 All *development* within the Northwest Fonthill Secondary Plan Area shall occur in accordance with the recommendations contained in the Pelham Area 1, Sub*watershed* Study and Environmental Impact Statement, Final Report, March 2003'.

A1.2.2 Townhouse Residential

It is the intent of the Town to facilitate the *development* of a range of townhouse and small lot single detached dwellings in this location to ensure an efficient use of the lands and to provide a mixture of house forms within the Secondary Plan Area.

A1.2.2.1 Permitted Uses

A1.2.2.1.1 In areas designated Townhouse Residential, housing forms may include street, block, stacked townhouses, and small lot single detached dwellings.

A1.2.2.1.2 Uses *compatible* with, complementary to and serving the primary residential use of the land, such as home occupations, parks, open space linkages and public works may be permitted within the Townhouse Residential designation.

A1.2.2.1.3 Restrictions on the range and form of permitted uses shall be identified in the Implementing Zoning By-law.

A1.2.1.2 Policies

A1.2.1.2.1 All *development* within this designation shall be designed with regard for the appended design guidelines and shall be *compatible* with the intended character of the area in terms of density, building mass, height, setbacks, lot coverage and building configuration;

A1.2.1.2.2 All *development* within this designation shall be subject to the Site Plan Control provisions of the *Planning Act*.

A1.2.1.2.3 All roads within the Townhouse Residential designation shall be developed to the urban standards identified in this Secondary Plan.

A1.2.1.2.4 *Development* on the basis of public or private lanes may be permitted, subject to confirmation of the technical requirements by the Town.

A1.2.1.2.5 Where the Townhouse Residential designation abuts the existing single-detached residential homes that front onto Haist Street, a landscaped *buffer* strip shall be provided. The landscaped strip shall be two metres in width, in addition to the required rear yard, and shall be designed to screen new *development* from the existing homes. Once the *buffer* is designed and built to the satisfaction of the Town, its on-going maintenance shall be ensured by the Town through appropriate agreements/covenants.

A1.2.1.2.6 All roads within the Townhouse Residential designation shall be designed to the urban standards identified in this Secondary Plan and shall have regard for the appended design guidelines.

A1.2.2 *Low-density residential*

It is the intent of the Town to permit single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

A1.2.2.1 Permitted Uses

A1.2.2.1.1. *Low-density residential* housing forms shall include single-detached dwelling units.

A1.2.2.1.2 Uses *compatible* with, complementary to and serving the primary residential use of the land, such as home occupations, parks, open space linkages, places of worship and day nurseries may be permitted within the *Low-density residential* designation.

A1.2.2.1.3 Restrictions on the range of permitted uses shall be identified in the Implementing Zoning By-law.

A1.2.2.2 Policies

A1.2.2.2.1 The minimum lot frontage for residential *development* shall generally be 18.0 metres per dwelling unit. The minimum lot area shall generally be 685 square metres.

A1.2.2.2.2 Local roads within the *Low-density residential* designation may be developed to the urban or rural standards identified in this Secondary Plan, subject to the policies of this Secondary Plan and the technical requirements of the Town.

A1.2.2.2.3 Places of worship and day nurseries may be permitted through a rezoning, provided they:

a) have a maximum lot size of 0.75 of a hectare;

b) are *compatible* with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and

c) are located adjacent to the intersection of two public roads, at least one of which is a collector road.

A1.2.2.2.4 All *development* permitted within the *Low-density residential* designation may be subject to the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

A1.2.2.2.5 Prior to any *development* within the *Low-density residential* designation, a Community Design Plan (Policy A1.2.4) shall be carried out that will, among other items, address the impact of *development* on views to and from the adjacent environmental features. Some of the issues to be considered shall include:

a) the height, siting and orientation of the dwelling units;

b) the provision of view corridors along roadways and between buildings; and

c) more detailed design guidelines addressing the scale and massing of building and landscape treatments.

A1.2.3 *Low-density residential* – Special Policies

It is the intent of the Town to permit large lot single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

A1.2.3.1 Permitted Uses

A1.2.3.1.1 *Low-density residential* – Special Policies housing forms shall include only single detached units on large lots.

A1.2.3.1.2 Within areas designated *Low-density residential* – Special Policies uses *compatible* with, complementary to and serving the primary residential use of the land, such as home occupations, pocket parks and open space linkages are permitted.

A1.2.3.1.3 Restrictions on the range of permitted uses shall be identified in the Implementing Zoning By-law.

A1.2.3.2 Policies

A1.2.3.2.1 The lands designated *Low-density residential* – Special Policies shall be developed on individual lots with a minimum frontage of approximately 30.0 metres. The minimum lot area shall generally be 1,500 square metres.

A1.2.3.2.2 Local roads within the *Low-density residential* – Special Policies designation may be developed to the urban or rural standards identified in this Secondary Plan, subject to the policies of this Secondary Plan and the technical requirements of the Town.

A1.2.3.2.3 All *development* permitted within the *Low-density residential* – Special Policies designation, may be subject to the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

A1.2.3.2.4 Prior to any *development* within the *Low-density residential* – Special Policies designation, a Community Design Plan shall be prepared that will, among other items, address the impact of *development* on views to and from the adjacent environmental features. Some of the issues to be considered shall include:

a) the height, siting and orientation of the dwelling units;

b) the provision of view corridors along roadways and between buildings; and

c) more detailed design guidelines addressing the scale and massing of buildings and landscape treatments.

A1.2.4 Community Design Plan

The Community Design Plan shall be carried out by the proponent and approved by the Town. The recommendations of the Community Design Plan shall be implemented through the Zoning By-law and may also be implemented through the Site Plan Control provisions of the Planning Act, at the discretion of the municipality.

A1.2.4.1 All *development* on lands designated *Low-density residential* – Special Policies shall proceed on the basis of the recommendations of an Environmental Impact Statement. An Environmental Impact Study (EIS) is to be undertaken by the proponent and approved by the Region in consultation with the Town and NPCA and any other government agency having jurisdiction. An EIS will provide:

a) a map identifying the location and extent of the proposed buildings and landscape elements on the subject site in relation to the identified natural feature;

b) a biological description of the natural environment that might reasonably be expected to be affected, either directly or indirectly, by the proposed *development*;

c) a description of the impacts to the environment that may reasonably be expected to result from the proposed *development*; and

d) a description of the actions that may be reasonably required to prevent, change, minimize or remedy impacts to the environment resulting from the implementation of the proposed *development*, including the identification of environmental *buffer*s, opportunities for ecological restoration, enhancement and long term conservation of the natural feature.

A1.2.4.2 The recommendations of the EIS shall be implemented through the Zoning By-law and Site Plan Control provisions of the Planning Act. Site Plan agreements and/or other legal devices will be registered on title to ensure the long-term protection of the identified natural features.

A1.2.5 Mixed Institutional/Commercial

The Lands designated Mixed Institutional/Commercial focus on the north side of the Highway 20 corridor, as identified on Schedule C1. *Development* within this designation shall be *compatible* with the planned role of Highway 20 and as part of the urban entrance to the community of Fonthill.

A1.2.5.1 Permitted Uses

A1.2.5.1.1 *Institutional use*s permitted within this designation include senior citizens housing in forms ranging from independent living apartments to partial care facilities to a full service nursing home.

A1.2.5.1.2 In addition to the primary *institutional use* ancillary commercial uses may also be permitted. The range of commercial uses permitted in combination with the permitted *institutional use*s within this designation include:

a) Professional and medical offices;

b) Health and fitness recreational uses; and

c) Banks and personal service uses.

A1.2.5.1.3 Public utilities, stormwater management facilities and community facilities such as parks and open space linkages, and places of worship may also be permitted within the 'Mixed Institutional/Commercial' designation.

A1.2.5.1.4 Restrictions on the range of permitted uses shall be identified in the Implementing Zoning By-law.

A1.2.5.2 Policies

A1.2.5.2.1 All *development* shall be subject to the Site Plan Control provisions of the *Planning Act*.

A1.2.5.2.2 The Town shall ensure that the natural environment is considered as an *essential* component of the Site Plan with special consideration given to natural topography, surface drainage patterns and vegetative cover.

A1.2.5.2.3 The site is a key gateway to Fonthill. As such, a high level of design standards will be incorporated into the Zoning By-law and design guidelines for landscaping, building setbacks and other on-site amenities.

A1.2.5.2.4 The maximum height of any building shall be four storeys or 12 metres, whichever is less.

A1.2.5.2.5 All uses will be located to front, face and feature Highway 20 and Lookout Street.

A1.2.5.2.6 Parking facilities shall not exceed 30% lot area coverage and shall generally be restricted to interior side and rear yard locations. The area of the lot covered by the building shall not exceed 40%.

A1.2.5.2.7 The number of access points to public roads shall be minimized.

A1.2.5.2.8 Where any lot line abuts a public road, public open space, and/or a residential lot, special landscaping/building treatments shall be required to ensure that the rear and/or side building facades are attractive and/or appropriately screened from view.

A1.2.5.2.9 All parking, storage and loading areas shall be appropriately screened, landscaped and *buffer*ed from all adjacent land uses.

A1.2.6 Open Space II

A1.2.6.1 Permitted Uses

The Open Space II designation permits a wide variety of recreational uses, including but not limited to buildings and facilities used for recreation. Stormwater management facilities may also be permitted within the Open Space II designation.

A1.2.6.2 Policies

A1.2.6.2.1 The permitted uses and policies of the Open Space II designation are in addition to the policies of Section 8 of this Plan.

A1.2.6.2.2 The Open Space II designation includes neighbourhood parks and pocket parks/village squares.

A1.2.6.2.3 The neighbourhood park is shown conceptually on Schedule 1, and is moderate in size. Pocket parks/village squares, which are conceptually identified on Schedule 1, are intended to provide sub-neighbourhood focal points and/or gateway features.

A1.2.6.2.4 The actual size and shape of the various public parks shall be determined during the processing of *development* applications.

A1.2.6.2.5 Publicly owned parkland shall be provided in accordance with the standards identified in the Planning Act, subject to the following:

a) *significant* frontage on a public road is provided;

b) the site is located to complement the overall open space network; and

c) the site is accessible to residents from the surrounding neighbourhood.

A1.2.6.2.6 Parkland may be acquired pursuant to the provisions of the Planning Act and by other available means. Lands required for stormwater management facilities that are not suitable for public recreation purposes shall not be accepted as part of the parkland dedication under the Planning Act.

A1.2.6.2.7 Cash-in-lieu of parkland shall only be considered where an individual *development* parcel does not include any key components of the anticipated neighbourhood park, pocket park/village square or open space linkage network, and where the Town has determined that parkland within the subject lands is not required to serve the proposed *development* or the surrounding community. Where cash-in-lieu of parkland is accepted, the cash shall be used to enhance the public open space system elsewhere within this Secondary Plan Area.

A1.2.6.2.8 Land conveyed to the Town for park purposes shall be accepted only when the Town is satisfied that the land is suitable for park purposes and is situated and configured in a manner that achieves the open space objectives of this Secondary Plan.

A1.2.6.2.9 Land for park purposes must be conveyed in a condition satisfactory to the Town. At a minimum, this should be in a condition with basic grading, seeding/sodding completed and building materials and rubble removed.

A1.3 Transportation

The intent of the *transportation system* is to provide an integrated, multi-modal transportation network for all residents and businesses that is safe, convenient, *affordable*, efficient and energy-conserving while minimizing environmental impacts.

A1.3.1 The key objectives in designing the transportation network are:

a) continuity and connectivity;

b) transit friendliness; and

c) liveable streets.

A1.3.2 Road Network

A1.3.2.1 The road network within the Secondary Plan Area, as identified conceptually on Schedule 1, is based on an inter-connected and permeable modified grid pattern.

A1.3.2.2 The community will have a hierarchy of road types determined by the adjacent land uses, planned function, location, capacity and speed. Schedule 1 identifies the existing Highway 20, the collector road network, including Lookout Street and Haist Street and a conceptual local road network.

A1.3.3 Highway 20

A1.3.3.1 Highway 20 is, and will remain one of the primary east-west routes, joining Pelham to Thorold and beyond. As such, special consideration regarding the nature and visual character of the road right-of-way and adjacent *development* is important.

A1.3.3.2 *Development* of Highway 20 shall meet the following requirements:

a) a right-of-way width of 20 to 26 metres;

b) sidewalks shall be provided;

c) new *development* that abuts Highway 20 will front, face and feature Highway 20, however, no individual access will be permitted from Highway 20 to any new use within this Secondary Plan Area; and

d) as an 'Urban Arterial' the Town will work in collaboration with the Region to ensure that the future design of Highway 20, including any proposed widening, shall have regard for its role and function as the historic main street of Fonthill.

A1.3.3.3 Design considerations may include a reduced right-of-way, reduced pavement and lane widths, a reduced design speed, provision for on-street parking and special design features and street lighting/furniture.

A1.3.4 Collector Roads

A1.3.4.1 Other collector roads in the Secondary Plan Area, including Haist Street, Lookout Street and the proposed internal collector road shall have either urban or rural cross sections, and incorporate design features such as traffic calming measures, bicycle lanes, landscape islands, street lighting/furniture. Right-of-way widths to be 20 to 26 metres, subject to confirmation of their ability to accommodate the vehicular, cyclists and pedestrian traffic to the satisfaction of the Town.

A1.3.5 Local Roads/Lanes

A1.3.5.1 The local road network must be based on a modified grid and include a variety of 'T' and cross road intersection configurations. Right-of-way for the local road pattern shall be 20 metres. To incorporate such design features as parking lanes, road widths for local streets with urban cross section shall be 8.6 metres. Road widths for local streets with rural cross section shall be 9.0 metres. Separate provision for cyclists has not been made on local streets, given the lower traffic levels on these roads.

A1.3.5.2. One local road, identified as 'Special Identity Local Road' is to be developed with a landscaped centre median and is intended to terminate at a public park, as shown conceptually on Schedule 1. The Right-of-way for this road shall be 22 metres.

A1.3.5.3 Public or private lanes may be permitted within the 'Townhouse Residential' designation. Lanes shall meet the following requirements:

a) a right-of-way width of between 6.0 metres and 7.5 metres;

b) a minimum pavement width of between 6.0 metres and 7.5 metres; and

c) the rear yard setback to a garage shall range between 0.0 and 1.0 metre.

A1.3.6 Road Policies

A1.3.6.1 All identified right-of-way, pavement widths and road configurations shall be subject to satisfactory confirmation of utility locations, emergency access, streetscape design and on-street parking regulations. The road allowance widths identified in this Secondary Plan are approximate. In certain cases, widening of existing roads to the ultimate road allowance width may not be required. In some cases the right-of-way may need to be wider to accommodate engineering and/or design requirements. Final right-of-way requirements and the provision of daylight triangles will be determined during the review of *development* applications.

A1.3.6.2 The local road network, which is shown conceptually on Schedule C1, shall recognize natural and built constraints and shall generally form a continuous

and interconnected modified grid pattern. Minor modifications to the local road network may be permitted without the need for an Official Plan Amendment provided the Town is satisfied that the general intent of the planned local road network is maintained.

A1.3.6.3 Only the identified collector road shall be permitted to intersect with Haist Street.

A1.3.6.4 No urban *development* will be permitted within the Secondary Plan Area until internal road access among the various land parcels is appropriately secured by the Town.

A1.3.6.5 Traffic calming features, such as raised intersections, speed humps, chokers, traffic circles, chicanes and/or hammerheads should be considered to control speed, volumes and cut-through traffic. These features may also provide important aesthetic focal points within the community. These roadway features may be permitted subject to evaluation by the Town of functional, aesthetic, operational and financial issues associated with their use.

A1.3.6.6 Streetscape design for the collector road, local roads and laneways shall have regard for the urban design guidelines appended to this Secondary Plan.

A1.3.7 Transit

A1.3.7.1 Transit routes are to be located along the identified collector roads. The use of local streets for transit will be avoided, wherever possible.

A1.3.7.2 It is anticipated that the nature of the transit network will evolve over time as service demand dictates.

A1.3.8 Pedestrian and Bicycle System

A1.3.8.1 The *development* of all roads shall, where possible, include safe, convenient and attractive facilities for pedestrians and cyclists.

A1.3.8.2 A street-related pedestrian walkway and bikeway system shall be required within the neighbourhood. These facilities will be designed to be integrated with a general pedestrian and bicycle system within the community which provides linkages between buildings, adjacent sites, surrounding areas and public streets, particularly those with transit facilities.

A1.3.9 Parking

A1.3.9.1 All *development* shall provide suitable off-street parking, as required by the Implementing Zoning By-law.

A1.3.9.2 On street parking shall be considered on all local roads, subject to the right-of-way width and traffic considerations.

A1.4 *Infrastructure*

A1.4.1 Water, Waste Water and Stormwater Management

A1.4.1.1 *Development* within the Secondary Plan Area shall be on the basis of full urban water, wastewater and stormwater management facilities.

A1.4.1.2 A Master Servicing Plan, outlining preliminary functional water distribution, wastewater collection and stormwater management facilities, including designs and costs, will be prepared prior to the approval of any *development* within the Secondary Plan Area.

A1.4.1.3 All required *infrastructure* shall be constructed and sized to accommodate the full build-out of the Secondary Plan Area. As a result, some of the *infrastructure* required by one proponent may be oversized to service the larger area. Benefiting landowners shall be required to compensate provider proponents, prior to *development* on the benefiting landowner's property.

A1.4.1.4 All *development* within the Secondary Plan Area will proceed according to individual, site specific Drainage Plans and Servicing Plans prepared by the proponent, to the satisfaction of the Town and the Region.

A1.4.1.5 *Development* may be phased to coincide with the availability of servicing and financial capabilities are available to allow all the necessary services for *development*.

A1.4.1.6 Municipal *infrastructure*, stormwater management facilities and public or private utility services shall be permitted in all land use designations, subject to the recommendations in the Pelham Area 1 Sub*watershed* Study and Environmental Impact Statement, Final Report, March 2003, the Master Servicing Plan and detailed engineering designs to be approved by the Town. Further Official Plan Amendments shall not be required to implement appropriate *infrastructure* and stormwater management facilities.

A1.4.2 Stormwater Collection and Management System

A1.4.2.1 The Secondary Plan Area is subdivided into two drainage areas, as identified on Schedule 1. The majority of the property drains to the south to Coyle Creek (Ridgeville Drain is part of this system). The remainder of the property drains northeast to Twelve Mile Creek. Twelve Mile Creek is the only coldwater fishery in Niagara and, therefore, is a *significant* resource to the community and Region. Stormwater management is very important for this Secondary Plan Area and the Town will be requiring the highest level of protection (Level 1) for the Twelve Mile Creek *watershed* and Level 2 protection for the drainage area tributary to Coyle Creek.

A1.4.2.2 The general objectives for stormwater management within this Secondary Plan Area are:

a) to maintain, and where possible, improve the health and condition of the receiving watercourses;

b) the achievement of no net increase in stormwater run-off from the Area to adjoining lands;

c) to maintain, and where possible, improve the quality of stormwater entering surface and groundwater supplies; and

d) to promote the use of naturalized methods of stormwater management.

A1.4.2.3 The stormwater collection system for the Secondary Plan Area will be designed to direct minor and major storms to two proposed Ponds (possibly a third to service the southwest corner of the subject area), identified conceptually on Schedule 1.

A1.4.2.4 Smaller trunk storm sewers will be required to service the entire Secondary Plan Area. A proponent may be required to oversize stormwater management facilities to service other landowner's properties. Oversizing costs born by a specific proponent may be paid for with contributions from other benefiting landowners through front ending agreements, *Development* Charges By-law, or other developer's group agreements as deemed appropriate by the Town.

A1.4.2.5 Watercourse land dedication, including environmental *buffer*s as identified in this Secondary Plan and in the Sub*watershed* Study, shall be valued and subject to contributions from other benefiting landowners through front ending agreements, *Development* Charges By-law, or other developer's group agreements as deemed appropriate by the Town.

A1.4.2.6 The native soil is sand therefore the stormwater management plans developed for Secondary Plan Area must include groundwater recharge areas. The design of the recharge system must ensure that the highest quality of water is recharged into the groundwater system. The Secondary Plan Area is divided into two stormwater management areas, as described below:

a) Storm Drainage Area A, which drains to the Twelve Mile Creek *watershed*; and

b) Storm Drainage Area B, which drains to the Ridgeville Drain/Coyle Creek *watershed*.

A1.4.2.7 Storm Drainage Area A – This area drains to Twelve Mile Creek, the only cold water fishery in the Region of Niagara. As such, a Level 1 protection is

required for the stormwater management system. The primary design objectives for stormwater management in this area include:

a) quantity control;

b) quality control;

c) groundwater recharge;

d) water temperature control; and

e) erosion control.

A1.4.2.8 Storm Drainage Area B – Drainage from this area outlet into tributaries of the Coyle Creek to the southwest. Parts of some of these tributaries have experienced erosion problems along their banks in some locations, in particular in one tributary channel behind Lookout Village. One stormwater management facility is proposed to be located on the northeast corner of Highway 20 and Lookout Street. A second stormwater management facility may be required in the southeast corner of Secondary Plan Area B, east of the Fire Hall. The remaining drainage from this area is via natural watercourses, which are tributaries to the Ridgeville Drain. The primary design objectives for stormwater management in this area include:

a) quantity control;

b) quality control;

c) groundwater recharge;

d) erosion control; and

e) enhancement program for the existing drainage courses (may be subject to the *Drainage Act* as part of the Coyle Creek complex is the Ridgeville Drain).

A1.4.2.9 The stormwater management pond proposed to be located at the intersection of Highway 20 and Lookout Street is identified as a key gateway to Fonthill. As such, it should be designed with enhanced landscape features recognizing its important location within Pelham.

A1.4.3 Other Utilities

A1.4.3.1 All new local power and telecommunications/communications facilities and other similar services serving the Secondary Plan Area shall be located underground and shall, where possible, be grouped into a single utility trench.

A1.4.3.2 Utility providers are to confirm if existing services can be upgraded and new services can be provided to support the proposed *development* prior to the approval of any *development* within the Secondary Plan Area.

A1.5 Implementation

A1.5.1 This Secondary Plan shall be implemented by the powers conferred upon the Town by the *Planning Act*, the *Municipal Act*, the *Development Charges Act* and other applicable statutes and in accordance with all the applicable policies of the Town of Pelham Official Plan in addition to the policies of this Secondary Plan.

A1.5.2 The protection of the *watershed* of Twelve Mile Creek and Coyle Creek is a major objective of this Plan. It is important that the recommendations contained in the Sub*watershed* Study and Environmental Impact Study (EIS) be implemented. All *development* proposals, therefore, will be considered within the context of the objectives set out in Policy A1.4.2.2) and must occur in a manner consistent with the Pelham Area 1, Sub*watershed* Study and Environmental Impact Statement, Final Report, March 2003.

A1.5.3. The monitoring provisions set out in the Sub*watershed* study and Environmental Impact Study (EIS) should be considered minimum requirements only. A technical monitoring committee shall be established to report on water quality and quantity issues at least annually for a minimum of seven years based on the implementation of the Sub*watershed* Study and Environmental Impact Statement, Final Report, March 2003. This Technical Monitoring Committee shall consist of representatives from the Town of Pelham, the Niagara Region, and the NPCA. Other members may be included at the direction of the Council of the Town of Pelham. Reports of the Technical Monitoring Committee shall be presented to the Town and Regional Councils.

A1.6 Phasing

A1.6.1 *Development* shall be phased to provide for the continuous, orderly extension of the community and to ensure the most efficient and economical use of existing and proposed *infrastructure*. The following phasing criteria shall be considered in the review of all *development* applications:

a) the *development* contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer, water, storm water and transportation facilities; and

b) the *development* satisfies all requirements regarding the provision of parkland and other facilities.

A1.6.2 Notwithstanding any other provisions of the Official Plan, as a condition of the approval of *development*:

a) the requirement for a front ending agreement and/or a developer's group agreement shall be satisfied; and

b) an agreement to implement any relevant findings of the studies required by this Secondary Plan.

A1.7 Developer's Group/Front Ending Agreements

A1.7.1 Developer's Group/Front Ending Agreements based on the findings of this Secondary Plan and the findings of the Master Servicing Plan and any other studies deemed necessary by the Town, shall be entered into by the benefiting parties and approved by the Town as a condition of the approval of *development* applications.

A1.7.2 Such agreements shall ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with occupancy and use of land. Items which may be addressed in the Developer's Group/Front Ending Agreements include:

a) open space and environmental features;

b) streetscape features;

c) water distribution and wastewater collection;

d) stormwater management facilities;

e) road *infrastructure*, internal access and widenings; and

f) other utilities.

A1.7.3 If difficulties or undue delays are encountered with respect to the preparation of the Developer's Group/Front Ending Agreements required above, the Town may be requested to attempt to resolve such difficulties or delays. Where resolution of such problems is not deemed feasible by the Town or is not possible even with the Town's intervention, the Town may approve alternative mechanisms to satisfy the intent of the applicable policy.

A1.8 Requirements for Complete Applications

A1.8.1 Notwithstanding any other provisions of the Official Plan, the Town may require, at the time of submission of a *development* application, such information as:

a) Sub*watershed* Study;

b) Master Servicing Plan;

c) A Community Design Plan, including a Viewshed Analysis, that identifies the design vision of the *development* application in the context of the policies of this Plan and the appended design guidelines;

d) Individual Servicing Plan;

e) Individual Drainage Plan;

f) Individual Transportation Impact Study;

g) Environmental Impact Statement; and

h) Archaeological Survey.

A1.8.2 The Town, in consultation with the Region and any other agency having jurisdiction, shall, if appropriate, peer review and approve all required studies prior to granting *development* approvals. Costs of peer review work shall be the responsibility of the proponent.

A1.9 Zoning By-law

A1.9.1 This Secondary Plan shall be implemented through the enactment of Comprehensive Zoning By-laws in conformity with the provisions of the Official Plan and this Secondary Plan.

A1.9.2 The Town may designate a holding zone with the prefix 'H' and specify the future uses of these lands that, at the present time, are considered premature or inappropriate for *development* for any one or more of the following reasons:

a) community services and facilities such as sanitary sewers, stormwater management facilities, water supply and public parks are insufficient to serve the proposed *development*;

b) transportation facilities are inadequate or inappropriate based on anticipated traffic;

c) the number and location of access points to the site are inadequate and incapable of functioning safely and efficiently;

d) where *development* is dependent upon other matters occurring first, such as the consolidation of land ownership to ensure the orderly *development* of the project and/or the securing of funding for *infrastructure*, parks, services or outstanding application processing fees;

e) the need for a Site Plan agreement;

f) the need for a Developer's Group/Front Ending Agreement; and

g) supporting studies are required on matters related to traffic, soils, protection of any site features, environmental constraints or design features prior to *development* approval.

A1.9.3 Removal of the 'H' prefix will depend on meeting the specific Town conditions identified by the holding zone by-law.

A1.10 Plans of Subdivision/Condominium

A1.10.1 Plans of subdivision/condominium shall only be recommended for approval which:

a) conform with the policies and designations of the Official Plan and this Secondary Plan;

b) can be provided with adequate services and facilities as required by the policies of the Official Plan and this Secondary Plan;

c) are not premature and are in the best interest of the municipality; and

d) have regard for the design guidelines appended to this Secondary Plan.

A1.10.1 Consents

A1.10.1.1 Subdivision of land shall generally take place by plan of subdivision. Consents shall only be permitted for technical or legal purposes; or, where the municipality is satisfied that the consent will not prejudice the ultimate subdivision of land or the principles set out in the Official Plan or this Secondary Plan.

A1.11 Interpretation

A1.11.1 This Secondary Plan is a statement of municipal policy. It is intended as a guide to the *development* of the Secondary Plan Area. Some flexibility in interpretation is permitted without the need for an Official Plan Amendment, provided the general intent of the policies and principles of this Plan are maintained.

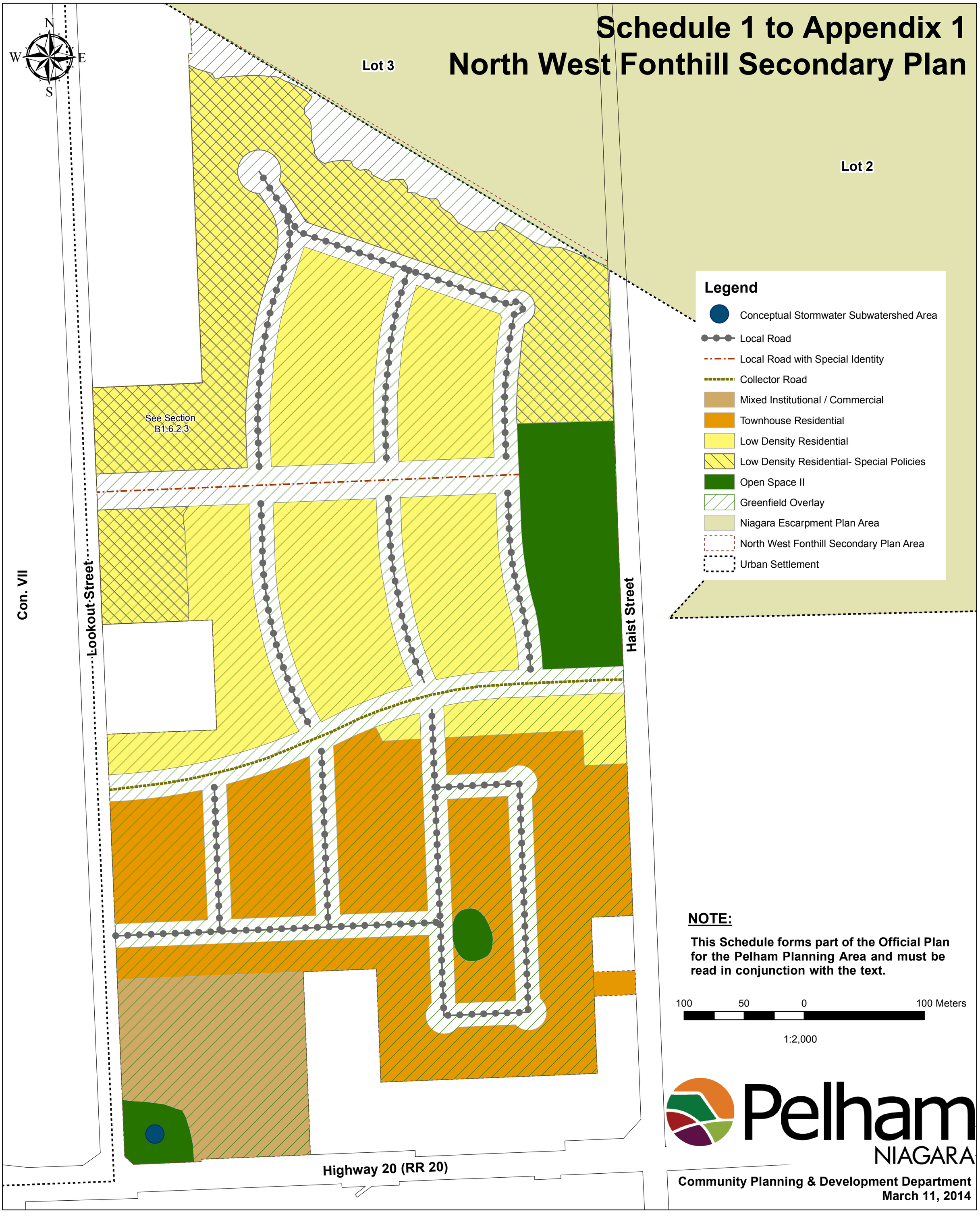
A1.11.2 *Development* within the community shall be subject to all the policies of this Secondary Plan and any applicable policies of the parent Official Plan. However, where there is a conflict between this Secondary Plan and the parent Official Plan, the policies of this Secondary Plan shall apply.

A1.11.3 The designations identified on Schedule C1 are intended to show general areas and the boundaries are flexible and may vary without an Official Plan Amendment, except where designations are established by fixed boundaries such as existing roads or where specifically stated to be fixed in the policies of this Secondary Plan;

A1.11.4 Where lists or examples of permitted uses are provided, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses not listed, but considered by the Town to be similar to the listed uses and to conform to the general intent of the applicable land use designation may be recognized as a permitted use.

A1.11.5 Minor variations from numerical requirements in this Secondary Plan may be permitted without an Official Plan Amendment provided that the general intent of this Secondary Plan is maintained.

Schedule 1 to Appendix 1
North West Fonthill Secondary Plan



NOTE:

This Schedule forms part of the Official Plan for the Pelham Planning Area and must be read in conjunction with the text.

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Pelham
NIAGARA

Community Planning & Development Department
March 11, 2014

Appendix 2: East Fonthill Secondary Plan

East Fonthill Secondary Plan

The East Fonthill Secondary Plan was approved in 2012 and establishes a detailed planning framework for the coordinated *development* of the East Fonthill Secondary Plan Area, identified on Schedule A2.

The East Fonthill Secondary Plan is intended to provide policies for a comprehensively planned community structure that protects *natural heritage features* and supports the existing Town Centre: one that is principled on Smart Growth, recognizes and responds to the policy initiatives of the Niagara Region and the Province of Ontario while establishing a comfortable and attractive community with a full range of housing types and commercial and community facilities. It is expected that this Plan will be substantially built-out by the year 2031.

The East Fonthill Secondary Plan has been prepared in conjunction with the Official Plan of the Town of Pelham. Unless otherwise specifically identified, all of the policies of the Official Plan apply to this Secondary Plan. Where there is a conflict between the policies of this Secondary Plan and any other policies of this Official Plan, the policies of the Secondary Plan shall apply.

A2.1 Community Structure

A2.1.1 Schedule 2 identifies the planned community structure. The community structure is comprised of the following elements:

a) Four Residential Neighbourhoods which are planned to contribute to the overall housing mix and density targets of the community. Policies permit the introduction of neighbourhood-servicing retail commercial and institutional land uses within each neighbourhood;

b) The Commercial/Employment Centre which is anticipated to develop as a mixed-use community with a major retail centre and a full range of employment and commercial uses, higher density residential uses and/or *institutional use*s and community facilities; and

c) The Greenlands System which includes linked *natural heritage features*, public parks, trails and stormwater management facilities. This system provides the overall structure of the plan and articulates the locations of the other elements of the community structure.

A2.1.2 Schedule 2 also indicates that the East Fonthill Secondary Plan Area includes lands within the "Built Boundary" and in "*Designated growth area*" areas. This is an important distinction because:

a) lands within the *Designated growth area* Areas are subject to the Provincial minimum *gross density* requirement of 50 people and jobs per hectare, while lands within the built boundary are not subject to this requirement; and

b) in relation to growth management for the Town of Pelham, the growth allocation for lands within the built boundary are derived from the *residential intensification* category, while the growth allocation for *designated growth area* lands comes from the *designated growth area* category.

A2.1.3 In an effort to establish an appropriate land use distribution and *development* pattern, the approach taken to preparing this Secondary Plan has been to achieve the minimum *gross density* of 50 people and jobs per hectare overall, across the entire Secondary Plan Area. The phasing of *development* in both "*residential intensification*" and "*designated growth area*" categories is addressed to ensure the Plan meets the policies of the Province and the Region of Niagara.

A2.2 General *Development* Objectives

These *development* objectives provide the framework for planning and *development* within the Secondary Plan Area by both the public and private sectors. The objectives will be implemented by the mechanisms set out in this Plan, including the implementing Zoning By-law and Site Plan approvals. The *development* objectives of this Secondary Plan are:

A2.2.1 To ensure that the community is developed with a compact urban form and at an appropriate scale that is pedestrian-oriented and fosters community interaction.

A2.2.2 To ensure a well-designed, attractive, pedestrian-and bicycle-friendly community that includes an appropriate mixture of housing types, as well as locally focused retail/commercial uses and places of worship;

A2.2.3 To create a sense of identity and continuity within the community through design treatments that residents and visitors can recognize as characteristic of the Secondary Plan Area;

A2.2.4 To create a *complete community* with a safe, healthy and functional environment that can accommodate between 6,500 and 7,500 new residents and jobs combined;

A2.2.5 To require that both the *residential intensification* and *designated growth area* components of the community achieve a minimum *gross density* of 50 persons and jobs combined per hectare;

A2.2.6 To provide a land use and community structure that supports the existing historic downtown and associated Town Centre of Fonthill;

A2.2.7 To provide for *significant* retail commercial *development* within the Secondary Plan Area, while, at the same time protecting the planned function of the historic downtown;

A2.2.8 To provide a connected Greenlands System that comprises natural features, stormwater management facilities, streets, and varying sizes of public parks and parkettes. The integrated open space system shall provide access to the Steve Bauer Trail while also providing opportunities for exposure to the environmental assets of the community, while ensuring the conservation and enhancement of *significant* natural features;

A2.2.9 To ensure the Rose Little Woodlot and Kunda Park Forest will continue to be protected and that other *significant natural heritage features* and their functions are appropriately *conserved* and enhanced;

A2.2.10 To design roads at a pedestrian scale that are also bicycle-friendly, with attractive public spaces, capable of performing a supporting role to the open space network;

A2.2.11. To develop a land use pattern and *transportation system* that supports motorized vehicular traffic, transit, cyclists and pedestrians and provides alternate transportation routes to most destinations;

A2.2.12 To provide a hierarchy of collector and local roads that is based on a connected modified grid network that accommodates all modes of travel and that reflects and responds to the natural features of the community;

A2.2.13 To ensure that all new *development* occurs on the basis of full urban water and sanitary sewer facilities, as well as adequate utility networks;

A2.2.14 To ensure that stormwater management facilities are designed as special features and part of the overall Greenlands System;

A2.2.15 To phase *development* in a logical and cost-effective manner, without any undue financial burden on the existing taxpayers of the Town of Pelham; and

A2.2.16 To ensure that benefiting *development* interests and/or landowners are bound financially through appropriate mechanisms and are committed to ensuring that the required service *infrastructure* and community structure elements are put in place in advance of, or concurrent with the

commencement of *development*.

A2.3 *Affordable* Housing

A2.3.1 A minimum of 25% of all new residential *development* within the East Fonthill Secondary Plan Area must meet the Provincial definition of *affordable* housing.

A2.3.2 *Affordable* housing may be achieved by:

a) promoting higher density housing forms, where housing is more *affordable* due to the reduced "per-unit" land costs;

b) building smaller units, where housing is more *affordable* due to lower *development* and/or *redevelopment* costs;

c) applying government grants and/or subsidies, including land dedication, that will reduce overall *development* costs;

d) waiving or reducing municipal permit fees, taxes and/or *development* fees; and

e) encouraging the *development* of accessory apartments/secondary dwelling units.

A2.3.3 The Town will work with other government agencies and the private sector to promote innovative housing forms, *development* techniques and incentives that will facilitate the provision of *affordable* housing.

A2.3.4 *Affordable* housing will be encouraged to locate in proximity to local community facilities and existing or potential public transit routes and *active transportation* facilities.

A2.4 Demonstration Plans

Demonstration Plans have been prepared and are attached as Attachment "1" to this Appendix.

A2.4.1 The demonstration plans articulate a response to the policies of this Plan and the associated Urban Design Guidelines. The provide detailed land use distribution and road pattern, as well as defining an open space and trails network.

A2.4.2 The demonstration plans are intended to act as a guideline for successive *development* and approval processes that are required to implement this Plan, particularly zoning, required Master Plans and Draft Plans of Subdivision/Condominium.

A2.4.3 All *development* within the East Fonthill Secondary Plan Area shall be generally consistent with the demonstration plans in Attachment 1. Adjustments and further refinements to the demonstration plans are anticipated and shall not require an amendment to this Plan, provided that the intent and general design approach inherent to the demonstration plans are achieved to the satisfaction of the Town.

A2.5 Urban Design Guidelines

Urban Design Guidelines have been prepared and are attached as Attachment 2 to this Appendix.

A2.5.1 Urban Design Guidelines are intended to promote an appropriate built form and public realm within the Secondary Plan Area. The Urban Design Guidelines function as an implementation tool for successive *development* and approval processes that are required to implement this Plan, particularly zoning, required Master Plans and Draft Plans of Subdivision/Condominium.

A2.5.2 All *development* within the Secondary Plan Area shall be generally consistent with the Urban Design Guidelines attached to this Plan as Attachment 2. Adjustments and further refinements to the Urban Design Guidelines are anticipated and shall not require an Amendment to this Plan, provided that the intent and general design approach inherent to the Urban Design Guidelines are achieved to the satisfaction of the Town.

A2.6 General Site *Development* Criteria

A2.6.1 The Town shall ensure that the following general site *development* criteria are implemented in all new *development*:

a) buildings shall be street-front oriented and provide direct street access for pedestrians;

b) large scale automobile parking areas shall generally be sited to the side or rear of buildings, or, preferably below grade. The softening of the impact of the large areas of surface parking through building orientation, boulevard landscaping treatments and landscapes islands is required;

c) residential driveway access will not be permitted on Highway 20 and Regional Road 54;

d) with the exception of single-detached and semi-detached dwelling units and townhouse units, all new *development* shall provide outdoor bicycle racks at their main entrance. In locations with minimal setbacks where there is insufficient space for bicycle racks at the main

building entrance, bicycle racks may be provided at an alternate location in proximity to the entrance that is convenient and highly visible. Covered or secure indoor bicycle parking, and other end of trip facilities such as showers and change rooms, are also encouraged by the Town;

e) *compatibility* between different land uses and scales of buildings shall be achieved through appropriate siting, design and landscape treatment;

f) the Zoning By-law will specify requirements for building setbacks, minimum landscaped areas, *buffer* strips, maintenance of existing trees, privacy screening and other appropriate measures to enhance the "greening" of the community which shall be applied in all new *development*;

g) high quality landscape treatment shall be provided throughout the Secondary Plan Area;

h) building form and siting shall minimize the impacts of noise, wind and shadows on adjacent properties and shall enhance views of landmark buildings and all components of the Greenlands System;

i) high density *development* shall generally be adjacent to:

   i) arterial roads and/or Collector Main Streets;

   ii) retail and service commercial uses;

   iii) community facilities; and

   iv) public open space areas.

j) Where a proposed non-residential use abuts or is proximate to an existing or proposed residential land use, fencing, landscaping, berming or a combination of these design elements will be utilized to ensure that there is adequate screening between the uses;

k) loading areas, and outdoor and fully enclosed refuse collection areas, shall be unobtrusive and screened and shall generally be located at the side or the rear of buildings;

l) rooftop equipment shall be unobtrusive, architecturally incorporated into the design of the building and/or screened from view;

m) no open storage is permitted except as permitted under the Zoning By-law. Where open storage is permitted, it shall be unobtrusive and

screened, and shall generally be located at the side or the rear of the building; and

n) Common vehicular access and internal circulation including service lanes connecting abutting properties and/or *development*s shall be provided wherever possible.

A2.7 Crime Prevention Through Environmental Design (CPTED)

A2.7.1 The Town will promote building and site design that assist in the reduction of the incidence of crime through the implementation of Crime Prevention Through Environmental Design (CPTED) principles including natural surveillance, natural access control, territorial reinforcement and space assessment.

A2.7.2 The Town shall have regard for the principles of CPTED in their review of all *development* applications.

A2.8 Sustainable Design/Green Building Standards

A2.8.1 The overall *development* pattern within the Secondary Plan Area has been developed with regard to the principles of LEED-ND (Leadership in Energy and Environmental Design – Canada) as they have evolved.

A2.8.2 The Town will encourage that all new buildings achieve 20% greater water conservation efficiency than required by the Ontario Building Code.

A2.8.3 All new *development*, with the exception of residential buildings containing less than 25 dwelling units, must be built to the following requirements for sustainability:

a) LEED Silver, or equivalent alternative, prior to and including 2021; and

b) LEED Gold, or equivalent alternative, from 2022 up to and beyond 2031.

A2.8.4 To encourage all new *development* to be built to the following requirements for Sustainability:

a) grade-related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to an ENERGY STAR standard; and

b) mid- and high-rise (4 storeys and greater) residential and non-residential buildings shall be designed to achieve 25% greater energy efficiency than the Model National Energy Code for Buildings.

A2.9 Residential Neighbourhoods Phasing Policies

A2.9.1 There are a total of four residential neighbourhoods identified on Schedule 2. These neighbourhoods are generally delineated on the basis of sub-*watershed* boundaries, or other physical plan components, and typically include at least one stormwater management facility;

A2.9.2 In total, the four residential neighbourhoods are expected to generate approximately 5,350 people and jobs. That *development* yield is further subdivided into *Designated growth area development*, representing approximately 3,700 people and jobs, and *development* through *residential intensification*, representing approximately 1,650 people and jobs. The *development* yield calculations, and the inherent assumptions therein are provided in Attachment 4 to this appendix;

A2.9.3 Overall, the four residential neighbourhoods are expected to achieve a *gross density* of 50 persons and jobs combined per hectare. In this regard, *gross density* is defined as the *development* yield divided by the gross land area. Gross land area is the total land area, less those lands designated Environmental Protection One and Environmental Protection Two on Schedule 2.1.

A2.9.4 The expected *development* yield may increase, subject to the final delineation of the Environmental Protection Two designation through the Environmental Impact Study (EIS) process, without the need for a further Amendment to this Secondary Plan. However the minimum density requirement of 50 persons and jobs combined per gross hectare shall always be achieved on the identified *designated growth area* lands.

A2.9.5 The Town shall carefully monitor residential growth within the East Fonthill Secondary Plan Area. *Development* phasing will be established based on population growth over time, in conjunction with the ability of the Town to pay for *infrastructure development* costs as required. The total population growth within the Residential Neighbourhoods shall be limited within the Secondary Plan Area by the establishment of the following *development* caps:

a) to 2021, up to a total maximum of 3,000 residents and jobs combined;

b) to 2026, up to a total maximum of 4,500 residents and jobs combined; and

c) to 2031, up to 5,350 residents and jobs combined.

A2.9.6 The Town reserves the right to make modifications to the numerical *development* caps identified above to ensure a logical progression of growth that:

a) maximizes an efficient *development* pattern, the cost-effective use of *infrastructure* investment, and avoids temporary *infrastructure development* solutions;

b) ensures the early *development* of public parkland components of the Plan;

c) includes the adequate expansion of, and improvements to, the road network, water and wastewater services;

d) ensures that a full range and mix of housing types, including house forms that have the potential to be *affordable*, is developed in a timely manner; and

e) is fiscally responsible and does not place an undue tax burden on the existing residents and businesses within the Town.

A2.9.7 The Town may make modifications to the numerical *development* caps without the need for an Official Plan Amendment, subject to approval by the Region.

A2.10 Commercial/Employment Centre Phasing Policies

A2.10.1 It is the intent of this Plan to support the function of the historic downtown, and to protect it from the immediate impacts of competition from the *development* of a major retail commercial centre within the East Fonthill Secondary Plan Area. This protection for the historic downtown will be provided through the application of:

a) restrictions on small-scale retail and service commercial uses within the EF-Mixed Use and EF-Urban Highway Commercial designations; and

b) caps on the overall amount of retail and service commercial floor-space that are linked to residential growth within the East Fonthill Secondary Plan Area.

A2.10.2 Much of the historic downtown is comprised of retail and service commercial uses with less than 300 square metres of Gross Leasable Floor Space, with many at 150 square metres or less. As such, this Plan will include policies that are intended to protect those small scale uses from the impacts of new retail and service commercial *development* within the Commercial/Employment Centre of the East Fonthill Secondary Plan Area.

A2.10.3 The Commercial /Employment Centre identified on Schedule 2 is expected to generate a minimum of 1,190 people and jobs combined per gross hectare.

This *development* yield is based on a minimum *gross density* of 50 persons and jobs combined per gross hectare. Gross hectare is defined as the total land area of the Secondary Plan Area, less those lands designated Environmental Protection One and Environmental Protection Two. The *development* yield calculations, and theinherent assumptions therein, are provided in Attachment 4.

A2.10.4 100% of the expected *development* yield for the Commercial/Employment Centre – 1,190 people and jobs combined are to be achieved through *Designated growth area development*. The *designated growth area development* component of this Plan is required to achieve a minimum density of 50 persons and jobs combined per gross hectare, and is expected to build out within the twenty-year timeframe of this Plan.

A2.10.5 The Town shall carefully monitor growth within the East Fonthill Secondary Plan Area. *Development* Phasing will be established based on growth over time, in conjunction with the ability of the Town to pay for *infrastructure development* costs as required. The total growth within the Commercial/Employment Centre shall be limited through the implementation of the following caps on *development*:

a) to 2021, up to a total maximum of 785 residents and jobs combined; and

b) to 2031, up to 1,190 residents and jobs combined.

A2.10.6 The Town reserves the right to make modifications to the numerical *development* caps identified above to ensure appropriate synergies among the various land uses, and a logical progression of growth that:

a) maximizes an efficient *development* pattern, the cost-effective use of *infrastructure* investment, and avoids temporary *infrastructure development* solutions;

b) includes the adequate expansion of, and improvements to, the road network, water and wastewater services; and

c) is fiscally responsible and does not place an undue tax burden on the existing residents and businesses within the Town.

A2.10.7 The Town may make modifications to the numerical *development* caps without the need for an Official Plan Amendment, subject to approval by the Region;

A2.10.8 While it is intended that *development* of retail and service commercial *development* be carefully managed, other permitted uses within the EF-Mixed Use and EF-Urban Highway Commercial designations shall be

permitted to be developed without regard to the phasing policies for Residential Neighbourhoods identified in this Plan.

A2.10.9 Where retail commercial Gross Leasable Floor Area exceeds 40,000 square metres on lands within the identified Commercial/Employment Centre, a Retail Commercial Market Impact Analysis shall be required to support additional retail commercial *development*:

a) a required Retail Commercial Market Impact Analysis shall consider the supply of retail commercial space within the market area versus the demand for additional space vis a vis the growing local population, and/or on-going commercial spending leakage to adjacent municipalities. In addition, impacts on the historic downtown shall be quantified, considered and appropriately mitigated. A required Retail Commercial Market Impact Analysis shall be prepared by a qualified consultant to the satisfaction of the Town, in consultation with the Region.

A2.10.10. In order to achieve the minimum density targets of this Plan, the Town will not approve any *development* application that compromises the ability of the Town to achieve the expressed targets throughout the East Fonthill Secondary Plan Area. As such, prior to the approval of any application for Plan of Subdivision and/or Zoning By-law Amendment, the proponent shall demonstrate how the proposal contributes to the minimum *gross density* targets of this Plan. Proponents shall provide a population and employment density table and/or plan that geographically distributes *development* forms/types, lot sizes and densities based on the objectives and policies of this Plan.

A2.11 Land Use Designations

Land use is divided into nine categories, as shown on Schedule 2.1, with policies established for each category. The categories include:

A2.11.1 The Residential Neighbourhoods:

a) EF-*Low-density residential*;

b) EF-*Medium-density residential*; and

c) EF-High/*Medium-density residential*.

A2.11.2 The Commercial/Employment Centre

a) EF-Mixed Use; and

b) EF-Urban Highway Commercial.

A2.11.3 The Greenlands System:

a) Environmental Protection Area One;

b) Environmental Protection Area Two;

c) Public Parkland; and

d) Stormwater Management Facilities.

A2.12 The Residential Neighbourhoods

It is the intent of the Town to establish 4 Residential Neighbourhoods within the East Fonthill Secondary Plan Area, as identified on Schedule 2. On those lands it is the intent of the Town to promote the *development* of complete communities through an appropriate housing mix, access to neighbourhood retail services, and pedestrian-oriented street design. The 4 Neighbourhoods will be connected to the Greenlands System and achieve an overall minimum density of at least 50 persons and jobs combined per gross hectare within a safe, healthy and functional environment.

A2.12.1 General Policies

A2.12.1.1. In order to achieve the minimum density targets of this Plan, the Town will not approve any *development* application that compromises the ability of the Town to achieve the expressed density targets throughout the East Fonthill Secondary Plan Area. As such, prior to the approval of any application for Plan of Subdivision and/or Zoning By-law Amendment, the proponent shall demonstrate how the proposed *development* contributes to density targets of this Plan.

A2.12.1.2 Prior to the approval of any *development* application, proponents shall provide a housing mix and density plan that geographically distributes housing forms/types, lot sizes and densities based on the objectives and policies of this Plan. The following minimum density targets shall be achieved within each neighbourhood:

a) neighbourhood 1 shall achieve an overall minimum density of approximately 57 persons and jobs per gross hectare combined;

b) neighbourhood 2 shall achieve an overall minimum *gross density* of approximately 53 persons and jobs per hectare combined;

c) neighbourhood 3 shall achieve an overall minimum *gross density* of approximately 43 persons and jobs per hectare combined; and

d) neighbourhood 4 shall achieve an overall minimum *gross density* of approximately 40 persons and jobs per hectare combined.

A2.12.1.3. The purpose of the variable density targets for each individual neighbourhood is to ensure the minimum density target of 50 persons and jobs combined per gross hectare is achieved over the entire community. These density targets are derived from the data provided in Attachment 4.

A2.12.1.4 A Neighbourhood Master Plan will be prepared for each of the four Residential Neighbourhoods. The required Neighbourhood Master Plan shall include the entire neighbourhood as identified on Schedule 2, and shall include the following components:

a) Road, Block and Land Use Plan which will identify the conceptual layout of the Site, including the distribution of land uses and building heights. This Plan will provide enough detail to ensure that the minimum overall density assigned to each of the Neighbourhoods has been achieved;

b) Streetscape and Open Space Plan which will identify the function, design and treatment of all the internal road types. It will identify the location of all public sidewalks, on-street bikeways, and the various components of the open space system and trails network, and the integration of these facilities with existing, proposed and future land uses. The Streetscape and Open Space Plan will identify the linkages between proposed parks and parkettes;

c) Urban Design and Architectural Control Guidelines which will provide more detail and implement the Urban Design Guidelines attached to this Plan as Appendix B, and any other applicable policies of this Plan. These Guidelines will articulate building height, massing and form, building setbacks, the arrangement of buildings on lots and the treatment of on-site parking. In addition, the urban and architectural control guidelines will identify the location and design treatment of landmark architectural features and architectural design requirements for all buildings, including landscape elements;

d) Servicing Plan which shall include, but shall not be limited to, technical details regarding the provision of water, wastewater, stormwater management and public and/or private utilities; and

e) Environmental Impact Study (EIS), where required by the policies of the Official Plan. The required EIS shall include the contiguous lands of participating landowners.

A2.12.1.5 The Demonstration Plans provided in Attachment 1 and the Urban Design Guidelines provided in Attachment 2, may constitute the Road, Block and Land Use Plan, the Streetscape and Open Space Plan and the Urban Design Guidelines components of the Neighbourhood Master Plan, if the proposed

development is generally consistent with the Demonstration Plans and Urban Design Guidelines of Attachments 1 and 2, to the satisfaction of the Town.

A2.12.1.6 The Neighbourhood Master Plan shall form the basis of Draft Plan of Subdivision, implementing zoning, and/or Site Plan Approvals. Prior to *development* in any Residential Neighbourhood, the Town shall be satisfied that the Neighbourhood Master Plan has been completed, and all of the policies of this Plan have been appropriately fulfilled.

A2.12.1.7 The Town may consider combining neighbourhoods, as long as all of the policies of this Plan can be achieved.

A2.12.1.8 Within all residential designations, increases in density may be permitted, subject to a test of *compatibility* and design appropriateness, without Amendment to this Plan. The Town, in considering any increase in height and/or density may implement a height and/or density bonus by-law, utilizing the provisions of Section 37 of the Planning Act.

A2.12.2 EF-*Low-density residential*

A2.12.2.1 Permitted Uses

A2.12.2.1.1 The following uses are permitted within the EF-*Low-density residential* designation:

a) Single detached and semi-detached dwelling units;

b) Accessory apartments/secondary suites;

c) Accessory buildings and structures related to the primary residential dwelling unit;

d) Home occupations;

e) Places of worship;

f) Day nurseries;

g) Convenience retail and service commercial uses;

h) Parks, parkettes and open space linkages; and

i) Public uses and public and private utilities.

A2.12.2.1.2 In addition to the permitted uses identified above, townhouses may be permitted and may constitute up to a maximum of 15% of the total number of dwelling units within any individual draft plan of subdivision.

A2.12.2.1.3 The implementing Zoning By-law may further refine the list of permitted and/or prohibited land uses within the EF-*Low-density residential* designation.

A2.12.2.2 *Development* Policies

A2.12.2.2.1 For single-detached units, density shall range from a minimum of 10 units per net hectare up to 30 units per net hectare.

A2.12.2.2.2 For semi-detached units, density shall range from a minimum of 20 units per net hectare, up to 40 units per net hectare.

A2.12.2.2.3 Permitted street townhouse dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare up to 50 units per net hectare.

A2.12.2.2.4 The maximum building height for any building within the EF-*Low-density residential* designation shall be 3 storeys, or 10.5 metres, whichever is less.

A2.12.2.2.5 Places of worship and day nurseries shall only be permitted within the EF-*Low-density residential* designation through a Site Specific Zoning By-Law Amendment process, provided that they:

a) have a minimum lot size of 0.75 of a hectare;

b) are *compatible* with adjacent properties in terms of aesthetics, privacy, sunshadowing, noise and/or other impacts;

c) are located near the intersection of two public roads, at least one of which is a Collector Main Street; and

d) the landmark, or steeple component of a Place of Worship may be permitted to exceed the 10 metres height limitation, subject to approval by the Town, through the required Site Specific Zoning By-law Amendment process.

A2.12.2.2.6 Convenience retail and service commercial uses shall only be permitted within the EF-*Low-density residential* designation through a Site Specific Zoning By-Law Amendment process, and provided that they:

a) are limited in size to 150 square metres per business;

b) include no more than 3 businesses on a lot;

c) are *compatible* with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and

d) are located at the intersection of two public roads, at least one of which is a Collector Main Street.

A2.12.3 EF-*Medium-density residential*

A2.12.3.1 Permitted Uses

A2.12.3.3.1 The following uses are permitted within the EF-*Medium-density residential* designation:

a) All forms of townhouse units;

b) Small scale apartment buildings;

c) Accessory apartments/secondary suites;

d) Live-work units;

e) Housing for seniors and/or special needs housing;

f) Accessory buildings and structures related to the primary residential dwelling unit;

g) Home occupations;

h) Places of worship;

i) Day nurseries;

j) Convenience retail and service commercial uses;

k) Parks, parkettes and open space linkages; and

l) Public uses and public and private utilities.

A2.12.3.3.2 In addition to the permitted uses identified above, single and semi-detached dwellings may be permitted but may not constitute more than 15% of the total number of dwelling units within any individual draft plan of subdivision; and

A2.12.3.3.3 The Implementing Zoning By-law may further refine the list of permitted and/or prohibited land uses within the EF-*Medium-density residential* designation.

A2.12.3.4 *Development* Policies

A2.12.3.4.1 Townhouse dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare, up to 60 units per net hectare.

A2.12.3.4.2 Small scale apartment buildings shall be developed at densities ranging from a minimum of 35 units per net hectare, up to 75 units per net hectare.

A2.12.3.4.3 Permitted singles and semi-detached dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare up to 50 units per net hectare.

A2.12.3.4.4 The maximum building height for any building within the EF-Medium Density Residential designation shall be 5 storeys or 17 metres, whichever is less, and may include a 4 metre minimum height requirement on the first floor to accommodate livework units.

A2.12.3.4.5 Places of worship and day nurseries shall only be permitted within the EF-*Medium-density residential* designation through a Site Specific Zoning By-Law Amendment process, provided that they:

a) have a minimum lot size of 0.75 of a hectare;

b) are *compatible* with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts;

c) are located near the intersection of two public roads, at least one of which is a Collector Main Street; and

d) the landmark, or steeple component of a Place of Worship may be permitted to exceed the 17 metres height limitation, subject to approval by the Town through the required Site Specific Zoning By-law Amendment process.

A2.12.3.4.6 Convenience retail and service commercial uses shall only be permitted within the EF-*Medium-density residential* designation through a Site Specific Zoning By-Law Amendment process, provided that they:

a) are limited in size to 150 square metres per business;

b) include no more than 3 businesses on a lot;

c) are *compatible* with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and

d) are located at the intersection of two public roads, at least one of which is a Collector Main Street.

A2.12.3.4.7 Where a convenience and/or service commercial use is proposed on the ground floor of a permitted residential use within the EF-*Medium-density residential* designation, the Town shall ensure an appropriate residential-commercial interface within the building and on the site, through the rezoning and Site Plan Control processes.

A2.12.3.4.8 *Development* on the basis of public or private lanes is encouraged and may be required where dwelling units front onto a Collector Main Street. *Development* on the basis of public or private lanes may be permitted where dwelling units front onto a Local Road, subject to confirmation of the technical requirements by the Town.

A2.12.3.4.9 Schedule 2.1 identifies symbolically a location for a potential apartment building. In general proximity to that symbol, one apartment building may be developed, subject to Policy A1.2.12.4 of this Plan, and the following criteria:

a) the site is located at the intersection of two public roads, at least one of which is designated as a collector; and

b) the site does not exceed 10,000 square metres in size.

A2.12.4 EF-High/*Medium-density residential*

A2.12.4.1 Permitted Uses

A2.12.4.1.1 The following uses are permitted within the EF-High/*Medium-density residential* designation:

a) Apartment buildings and Townhouses;

b) Housing for seniors and/or special needs housing;

c) Accessory buildings and structures related to the primary residential dwelling unit;

d) Live-work units;

e) Places of worship;

f) Day nurseries;

g) Convenience retail and service commercial uses;

h) Parks, parkettes and open space linkages; and

i) Public uses and public and private utilities.

A2.12.4.1.2 The Implementing Zoning By-law may further refine the list of permitted and/or prohibited land uses within the EF-High/*Medium-density residential* designation.

A2.12.4.2 *Development* Policies

A2.12.4.2.1 Apartment buildings shall be developed at densities ranging from a minimum of 35 units per net hectare, up to 160 units per net hectare.

A2.12.4.2.2 Townhouse dwellings shall be developed at densities ranging from a minimum of 30 units per net hectare, up to 60 units per net hectare.

A2.12.4.2.3 The minimum building height for any Townhouse building shall be 2 storeys, or 7.0 metres, and any Apartment building within the EF-High/*Medium-density residential* designation shall be 3 storeys, or 11.0 metres, whichever is greater. The maximum building height for any building within the EF-High/*Medium-density residential* designation shall be 10 storeys, or 35 metres, whichever is less. The height of the first floor of all buildings within the EF-High/*Medium-density residential* designation shall be a minimum of 4 metres to accommodate live-work units.

A2.12.4.2.4 Places of worship and day nurseries shall only be permitted within the EF High/*Medium-density residential* designation through a Site Specific Zoning By-Law Amendment process, provided that they:

a) have a minimum lot size of 0.75 of a hectare;

b) are *compatible* with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and

c) are located near the intersection of two public roads, at least one of which is a Collector Main Street.

A2.12.4.2.5 Convenience and service commercial uses shall only be permitted within the EF High/*Medium-density residential* designation through a Site Specific Zoning By-Law Amendment process, provided that they:

a) are limited in size to 150 square metres per business;

b) include no more than 3 businesses on a lot;

c) are *compatible* with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and

d) are located at the intersection of two public roads, at least one of which is a Collector Main Street.

A2.12.4.2.6 Where a convenience and/or service commercial use is proposed on the ground floor of a permitted residential use within the EF-High/*Medium-density residential* designation, the Town shall ensure an appropriate residential-commercial interface within the building and on the site, through the rezoning and Site Plan Control processes.

A2.12.4.2.7 *Development* on the basis of public or private lanes is preferred and may be required where dwelling units front onto a Collector Main Street. *Development* on the basis of public or private lanes may be permitted where dwelling units front onto a public Local Road, subject to confirmation of the technical requirements by the Town.

A2.12.4.2.8 Where buildings are proposed within the EF-High/*Medium-density residential* that abuts any other lower density residential designation, the higher density *development* shall be designed to ensure *development compatibility* such that the amenity of the lower density residential area is maintained or protected. Site design considerations may include:

a) increased setbacks;

b) *sensitive* building siting;

c) provision of landscaped *buffer*s;

d) angular planes or other mechanisms that control of the scale of *development*;

e) the requirement for structured parking and/or the provision of parking areas that do not dominate the site physically and visually;

f) the location, pattern, and style of entranceways, windows, balconies, and other architectural details; and

g) the location, pattern, and style of loading bays, and refuse containers.

A2.13 The Commercial/Employment Centre

The Commercial/Employment Centre includes lands designated EF-Mixed Use and EF-Urban Highway Commercial on Schedule 2.1. On those lands, it is the intent of the Town to promote a variety of retail commercial facilities, office and *institutional use*s, residential uses and community uses in a form that mixes those uses within buildings and on the site. Stand-alone and mixed-use buildings will be permitted. It is also the intent of the Town to:

A2.13.1 Ensure a vibrant, inviting and appealing atmosphere on these lands that will attract residents and new businesses, encourage walking and cycling and

resonate with visitors a positive image of Fonthill.

A2.13.2 Facilitate the *development* of a major new a major new shopping destination.

A2.13.3 Ensure that *development* within the Centre is comprehensively planned to ensure that the impacts of servicing, access, loading and parking can be adequately addressed.

A2.13.4 Ensure that the required minimum density of 50 persons and jobs combined per gross hectare is achieved within the Commercial/Employment Centre.

A2.13.5 Ensure that leading-edge telecommunication services are in place through discussions with telecommunications providers to attract knowledge-based industries and support the technological advancement and growth of existing businesses.

A2.13.1 General Policies

A2.13.1.1 Within the Commercial/Employment Centre a Site Master Plan will be prepared for each of the two land use designations. The Site Master Plan shall include the following components:

a) Road, Block and Land Use Plan which will identify the conceptual layout of the Site, including the distribution of land uses, building foot prints, parking and loading areas, and building heights. This Plan will provide enough detail to ensure that the minimum overall density assigned to each of the designations has been achieved;

b) Streetscape and Open Space Plan which will identify the function, design and treatment of all the internal road types. It will identify the location of all public sidewalks, on-street bikeways, and the various components of the open space system, and the integration of these facilities with existing, proposed and future land uses. The Streetscape and Open Space Plan will identify linkages between proposed parks and parkettes;

c) Urban Design and Architectural Control Guidelines which will provide more detail and implement the Urban Design Guidelines attached to this Plan as Attachment 2, and any other applicable policies of this Plan. These Guidelines will articulate building height, massing and form, building setbacks, the arrangement of buildings on lots and the treatment of on-site parking. In addition, the urban and architectural control guidelines will identify the location and design treatment of landmark architectural features and architectural design requirements for all buildings, including landscape elements;

d) Servicing Plan which shall include, but shall not be limited to, the details regarding the provision of water, wastewater, stormwater management and public and/or private utilities; and

e) Environmental Impact Study, where required by the policies of the Official Plan.

A2.13.1.2 Subject to agreement by the Town, the requirement for two Site Master Plans may be reduced to a single Site Master Plan that combines both land use designations, as long as all of the policies of this Plan are achieved.

A2.13.1.3 Prior to considering an application for Zoning By-law Amendment and/or Site Plan approval, Council shall be satisfied that:

a) adequate parking for automobiles and bicycles and loading facilities are provided on the site;

b) buildings located at the entrance points to the Fonthill *Settlement area* or at the intersection of any Collector Main Street and Highway 20, such buildings are designed to provide or maintain a desirable gateway to the community;

c) new or redeveloping uses incorporate landscaping to enhance the site and surrounding areas;

d) outdoor storage areas, where permitted, are substantially screened from view from passing traffic; and

e) all options respecting shared access from the road are reviewed and implemented, if feasible.

A2.13.1.4 Based on the mixed-use nature of the Commercial/Employment Centre, typical parking requirements may be reduced and shared parking considered in recognition of the parking efficiencies offered by mixed-use *development* forms. The minimum and maximum parking standards throughout the Commercial/Employment Centre are:

a) for Residential uses – 1.00 to 1.25 spaces/unit. Seniors housing will have a minimum of 0.75 spaces/unit;

b) for all Office uses – 2.75 to 3.25 spaces/100 m^2; and

.

c) for all Retail and Service Commercial uses – 4.25 to 5.25 spaces/100 m^2 of Gross Leasable Floor Area.

A2.13.1.5 Community Improvement Plan – All lands within the EF-Urban Highway Commercial designation and the EF-Mixed Use designation are identified as

within a Community Improvement Area. The Town shall consider the preparation of a Community Improvement Plan in order to establish a vision for the area, identify public realm improvement priorities and establish incentive programs to assist the private sector in improving their properties. The qualification criteria for any proposed incentive program shall include the requirement that the lands be included within the Downtown Fonthill Business Improvement Area; and,

A2.13.1.6 Downtown Fonthill Business Improvement Area – All lands within the EF-Urban Highway Commercial designation and EF-Mixed Use designation, should, over time, be considered for inclusion within the boundaries of the Downtown Business Improvement Area.

A2.13.2 EF-Mixed Use

A2.13.2.1 Permitted Uses

A2.13.2.1.1 Buildings within the EF-Mixed Use designation are encouraged to accommodate an array of uses. This mixture of uses is encouraged not just within the designation in general, but also on individual *development* sites, and within individual buildings. High activity uses that animate the streetscape and encourage foot traffic, such as retail uses, are encouraged at-grade and/or along the Arterial and Collector Road frontages, with uses such as offices, recreational, cultural and residential uses on second floors and above and/or behind the street-related facade. Office and other appropriate employment uses shall be encouraged above grade in mixed-use buildings located throughout the EF-Mixed Use designation, and in single-use buildings that are located off Arterial or Collector Road frontages.

A2.13.2.1.2 The following uses/mixture of uses are permitted within the EF-Mixed-Use designation:

a) Commercial, professional and/or government offices;

b) Research and data processing facilities;

c) Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 150 square metres. Retail commercial uses with a Gross Leasable Floor Area of between 100 and 150 square metres may be considered by the Town, subject to an analysis that indicates that the proposed use will not have a detrimental impact on any existing use within the historic commercial core of Fonthill, to the satisfaction of Council;

d) Space extensive retail uses such as:

i) Automotive related products;

ii) Large and bulky goods such as furniture and appliances;

iii) Home improvement materials;

iv) Supermarkets;

v) Hardware; and

vi) Nursery or garden supply products;

e) Hotels and tourist accommodations;

f) Conference centres;

g) Cultural, recreational and entertainment uses;

h) Public and private *institutional use*s;

i) Live-work units;

j) Townhouses and apartment buildings;

k) Accessory apartments and/or secondary suites;

l) Housing for seniors and/or special needs housing;

m) Child care facilities;

n) Parking facilities at-grade and/or in structure;

o) Cycling facilities;

p) Parks and parkettes; and

q) Public uses and public and private utilities.

A2.12.2.1.3 The Implementing Zoning By-law may further refine the list of permitted and/or prohibited land uses within the EF-Mixed Use designation.

A2.13.2.2 *Development* Policies

A2.13.2.2.1 It is recognized that the entire site will be developed over a relatively long period of time. As such, minimum densities, whether the overall density, or individual site densities will be calculated on the basis of the required Site Master Plan, which will be phased over time. At build-out, the lands

designated EF-Mixed Use are required to achieve a minimum density of 50 persons and jobs combined per gross hectare.

A2.13.2.2.2 Residential *development* shall be developed at densities ranging from a minimum of 35 units per net hectare, up to 160 units per net hectare.

A2.13.2.2.3 The minimum building height for any building within the EF-Mixed Use designation shall be 2 storeys, or 6.0 metres, whichever is greater. The maximum building height for any building within the EF-Mixed Use designation shall be 10 storeys, or 35 metres, whichever is less. The ground floor of any live-work unit, or any non-residential building shall be a minimum of 4.0 metres. An exception to the minimum height requirement may be considered by the Town to facilitate single-storey residential units that are part of a senior citizens housing complex.

A2.13.2.2.4 The maximum height of any new *development* may be increased to up to 12 storeys through the Height Bonus provisions provided under Section 37 of the *Planning Act*.

A2.13.2.2.5 *Development* within the EF-Mixed-Use designation shall only proceed on the basis of a Site Master Plan, which shall form the basis of an implementing Official Plan Amendment and Zoning By-law Amendment, followed by Site Plan Approval.

A2.13.3 EF-Urban Highway Commercial

A2.13.3.1 Permitted Uses

Buildings within the EF-Urban Highway Commercial designation are encouraged to accommodate an array of uses. This mixture of uses is encouraged not just within the designation in general, but also on individual *development* sites, and within individual buildings. High activity uses that animate the streetscape and encourage foot traffic, like retail uses, are encouraged at-grade and/or along the Arterial and Collector Road frontages, with uses such as offices, recreational, cultural and residential uses on second floors and above and/or behind the street-related facade. Office and other appropriate employment uses shall be encouraged above grade in mixed-use buildings located throughout the EF-Urban Highway Commercial designation, and in single-use buildings that are located off Arterial or Collector Road frontages.

A2.13.3.1.1 The following uses are permitted within the EF-Urban Highway Commercial designation:

a) Commercial, professional and/or government offices;

b) Research and data processing facilities;

c) Retail commercial uses including retail stores, restaurants and personal services, with Gross Leasable Floor Areas greater than 150 square metres. Retail commercial uses with a Gross Leasable Floor Area of between 100 and 150 square metres may be considered by the Town, subject to an analysis that indicates that the proposed use will not have a detrimental impact on any existing use within the historic commercial core of Fonthill, to the satisfaction of Council;

d) Space extensive retail uses such as:

   i) Automotive related products;

   ii) Large and bulky goods such as furniture and appliances;

   iii) Home improvement materials;

   iv) Supermarkets;

   v) Hardware; and

   vi) Nursery or garden supply products;

e) Hotels and tourist accommodations;

f) Conference centres;

g) Cultural, recreational and entertainment uses;

h) Public and private *institutional use*s;

i) Live-work units;

j) Townhouses and apartment buildings;

k) Accessory apartments/secondary suites;

l) Housing for seniors and/or special needs housing;

m) Child care facilities;

n) Parking facilities at-grade and/or in structure;

o) Cycling facilities;

p) Parks and parkettes; and

q) Public uses and public and private utilities.

A2.13.3.1.2 The Implementing Zoning By-law may further refine the list of permitted and/or prohibited land uses within the EF-Urban Highway Commercial designation.

A2.13.3.2 *Development* Policies

A2.13.3.2.1 It is recognized that the entire site will be developed over a relatively long period of time. As such, minimum densities, whether the overall density, or individual site densities will be calculated on the basis of the required Master Site Plan, which will be phased over time. At build-out, the lands designated EF-Urban Highway Commercial are required to achieve a minimum density of 50 persons and jobs combined per gross hectare.

A2.13.3.2.2 Residential *development* shall be developed at densities ranging from a minimum of 35 units per net hectare, up to 160 units per net hectare.

A2.13.3.2.3 The minimum building height for any building within the EF-Urban Highway Commercial designation shall be 2 storeys, or 6.0 metres, whichever is greater. The maximum building height for any building within the EF-Mixed Use designation shall be 10 storeys, or 35 metres, whichever is less. The ground floor of any live-work unit, or any non-residential building shall be a minimum of 4.0 metres. An exception to the minimum height requirement may be considered by the Town to facilitate single-storey residential units that are part of a senior citizens' housing complex.

A2.13.3.2.4 The maximum height of any new *development* may be increased to up to 12 storeys through the Height Bonus provisions provided under Section 37 of the Planning Act.

A2.13.3.2.5 *Development* within the EF-Urban Highway Commercial designation shall only proceed on the basis of a Site Master Plan which shall form the basis of an Implementing Zoning By-law Amendment, followed by Site Plan Approval.

A2.14 The Greenlands System

It is the intent of the Town to establish a linked Greenlands System that also acts as a fundamental element of the urban structure of the East Fonthill community. The Greenlands System, as identified on Schedule 2.1 is comprised of the lands designated Environmental Protection One, Environmental Protection Two, Public Parkland and Stormwater Management. Schedule 2.1 identifies more specifically the locations for each of those designations.

The inclusion of all the associated elements and related activities into an interconnected Greenlands System will protect and enhance natural heritage features and their associated functions and expand the recreational opportunities

available to residents. Mapping of the identified *significant natural heritage features* are attached to this Appendix as Attachment 3.

A2.14.1 Environmental Protection One (Regional Environmental Protection Area – EPA) and Environmental Protection Two (Regional Environmental Conservation Area – ECA)

The policies applicable to the EP1 and EP2 Zones are contained in Section 4 of this Plan.

A2.14.2 Public Parkland

A2.14.2.11 The policies applicable to the lands designated Public Parkland on Schedule 2.1 are found in Section 7 of this Plan.

A2.14.2.2 In addition to the policies of Section 7, it will be a requirement that Parkettes be widely distributed throughout the Secondary Plan Area to ensure easy access and multiple opportunities for rest, relaxation and visual interest. It is understood that some parkettes will cater to primarily a local resident population, while others will have a broader range of users and activities.

A2.14.2.1 Parkettes in the Residential Neighbourhoods

The following policies apply to the establishment of parkettes throughout the Residential Neighbourhoods:

A2.14.2.1.1 A parkette shall generally have a minimum frontage on the abutting sidewalk of 20 metres, and a minimum depth of 30 metres, and shall be developed generally consistent with the Urban Design Guidelines attached to this Appendix as Attachment 2.

A2.14.2.1.2 Parkettes shall be designed to reinforce a high quality formalized relationship with its adjacent building use, streetscape and/or component of the Greenlands System.

A2.14.2.1.3 Large sites may include a single, large-scale parkette and/or a series of smaller Parkettes.

A2.14.2.1.4 Landscape elements and features within the parkette shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.

A2.14.2.1.5 Parkettes within the Residential Neighbourhoods that are less than 0.4 of a hectare shall generally not contribute to the Town's parkland dedication requirements, and shall generally not be required or accepted by the Town. The Town may, however, consider accepting parkland parcels that are less than 0.4 of a hectare without amendment to this Secondary Plan, subject to specific approval by Council that is based on an understanding of the specific

land parcel's contribution to the overall public parkland system within the East Fonthill Secondary Plan Area.

A2.14.2.1.6 Notwithstanding policy 5 above, the Town may deem that privately owned Parkland, that is greater than .02 of a hectare in size and is part of an apartment building condominium and/or townhouse condominium project, or part of a higher density mixed-use condominium project within the Residential Neighbourhoods, may fulfill all or part of the required parkland conveyance requirement, whether or not the land is actually conveyed to the Town, subject to the execution of an agreement satisfactory to the Town that ensures the following:

a) the park space is designed and built by the landowner to the satisfaction of the Town;

b) the park space is maintained by the landowner to the satisfaction of the Town; and

c) the landowner is made aware that the park space is to be considered as public park space and is to remain open and accessible to the public at all times.

A2.14.2.2 Parkettes in the Commercial/Employment Centre

The following policy applies to the establishment of parkettes throughout the Commercial/Employment Centre:

A2.14.2.2.1 All *development* applications on sites greater than 0.2 hectares in size shall include a location for a parkette. Parkettes are intended as formal pedestrian spaces, in support of the adjacent higher density, mixed use *development*.

A2.14.2.2.2 A parkette shall generally have a minimum frontage on the abutting sidewalk of 10 metres, and a minimum depth of 10 metres.

A2.14.2.2.3 Parkettes shall be designed to reinforce a high quality formalized relationship with its adjacent building use and streetscape.

A2.14.2.2.4 Large sites may include a single, large-scale parkette and/or a series of smaller Parkettes.

A2.14.2.2.5 Landscaping within the parkette shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.

A2.14.2.2.6 The Town may deem that privately owned parkettes fulfil all or part of the required parkland dedication, whether or not the land is dedicated to the Town, subject to the execution of an agreement that ensures the following:

a) the parkette is designed and built by the landowner to the satisfaction of the Town;

b) The parkette is maintained by the landowner to the satisfaction of the Town; and

c) the owner(s) and/or the condominium corporation is made aware that the parkette is to be considered as a public space and is to be open and accessible to the public at all times.

A2.14.2.3 Parkland Acquisition Tools

A2.14.2.3.1 In addition to the policies of Section 7 of this Plan, the public parkland system as conceptually identified on the schedules to the East Fonthill Secondary Plan Area will be acquired by the following means:

a) the land acquisition powers authorized by public statutes, including the *Planning Act*, the Official Plan and this Secondary Plan;

b) funds allocated in the Town's budget, dedicated reserves in the Parkland Acquisition Account for the East Fonthill Secondary Plan Area, or joint acquisition programs;

c) voluntary conveyance, donations, gifts, bequests from individuals or corporations; and/or

d) funds allocated by any authority having jurisdiction.

A2.14.2.4 Requirements for the Conveyance of Parkland

A2.14.2.4.1 In addition to the policies of Section 7 of this Plan, and as a condition of the *development*, *redevelopment*, or subdivision of land(s), the Town shall require that land be conveyed to the Town as follows:

a) for all industrial and commercial forms of *development*, the land requirement for parkland conveyance to the Town shall be a maximum of 2% of the gross land area;

b) for residential forms of *development*, the land requirement for parkland conveyance to the Town shall be a maximum of 5% of the gross land area, or a maximum of 1 hectare of parkland for every 300 dwelling units, whichever is greater;

c) for all other forms of *development*, except for commercial, industrial and residential *development*, the land requirement for parkland

conveyance to the Town shall be a maximum of 5% of the gross land area; and

d) for *development* that includes a mixture of land uses, where no single use exceed 75 percent of the total gross floor area of the *development* proposal, the land requirement for parkland conveyance to the Town shall be a maximum of 2% of the gross land area.

A2.14.2.5 Lands Suitable/Not Suitable for Conveyance

A2.14.2.5.1 Lands not considered suitable for parkland conveyance shall be determined by the Town. Lands conveyed shall be free and clear of all encumbrances, including, but not limited to lands having:

a) hazardous or flood prone areas, including associated setbacks and *buffer* zones;

b) lands designated Environmental Protection One and Environmental Protection Two by this Secondary Plan, including associated setbacks and *buffer* zones;

c) steep or unstable slopes, including associated setbacks;

d) unstable soil or unconsolidated fill;

e) contaminants or are suspected of being contaminated as defined by Provincial regulations (O.Reg. 153/04 and as amended);

f) any easement, or right-of-way that limits or restricts the Town's use of the land; and/or

g) lands that have been or will be conveyed to the Town or other public agency for storm water management, conservation purposes, roadways, walkways/paths/trails, or any other non-parkland purposes.

A2.14.2.5.2 All lands conveyed to the Town for public park purposes shall be in a location and in a physical condition satisfactory to the Town. Any land parcel configuration, size or location that is constrained or deemed undesirable, as determined by the Town, shall not be acceptable as parkland conveyance. The following criteria shall be considered in determining suitability for of land for conveyance:

a) land parcels for conveyance to the Town shall be at least 0.4 of a hectare in size and be of an appropriate configuration to accommodate park amenities such as sports fields, playgrounds, and other programmable open space;

b) Notwithstanding any other policy of this Secondary Plan, the Town may accept as part of a parkland conveyance requirement, land parcels that are less than 0.4 of a hectare only when that parkland dedication is joined to an existing or reasonably anticipated parkland conveyance on an adjacent land parcel under a separate ownership, and that the proposed conveyance assists the Town in achieving the planned parkland system as defined on the schedules to the East Fonthill Secondary Plan;

c) the Town may accept land parcels that are less than 0.4 of a hectare, subject to the exceptions provided by the policies of this Secondary Plan; and

d) Any lands accepted by, and conveyed to the Town for public park purposes shall be credited as contributing toward the parkland dedication requirements of the *Planning Act*.

A2.14.2.5.3 In addition to the policies of Section 7 of this Official Plan, the land to be conveyed shall:

a) have *significant* open frontage on at least one, and preferably two public roads; and

b) be generally distributed within the East Fonthill Secondary Plan Area as defined on the schedules to this Secondary Plan.

A2.14.2.5.4 The Town may accept, at its discretion, the conveyance of lands that are not contiguous to the site or plan of subdivision that is subject to *development* provided that the value of the land to be provided off-site is approximately equal to the value of the lands from the subject *development* site, and is appropriately located within the East Fonthill Secondary Plan Area.

A2.14.2.6 Parkland Conveyance Reductions

A2.14.2.6.1 Parkland conveyance requirements may be reduced under the following circumstances, subject to approval by Council:

a) when land is developed for nursing home use, as defined by the Province, a maximum of 2% of the total land area shall be conveyed to the Town;

b) when the proposed *development* is being undertaken by a public sector organization the parkland conveyance requirement may be eliminated or reduced or at the discretion of Council;

c) when land is developed to include *affordable* housing units, as defined by the Province, the conveyance requirement may be eliminated or

reduced proportionate to the number of *affordable* units provided, at the discretion of Council;

d) when the proposed *development* is being undertaken by a not-for-profit organization, as defined by the Province, the parkland conveyance requirement may be eliminated or reduced at the discretion of Council; and/or

e) when a *development* proposal is wholly contained within an existing designated Heritage Building or a heritage building on a designated Heritage Property, and the proposal incorporates and conserves a cultural heritage resource to the satisfaction of Council, a parkland conveyance reduction of 50% of the applicable conveyance requirement may be applied.

A2.14.2.7 Use of Cash-in-lieu

A2.14.2.7.1 It is the objective of the Town to promote the conveyance of land through the parkland dedication process to achieve the comprehensive parkland system identified on the schedules of the East Fonthill Secondary Plan. However, the Town, at its discretion, may accept the payment of money, or a combination of land and payment of money, up to the value of the land otherwise required to be conveyed in lieu of the conveyance of land. At its discretion, the City may accept cash-in-lieu of parkland, as follows:

a) where, in the opinion of the Town, the parcel of land is less than 0.4 of a hectare or otherwise too small, inappropriately configured and/or poorly located to meet parkland needs and the parkland system identified on the schedules to the East Fonthill Secondary Plan;

b) where no reasonable opportunity exists to provide suitable parkland, in accordance with the policies of this Secondary Plan; and/or

c) where the required dedication of land would render the remainder of the site unusable or impractical for *development* or *redevelopment*, as determined by the Town.

A2.14.2.7.2 All money received by the Town through payments of cash-in-lieu of parkland generated within the East Fonthill Secondary Plan Area shall be paid into a Parkland Acquisition Account to be used for the acquisition of public parkland.

A2.14.3 Stormwater Management

A2.14.3.1 The policies applicable to Stormwater Management are found in Section 6 of this Plan.

A2.14.3.2 In addition to those policies, the following policies apply within the East Fonthill Secondary Plan Area:

a) stormwater management facilities shall be permitted in all land use designations within the East Fonthill Secondary Plan Area, except for the Environmental Protection One designation and the Environmental Protection Two designation;

b) stormwater management facilities may be permitted in an Environmental Protection Two designation without the need for a further Amendment to this Plan, subject to the policy direction provided in this Plan, including the preparation of an Environmental Impact Study (EIS) to the satisfaction of the Town in consultation with the NPCA;

c) stormwater management facilities will be key features within the community contributing to the appearance and ambience of the neighbourhood, while achieving functional objectives related to flow moderation and water quality;

d) stormwater management facilities will blend with the natural landscape. Geometric forms and standard slope gradients will be avoided in favour of organic shapes and land form grading designed to replicate natural land forms in the area. Inlet and outlet structures will be concealed using a combination of planting, grading and natural stone;

e) stormwater management facilities will not be fenced, but rather will be designed with trails, overlooks and interpretive signage so that they are an integral part of the East Fonthill Greenlands System; and

f) stormwater management facilities shall be designed generally consistent with the Urban Design Guidelines attached to this Appendix as Attachment 2.

A2.15 Environment and Groundwater Management Policies

A2.15.1 The policies related to the environment and groundwater management within the East Fonthill Secondary Plan Area are found in Section 4 of this Plan.

A2.16 General *Development* Policies

A2.16.1 Water and Sewer Servicing Strategy

A2.16.1.1 The policies applicable to the provision of municipal water and sewer services within the East Fonthill Secondary Plan Area are found in Section 6 of this Plan.

A2.16.2 Transportation

A2.16.2.1 The policies applicable to the provision of transportation services within the East Fonthill Secondary Plan Area are found in Section 5 of this Plan.

A2.16.2.2 Notwithstanding Section 5.6 of this Plan, right of way widths for public roads within the East Fonthill Secondary Plan Area shall be as follows:

a) for Collector Main Streets, right-of-way widths shall be between 20.0 and 22.0 metres;

b) for Local Roads, right-of-way widths shall be between 16.0 and 20.0 metres;

c) for public or private Laneways, the right-of way widths shall be between 7.5 and 9.0 metres; and

d) all roads within the East Fonthill Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Appendix as Attachment 2.

A2.16.2.3 A comprehensive trails system is identified conceptually on the Demonstration Plan for *Active transportation*, attached to this Secondary Plan as Attachment 1. It is the intent of the Town to achieve this trails network through the approvals processes required to facilitate the *development* of this Plan.

A2.16.2.4 The trails system includes trails within natural features, stormwater management facilities, open spaces, parks and the road system.

A2.16.2.5 Minor adjustments to the trails network identified in Attachment 1 shall not require a further Amendment to this Plan, subject to the Town being satisfied that the principle of connectivity and continuity of the system has been fulfilled.

A2.16.2.6 Trail design and type will be based on each site’s sensitivity in order to minimize environmental impacts.

A2.16.2.7 Trails for pedestrians and cyclists within the East Fonthill Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Appendix as Attachment 2.

A2.16.3 Utilities

A2.16.3.1 The Town will ensure utility services such as hydroelectric power, communications/ telecommunications, pipelines and natural gas lines are readily available to all *development* at levels necessary to ensure the safety and convenience of the Town.

A2.16.3.2 Council shall promote utilities to be planned for and installed in initial common trenches, where feasible, in a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption.

A2.16.3.3 Utility services shall be developed to be *compatible* with the general character of the surrounding uses and minimize visual impact, where feasible. Council will encourage utility providers to consider innovative methods of containing utility services on or within streetscape features such as gateways, lamp posts, transit shelters, etc. when determining appropriate locations for large utility equipment and utility cluster sites.

A2.16.4 Heritage and *Archaeological resources*

A2.16.4.1 The policies applicable to the heritage and *archaeological resources* within the East Fonthill Secondary Plan Area are found in Section 3 of this Plan.

A2.16.5 Subdivision of Land

A2.16.5.1 The policies applicable to the subdivision of land within the East Fonthill Secondary Plan Area are found in Section 11 of this Plan.

A2.16.5.2 In addition to the policies of Section 11 of this Plan, the following policy applies to all lands within the East Fonthill Secondary Plan Area:

a) it is the intent of the Town to ensure that Draft Plans of Subdivision are developed within a reasonable time frame. As such, the following statements shall be added to all Conditions of Draft Plan Approval:

i) A Draft Plan Approval extension may be extended pursuant to Subsection 51(33) or 51(32) of the Planning Act, but no extension can be granted once, or if, the approval has lapsed;

ii) If the owner wishes to request an extension to Draft Plan Approval, a written explanation must, together with a resolution from Council, be received by the Town of Pelham sixty days prior to the lapsing date; and a Draft Plan Approval extension will only be granted if, in the opinion of the Town, *significant* progress toward final approval has been achieved. Dormant Draft Plans shall not be considered for an extension of Draft Plan Approval.

A2.16.5.3 In addition to the policies of Section 11 of this Plan, the following policy applies to all lands within the East Fonthill Secondary Plan Area:

a) for each of the four Residential Neighbourhoods, and for the lands identified within the Commercial/Employment Centre, the Town urges the benefitting landowners to work together, and to enter into Developer's Group Agreements based on the requirements of this Plan;

b) it is intended that there be at least one Developer's Group Agreement for each Residential Neighbourhood, and one Developer's Group Agreement for the Commercial/Employment Centre. Provided that a sufficient number of benefitting landowners are in agreement, the Town may consider combining two or more of the identified Residential Neighbourhoods, where the applicable policies of this Plan are otherwise achieved;

c) it is recognized that in circumstances where there are multiple landowners, a singular Developer's Group Agreement may not be possible. To be considered a Developer's Group Agreement in fulfilment of the requirements of this Plan. The Agreement must include a landowner or landowners that represent at least 50% of the landholdings within the subject Neighbourhood. This policy does not apply to lands within the identified Commercial /Employment Centre;

d) if there is one landowner that represents at least 50% of the landholdings, the Town may enter into a *Development* Agreement with the landowner;

e) where undue delays are encountered with respect to execution of the required Developer's Group Agreements, the Town may, upon the request of an applicant landowner, attempt to resolve such difficulties or delays. Where resolution of such problems is deemed not possible by the Town, even with the Town's intervention, the Town shall approve alternative mechanisms to satisfy the intent of the applicable policies of this Plan;

f) if a benefitting landowner within a Residential Neighbourhood or within the Commercial/Employment Centre wishes to submit a *development* application and has been unable to obtain the necessary participation of other benefitting landowners through a Developer's Group Agreement, notwithstanding best efforts to do so, then:

i) the applicant landowner shall notify the Town in writing that it proposes to submit an application for *development* on its lands, or a portion thereof, without a Developer's Group Agreement;

ii) the applicant landowner in said notice shall set out, in compliance with the provisions of this Plan, that the *development* proposal is able to accommodate on it's lands, without the participation of other landowners or lands, appropriate urban *development* that represents a logical expansion of the existing community. The applicant landowner shall also elect in said notice, at its option, either to:

- Enter into a *Development* Agreement with the Town in lieu of other benefitting landowners; or

- Enter into, with the Town, a Front-Ending Agreement in accordance with the provisions of Section 44 of the *Development* Charges Act, as amended.

iii) the purpose of these alternative agreements shall be to ensure that a nonparticipating, benefitting landowner cannot develop their lands without appropriate compensation to the applicant landowner for any expenditures that exceeds the amount required to develop the applicant landowner's lands, and is a direct benefit to a non-participating, benefitting landowner; and

iv) nothing in this policy compels the Town to enter into any agreements with any applicant landowner.

g) The Town, where and as appropriate, shall require the use of Area-Specific *Development* Charge By-Laws or Front-Ending Agreements under the *Development* Charges Act, or other suitable arrangements among landowners, in order to implement the *development* of the Secondary Plan Area and to fairly allocate the costs of *development*. The Town shall ensure that stormwater facilities are included in any Area-Specific *Development* Charges. Such agreements are intended to ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincident with the *development* and use of land. The Developer's Group Agreement and/or Front-Ending Agreement may deal with:

i) front-end or accelerated payment requirements;

ii) local services as permitted in Sections 44(1) and 59(2) of the *Development* Charges Act;

iii) matters to which the parties voluntarily agree; and/or

iv) other matters permitted by law.

h) The Town must ascertain and be assured that a Developer's Group Agreement assigns cost sharing and other responsibilities in a reasonable and equitable manner, and, generally speaking, will do so in direct proportion that a *development* benefit is conferred upon the lands being developed. Subject to the appeal mechanisms identified in the Planning Act or the *Development* Charges Act, the issuance of final *development* approvals or the release of land for *development*, shall be subject to the execution of a Developer's Group Agreement and/or Front-Ending Agreement.

A2.17 Plan Implementation and Administration

A2.17.1 The policies applicable to plan implementation and administration within the East Fonthill Secondary Plan Area are found in Section 11 of the Official Plan.

A2.18 Settlement Boundary Expansion Area – Special Policy

A2.18.1 The lands on the east side of Rice Road, identified as Settlement Boundary Expansion Area on Schedule A, have been brought into the Town's Settlement Area Boundary through the Region of Niagara Official Plan and represent an expansion area of the East Fonthill Secondary Plan area.

A2.18.2 The lands will be subject to the land use policies and designations of the East Fonthill Secondary Plan to ensure the *development* of this area is consistent with and complementary to the East Fonthill area and be subject to a future Official Plan amendment to determine specific property designations.

A2.18.3 Any future *Planning Act development* applications in this area will be required to address the infrastructure, transportation, park and environmental requirements to service the area, including an enhanced Environmental Impact Study to address subwatershed planning matters.

Attachment 1 to Appendix 2
East Fonthill Secondary Plan Area
Demonstration Plans

Explanatory Note: Attachment 1 – The Demonstration Plans

Attachment 1 includes the Demonstration Plan for Land Use, and the Demonstration Plan for Active Transportation. These Demonstration Plan are considered a demonstration of how the policies of the Secondary Plan result in comprehensive planning within the Secondary Plan Area. As an Appendix, these Demonstration Plans are a non-statutory component of the East Fonthill Secondary Plan, and as such there is considered to be a significant degree of inherent flexibility in how these Demonstration Plans are both interpreted and, ultimately, applied.

These Demonstration Plans are to be used for guidance in implementing the policies of the Secondary Plan through subsequent development approval processes. It is expected that if development applications are considered by the Town to be "generally consistent" with these Demonstration Plans, than some components of a complete application may be deemed to be fulfilled.

If development applications are considered by the Town to not be "generally consistent" with these Demonstration Plans, than a Neighbourhood Master Plan will be required to facilitate subsequent development approval processes.

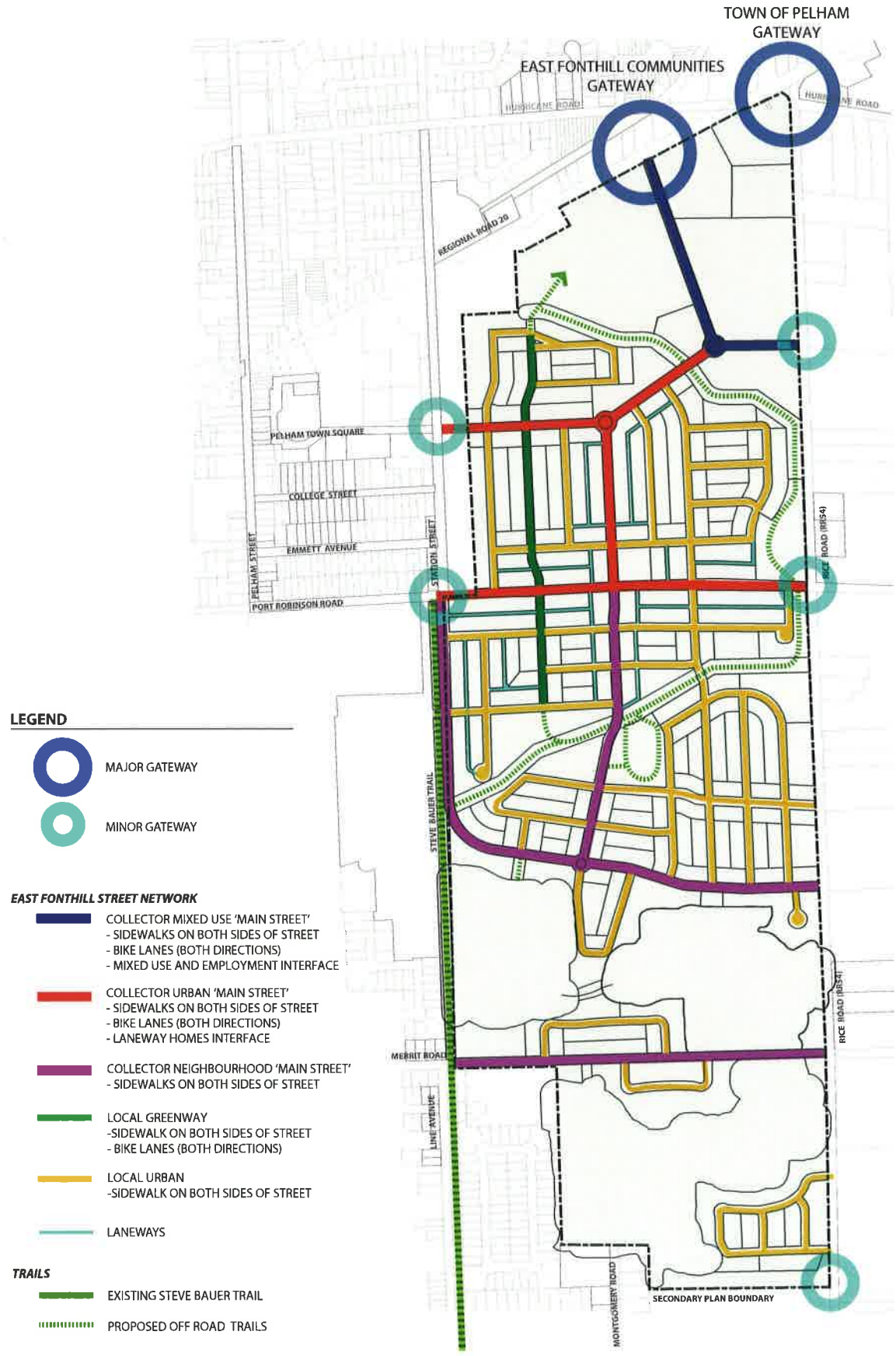
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DEMONSTRATION PLAN FOR LAND USE



DEMONSTRATION PLAN FOR ACTIVE TRANSPORTATION





Attachment 2 to Appendix 2

East Fonthill Secondary Plan Area

Urban Design Guidelines

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1.0 INTRODUCTION

These Urban Design Guidelines are a non-statutory part of the East Fonthill Secondary Plan. The purpose of the Guidelines is to promote an appropriate built form within the Secondary Plan Area that achieves a community with well designed and high quality public and private realms. Providing clear Urban Design Guidelines also ensures a sense of identity is created through the design of built form, streetscape, and open spaces in the East Fonthill Secondary Plan Area.

The use of Guidelines rather than specific policy is based on the understanding that a balance between regulation and flexibility will encourage alternative and innovative design solutions, while responding to changes in the market over time. Within this framework, the overarching community design principles are to:

- **Provide a full range and mix of housing types.**
- **Integrate a linked greenlands system that includes a variety of public parks, environmental features and stormwater management facilities.**
- **Protect and preserve existing environmental features from any negative impacts associated with new and adjacent development.**
- **Integrate a modified grid pattern of roads to maximize connectivity and continuity both within the community and with the existing broader Fonthill community, particularly the existing Town Centre.**
- **Design a variety of streetscapes that are compatible with adjacent land uses.**
- **Ensure a human scaled environment that is reflective of the anticipated built form within the community.**

The policies of the Secondary Plan require that all new development be "generally consistent" with these Guidelines and, as a such, there is considered to be a significant degree of inherent flexibility in how these Guidelines are both interpreted and ultimately, applied.

These Guidelines will function as an implementation tool for successive approval processes that are required to implement the East Fonthill Secondary Plan, particularly the zoning by-law, Neighbourhood Master Plans, Master Plans for the Commercial/ Employment Centre, Draft Plans of Subdivision and Site Plans. This document will guide developers, builders and the Town to ensure that the expectation of design quality outlined in the East Fonthill Secondary Plan is both understood and achieved. As noted, all development within the Secondary Plan Area shall be generally consistent with these Urban Design Guidelines, to the satisfaction of the Town of Pelham.

These Urban Design Guidelines are divided into two parts: the public and private realm. The public realm will encompass streetscape, parks and open space, off-road trails, and stormwater management facilities, while the private realm will include housing forms and mixed use developments developed primarily by the private sector.

2.0 DESIGN GUIDELINES FOR THE PUBLIC REALM

The public realm of the East Fonthill Secondary Plan Area is comprised of public roads and their associated spaces and amenities (traffic circles, gateways, streetscaping), open spaces such as parks and parkettes, the off-road trail network, and stormwater management facilities. This section provides general guidance for the design of these major components of the public realm. The following Guidelines are intended to be read in conjunction with the East Fonthill Secondary Plan, including Appendix A, The Demonstration Plans.

2.1 ROADS

Development in the East Fonthill Secondary Plan Area will accommodate a street network made up of three types of 'main street' collector roads, two types of local roads, and laneways. The proposed street network is linked to Fonthill's existing road network through the 'main street' collectors and the trail system, all defined conceptually on the Demonstration Plan for Active Transportation, provided in Appendix A. In order to ensure maximum efficiency, connectivity, and mobility within the community, pedestrian, cyclist, and vehicular movement should function as an integrated network.

This section of the Urban Design Guidelines illustrates street cross sections that are intended to encourage various modes of transportation. All street treatments will be further finalized and detailed in Plans of Subdivision. General guidelines for road design include:

- Provide clear, safe and efficient access to community facilities such as commercial areas, and open space features;
- Ensure pedestrian access throughout the community by providing sidewalks and trails throughout the community;
- Promote tree-lined and well-shaded streets to create sense of comfort and promote walking and cycling.

These Urban Design Guidelines identify the following street types, as shown on the Demonstration Plan for Active Transportation in Appendix B:

- Collector Mixed Use Main Street
- Collector Urban Main Street;
- Collector Neighoburhood Main Street
- Local Greenway;
- Local Urban Street; and,
- Laneways.

2.1.1 Collector Main Street

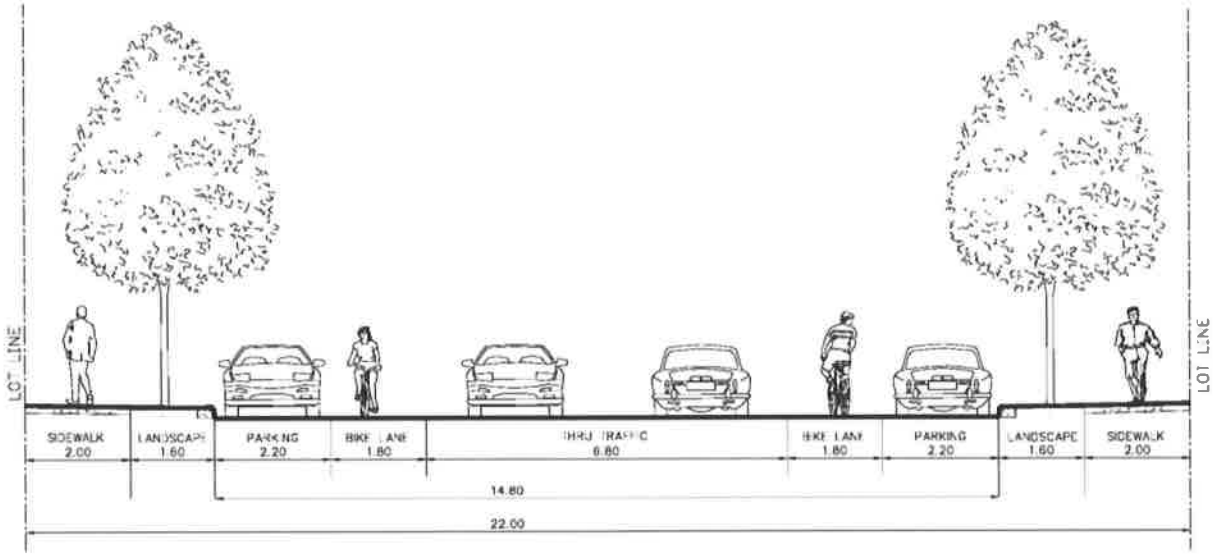
Collector Main Streets will connect local residents to the existing Town of Pelham street network and beyond.

To highlight Collector Main Streets as significant community collector roads, higher density development will line both sides of the street in most portions of the network, with bike lanes and sidewalks provided throughout the network.

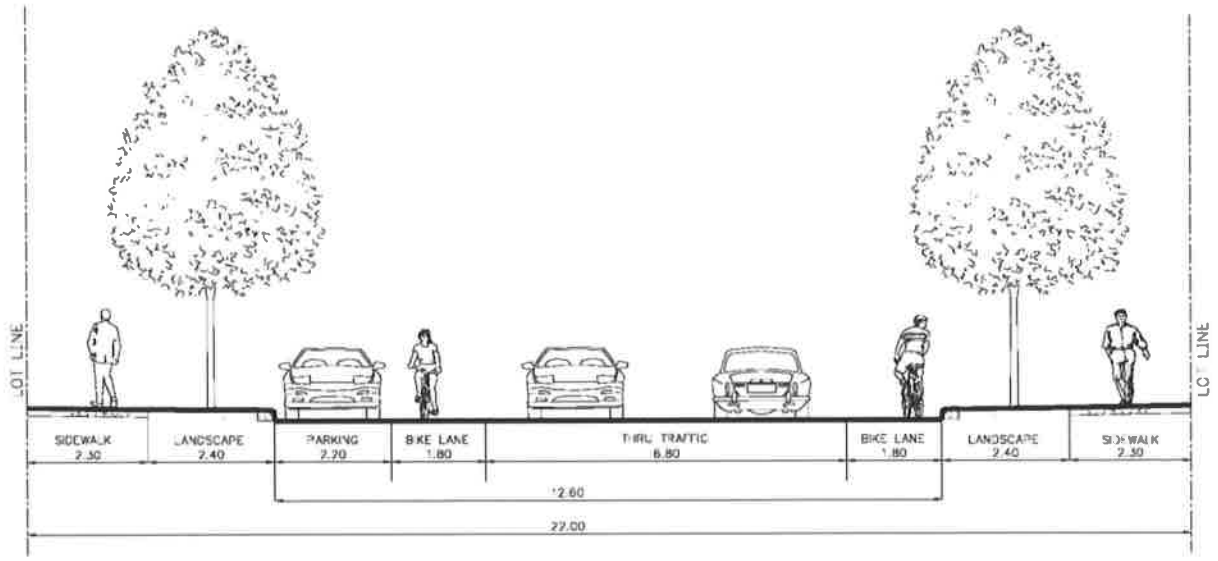
A strong and continuous street façade will be achieved with high quality streetscaping details.

The following guidelines and cross sections show the three Collector Main Street typologies, with variations intended to be compatible with surrounding land uses:

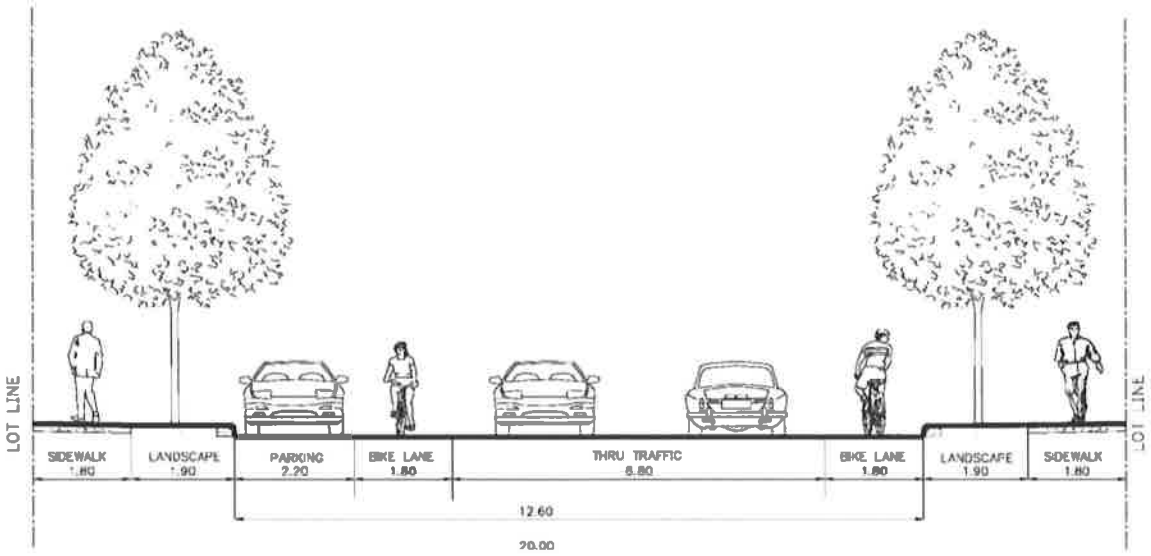
- All Collector Main Streets shall have a right-of-way width of between 20.0 and 22.0 metres.
- Traffic lane widths shall be a maximum of 3.4 metres.



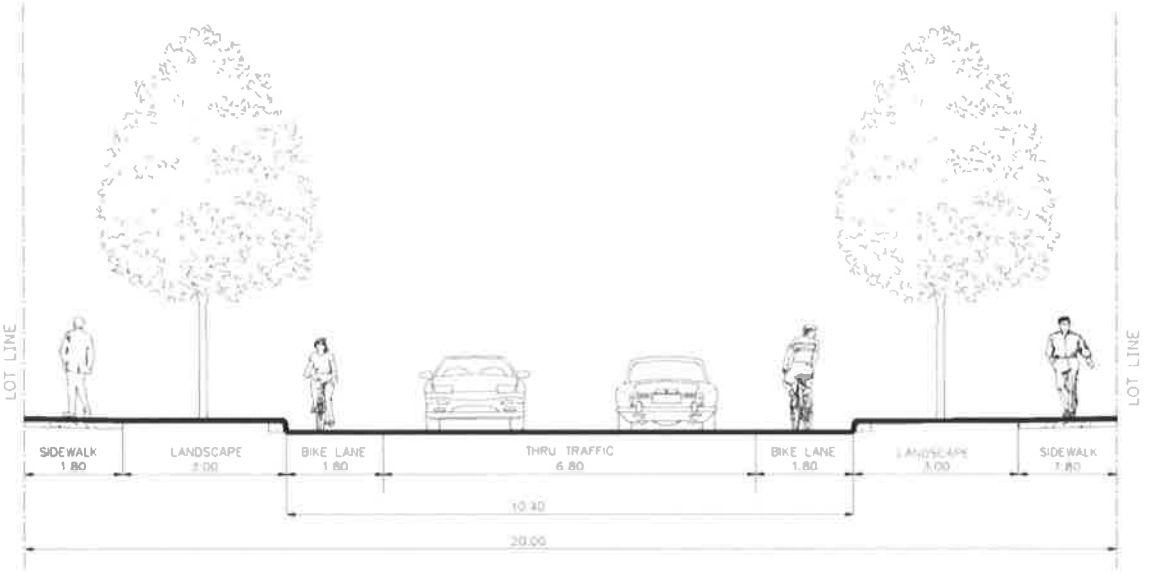
COLLECTOR MIXED USE MAIN STREET
R.O.W. 22.0 m with parking on both sides



COLLECTOR MIXED USE MAIN STREET
R.O.W. 22.0 m with parking on one side



COLLECTOR URBAN MAIN STREET
R.O.W. 20.0 m with parking on one side



COLLECTOR NEIGHBOURHOOD MAIN STREET
R.O.W. 20.0 m with parking on one side

- Sidewalks shall be provided on both sides of the street and shall be a minimum of 1.8 metres wide.

- Bike lanes shall be provided on both sides of the street, and shall be at least 1.8 metres wide.

- Street trees shall be provided on both sides of the street.

- Individual, direct access to any development site, or building lot abutting a Collector Main Street shall be minimized to both improve traffic flow and improve the attractiveness of the street.

- All Collector Main Streets may accommodate transit facilities.

- Parking may be permitted on both sides of the street. The parking lane shall be a maximum of 2.2 metres in width.

- Where the abutting, at grade land use is residential, there shall be a grass boulevard between the back of the curb and the edge of the sidewalk. This grass boulevard shall be a minimum of 1.6 metres wide, and accommodate street lights and street trees.

- Where the abutting at grade land use is non-residential, the boulevard shall be a minimum of 3.6 metres wide where curbside parking is provided on both sides of the street, or a minimum of 4.7 metres wide where curbside parking is provided on one side of the street. This boulevard shall accommodate an extended sidewalk, street trees and street lighting. The boulevard may also accommodate enhanced streetscape features, including benches, bike racks, planters and garbage receptacles.

2.1.2 Local Streets

Local Streets connect to the Collector Main Street system and link public spaces and development sites. East Fonthill will include two types of Local Streets: Local Greenways and Local Urban Streets.

Local Greenway Street

The Local Greenway will have a special treatment and will provide an important connection from the off-street trail network, through the Residential Neighbourhoods to the Commercial/Employment Centre. The Local Greenway shall be particularly attractive for pedestrians and cyclists. There is only one Local Greenway identified the Demonstration Plan for Active Transportation. The following guidelines apply:

- The Local Greenway Street shall have a maximum right-of-way width of 20.0 metres.

- Sidewalks and bike lanes shall be provided on both sides of the street at a minimum width of 1.8 metres each.

- A minimum 1.2 metre wide boulevard with a grass verge and deciduous street trees shall be provided on both sides of the street.

- Enhanced landscaping shall be provided, with a continuous centre median at key locations.

- Curb-side parking may be provided on one side of the street in key locations.

- Pedestrian-scaled lighting is required on both sides of the street.

Local Urban Street

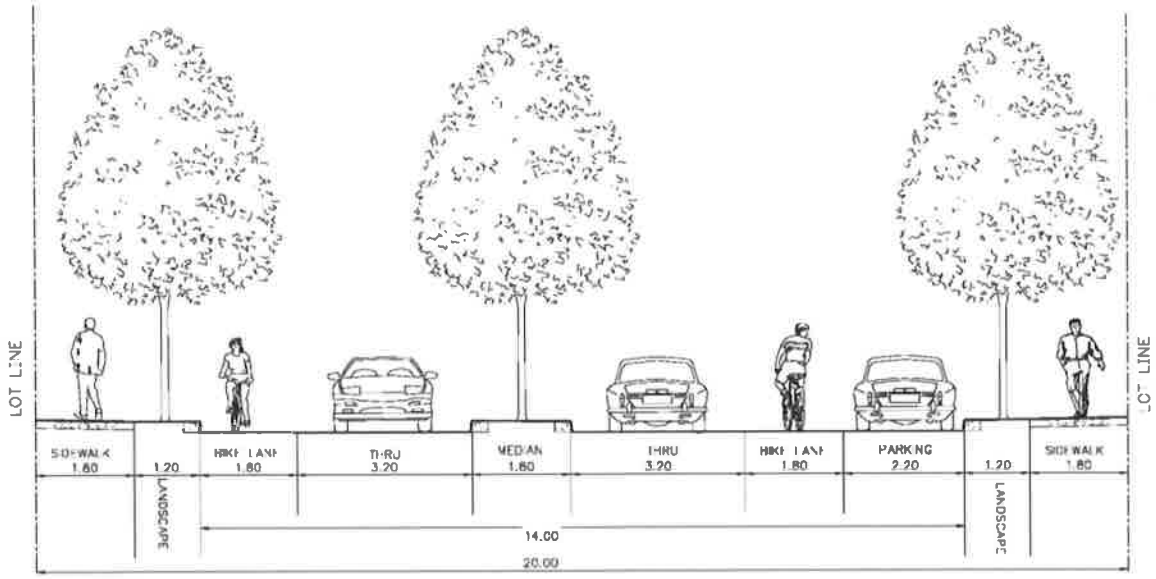
Local Urban Streets are quiet residential streets on which the majority of lower density residential uses are found, as shown on the Demonstration Plan for Active Transportation in Appendix A. The following guidelines apply:

- Local Urban streets shall have a right-of-way width of between 16.0 and 18.0 metres.
- A 1.5 metre wide sidewalk shall be provided on both sides of the street.
- A minimum 1.2 metre boulevard with grass verge and deciduous street trees shall be provided on both sides of the street. Curb-side parking may be provided on one side of the street.

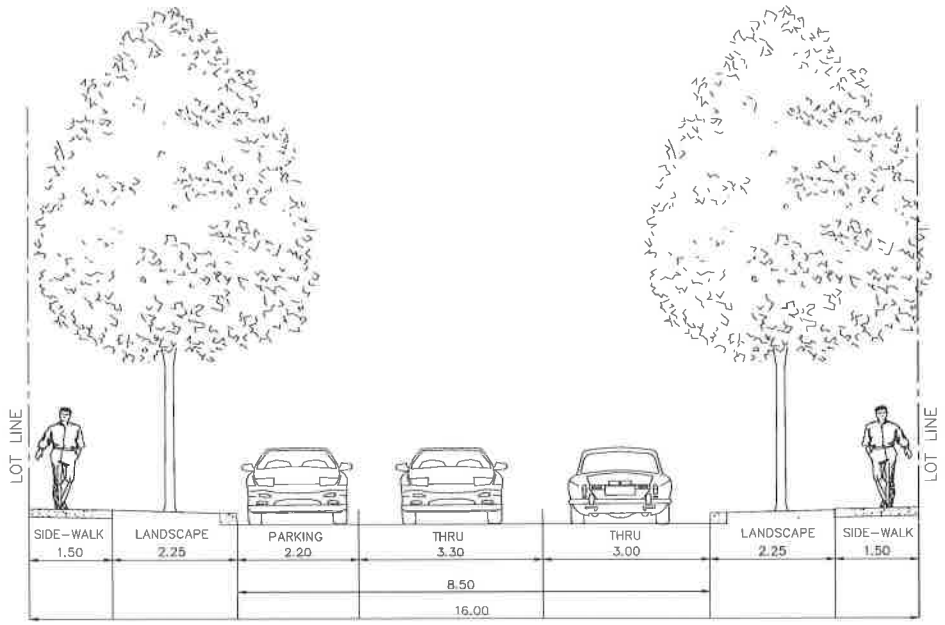
Laneways

Laneways provide access to private garage facilities. Where laneways are used, the following general design requirements shall be considered:

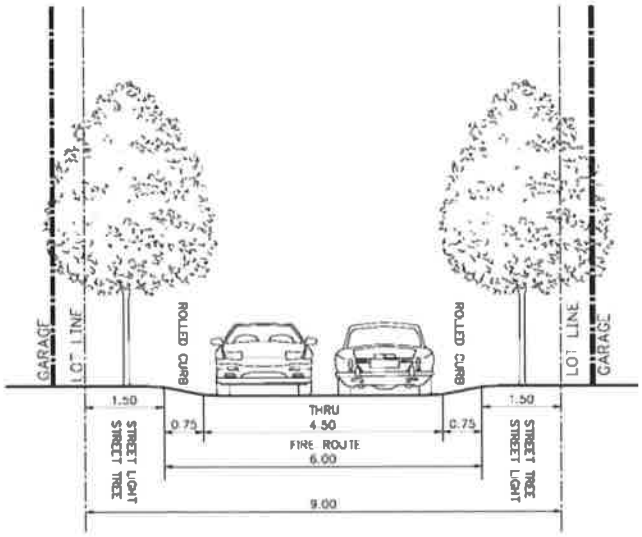
- Laneways shall have a right-of-way width of between 7.5 and 9.0 metres including a 1.25 utility corridor.
- Where there is sufficient drainage, permeable materials shall be encouraged in laneway construction.
- Trees are desirable, but not required on either side of the laneway.



LOCAL GREENWAY
R.O.W. 20.0 m with parking on one side and a median



LOCAL URBAN STREET
R.O.W. 16.0 m with parking on one side



LANEWAY
R.O.W. 9.0 m

2.2 TRAFFIC CIRCLES

Traffic circles may be located in the intersections of Collector Main Streets to calm and direct traffic flows. The landscaped circles, in combination with built form that addresses the circle, will create a space or 'sense of place' and make these features an identifiable characteristic of the community.

- Traffic circles should function as traffic calming devices and be significant landscape features.
- Traffic circles should be designed to accommodate pedestrians and bicyclists in a safe and convenient manner.

Traffic circles are recommended at key locations as identified on the Demonstration Plan for Active Transportation provided in Appendix A. They may also be considered in other locations, subject to the design requirements outlined in Table 1 below.

2.3 STREETSCAPE ELEMENTS

2.3.1 General Streetscaping

Streetscape elements are considered elements of detail design within the boulevard of the street right-of-way to enhance character and functionality of space. Elements include street furniture (waste receptacles, signage, newspaper boxes, community mail boxes, information kiosks, bike racks, transit shelters and benches), street trees, lighting, special pavement and patterns and materials, and planting.

- Deciduous street trees will be located in the centre of the grass verge.
- Tree species should be planted to form a continuous canopy at maturity, or 8.0 to 10.0 metres on-center.
- Street trees should include a variety of native, broad leaf species with a straight trunk, such as the tulip tree, burr oak tree, common hackberry and/or swamp white oak.
- The minimum street tree caliper at the time of planing shall be 80 mm.
- Street trees should generally be planted opposite each other on each side of the street.
- To minimize clutter and visual disruption of the road's character, poles, lights, signs and other services should be located along the street tree planting line.
- Height and style of lighting should be consistent with the hierarchy of the road, and lighting design should accommodate both pedestrian and vehicular movement and visibility requirements within the ROW.
- Mailboxes, trash cans, and recycling bins should be clustered together in single locations and placed adjacent to open spaces and/or commercial/community facilities.
- Utility boxes, including transformers and "box" servicing should be placed in modest spaces (flankage locations, open space, laneways and private property or within the boulevard) where they can be screened with planting.

Table 1. Standards for Traffic Circles

Intersection	Inscribed Circle Radius (i.e. outside circle radius)	Radius of Inside Circle (at Mountable Apron)	Turning Road Width
Local-Local	12 m	6 m	6 m
Collector-Local or Collector-Collector	15 m	8 m	7 m

2.3.2 Streetscaping for Transit

The following guidelines are intended to enhance the attractiveness and convenience of public transit when it is introduced to the East Fonthill Secondary Plan Area in the future.

- Transit stops should be located as close to intersections as possible, and their location coordinated with sidewalks and other neighbourhood trail connections and building entrances.

- Transit shelters should be designed with transparent sides for maximum visibility to and from the interior, so that transit users can see approaching buses and to maximize pedestrian safety.

- Shelters should be located on the boulevard adjacent to the pavement to maximize passenger convenience.

- Curbside transit stop loading areas should be a clear, hard surface area 1.5 to 2 metres wide in front of a shelter to permit safe exit by passengers, including wheelchair users. In all cases, shelters should be set back 0.5 metres from curbs and sidewalks to protect them from damage by snow ploughs.

- Surface texture changes should be provided at transit stops to assist the visually challenged in locating the stop and/or shelter location.

- Where four-sided transit shelters are not possible, overhead open-air canopies should be provided to protect transit users from sun, rain and snow.

- Transit stops shall be designed to offer amenities such as seating areas and weather protection. Benches and other roadside furniture such as waste baskets, bike racks, telephones, notice boards, newspaper boxes and refuse containers should be concentrated at bus stops along the main street collectors to maximize their utility and create active public space.

2.4 GATEWAYS

Major and minor Gateways are identified on the Demonstration Plan for Active Transportation, included in Appendix A.

The following shall apply to all major and minor gateways:

- A sense of arrival and entry should be created through the coordinated effort of landscaping, built form, high-quality corner development, and streetscape design (actual gates are not allowed).

- Streetscaping features at identified gateway locations shall include enhanced landscaping and coordinated fencing to frame the entry into the community.

- Gateway features, such as community signage, low walls, fencing or enhanced landscape treatment shall be incorporated in the design of entry road intersections and shall be coordinated in design and materials with adjacent structure and consistent along main road right-of-way.

- Collector Main Streets into the community should include a planted centre median and other design features to signify their importance.

- Gateway intersections should have distinctive surface treatment for pedestrian crossings, including wider sidewalks.

- Gateways may include a water feature that is linked to a stormwater management facility.

A hierarchy of gateways should be accentuated by higher building heights, higher roofs, and unified architectural detailing of cornice height, doors, windows, bays, gables and porches.

2.5 TRAIL NETWORK

A trail network is identified conceptually on the Demonstration Plan for Active Transportation in Appendix A. It will link pedestrians and cyclists throughout the East Fonthill Secondary Plan Area along natural features, stormwater ponds, and developed open spaces, parks and parks. Where necessary or desirable, the trail network may run along local or collector roads, and will change in character as it travels through various features depending on adjacent land uses.

The following are objectives to be achieved for the trail network:

- Landscape grading along existing creeks, stormwater management facilities and drainage swales will provide a linear network that will be the basis of much of the trail network.
- The trail network will accommodate cyclists and pedestrians, and will provide links to on-street bicycle lanes and sidewalks along roads.
- Trails should have a minimum width of 3.0 metres, where possible.
- Trail design will be based on each site's sensitivity in order to minimize environmental impacts.
- Grades, where possible, should be under five percent. Sustained grades should be limited to 2% or 3%.
- Curb-cuts shall be provided at all road crossings to improve accessibility.
- Trails should be clearly signed regarding permitted use and speed. Wayfinding signage should be provided throughout the trail network (including the on and off-street components).
- Trails should be designed to reflect safe









passage and restrict access to neighbourhood properties.

- Benches, waste and recycling receptacles, lighting, bicycle racks and natural or built shade structures should be provided at trail heads and at regular intervals along the trails.

- Trails located in proximity to sensitive natural features or adjacent to stormwater management facilities should incorporate interpretive signage at various locations to promote stewardship initiatives that will protect and enhance the features and functions of the natural environment.

- Where trails intersect with motorized vehicle infrastructure or roads, clear signage and safety features will be provided for the safety of both the trail user and motorized vehicle user.

- The Steve Bauer Trail is to be preserved and incorporated within the new trail network.

2.6 OPEN SPACE

Open spaces comprise critical structural elements of the community. Open spaces within the East Fonthill neighbourhoods are to be a safe and accessible framework of parks, parkettes, natural features, and the trail network. To create focus towards these areas from surrounding roads, all parks will have generous roadway frontage. The site design of parks and open space will arise through formal collaboration between the Town of Pelham and the developer and will accommodate the provisions listed below, based on three categories:

- Natural heritage features;

- Neighbourhood parks; and

- Parkettes.







2.6.1 Natural Heritage Features

Existing natural heritage features and environmental areas are to be protected and enhanced. The following design guidelines are intended to preserve, protect and integrate the natural heritage features with the Secondary Plan Area.

- Development shall consider areas were re-planting the natural heritage edge is necessary to improve the visual appeal and ecological integrity of the edge (in consultation with the Town of Pelham).

- Development impacts shall be minimized by protecting the natural heritage edge from sedimentation, soil erosion, or damage to tree trunks and the canopy.

- A planting philosophy shall be adopted along the natural heritage edge that emphasizes drought tolerant and native species.

- Trails shall be strategically located in defined buffer zones where possible to minimize soil compaction or disturbance to existing mature vegetation and significant natural features.

- Where appropriate, views of natural features should be enhanced by locating developed open space/parkettes at the terminus of local roads and homes, which should face onto the natural features.

2.6.2 Neighbourhood Parks

- Neighbourhood parks should provide opportunities for passive and active recreation, and should act as destination points and rest areas for the trail system, wherever possible.

- Neighbourhood parks shall have significant road frontage.

- Neighbourhood parks shall be designed to meet the needs of children in the neighbourhood









(ranging in age from preschoolers to adolescents), providing opportunities for mostly active and some passive recreational activities.

- Neighbourhood parks should include elements such as play structures, informal playgrounds, seating, hard surface areas, shaded areas under tree canopies or open air structures, lighting, distinctive tree, shrub and ground cover planting.

- Landscape design should enhance microclimate opportunities (wind, sun, shade, etc.).

- Group mailboxes and community bulletin boards may be included within neighbourhood parks.

- Pedestrian access should be clearly defined using landscape or architectural elements to ensure an appealing park presence.

- Street trees should be planted along the edge of the park, while enhancing views into the park.

- Park design should ensure visual privacy for adjoining residents.

- Rear lotting adjacent to a neighbourhood park is discouraged.

2.6.3 Parkettes

A parkette is a small component of the open space system, that can be soft surfaced and green or hard surfaced.

- Where possible, parkettes should provide a link to other components of the Greenlands System, and act as destination points and rest areas for the trail system.

- Pathways within parkettes should connect to









pedestrian sidewalks and the trail system.

- Parkettes should be located to develop a highly visible and central gathering/socialization area for the surrounding neighbourhood, with visible road frontage, and clearly defined entries.

- View corridors terminating at a parkette should be highlighted through landscape treatment and/or built form elements.

- A distinctive appearance should generally be achieved for parkettes through plant and construction materials.

- Parkettes should include seating, lighting, shaded areas under tree canopies or open air structures, group mailboxes, hard surface areas, a memorial space feature and distinctive tree, shrub and groundcover planting material.

- Views to the parkette should be maximized while ensuring visual privacy for adjoining residents.

- Street trees should be planted along the edge of the parkette, while enhancing views into the park.







2.8 STORMWATER MANAGEMENT FACILITIES

The stormwater pond and channel facilities are designed to help with the infiltration of run-off while promoting sustainability through the provision of habitat and enhancement of ecosystem functions. Stormwater ponds will also provide an amenity space that will address not only the immediate neighbourhood, but those adjacent as well.

- Stormwater facilities shall be designed as vital and significant landscape features that provide a neighbourhood amenity, while achieving functional objectives related to stormwater flow moderation and water quality.



- Ponds are envisioned to blend with the natural landscape, therefore the slope grading of stormwater facilities should ensure natural and variable side slopes and sinuous contours. Inlet and outlet structures will be concealed using a combination of planting, grading and natural stone.

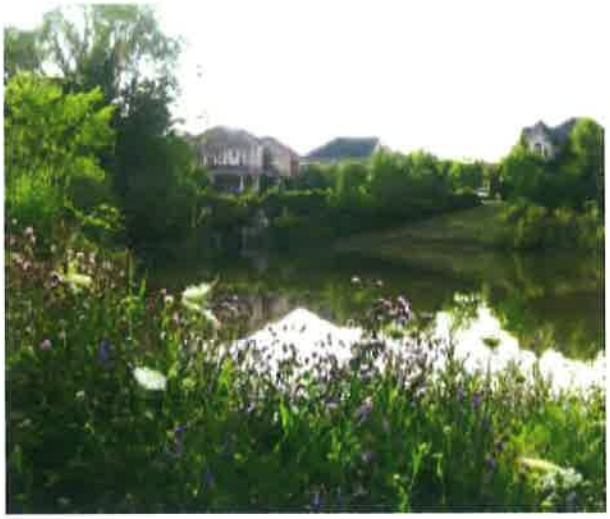
- The banks of stormwater facilities should be stabilized with flood tolerant waters edge plants and native species, including herbaceous and woody vegetation. The perimeter pool shall be planted with emergent, strand and submergent species to improve the aesthetics and enhance the performance of the facility.

- Where there is a need to discourage public access to areas around the perimeter of the ponds, living fences and barrier planting will be used in place of fencing. Barrier planting will be comprised of multiple rows of predominantly thorn bearing shrub species. Barrier planting will be installed along the crest of steep slopes, adjacent deep-water areas and around inlet and outlet structures.

- The stormwater ponds shall be accessible by pedestrian and cycling trails that will be part of, or provide connections to, the broader trails network.

- To ensure the ponds are accessible to pedestrians and cyclists, they shall not be fenced.

- Stormwater channels may be designed with meandering and naturalized slopes in designated parks.





3.0 DESIGN GUIDELINES FOR THE PRIVATE REALM

The private realm of the East Fonthill Secondary Plan Area is comprised of the built form developments and their relationship to each other, open spaces, and roads. The residential, commercial mixed use and institutional buildings and lands within a community contribute to its character and can further define and complement the public realm.

This section provides for the design of built form and how it should address the streetscapes and open spaces in the private realm. Guidelines that apply to all development are provided, followed by specific Guidelines for residential development, highway commercial and mixed use development, and institutional development. These Guidelines are to be read in conjunction with the policies of the East Fonthill Secondary Plan.

3.1 ALL DEVELOPMENT

Certain standards for development will be common to all areas in East Fonthill. Common characteristics pertaining to the following areas of consideration are outlined below:

- blocks and lots;
- built form;
- the relationship of buildings to the road and open space; and,
- parking and loading.

3.1.1 Blocks and Lots

Development block configuration should demonstrate the following standards:

- Developable lands shall be subdivided into a series of development blocks, defined by a highly interconnected grid, or modified system of public roads and lanes.
- Development block densities will reflect the road network hierarchy, which itself will respond to topography while providing a permeable transportation pattern.
- The size and configuration of each development block will:
  - be appropriate to its intended use;
  - facilitate and promote pedestrian and bicycle movement; and,
  - provide a sufficient number and, where appropriate, range of building lots to achieve cost effective and efficient development.
- Development blocks shall be configured to ensure visual diversity and to avoid long and monotonous blocks.
- Undulating terrain and curves in the road will be used where appropriate to provide visual diversity, without reducing the walkability of a neighbourhood.
- Varying block lengths are permitted and encouraged to reflect topography and road alignment.
- Each development lot in a block must have frontage on a public road or laneway.

3.1.2 Built Form

- Building form and siting shall minimize the impacts of noise, wind and shadows on adjacent properties and shall enhance views of landmark buildings and all components of the Greenlands System.
- New development will be compatible with adjacent and neighbouring development by ensuring that the siting and massing of new buildings does not result in undue adverse impacts on adjacent properties particularly in

regard to adequate privacy conditions for residential buildings and their outdoor amenity areas.

- Land use compatibility between uses and scales of buildings shall be achieved through appropriate siting, design and landscape treatment.

- A variety of architectural elements such as entry porches, dormers, material detailing will be employed to create a distinctive character for each block.

- Rooftop equipment shall be unobtrusive, architecturally incorporated into the design of the building and/or screened from view.

- Access from sidewalks and public open space areas to primary building entrances shall be convenient and direct, with minimum changes in grade.

3.1.4 Building Relationship to Roads and Open Space

- Buildings shall be street-front oriented and provide direct street access for pedestrians.

- Building and site design should be used to reduce or minimize the incidence of crime through the implementation of Crime Prevention Through Environmental Design (CPTED) principles including natural surveillance, natural access control, territorial reinforcement and space assessment.

- To reinforce the road, lane and block pattern, the following measures will be employed:

  - all buildings will be aligned parallel to a public road;

  - buildings will be located in proximity to the property line adjoining the public road;

  - siting and massing of buildings will provide









a consistent relationship, continuity and enclosure to the public roads;

- buildings located adjacent to, or at the edge of parks and open spaces will provide opportunities for overlook into the open space;

- the massing, siting and scale of buildings located adjacent to, or along the edge of a park or open space will create a degree of enclosure or definition appropriate to the type of open space they enclose; and,

- buildings of significant public use or architectural merit may be sited to specifically differ from the surrounding urban fabric in order to emphasize their importance as landmarks.





3.1.3 Parking & Loading

- To reduce the impact of surface parking and to provide at grade amenity areas, automobile parking areas (including garages, driveways, parking lots) shall generally be sited to the side or rear of buildings, or, preferably below grade. Structured parking shall be strongly encouraged for higher density forms of development.

- To enhance the quality and safety of the public streetscapes the construction of parking lots/ structures that occupy significant proportions of the at-grade frontage of public roads shall be discouraged.

- The softening of the impact of the large areas of surface parking through building orientation, boulevard landscaping treatments and landscapes islands is required.

- Bicycle parking shall generally be located near building entrances and other places where passive visual surveillance can be maximized.



- Safe and comfortable pedestrian connections shall be provided between bicycle parking areas and a buildings main entrance.

- Loading areas, and outdoor and fully enclosed refuse collection areas, shall be unobtrusive and screened and shall generally be located at the side or the rear of buildings.



3.2 RESIDENTIAL DEVELOPMENT

Residential development within the East Fonthill Secondary Plan will include a variety of housing types that address the street and open spaces to enhance the pedestrian experience.

3.2.1 Single Detached & Semi-Detached Houses

- The main building face should be appropriately setback by 4.5 to 6.0 metres from the edge of the right-of-way. The setback may include the main building face as a main wall, second floor room over or beside the garage, or significant architectural element such as a verandah or roofed porch.



- Where appropriate, varied setbacks are encouraged to provide an interesting street edge.

- Entry features and other architectural elements shall be incorporated into the front elevation of the house to reduce the visual dominance of the garage and the front drive. These entrance features, such as porches, stairs, and canopies may project into the required setback.



- Where garages are provided in the front yard, they shall be set behind or flush with the main building face, and the garage door shall not exceed beyond the main face. In the case of houses with a double car garage and double-wide driveway, the garage doors facing a public road, shall be set back a minimum of 7.5 metres from the road right-of-way. This guideline does not apply to Laneways.



- Houses with a one-car garage and single width driveway shall be discouraged from being located on the side of the public road containing a sidewalk.

3.2.2 Townhouses

- The siting, massing, and facade design of townhouse units shall be coordinated on a block-by-block basis.

- The elevation of the townhouse block shall include variation between units, while reinforcing common characteristics that visually unites the block.

- Variety in the design of roofs is required to break up the massing of townhouse blocks, however the main roof should, where possible, visually appear as one roof.

- The massing and built form of townhouse units adjacent to single/semi-detached dwellings shall be complementary to those dwellings through height and architectural elements to promote visual integration.

- Townhouses shall be oriented toward the street with front doors and windows facing the street.

- Townhomes shall, whenever possible, have rear lane garages to reduce visual impact of garages on the street.

- Where garages are provided in the front yard, they should be paired to allow for more substantial front yard green space. Garages shall not protrude beyond the main front wall or front entry of the dwelling unit.

- Entrance features such as porches, stairs, and canopies may encroach into the required front yard setback.

- Utility meters will be integrated into the design of the townhouse units so that they are screened from view.









- Side and rear elevations visible from public areas shall have upgraded facade treatments.

- Townhouse built form will be limited to a maximum of 8 units, with 6 units preferred. Where 8 units are proposed, individual unit widths should not exceed 6.5m.

3.2.3 Apartments

- Apartment buildings and their surrounding landscaping shall be designed to help define the street edge.

- To act as an attribute to the street, apartment buildings shall be oriented to front, face and feature the public road. A substantial portion of the building should front the public road at a minimum setback.

- Entrances are to be located and oriented to public roads.

- Visitor drop-off areas and bicycle racks shall be included in front buildings.

3.2.4 Front Garages

- Attached garages must be a natural extension of the design, massing, and materials of the main dwelling.

- Where the building face, including the porch/ veranda, make up less than 4.5m of width, the dwelling face or porch/ veranda is encouraged to extend a minimum of 1.5m closer to the street line than the garage portion.

- A second storey, built over the garage, should be setback a maximum 2.5m from the front face of the garage. In addition, the area built over the garage should cover approximately of 75% of the garage width. Exceptions will be made on a limited basis subject to review by the Town or the Town approved Control Architect.









- A variety of garage door sizes and styles shall be provided. In the instance of double car garages, they should be comprised of two single garage doors separated by a masonry. For full double door garages, styles with the appearance of 2 single bay doors should be adopted.

- Tandem garage designs are encouraged to help minimize the impact of garage width on the elevation and in turn on the streetscape.

- Glazed door panels should be provided on all garage doors.

- Where three car garages are permitted, the garage face will be articulated by setting back the end garage an additional 1.0 metre (4'-0") minimum.

3.2.5 Priority Residential Lots

Priority Lots are lots within a proposed community that have high public exposure, such as corner lots or lots located adjacent to public open space. The building design on these lots should be of a high architectural quality. Architectural and siting treatments for different lot configurations are recommended, in rder to promote a defined and an attractive streetscape with constructed focal points.

A Priority Lot Map that identifies and illustrates various priority lot treatments shall be provided by the Builder/Developer to the Town once the draft plan for a proposed development has been prepared. Units shall be approved for siting, on Priority Lots, based on the guidelines set out below.

Gateway Units

Gateway units are units located at the entry to the community from the surrounding roads. Units shall be designed with the following principles in mind:

- Gateway dwellings shall be given special consideration in architectural design, massing, orientation, siting and materials, and shall be of high architectural quality.

- Entry elements and porches are encouraged to produce interest in the facade as well as to help define the entrance to the neighbourhood.

- Pairing of similar model units on lots directly opposite each other to establish and enhance a gateway condition is encouraged.

- Landscape and landscape features shall be provided to accentuate gateways.

- The architecture and landscape of the residence should coordinate with the architecture and landscaping of a community entry feature.

Corner Lot Units

These guidelines apply to all corner lots and to units flanking on Collector Main Streets.

- Special model designs specifically for corner lot conditions shall be offered for corner lots with at least two elevations per model.

- Side and rear elevations visible from the street shall have consistent materials and details as per the front elevation.

- Where the floor plan allows, a front door is encouraged on the exterior side elevation of the house, with access to the sidewalk if a sidewalk exists.

- Unit designs are encouraged to provide an architectural feature at the corner:

  - a corner unit designs shall have an option for a wrap-around porch; and,

  - where no wrap around porch is provided, a portion of the units at the corner shall consist of an active living space, The

facades of the unit facing the streets shall have wide openings consistent with front elevations, and the use of special architectural features should be considered.

- In cases where a townhouse is sited on a corner lot, the end units flanking a street are defined as priority lots. In cases where a semi-detached dwelling is sited on a corner lot, both units will be defined as a priority lot.

- Utility meters should be located on interior side elevation of detached units. For semi-detached units the meter can be located on the street facing elevation but it must be screened architecturally or placed inconspicuously at a wall jog. Townhome corners will be designed with recessed meters of be screened architecturally.

- Corner lot fencing shall be provided and will conform to the following criteria:

  - corner lot fencing shall be provided for screening of rear yard amenity area by the builder/ developer on all flankage lots where the rear yard is exposed to the street;

  - corner lot and privacy fencing should be a minimum height of 1.8m or a height stipulated in a Noise Attenuation Report;

  - where side yard fencing occurs the fence should meet the side of the house at a minimum distance of 1.5m - 2.0m from the rear corner of the unit, and may extend up to 1/4 of the length of the house or to a change of plane (i.e. bump-out, bay window, etc.);

  - 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;









- fencing will be designed to incorporate a gate on the portion of the fence that returns from the lot line to the side wall; and,

- the exact location of corner lot fencing will be determined in a subdivision agreement.

T - Intersection Units

T-intersections occur when one road terminates at right angles to another. Consideration should be given to homes at the top of the T-intersection and the two last lots on either side of the road that terminates at the intersection.

- Architecture on lots at the end of T-intersections shall have facade designs that utilize elements such as coordinated fenestration, masonry detailing, and entry elements.

- Pairing of side yards is encouraged to form a landscaped area at the terminus of the T-Intersection.

Elbow Street Units

Elbow Streets occur at a bend on the road, with more than one unit at the end of the street view.

- On elbow streets driveway locations shall be carefully considered to avoid driveways on adjoining lots merging at the street line.

- Where side elevations on elbow streets are partially visible from the street, materials consistent with those of the front elevation should be employed.

Buildings Facing and Flanking Window Streets

- Units visible from Collector Main Streets shall be given special consideration in architectural design, massing, orientation, siting and materials and shall be of high architectural quality.

- Facades shall be highly articulated through coordinated fenestration, masonry detailing, accent gables, dormers, and/or other special treatment.

- Units fronting onto a window street shall have highly articulated entries through the use of entry features such a projecting porches facing the street.

- Side and rear elevations flanking Collector Main Streets shall be highly articulated, as per corner lots, and be consistent with the front elevation in terms of materials, fenestration style and detailing.

- Garages should be provided at the rear of buildings, or if provided in the front yard, be recessed from the front wall face of these units to reduce the presence of the garage on the street.

- The siting of bungalows on window streets is discouraged.

- Entrances on window street lots should be visible to and where possible, face the window street.

Buildings Adjacent to Parks, Open Space and Walkways

- Front, side and rear elevations exposed to active public spaces including open spaces, wood lots, stormwater management facilities, trails, and pedestrian walkways shall be highly articulated. A combination of fenestration, bay windows, material changes and dormers may be used to achieve the objective.

- Where possible, side elevations facing parks and open spaces should incorporate a porch feature to visually address these features.

- The location of porches, windows and entry doors of units, surrounding parks and parkettes, shall provide opportunities for overview and safety.

- Side and rear elevations shall adopt a similar design and employ materials that are consistent with those used on front elevations. Architectural detailing such as corbelling should continue from front to side elevations, where visible to the public.

- Projecting porches are encouraged to emphasize the entrance as well as to reduce the presence of the garage.

- Driveways of adjacent homes shall be located as far away as possible from the public space.

- At walkway entrances, units shall create a sense of entry through location of windows and front doors. Informal planting of coniferous and deciduous trees may be used to frame a pathway.





3.3 URBAN HIGHWAY COMMERCIAL AND MIXED USE DEVELOPMENT

- Retail/commercial uses will be encouraged at the ground level and office commercial and residential uses are encouraged on the upper levels of buildings.

- The side and rear of buildings abutting low to medium density residential properties shall be of similar height as the residential dwellings or should be stepped to maintain an appropriate scale in relation to adjacent residential uses.

- Lots and buildings shall be oriented to front, face and feature public roads, especially at corners.

- A substantial portion of building frontage shall be located at a minimum setback, while the required building frontage is to be in proportion to lot frontage.

- Parking, loading and service areas at the rear or side of buildings (or below grade) should be





set back from the road right-of-way, with minimal parking along the street edge.

- Conflicts between shipping vehicles, cyclists and pedestrians must be minimized through signage, pavement markings, and delineation of the pedestrian right-of-way.

- Freestanding signs, where permitted, shall be placed within a landscaped setting, parallel to the street, on private property.

- Temporary, freestanding signs shall not be permitted.

- Special landscape treatment should be considered at the intersection of Rice Road and Niagara Road 20, and at the intersections of all Collector Main Streets.

- Landscape treatment of individual properties within commercial/mixed-use areas shall be coordinated to create an image of the entire area.

- Building facades shall be treated as pedestrian areas and public spaces:

  - pedestrian areas in front of buildings should be wide and well-landscaped with furniture, lighting and planting;

  - tree planning should be carefully planned with signage to avoid conflict;

  - canopies should be considered to provide weather protection to pedestrians; and planting should be in large continuous planting beds.

- Building entrances shall be prominent and linked to the sidewalk through walkways, covered porches, or hard-surfaced patios/ parkettes.

- Safe and convenient access to the building's bicycle parking area(s) shall be provided for cyclists.

- Front yard setbacks can be either hard or soft surfaced depending on use, and are to help define pedestrian walks, main building entrance, and screen parking areas.

- The front yard shall include a low visually permeable fence at the edge of the sidewalk to define the semi-private areas and add continuity to the streetscape.

- Parking areas shall be screened from streets, open spaces, and residences through the provision of low landscaping and fencing elements.

- Planting strips that include trees, shrubs and ground covers are to be used to break large parking areas into smaller pods.

- Pedestrian and bicycle circulation through parking lots shall be defined through the use of special paving, markings, landscape treatment, and lighting to the building entrance.

- Both the residential and commercial components of buildings shall be of quality construction and architectural details and should respond to neighbouring structures in mass, height and materials.

- A high quality of architectural detail and variety shall be addressed through the design of building facades and expressed through the use of colour, material variations, windows, and other treatments of the wall plane. Particular attention should be paid to quality design for building facades along public roads.

- The architectural treatment of visible flanking facades shall be coordinated and in consistent quality to that of the front façade.

- Windows shall be provided where building facades overlook streets or open space. Reflective or mirrored glass treatment on windows will not be used at grade.

- Entrances to prominent buildings shall be highlighted with entrance canopies, awnings, and other architectural elements.

- To avoid a monotony of roofs, a variety of roof shapes and elevations shall be considered.

- Signage will provide a high level of clarity, visibility, and visual interest and shall complement the architecture of the buildings(s) in its scale, materials consistency and design.

3.4 INSTITUTIONAL DEVELOPMENT

- Public/Institutional buildings shall be sited prominently and where possible, should terminate views.

- Public/Institutional buildings shall front on main street collector roads and be located close to the road to reinforce the street wall and define intersections.

- Building size and scale shall not appear to dominate adjacent residential areas.

- The front door of all public/institutional buildings shall be easily accessed and connected with a walkway to the sidewalk on the road. Pedestrian walkways located on institutional sites shall ensure a safe, comfortable and an attractive environment for walking.

- Pedestrian access to present and future transit stops shall be provided.

- Lay-by lanes are encouraged along the road in front of institutional buildings.

- Bus pick-up and drop-off areas that are separate from other traffic should be provided









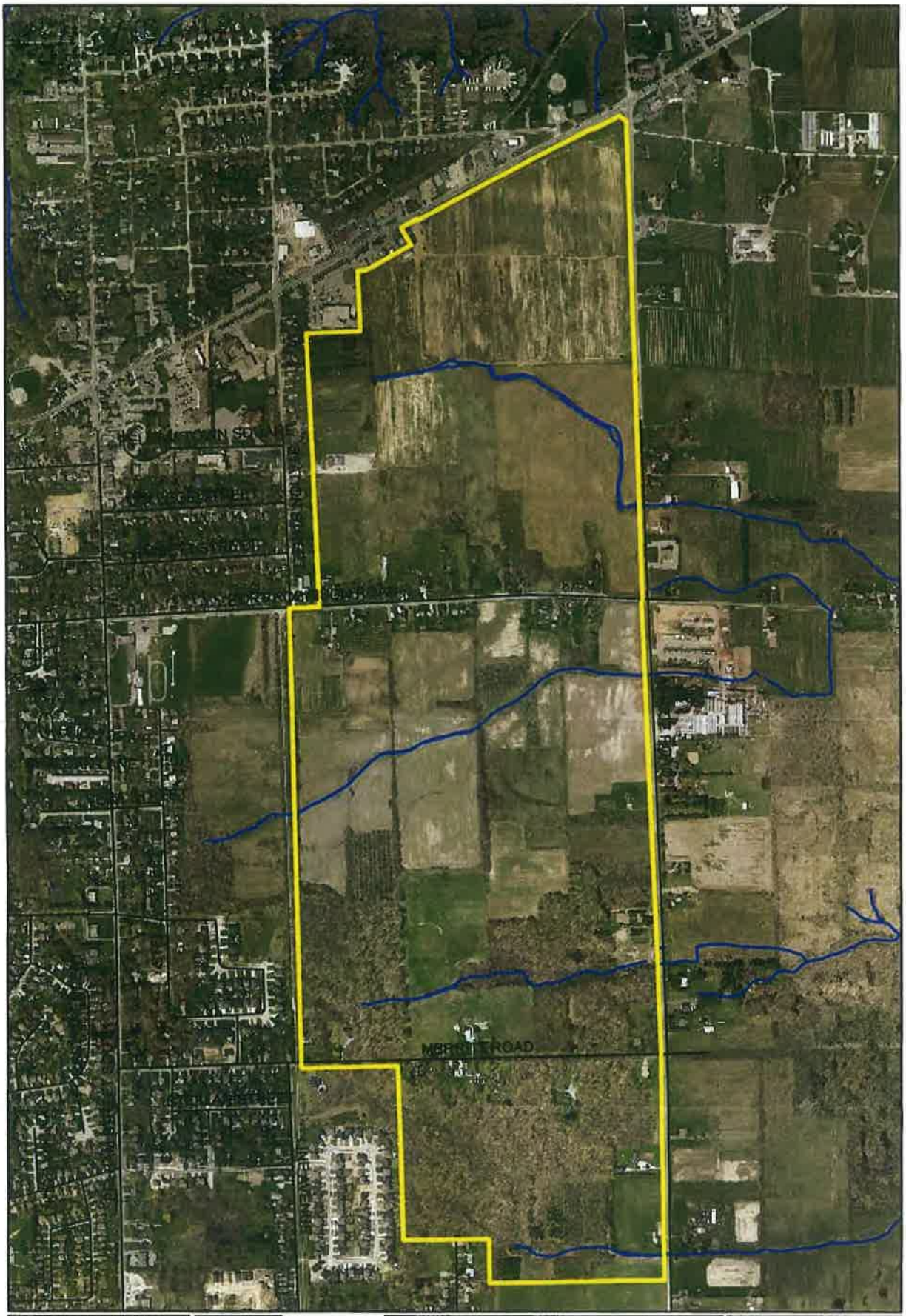
on-lot at the side of the building, but may be located in the front of the building subject to building and site plan considerations.

- Safe and convenient access to the building's bicycle parking area(s) shall be provided for cyclists.
- Vehicular shortcutting through institutional sites shall be eliminated and discouraged through effective site planning.
- Outdoor areas shall be well-lit to provide safe outdoor space for users at night, and to facilitate crime prevention.
- Grade-related signage types shall be provided for institutional sites.
- Institutional/Public building sites shall be well landscaped in recognition of their prominent locations and status as landmark buildings.
- Landscaping shall contribute to a pedestrian-friendly environment.
- Hard and soft landscaping shall be used to improve the safety of public spaces by proving clear sight lines and eliminating places to hide.
- Landscaping will be used to create buffers between areas where no other means of separation between incompatible land uses are acceptable.
- Public/Institutional buildings shall exhibit a high standard of architectural design, materials and finishes, and reflect the scale and character of surrounding neighbourhoods.
- Rooflines and parapets shall screen all roof-top mechanical units from public and private view.
- Building elevations shall provide visual interest through their design, articulation and fenestration.
- Elevations should have pedestrian scaled articulation, detailing and fenestration.
- Canopies and overhangs should be used to create sheltered pedestrian routes and add depth to the appearance of facades.
- Primary building entrances shall be clearly visible from the street.

Attachment 3 to Appendix 2

East Fonthill Secondary Plan Area

Natural Heritage Features Mapping



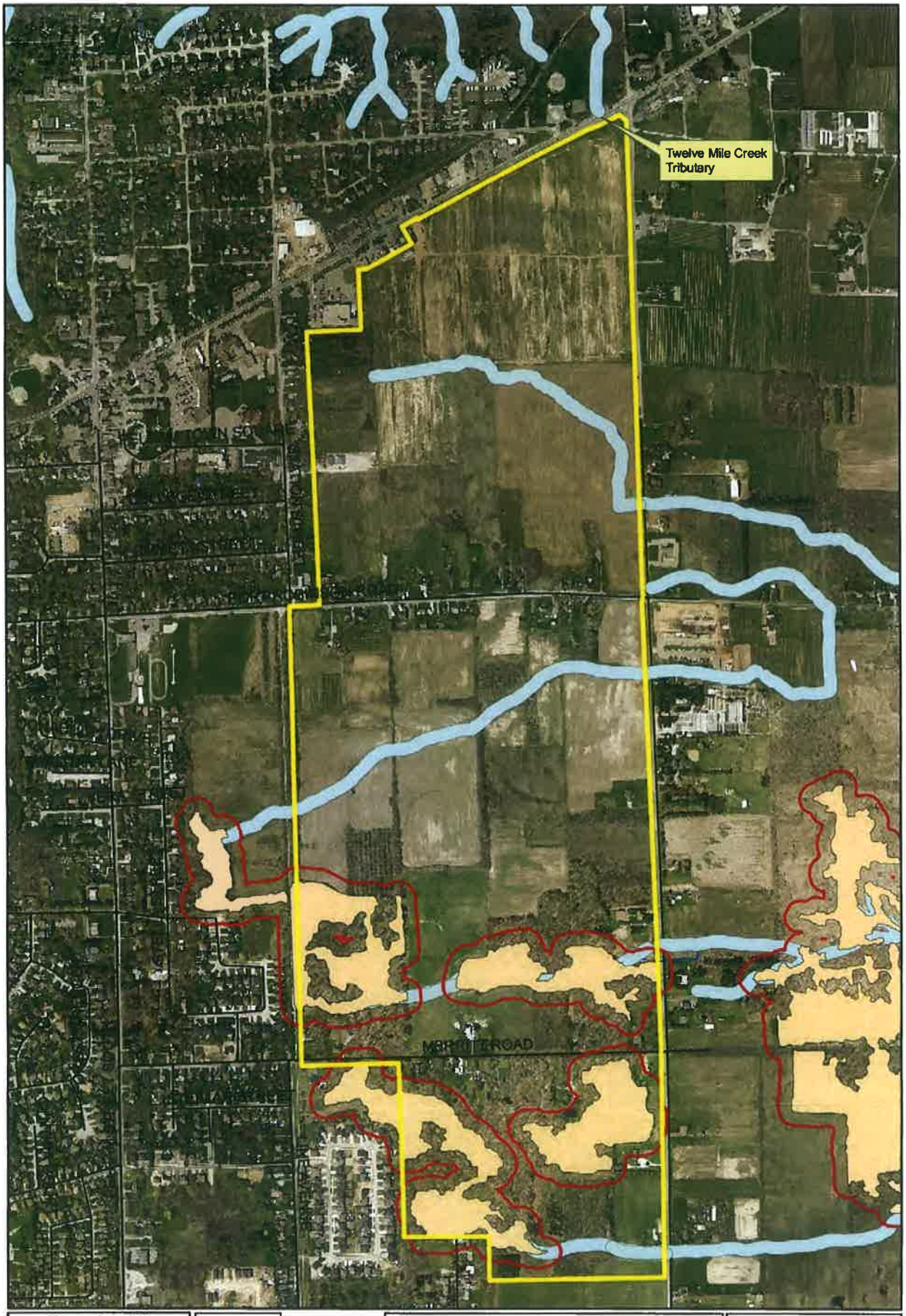
East Fonthill Secondary Plan Area
Existing Tributaries of Singer's Drain

Map 1

1:8,000

Watercourse
Roads
Secondary Plan Area

LCA Environmental Consultants



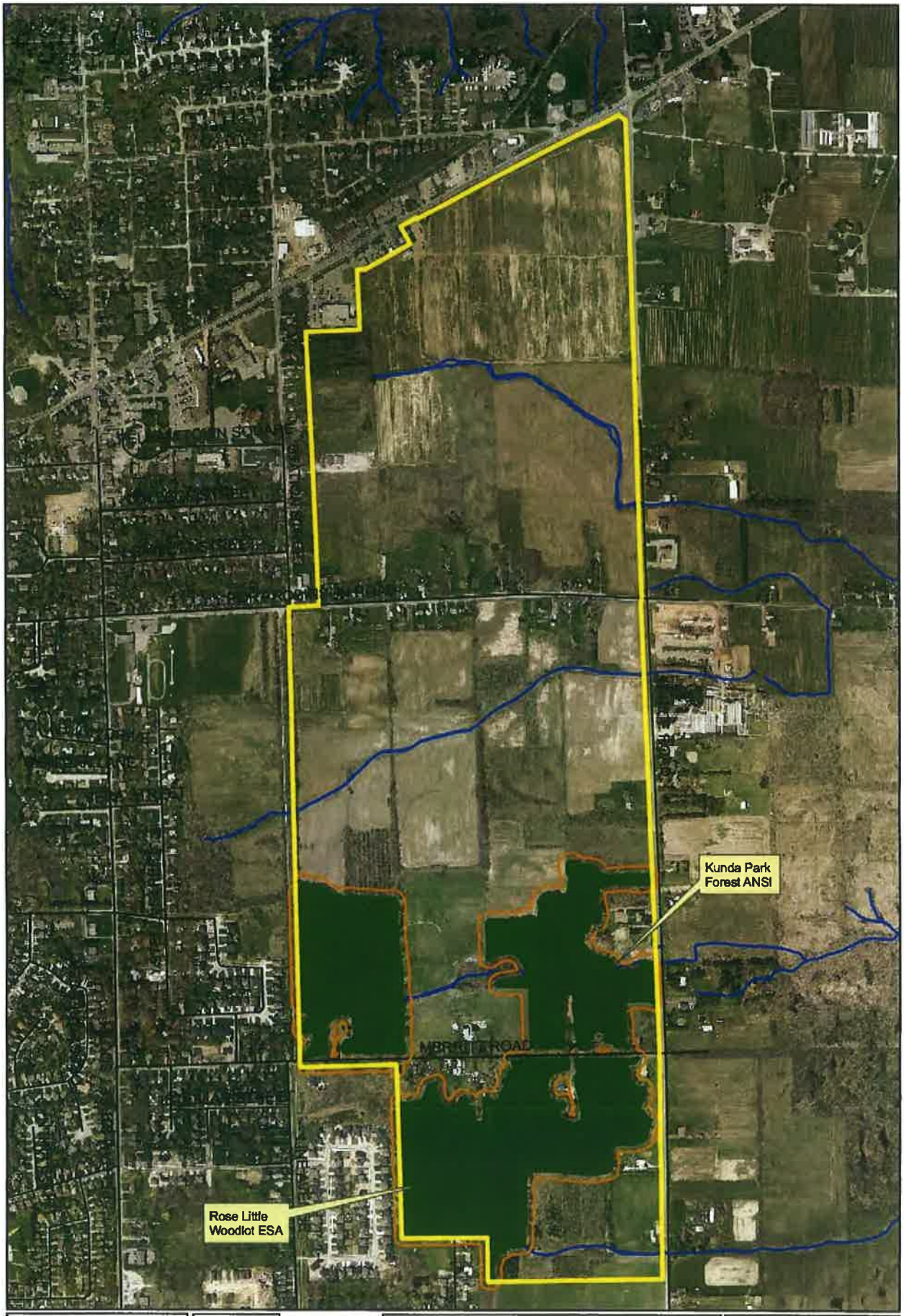
East Fonthill Secondary Plan Area Watercourses and Wetlands

Map 2

1:6,000

PSW 30 m Buffer
Watercourse 15 m Buffer
Niagara Cataract PSW (MNR Draft)
Watercourse
Roads
Study Area

LCA Environmental Consultants



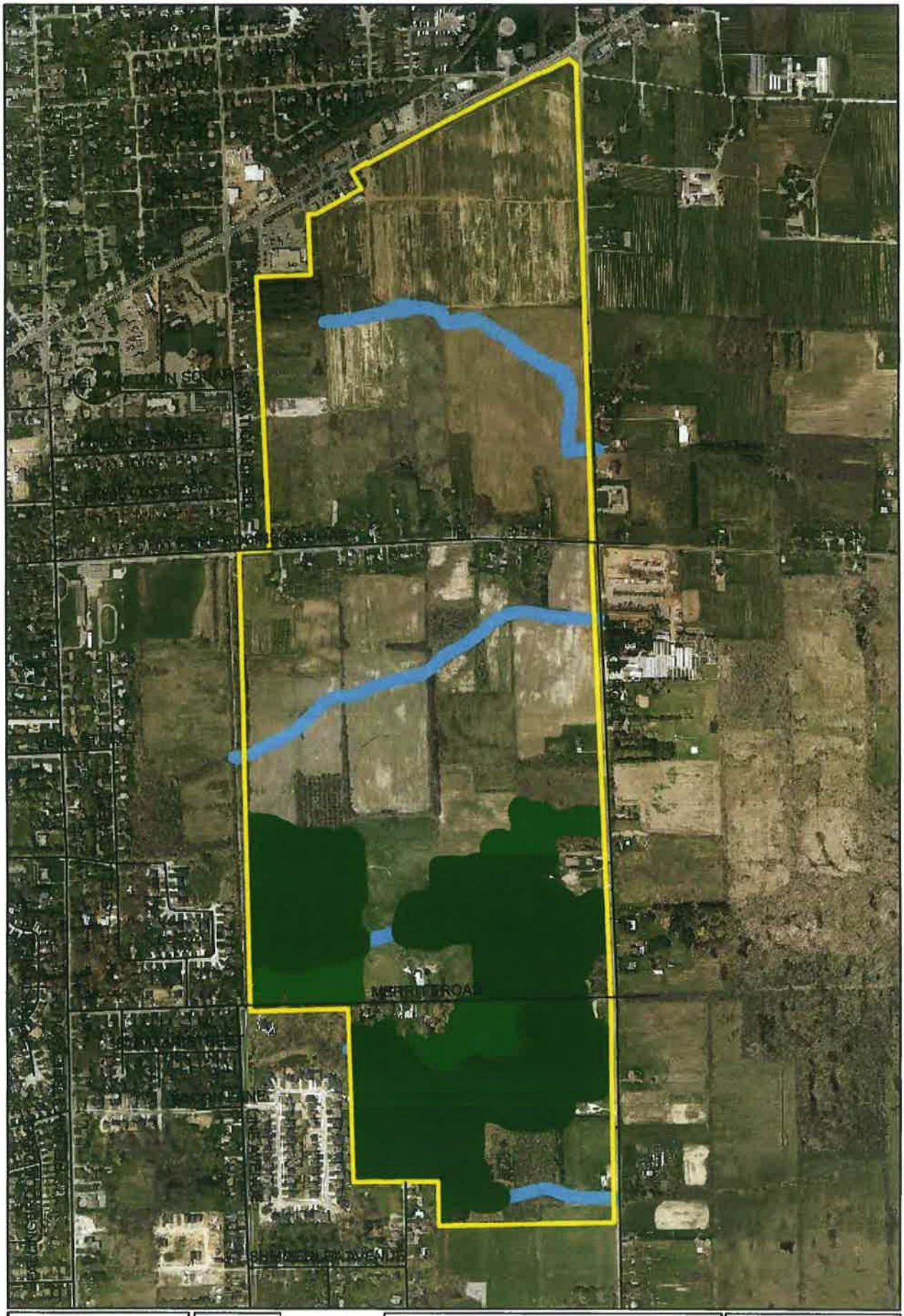
East Fonthill
Secondary Plan Area
Regionally Significant
Woodlands

Map 3

1:8,000

Woodlands 15 m Buffer
Regionally Significant Woodlands
Watercourse
Roads
Study Area

LCA Environmental Consultants



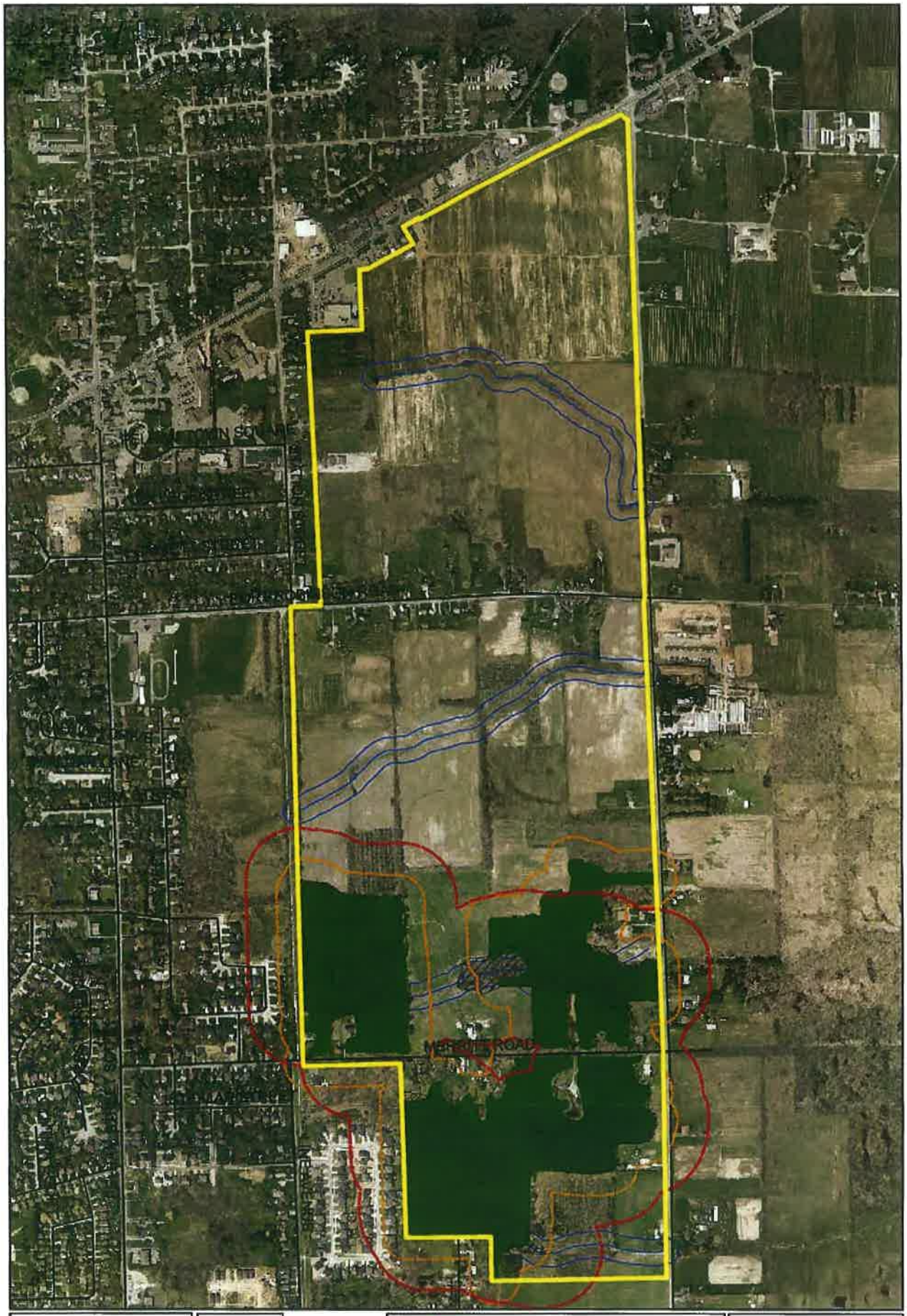
East Fonthill Secondary Plan Area Environmental Constraints

Map 4

1:8,000

Level One
Level Two
Watercourse
Roads
Secondary Plan Area

LCA Environmental Consultants



East Fonthill Secondary Plan Area
Core Natural Heritage Component
Adjacent Lands
Map 5

1:8,000

- PSW 120 m EIS Trigger
- Woodlands 50 m EIS Trigger
- Watercourse 30 m EIS Trigger
- Niagara Cataract PSW (Draft)
- Regionally Significant Woodlands
- Watercourse
- Roads
- Secondary Plan Area

LCA Environmental Consultants

Attachment 4 to Appendix 2

East Fonthill Secondary Plan Area

Development Yield/Density Calculations

#

Summary Table - East Fonthill Secondary Plan

	Greenfield Land Area	Greenfield Development Yield	Achieved Greenfield Density	Land Area within Built Boundary	Built Boundary Development Yield	Achieved Built Boundary Density	Total Development Yield	Achieved Overall Density
Commercial								
Employment Area	23.8	1190.0	50.0	0.0	0.0	0.0	1190.0	50.0
Neighbourhood 1	20.6	1166.0	56.6	19.5	1020.0	52.3	2186.0	54.5
Neighbourhood 2	25.7	1361.0	53.0	2.9	196.0	67.6	1557.0	54.4
Neighbourhood 3	21.9	951.0	43.4	2.9	149.0	51.4	1100.0	44.4
Neighbourhood 4	5.6	224.0	40.0	6.9	276.0	40.0	500.0	40.0
TOTALS	**97.6**	**4892.0**	**50.1**	**32.2**	**1641.0**	**51.0**	**6533.0**	**50.3**

This Summary Table is based on land area calculations derived from Schedule 'A5' - Land Use Plan.

East Fonthill Secondary Plan - Land Area Calculations - March 23, 2012

Land Area Calculations

	Total Land Area	Environmental Lands	Greenfield Lands	Built Boundary Lands
Commercial/Employment Area	24.5	0.7	23.8	0.0
Neighbourhood 1	42.2	2.1	20.6	19.5
Neighbourhood 2	37.4	8.8	25.7	2.9
Neighbourhood 3	30.9	6.1	21.9	2.9
Neighbourhood 4	45.0	32.5	5.6	6.9
TOTAL	**180.0**	**50.2**	**97.6**	**32.2**

Assumptions to Generate Development Yields - March 23, 2012

Net Density Assumptions by Unit Type	Net Density	Household Size	Person Per Net Hectare	*Gross Density Assumption
Apartments	95 upha	1.8 ppu	170 ppha	120 ppha
Townhouses (Stacked/Block)	50 upha	2.0 ppu	100 ppha	70 ppha
Townhouses (Street)	40 upha	2.5 ppu	100 ppha	70 ppha
Semi-Detached	25 upha	2.8 ppu	70 ppha	50 ppha
Single-Detached	15 upha	3.2 ppu	50 ppha	35 ppha

*A net to gross factor of .7 was used to reflect that environmental lands are already deleted but roads, swm and parks are not.

Medium/High Density Designation

75% Apartments @ 120 ppha
25% Townhouses @70 ppha is 107.5 pph. **assume 110 ppha**

Medium Density Designation

10% Apartments @120ppha
75% Townhouses @70ppha
5% Semi-Detached @50ppha
10% Single-Detached @35ppha is 70.5 ppha **assume 70 ppha**

Low Density Designation

5% Townhouses @70ppha
10% Semi-Detached @50ppha
85% Single-Detached @35ppha is 38.2 ppha **assume 40 ppha**

East Fonthill Secondary Plan - Development Yields - March 23, 2012

Density Calculations - Commercial/Employment Area							
	Greenfield Lands	Density Requirement	Anticipated Development Yield				
Mixed-Use	11.3	50 persons + jobs/ha	565.0				
Urban Highway Commercial	12.5	50 persons + jobs/ha	625.0				
Development Yield	**23.8**		**1190.0**			**0.0**	**1190.0**
Gross Density			**50.0**				**50.0**

Density Calculations - Neighbourhood 1							
	Greenfield Lands	Density Requirement	Anticipated Development Yield	Built Boundary Lands	Density	Anticipated Development Yield	
Medium/High Density	2.1	110.0	231.0	0.0	110.0	0.0	
Medium Density	6.5	70.0	455.0	8.0	70.0	560.0	
Low Density	12.0	40.0	480.0	11.5	40.0	460.0	
Development Yield	**20.6**		**1166.0**	**19.5**		**1020.0**	**2186.0**
Gross Density			**56.6**			**52.3**	**54.5**

Density Calculations - Neighbourhood 2							
	Greenfield Lands	Density Requirement	Anticipated Development Yield	Built Boundary Lands	Density	Anticipated Development Yield	
Medium/High Density	0.0	110.0	0.0	0.5	110.0	55.0	
Medium Density	11.1	70.0	777.0	1.5	70.0	105.0	
Low Density	14.6	40.0	584.0	0.9	40.0	36.0	
Development Yield	**25.7**		**1361.0**	**2.9**		**196.0**	**1557.0**
Gross Density			**53.0**			**67.6**	**60.6**

continued on next page

Density Calculations - Neighbourhood 3							
	Greenfield Lands	Density Requirement	Anticipated Development Yield	Built Boundary Lands	Density	Anticipated Development Yield	
Medium/High Density	0.0	110.0	0.0	0.0	110.0	0.0	
Medium Density	2.5	70.0	175.0	1.1	70.0	77.0	
Low Density	19.4	40.0	776.0	1.8	40.0	72.0	
Development Yield	**21.9**		**951.0**	**2.9**		**149.0**	**1100.0**
Gross Density			**43.4**			**51.4**	**44.4**

Density Calculations - Neighbourhood 4							
	Greenfield Lands	Density Requirement	Anticipated Development Yield	Built Boundary Lands	Density	Anticipated Development Yield	
Medium/High Density	0.0	110.0	0.0	0.0	110.0	0.0	
Medium Density	0.0	70.0	0.0	0.0	70.0	0.0	
Low Density	5.6	40.0	224.0	6.9	40.0	276.0	
Development Yield	**5.6**		**224.0**	**6.9**		**276.0**	**500.0**
Gross Density			**40.0**			**40.0**	**40.0**

TOTAL POPULATION + JOBS	**97.6**		**4892.0**	**32.2**		**1641.0**	**6533.0**
ACHIEVED GROSS DENSITY			**50.1**			**51.0**	**50.3**

These calculations are approximate. They are based on land area calculations from Schedule 'A5' - Land Use, and the assumptions as identified on previous tables.

EAST FONTHILL SECONDARY PLAN AREA
SCHEDULE '2' - STRUCTURE PLAN

Pelham NIAGARA

MARCH 11, 2014



LEGEND

- RESIDENTIAL NEIGHBOURHOODS
- COMMERCIAL / EMPLOYMENT CENTRE
- GREENLANDS SYSTEM
- LANDS WITHIN 'BUILT BOUNDARY'
- NEIGHBOURHOOD BOUNDARY
- PROPOSED COMMUNITY COLLECTOR ROADS
- EXISTING COLLECTOR ROADS

Note:

Approved by Board Order # PL121306
Issued on January 30, 2014

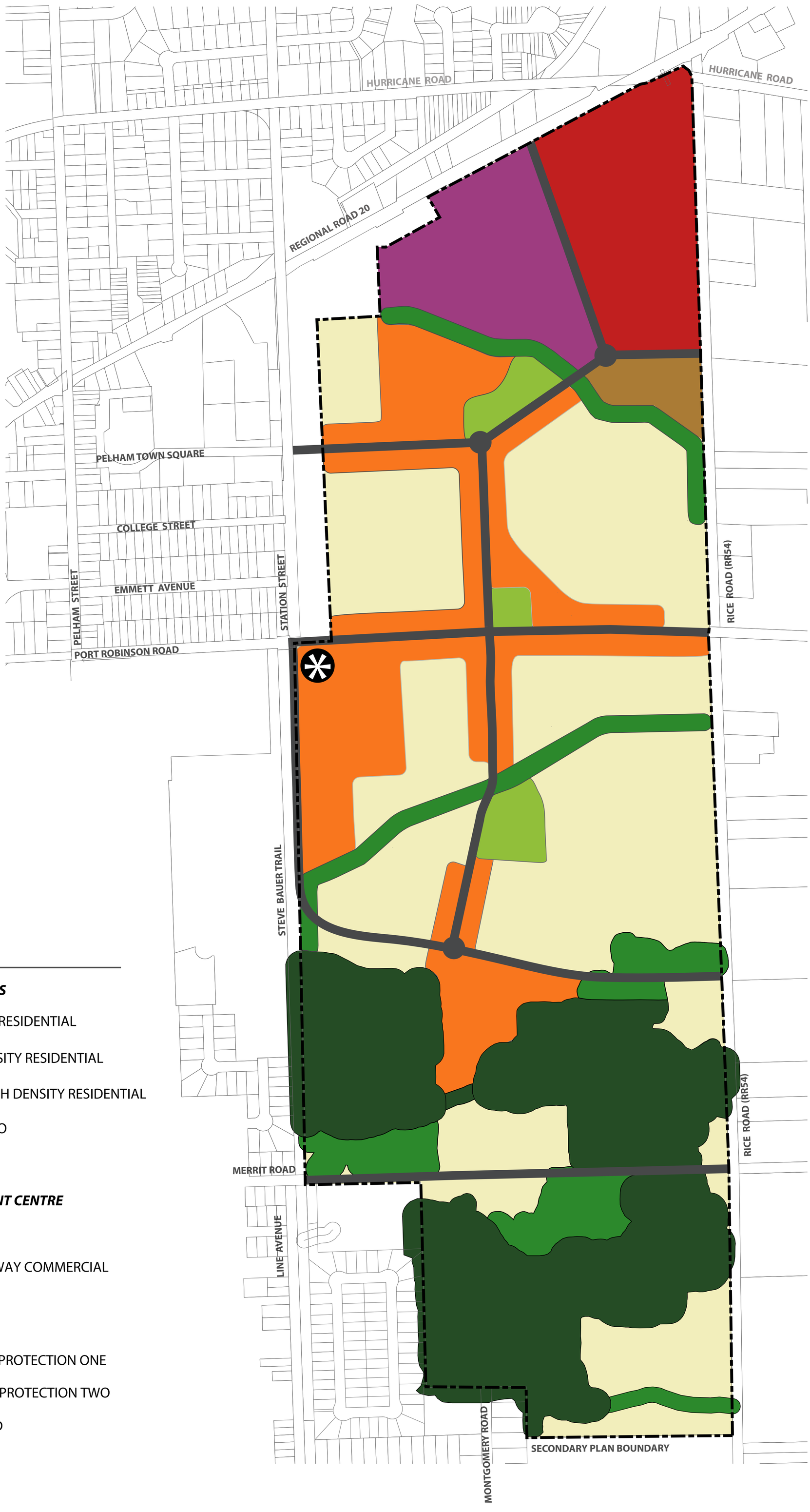
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EAST FONTHILL SECONDARY PLAN AREA
SCHEDULE '2.1' - LAND USE PLAN

Pelham NIAGARA

MARCH 11, 2014



LEGEND

RESIDENTIAL NEIGHBOURHOODS

- EF- LOW DENSITY RESIDENTIAL
- EF - MEDIUM DENSITY RESIDENTIAL
- EF - MEDIUM / HIGH DENSITY RESIDENTIAL
- LANDS SUBJECT TO POLICY B1.7.7.4 l)

THE COMMERCIAL / EMPLOYMENT CENTRE

- EF - MIXED USE
- EF - URBAN HIGHWAY COMMERCIAL

THE GREENLAND SYSTEM

- ENVIRONMENTAL PROTECTION ONE
- ENVIRONMENTAL PROTECTION TWO
- PUBLIC PARKLAND

Note:

Approved by Board Order # PL121306
Issued on January 30, 2014

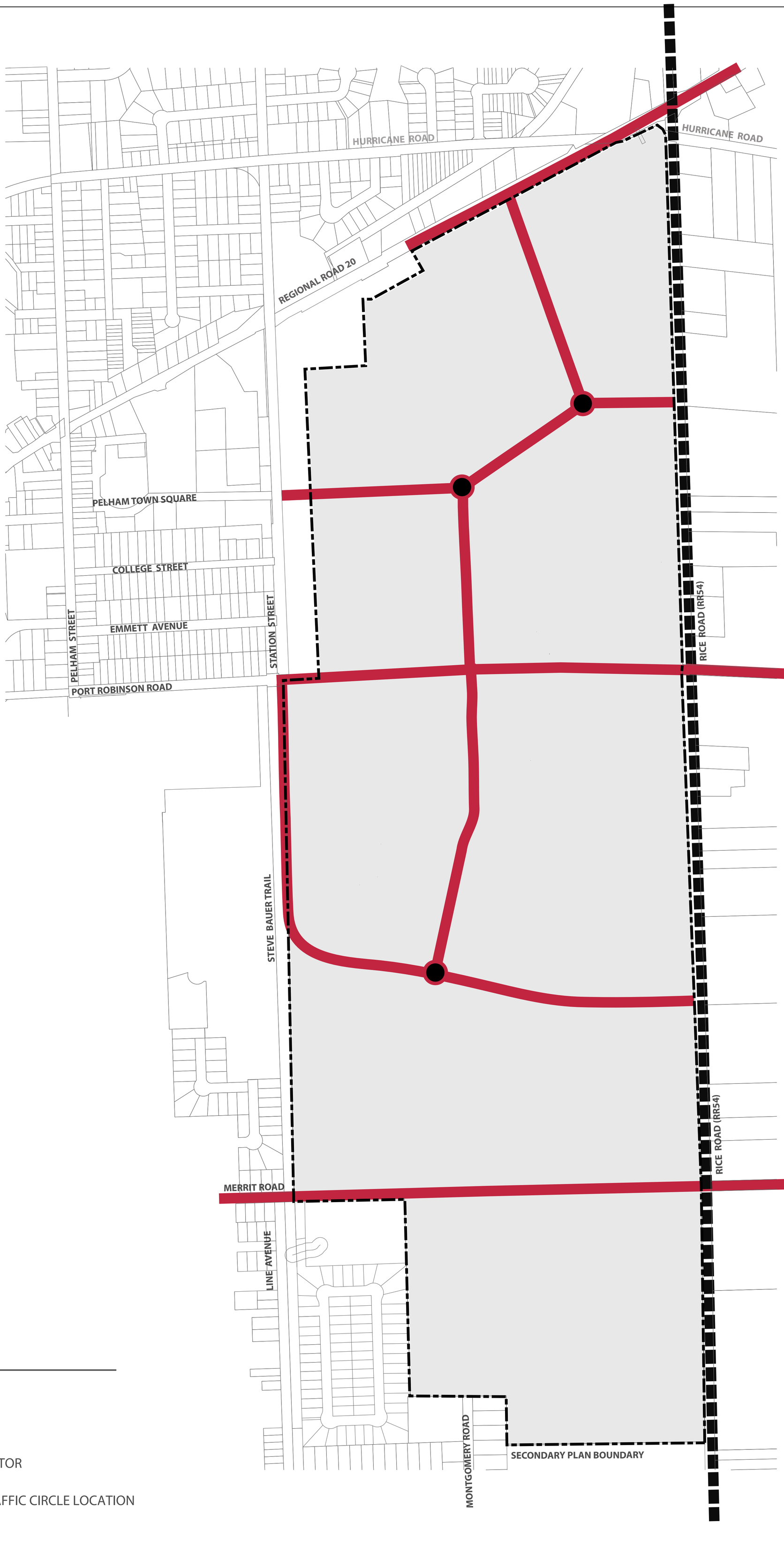
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EAST FONTHILL SECONDARY PLAN AREA
SCHEDULE '2.2' - TRANSPORTATION PLAN

Pelham NIAGARA

MARCH 11, 2014



LEGEND

- COLLECTOR
- RURAL COLLECTOR
- POTENTIAL TRAFFIC CIRCLE LOCATION

Note:

Approved by Board Order # PL121306
Issued on January 30, 2014

N

50 100 200 400 m

Appendix 3: East Fenwick Secondary Plan

The East Fenwick Secondary Plan was approved on May 1, 2024 and establishes a planning framework for coordinated *development* of the East Fenwick Secondary Plan Area which is identified on Schedule A3.

The East Fenwick Secondary Plan provides policies for the implementation of a community that is consistent with Provincial, Regional and local plans and policies. The community is planned to protect its *natural heritage system*, support the economic growth of Fenwick, and further enhance Fenwick's village character while establishing a pedestrian and cyclist friendly, compact and sustainable community. Appendices A and B are included as demonstration plans on how the policies of this document can be implemented; and,

The East Fenwick Secondary Plan area shall be developed over time in conjunction with the applicable policies of the Official Plan of the Town of Pelham. Where there is a conflict between the policies of this Secondary Plan and the Official Plan, the policies of this Secondary Plan shall apply.

A3.1 Vision

The East Fenwick Vision is based on the growth and *development* tenets found in the Town of Pelham's Official Plan to deliver a new community that:

> *"Supports and emphasizes Fenwick's unique character, diversity, civic identity, rural lifestyle and heritage features and to do so in a way that is positive on the quality of life and health for the citizens who live and work in Pelham."*

Furthermore, the Vision for the East Fenwick lands is intended to encourage and manage *development* in a manner that delivers a vibrant and diverse community. Key components of the Vision reflected in the preferred land use plan include:

A3.1.1 The enhancement of Canboro Road as a scenic "promenade" route linking Fenwick to Ridgeville and Fonthill through the implementation of a distinctive streetscape and built form character strategy;

A3.1.2 The preservation and enhancement of the existing streetscapes through the implementation of a special residential character zone that seeks to maintain the village's character through the implementation of Fenwick's typical streetscape and built form character elements such as building setbacks, height and massing along all existing roads;

A3.1.3 The *development* of a diverse, neighbourhood-scaled open space network that is *sensitive* and complementary to the site's existing natural features;

A3.1.4 The *development* of a community with a diverse range of housing types and home-based business opportunities; and,

A3.1.5 The implementation of a connected street system.

A3.2 Neighbourhood Structure

A3.2.1 Schedule 3 identifies the planned neighbourhood structure. The neighbourhood structure is comprised of the following elements:

a) Two Residential Neighbourhoods – Each of these Neighbourhoods is anchored by open space at its centre and planned to contribute to the overall housing mix and density targets of the whole community as a whole. Policies permit the introduction of employment in the form of live-work units, subject to the *development* of appropriate zoning and the availability of home occupation opportunities as well as institutional land uses within each neighbourhood;

b) The Greenlands System – The Greenlands System is comprised of existing *natural heritage features*, linkages, public parkettes, trails and stormwater management facilities. The system contributes to the overall structure of the Plan; and

c) The Street System – The Street System is comprised of an internal north south collector system intended to facilitate pedestrian, cycling and vehicular movement. The Street System extends into existing roads intersecting the study area, such as Sunset Drive, and delivers an internal street system that connects Welland Road to Memorial Drive.

A3.2.2 Schedule 3 demonstrates lands within the *Built Boundary* and the *Designated growth area Overlay Areas*. The approach to the Secondary Plan has been to complement the Village of Fenwick's existing character and associated built and cultural heritage.

Per the density targes of the Town's Official Plan, the following density requirements shall be met:

a) Lands within the *Designated growth area* Overlay Area are subject to Town of Pelham minimum density of 20 units per hectare to meet the required 50 persons and jobs per hectare and

b) Lands within the Built Boundary Area are subject to a density range of 8 to 15 units per net hectare to contribute to the Town's overall *residential intensification* target.

A3.3 General *Development* Objectives

These *development* objectives provide the framework for the planning and *development* of public and private lands within the Secondary Plan Area. The objectives will be implemented through the mechanisms set out in this Plan, including the implementing Zoning By-law and Site plan Approvals.

A3.3.1 Introduction to Neighbourhood Structure (Design Objectives)

A3.3.1.1 To deliver a land use and community structure that supports the economic well-being of Fenwick's existing historic downtown area as defined by *significant built heritage resource*s, archeological resources and *cultural heritage landscape*s;

A3.3.1.2 To ensure the community is developed in a compact sustainable manner that responds to the community's existing natural, cultural and servicing context;

A3.3.1.3 To develop a land use pattern that protects Fenwick's village character by ensuring that a land use transition is implemented along all existing roads;

A3.3.1.4 To create a sense of identity and community by ensuring the implementation of neighbourhoods that have a 2.5 to 5.0 minute walk to identifiable open space centres, based on an approximate 250 to 400 metres radius;

A3.3.1.5 To ensure there are residential *housing options* that promote lifecycle, and *affordable* housing opportunities, available to all existing and future residents;

A3.3.1.6 To conserve and enhance existing *significant cultural heritage landscape*s and *built heritage resource*s as key character building elements to be integrated into the community's *development*;

A3.3.1.7 To ensure all new *development* occurs on the basis of full municipal *infrastructure* services, such as water and sewer, in addition to adequate utility networks;

A3.3.1.8 To phase *development* in a manner that is logical and cost effective without any undue financial burden to existing taxpayers and the surrounding farming community through the municipal review of servicing and transportation plans. The phasing of *development* within the Plan will be subject to the phasing and construction of municipal servicing *infrastructure* as identified in each particular *development*'s required servicing and traffic reports, and any reports required through future Draft Plan of Subdivision processes.

A3.3.2 Greenlands Structure Objectives

A3.3.2.1 To conserve and protect the area's *natural heritage system* as an integral component of the community by providing clear and unobstructed visual and physical links to the Secondary Plan natural features;

A3.3.2.2 To ensure a connected Greenlands system is implemented and comprised of the existing natural features, stormwater management facilities, streets, trails, and public parkettes;

A3.3.2.3 To encourage *active transportation* by delivering a network of connected parkland amenities with multi-use trails within walking distance to the majority of the surrounding neighbourhood residents;

A3.3.2.4 To accommodate for passive and small active recreational opportunities such as natural playgrounds as well as seating and walking areas as important community building components;

A3.3.2.5 To ensure stormwater management facilities are planned as *essential* Greenlands system components to be designed as special landscaped amenities that are publicly accessible;

A3.3.2.6 To encourage the integration and connectivity of existing natural features through the implementation of new linkages; and,

A3.3.2.7 To encourage the conservation and integration of existing hedgerow and woodland features into the community's overall design and *development*.

A3.3.3 Street Structure Objectives

A3.3.3.1 To deliver *complete streets* in accordance to the Region's complete street guidelines with a clear road hierarchy based on a connected modified grid network that accommodates for all modes of travel fundamental in the implementation of an identifiable, great community;

A3.3.3.2 To deliver *complete streets* with a unique functional rural cross section character in the implementation of a community with a strong village character;

A3.3.3.3 To preserve Canboro Road and Memorial Drive cultural heritage character through the implementation of a special character or Village Residential zone and site specific road solutions based on these roads constrained right of way width; and,

A3.3.3.4 To facilitate the implementation of a future transit network by ensuring the community's minor collector road transverses throughout the entire East Fenwick area. The network will allow for a 2.5 to 5-minute walk to a transit

stop and the implementation of a future transit loop throughout the entire Village.

A3.3.4 Sustainability & Healthy Communities

The community design elements structuring the East Fenwick Secondary Plan Area are the physical land use planning manifestation of a strategy that seeks to achieve social, economic, and environmental sustainability.

Development in the East Fenwick Secondary Plan is envisioned to achieve:

A3.3.4.1 Social sustainability by encouraging a diverse community that offers a diverse range and mix of housing including *affordable*, attainable and universally accessible options to meet housing needs at all stages of life.

A3.3.4.2 Economic sustainability by continuing to encourage home occupation related employment and increasing the local population that can support Fenwick's downtown business community.

A3.3.4.3 Environmental sustainability by focusing on maximizing support for climate action by lowering carbon emissions and delivering energy and water efficiency and circular systems.

A3.3.4.4 To achieve a sustainable and healthy community, the plan is envisioned to integrate key elements such as density, walkability, pedestrian and cycling routes, publicly accessible electric vehicle *infrastructure*, water efficiency *infrastructure* and landscaping and use of sustainable materials to maximize low carbon and low impact design.

A3.3.5 *Affordable* Housing

A3.3.5.1 It is the objective of this Plan that a minimum of 25% of all new residential *development* within the East Fenwick Secondary Plan Area meet the Provincial and Regional definition of *affordable* housing. The construction of *affordable* housing at initial *development* stages in an evenly distributed manner throughout the neighbourhood plan is highly encouraged. *Affordable* housing may be achieved by:

a) supporting the construction of an alternative range of housing to include stacked townhouses, back-to-back townhouses or apartment buildings;

b) encouraging larger size units in multiple forms to accommodate varying family sizes (i.e., 3-bedroom units);

c) supporting construction of *additional residential units* and encouraging building design that allows for *additional residential units*;

d) supporting sustainability initiatives, such as passive design or green technologies (e.g. low flow toilets), that keep operating costs of the homes or buildings lower;

e) encouraging construction of condominium units with modest common element amenities to keep the housing and monthly condominium fees cost low; and

f) encouraging the construction of rental units in a range of unit sizes and unit types to accommodate a diverse range of household sizes and incomes.

A3.3.5.2 The Town will work with other government agencies and the private sector to promote innovative housing forms, *development* techniques, and incentives that will facilitate the provision of *affordable* housing; and,

A3.3.5.3 *Affordable* housing is encouraged to be located in close proximity to local community facilities, future public transit routes and *active transportation* facilities.

A3.4 Design Policies

The Neighbourhood Demonstration and *Active transportation* Plan and resulting land budget contained in appendices A and B illustrate one of the multiple variations in which the policies contained in this document can be implemented. The intent of the Neighbourhood Demonstration and *Active transportation* Plan is to promote an appropriate built form, streetscape and public realm within the Secondary Plan Area.

A3.4.1 Urban Design Guidelines

A3.4.1.1 Urban Design Guidelines have been prepared to guide *development* (attached as Attachment 3). The intent of the Urban Design Guidelines is to promote an appropriate built form, streetscape and public realm within the Secondary Plan Area. The Urban Design Guidelines function as an implementation tool for successive *development* and approval processes that are required to implement this Plan, particularly zoning, required Master Plans and Draft Plans of Subdivision/Condominium; and

A3.4.1.2 All *development* within the East Fenwick Secondary Plan Area shall be generally consistent with the Urban Design Guidelines attached to this Plan as Attachment 3. Adjustments and further refinements to the Urban Design Guidelines are anticipated and shall not require an amendment to this Plan, provided that the intent and general design approach inherent to the Plan Vision is achieved to the satisfaction of Town staff.

A3.4.2 General Site *Development* Criteria

The Town shall ensure that the following general site *development* criteria are implemented in all new *development*:

A3.4.2.1 Buildings shall be street-oriented and provide direct street access for pedestrians.

A3.4.2.2 Surface parking areas shall generally be sited to the side or rear of buildings, or, preferably below grade. The softening of the impact of surface parking through building orientation and landscaping treatments is required.

A3.4.2.3 Residential driveway access and garage wall shall generally be set back from the living portion of the front façade or located at the rear of the building.

A3.4.2.4 All new apartment *development* shall provide secure indoor bicycle parking and outdoor bicycle racks at their main entrance. In locations with minimal setbacks where there is insufficient space for bicycle racks at the main building entrance, bicycle racks may be provided at an alternate location in proximity to the entrance that is user-convenient and highly visible.

A3.4.2.5 *Compatibility* between different land uses and scales of buildings shall be achieved through appropriate siting, building design, massing articulation and landscape treatment.

A3.4.2.6 High quality landscape treatment shall be provided throughout the Secondary Plan Area.

A3.4.2.7 Building form and siting shall minimize the impacts of noise, wind and shadows on adjacent properties.

A3.4.2.8 To ensure a gentler transition to Fenwick's rural character, higher density *development* shall generally be located towards the centre of the Secondary Plan Area adjacent to public open space areas to minimize the building massing and presence on the existing streetscape.

A3.4.2.9 Loading areas and outdoor fully enclosed refuse collection areas shall be unobtrusive and screened and shall be located at the side or the rear of buildings.

A3.4.2.10 Rooftop equipment shall be unobtrusive, architecturally incorporated into the design of the building and/or screened from view.

A3.4.3 Crime Prevention Through Environmental Design (CPTED)

A3.4.3.1 The Town will promote building and site design that assists in the reduction of incidence of crime through the implementation of Crime Prevention Through Environmental Design (CPTED) principles including natural

surveillance, natural access control, territorial reinforcement and space assessment; and,

A3.4.3.2 The Town shall have regard for the principles of CPTED in their review of all *development* applications.

A3.4.4 Sustainable/Green Building Design

The overall *development* pattern within the Secondary Plan has been developed to encourage the following sustainable community design principles:

A3.4.4.1 Street orientation to maximize passive solar gain and pedestrian comfort on streets.

A3.4.4.2 Shorter block lengths to encourage pedestrian permeability.

A3.4.4.3 Conserve, protect and integrate natural features within the Plan as an integral part of sustainably responding to the context by:

a) conserving the *natural heritage system*; and

b) integrating hedgerows and appropriate *woodlands* into the community's open space and streets system.

A3.4.4.4 Street standards that encourage the retention of existing tree canopy with special consideration for the Plan's identified scenic roads of Canboro Road and Memorial Drive.

A3.4.4.5 Implement street standards that encourage a tree canopy and a *green infrastructure* approach to improve stormwater capture and reuse and maintain and enhance the area hydrological features and functions.

A3.4.4.6 Support the choice of native planting materials and xeriscaping to address summer/winter conditions and reduce water consumption.

A3.4.4.7 Support circular water and energy system opportunities to reduce water consumption.

A3.4.4.8 Encourage the implementation of Electric Vehicle *infrastructure* in a manner that allows for future increased uptake throughout the neighbourhood at all public spaces.

A3.4.4.9 Encourage a broadband network throughout the community that will use technology applications to support air quality and net zero neighbourhoods by efficient and low carbon transportation, signalization, work at home and energy and water efficiency opportunities.

A3.4.4.10 Support night sky lighting.

A3.4.4.11 Encourage opportunities for community-based initiatives such as car-pooling, community composting, waste reduction, educational and stewardship .

A3.4.4.12 Include renewable energy strategies and are designed to support net zero building techniques, restoring as much energy as they consume.

A3.4.4.13 The Secondary Plan shall encourage the following green building design and sustainability requirements:

a) new buildings achieve a 20% or greater water conservation efficiency than required by the Ontario Building Code;

b) new buildings, with the exception of residential buildings containing less than 25 dwelling units, to achieve the following sustainability requirements:

i) LEED Silver, or equivalent, prior to and including 2021; and

ii) LEED Gold or equivalent from 2022 up and beyond 2031.

c) new *development* to be built to the following requirements for sustainability:

i) grade related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to ENERGY Star U standards; and

ii) mid-rise (4 storeys and greater) residential buildings shall be designed to achieve greater energy efficiency than the Model National Energy Code for Building.

A3.4.4.14. The Town shall encourage and support public and private partnerships and pilot projects for net zero water and energy systems that support climate action greenhouse gas reductions.

A3.4.5 Phasing Policies

A3.4.5.1 *Development* shall be phased to provide for continuous, orderly extension of the community to ensure the most efficient and economic use of the existing and proposed *infrastructure*. The following phasing criteria shall be considered in the review of all *development* applications:

a) The *development* contributes to, or can be appropriately integrated within the logical sequence of construction of all required sewer,

water, storm water, *active transportation* and other community facilities;

b) The *development* satisfies all requirements regarding the provision of parkland and other facilities; and

c) The *development* implements any relevant findings of the studies required by the Official Plan and this Secondary Plan.

A3.5 Land Use Designations

A3.5.1 Land use is divided into two Residential Neighbourhood and four Greenlands System designations and includes a special policy area overlay as shown in Schedule C3-10 with policies established for each category. The categories include:

a) The Residential Neighbourhoods designations:

i) Village Residential

ii) Neighbourhood Residential

b) The Greenlands System includes:

i) *Natural heritage system*

ii) Special Policy Area

iii) Environmental Linkages

iv) Open Space / Parkette

v) Stormwater Management Facilities

A3.5.2 The boundaries of land use designations, as shown on Schedule A10, are intended to be general and approximate, unless they coincide with an existing road, lot line, a prominent physical feature and/or relate to studies approved by Town, Regional, or *Conservation authority* staff.

A3.5.3 Adjustments to the location of land use boundaries may be permitted without the need for an Official Plan Amendment provided the general intent of the Official Plan and this Secondary Plan are maintained and all required technical reports supporting the revision of land use boundaries are completed to the satisfaction of Town. Similarly, adjustments may be made in the location of streets, trails and bikeways provided the intent of the Secondary Plan is maintained to the satisfaction of the Town.

A3.5.1 Residential Uses

It is the intent of the Town to promote the *development* of compete communities through an appropriate housing mix, opportunities for home occupation related employment and a pedestrian oriented street design. The two neighbourhoods shall be connected to the Greenlands System.

A3.5.1.1 General Policies

A3.5.1.1.1 In order to achieve the minimum density targets of this Plan, the Town will not approve any *development* application that compromises the ability for the Town to achieve the identified density targets throughout the East Fenwick Secondary Plan Area. As such, prior to the approval of any application for Plan of Subdivision and/or Zoning By-law Amendment, the proponent shall demonstrate how the proposed *development* contributes to the density targets of the Plan.

A3.5.1.1.2 Prior to the approval of any *development* application, proponents shall provide a housing mix and density plan that geographically distributes built form/ housing types, lot sizes and densities based on the objectives and policies of this Plan demonstrated trough a plan of subdivision or site plan and planning justification report.

A3.5.1.1.3 Proposed *development* within the Secondary Plan Area shall generally conform to Attachment 3 – Urban Design Guidelines. If, in the opinion of the Town, the proposed street and block layout *significant*ly departs from the design intent, the applicant shall be required to justify the proposed changes in the Planning Justification Report and accompanying explanatory Urban Design Brief, to be submitted at the time of submission of *development* application.

a) Urban Design Brief– The Urban Design Brief will provide a detailed description of the proposed new Draft Plan Vision to include road, block, land use, open space and streetscape components. Ultimately, the purpose of the Urban Design Brief is to demonstrate how the proposed Draft Plan implements the East Fenwick Secondary Plan Vision.

A3.5.1.1.4 Subject to the findings of the Environmental Impact Study required in Section 4.1.6 to reduce or remove *natural heritage features*, any land use changes proposed for the Special Policy Area will require the applicant to undertake the studies/updates outlined in Section 4;

A3.5.1.1.5 Notwithstanding general compliance with Secondary Plan policies, technical supporting studies will be required as part of the Town's *development* proposal process for all *development* applications. Technical supporting studies, which can be based on the "Transportation Assessment" and

"Municipal Servicing Conceptual Design" reports accompanying this Secondary Plan, are to include, but are not limited to:

a) Municipal Servicing Plan shall include, but shall not be limited to, technical details regarding the provision of water, wastewater, stormwater management and public/private utilities;

b) Transportation Plan shall include, but shall not be limited to, technical details regarding the traffic conditions and implementation strategies proposed to accommodate for *development*;

c) Environmental Impact Study to include the assessment of lands within and adjacent the *Natural heritage system* and Special Policy Area Overlay identified in this Plan (refer to Town Official Plan policies in Section 4).

A3.5.1.1.6 Within the Neighbourhood Residential designation, increases in density may be permitted to the satisfaction of the Town without Amendment to this Plan, subject to:

a) a test of functional servicing *compatibility* addressing all water, wastewater, stormwater through an update to the Municipal Servicing Plan;

b) a Traffic Impact Study demonstrating traffic impacts and requirements; and

c) an Urban Design Brief to demonstrate how the proposal implements this Plan's Urban Design Guidelines and overall Vision intent.

A3.5.2 Village Residential

A3.5.2.1 Permitted Uses

A3.5.2.1.1 The following uses are permitted within the Village Residential designation:

a) Single detached and semi-detached residential buildings;

b) Accessory apartments/secondary units in accordance with applicable policies of the Official Plan;

c) Accessory buildings and structures related to the primary residential dwelling unit;

d) Home occupations subject to the applicable policies of the official plan;

e) Places of worship;

f) Residential care facilities subject to the applicable policies of the official plan;

g) Day nurseries;

h) Open space linkages;

i) Community meeting spaces;

j) Public uses; and

k) Public and private utilities.

A3.5.2.1.2 In addition to the permitted uses identified in Policy A3.5.2.1.1 above, street and block townhouses may be permitted provided garage areas are not visible from the public right of way in accordance with this Plan and accompanying Urban Design Guidelines.

A3.5.2.2 *Development* Policies

A3.5.2.2.1 For single detached lots density shall range from a minimum of 8 units per net hectare, up to 20 units per net hectare.

A3.5.2.2.2 For semi-detached lots density shall range from a minimum of 20 units per net hectare, up to 40 units per net hectare.

A3.5.2.2.3 Permitted street townhouse dwellings shall be developed at densities ranging from a minimum of 20 units per net hectare, up to 50 units per net hectare.

A3.5.2.2.4 Built form siting along the Plan's perimeter and Canboro Road should be in keeping with existing setback parameters.

A3.5.2.2.5 Residential buildings along Canboro Road shall minimise their garage and driveway presence onto the streetscape as outlined in the Urban Design Guidelines.

A3.5.2.2.6 The maximum residential building height for any building within the Village Residential designation shall be 2.5 storeys.

A3.5.2.2.7 Places of worship and day nurseries shall only be permitted within the Village Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:

a) have a minimum lot size of 0.75 of a hectare;

b) are *compatible* with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts; and,

c) The landmark or steeple component of a Place of Worship may be permitted to exceed the 9 metres height limitation, subject to approval by the Town, through the required Site-Specific Zoning By-law Amendment process.

A3.5.3 Neighbourhood Residential

A3.5.3.1 Permitted Uses

A3.5.3.1.1 The following uses are permitted within the Neighbourhood Residential designation:

a) Single detached and semi-detached residential buildings;

b) All forms of townhouse and multiple dwelling residential buildings;

c) 4 to 6 storey apartment buildings;

d) Accessory apartments/secondary units subject to the applicable policies of the official plan;

e) Live-work units;

f) Residential care facilities subject to the applicable policies of the official plan;

g) Accessory buildings and structures related to the primary residential dwelling unit;

h) Home occupations subject to the applicable policies of the official plan;

i) Places of worship;

j) Day nurseries;

k) Parks, parkettes and open space linkages;

l) Community Amenity buildings;

m) Public uses; and

n) Public and private utilities.

A3.3.5.2 *Development* Policies

A3.3.5.2.1 For single detached lots density shall range from a minimum of 18 units per net hectare, up to 30 units per net hectare.

A3.3.5.2.2 For semi detached lots of density shall range from a minimum of 20 units per net hectare, up to 50 units per net hectare.

A3.3.5.2.3 Permitted street and block townhouse as well as multiple dwelling residential buildings shall be developed at densities ranging from a minimum of 20 units per net hectare, up to 60 units per net hectare.

A3.3.5.2.4 Small scale apartment buildings shall be developed at densities ranging from a minimum of 73 units per net hectare, up to 120 units per net hectare.

A3.3.5.2.5 The maximum building height for any building within the Neighbourhood Residential designation located internal to the community shall be 6 storeys and may include a 4.5 metre minimum ceiling height requirement on the ground floor to accommodate live-work units.

A3.3.5.2.6 The maximum building height for any building within the Neighbourhood Residential designation with frontage onto Canboro Road, Welland Road and/or Cream Street shall be 4 storeys.

A3.3.5.2.7 Places of worship and day nurseries shall only be permitted within the Neighbourhood Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:

a) have a minimum lot size of 0.75 of a hectare;

b) are *compatible* with adjacent properties in terms of aesthetics, privacy, sun shadowing, noise and/or other impacts;

c) are located near the intersection of two public roads, at least one of which is a Collector Road; and,

d) the landmark or steeple component of a Place of Worship may be permitted to exceed established height limitations, subject to approval by the Town, through the required Site Specific Zoning By-law Amendment process.

A3.3.5.2.8 Live work uses shall only be permitted within the Neighbourhood Residential designation through a Site-Specific Zoning By-law Amendment process provided that they:

a) are limited in size to 150 square metres per live work unit;

b) are *compatible* with adjacent properties in terms of aesthetics, privacy, noise and/or other impacts;

c) are located near the intersection of two public roads; and,

d) are located near or at the centre of the neighbourhood, within a 2.5-minute walk from the majority of residents.

A3.3.5.2.9 *Development* on the basis of garage and driveway access from public or private lanes is encouraged, and may be required where dwelling units front onto a Minor Collector Road, a Linkage, or a linear park. *Development* on the basis of garage and driveway access from public or private lanes may be permitted where dwellings front onto a Local Road, subject to confirmation of the technical requirements by the Town.

A3.3.5.2.10 Neighbourhood Residential *development* that abuts lands designated Village Residential shall be designed to:

a) ensure *compatibility* to Village Residential areas through deeper lots;

b) ensure *compatibility* to Village Residential areas through the conservation, when present, of the existing tree canopy in the form of a landscaped *buffer*, which shall be a minimum of 10 metres in depth;

c) increased setbacks;

d) the provision of landscaped *buffer*s when backing onto Village Residential areas;

e) the provision of clearly demarcated vehicular and pedestrian access points; and

f) the provision of screened parking areas located behind the principal building with limited exposure to adjacent public roads.

A3.3.5.2.11 Schedule 3.3 identifies symbolically (with the use of an asterix) the potential location for multiple dwelling residential buildings or apartment buildings. These locations have been chosen due to their landmark, gateway role as well as their proximity to large open space areas. It is important that future *development* on these sites facilitates strong view terminuses across the Plan Area, accentuates the Greenlands system rather than detracts from it, and maximizes visual prominence and anchoring of the buildings along street axes. To achieve this, in general proximity to that symbol, a multiple dwelling residential building or an apartment building may be developed subject to appropriate zoning and the following criteria:

a) the site is located along public roads;

b) the site does not exceed 10,000 square metres in size;

c) any proposed building at the corner of Cream Street and Canboro Road shall be designed as a priority lot that fits with Fenwick's Village character; and

d) apartment buildings located within the Residential Neighbourhood lands that are more than 4 storeys in height shall be designed following the angular plane strategy of this Plan's Urban Design Guidelines of Appendix C.

A3.3.5.2.12 Apartment buildings shall be designed to ensure *development compatibility* to surrounding existing and future built forms. Site design considerations may include:

a) increased setbacks;

b) *sensitive* building siting;

c) provision of landscape *buffer*s;

d) angular planes or other mechanisms that control the scale of *development*;

e) the requirement for structured parking and/or the provision of parking areas that do not dominate the site physically and visually from the public right of way;

f) bicycle parking is provided in areas that are located near a building access, are protected from the weather, are safe and well illuminated, and do not obstruct the public sidewalk;

g) bicycle parking is provided at a minimum of 1 space per unit plus 0.5 visitor/short term spaces per dwelling unit;

h) the location, pattern and style of entranceways, windows, balconies and other architectural details ensure matters of character fit, oversight and privacy are addressed; and,

i) the location, pattern and style of loading bays and refuse containers ensures these areas internal to the site, and are not visible from the public right of way.

A3.6 The Greenlands System

The East Fenwick network of green land spaces is made up of the area's existing *Natural heritage system*, a series of interconnected small neighbourhood parkettes, environmental linkages, *active transportation* network and trails, and stormwater management areas. The proposed open space network encourages *active transportation*, recreation, and opportunities to connect to the *natural heritage system* and the neighbourhood's open space amenities as an integral part of the neighbourhood design. The Greenlands System recognizes *natural heritage features* and their associated functions and seeks to maintain connections between and among them, so that their existing ecological and hydrological functions are maintained or enhanced, where possible.

Note: The East Fenwick Secondary Plan, specifically its environmental mapping, reflects significant investment from landowners in Environmental Impact Studies (EIS's) that cover portions but not all of the Plan Area. Areas where existing studies have been conducted reflect the regulatory standards of the approvals framework that existed at time of their completion. Because of this, more explicit policy direction is provided for these portions of the Plan Area relative to others. It is important to note that policy provisions included in this Secondary Plan reflect the regulatory standards in place at time of application, and future development may be held to different standards of environmental review as these regulations evolve over time.

A3.6.1 Intent

A3.6.1.1 It is the intent of the Town to establish a linked Green Lands System that also acts as a fundamental community structure element for the East Fenwick Secondary Plan.

A3.6.1.2 The Green Lands System, as identified on Schedule 3.1, is comprised of the following components and associated *buffer*s:

a) *Natural heritage system*

b) Special Policy Area Overlay

c) Environmental Linkages

d) Stormwater Management

e) Open Space/Parkette

A3.6.1.3 The inclusion of all the associated elements and related activities into an interconnected Greenlands System will protect and enhance the *natural heritage system* and its associated functions and expand the recreational opportunities available to residents.

A3.6.1.4 Linkages through the implementation of corridors provide important connections between *natural heritage features*. Linkages and corridor

connections shall be reviewed as part of an EIS. Where identified through an EIS or other natural heritage study or plan, linkages and corridors shall be incorporated into *development* plans and protected through use of an appropriate zone in the Town's Zoning By law.

A3.6.1.5 As part of a future *development* application, additional scoped EIS work is required to address environmental restoration matters relating to the overall area, location and composition of the restoration required to accommodate the proposed storm water management facility located at the south-west corner of Welland Road and Cream Street.

A3.6.2 *Natural heritage system*

A3.6.2.1 The *Natural heritage system* designation recognizes the limits and associated minimum *buffer*s of the Provincially *Significant* Wetland.

A3.6.2.2 The *Natural heritage system* designation recognizes environmental features defined through an EIS.

A3.6.2.3 The ecological and hydrologic functions of the lands designated *Natural heritage system* shall be protected, maintained, or, where possible, improved for the long-term, recognizing linkages between and among *natural heritage features and areas*. The *Natural heritage system* designation is intended to:

a) protect the health and water quality of the natural heritage feature;

b) conserve biodiversity;

c) protect *significant natural heritage features* and their associated functions; and

d) protect surface and ground water resources.

A3.6.2.4 The lands designated *Natural heritage system* on Schedule 3.1 are also subject to Section 4 of the Official Plan.

A3.6.3 Special Policy Area Overlay

A3.6.3.1 The Special Policy Area Overlay recognizes *natural heritage features*, which contribute to the *Natural heritage system*.

A3.6.3.2 Additional environmental study is required to determine the exact boundaries and *buffer*s to protect the features and functions to the satisfaction of the Town and Region.

A3.6.3.3 The proponent shall be required to submit an EIS as part of any future *development* application to demonstrate that, over the long term, there will be no *significant* negative impact on the *natural heritage features* or their functions. The scope and content of the EIS shall be determined through the *development* of a Terms of Reference in consultation with the Town, Region and the NPCA.

A3.6.3.4 Should it be demonstrated that a natural heritage feature may be reduced or removed, the proponent shall incorporate portions of the feature into *development* plans, where feasible, to the satisfaction of the Town.

A3.6.3.5 Should the feature be reduced in size, the adjacent land use designation shall apply.

A3.6.3.6 The lands with the Special Policy Area Overlay on Schedule 3.1 are also subject to Section 4 of the Official Plan.

A3.6.4 Environmental Linkages

A3.6.4.1 The Environmental Linkages designation recognizes the importance of providing ecological corridors connecting identified Greenlands areas throughout the Secondary Plan Area.

A3.6.4.2 Environmental Linkages shall be established consistent with Section 4 of the official plan.

A3.6.4.3 Notwithstanding the policies of Section 4, these areas shall be landscaped with native plantings to the satisfaction of the Town in a way that reinforces an ecological corridor consistent with the *significant* features it is connecting.

A3.6.4.4 Environmental Linkages shall integrate LID measures where possible to contribute to the overall storm water management strategy.

A3.6.4.5 Environmental Linkages will be dedicated to the Town at time of subdivision.

A3.6.5 Open Space / Parkette

A3.6.5.1 The polices applicable to the lands designated Open Space / Parkette on Schedule 3.1 are found in Section 7 of the official plan. In addition to the policies of Section 7, it will be required that Parkettes are located at the centre of each neighbourhood as identified in Schedule 3, a minimum of two (2) parkettes shall be provided across the plan area to ensure easy access and multiple opportunities for rest, relaxation and access to nature.

A3.6.5.2 Amendments to this Plan's Greenlands structure and resulting trail system / *active transportation* network shall be completed to the satisfaction of the Town in consultation with the Pelham *Active transportation* Committee.

A3.6.5.3 The following policies apply to the establishment of parkettes:

a) a parkette shall generally have a minimum frontage on the abutting sidewalk of 20 metres, and a minimum depth of 30 metres with a minimum area of 0.4 of a hectare and shall be generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C;

b) parkettes shall be designed to reinforce a high-quality relationship between the public right of way and surrounding land uses as a component of the Greenlands System; and

c) parkettes shall incorporate/include existing vegetative features such as hedgerows and non-*significant* woodlots as part of their design; and

d) landscape elements and features within the parkettes shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas.

A3.6.5.4 Parkettes that are less than 0.4 of a hectare shall generally not contribute to the Town's parkland dedication requirements and shall generally not be required or accepted by the Town. The Town may, however, consider accepting parkland parcels that are less than 0.4 of a hectare without Amendment to this Secondary Plan, subject to the specific approval by Council that is based on an understanding of the specific land parcel's contribution to the overall public parkland system within the East Fenwick Secondary Plan Area.

A3.6.6 Parkland Conveyance Reduction

A3.6.6.1 Parkland conveyance requirements may be reduced under the following circumstances, subject to approval by Council:

a) When land is developed for long term care facility use, as defined by the Province, a maximum of 2% of the total land area shall be conveyed to the Town;

b) When the proposed *development* is being undertaken by a public-sector organization the parkland conveyance requirement may be eliminated or reduced at the discretion of Council;

c) When land is developed to include *affordable* housing units, as defined by the Province, the conveyance requirement may be eliminated or reduced proportionate to the number of *affordable* units provided, at the discretion of Council;

d) When the proposed *development* is being undertaken by a not-for-profit organization, as defined by the Province, the parkland conveyance requirement may be eliminated or reduced at the discretion of Council; and/or

e) When a *development* proposal includes a property designated or listed under Part IV or V of the Ontario Heritage Act or listed on a Municipal Heritage Register under Section 27 of the Ontario Heritage Act, or has otherwise been recognized as a *significant cultural heritage landscape* or *built heritage resource*, and the proposal incorporates and conserves a cultural heritage resource to Town satisfaction, a parkland conveyance reduction of 50% of the applicable conveyance requirement for that specific property may be applied.

A3.7 Stormwater Management Facilities

A3.7.1 The policies related to stormwater management facilities within the East Fenwick Secondary Plan Area are found in Section 6 of the Official Plan. Their general location is conceptually shown in Schedule 3;

A3.7.2 General objectives for stormwater management facilities within this Secondary Plan Area are:

a) to maintain, and where possible, improve the health and condition of the receiving/adjacent watercourses;

b) the achievement of no net increase in stormwater run-off from the Secondary Plan Area to adjoining lands;

c) to maintain, and where possible, improve the quality of stormwater entering surface and groundwater supplies; and,

d) to promote the use of naturalized methods of stormwater management.

A3.7.3 In addition to the policies of Section C6 of the Official Plan, the following policies apply within the East Fenwick Secondary Plan Area:

a) the Plan's stormwater management facilities shall be permitted in all land use designations within the East Fenwick Secondary Plan Area, except for *Natural heritage system* lands, their general location shown in Schedule 3;

b) notwithstanding policy a) above, the stormwater management facility located south of Welland Road at Cream Street is permitted within the *Natural heritage system* provided the facility is designed to the

specifications agreed upon by the Niagara Region and *Conservation authority*;

c) Stormwater management facilities may be permitted in Special Policy Area overlays without the need for a further Amendment to this Plan, subject to the policy direction provided in this Plan, including the preparation of an Environmental Impact Study (EIS) to the satisfaction of the Region in consultation with the Town and the NPCA showing no negative impact to feature or function;

d) stormwater management facilities will be designed as *essential* components within the open space network and be publicly accessible where appropriate;

e) stormwater management facilities will blend with the natural landscape, organic shapes and landform grading designed to replicate natural landforms in the area while being safe to visitors. Inlet and outlet structures will be concealed using a combination of planting, grading and natural stone;

f) stormwater management facilities will not be fenced, but rather will be designed with trails and interpretative signage;

g) stormwater management facilities shall be provided with high quality landscaping designed by a qualified Landscape Architect; and,

h) stormwater management facilities shall be designed generally consistent with the Urban Design Guidelines attached to this Plan as Attachment 3.

A3.7.1 Stormwater Management Design Criteria

A3.7.1.1 In order to avoid the *negative impacts* of *flooding* in the downstream *watershed*, all new *development* post *development* peak stormwater flows shall be attenuated to pre-*development* conditions for up to and including the 100 year return period design storm event.

A3.7.1.2 In order to avoid *negative impacts* of stormwater sediments, stormwater from all new *development* should be managed for quality purposes to an enhanced standard (i.e. 80 percent long-term suspended solids removal).

A3.7.1.3 Adequate and safe minor and major storm conveyance systems shall be required for all new *development*.

A3.7.2 *Low impact development* Design

A3.7.2.1 With the goal of replicating the existing hydrologic regime, the Town shall encourage the implementation of low impact design standards as outlined in the Ministry of Environment, Conservation and Parks "Low Impact Design Stormwater Management Guidance Manual, which emphasize the use of bio-swales, innovative stormwater practices, and at-source infiltration, in order to contain stormwater runoff from the 90th percentile storm (25mm) on site.

A3.7.2.2. With the goal of minimizing the *negative impacts* of urbanization on the area's *natural heritage features*, the Town shall encourage low impact design methods when treating stormwater runoff to treatment train to an enhanced standard (the highest standard as prescribed by the Ministry of the Environment, Conservation, and Parks).

A3.7.2.3. With the goal of adapting to *climate change* and mitigating the impacts of severe storm events, the Town shall encourage the following;

a) include robust major overland flow routes through all new *development* to reduce the risk of overland *flooding*;

b) new *development* should be designed to minimize the risk of basement *flooding* from groundwater infiltration;

c) heating, ventilation, and air conditioning (HVAC) and electrical systems should be well elevated from the basement floor or located above grade;

d) if the home foundation drain connects to a storm sewer, a backwater valve should be installed on the storm sewer lateral to prevent stormwater from backing up into the basement if the storm sewer is overloaded;

e) if the home foundation does not connect to a storm sewer, a primary and back-up sump pump should be installed complete with a back-up power system;

f) driveways should be built to slope away from homes or garages (i.e. reverse slope driveways should not be permitted);

g) consideration should be given to increasing the capacity of all new storm *infrastructure* by a minimum of 25% to account for more frequent and severe rainfall events;

h) consideration should be given to implementing a minimum building setback from all mapped floodplains to account for more severe rainfall events.

A3.7.2.4 The Town shall encourage the introduction of *green infrastructure*, such as bioswales, within the street rights-of-way to enhance ground water infiltration and improve water quality as part of a comprehensive water management plan.

A3.7.2.5 The Town shall encourage a rainwater harvesting program to provide the passive irrigation of public and/or private greenspace, including absorbent landscaping, landscaped walls, cisterns, rain barrels, underground storage tanks and/or infiltration trenches.

A3.7.2.6 The Town shall encourage xeriscaping using native, drought-tolerant plants, a cost-effective landscape method to conserve water and other resources on a community-wide level.

A3.8 Environment and Groundwater Management Policies

A3.8.1 The policies related to the environment and groundwater management within the East Fenwick Secondary Plan Area are found in Section 4 of the Official Plan.

A3.8.2 In addition to Section 4 of the Official Plan, *development* applications may need to be supported by a Hydrogeological or Hydrological Report as determined by the Town and Region at the time of pre-consultation. The purpose of the report is to investigate the impacts of the proposed *development* on water quality and quantity and provide recommendations on:

a) how to maintain or enhance the quality and quantity of the water resource;

b) how to minimize or eliminate the effect of the proposed use on the groundwater recharge function and maintain water balance;

c) how to minimize or eliminate the effect of the proposed use on the quality and quantity of drinking water in adjacent private and municipal wells;

d) how to maintain or enhance *sensitive* groundwater recharge/discharge areas, aquifers and headwater areas;

e) whether it is required to monitor water budgets for groundwater aquifers and surface water features; and;

f) how to ensure that the quality of the watercourses affected by the *development* are maintained; and,

g) how to control or manage the risk of *flooding* or erosion.

A3.9 General *Development* and *Infrastructure* Policies

A3.9.1 Water and Sewer Servicing Strategy

A3.9.1.1 The policies related to water and sewer servicing within the East Fenwick Secondary Plan Area are found in Section 6 of the Official Plan. Notwithstanding Section 6 of the Official Plan, water and sewer servicing within the East Fenwick Secondary Plan Area shall be as follows:

a) A Master Servicing Plan, outlining preliminary functional water distribution, wastewater collection and stormwater management facilities, including designs and costs, will be prepared prior to the approval of any *development* within the Secondary Plan Area;

b) All required *infrastructure* shall be constructed and sized to accommodate the full build-out of the Secondary Plan Area. As a result, some of the *infrastructure* required by one proponent may be oversized to service the larger area. Benefiting landowners shall be required to compensate provider proponents, prior to *development* on the benefiting landowner's property through a cost sharing agreement;

c) All *development* within the Secondary Plan Area will proceed according to individual, site specific Drainage Plans and Servicing Plans based on the proposed Draft Plan of Subdivision and all other accompanying requirements set by this Plan by the proponent, to the satisfaction of the Town and the Region; and,

d) *Development* may be phased to coincide with the availability of servicing and financial capabilities necessary in the delivery of all required municipal services.

e) Notwithstanding the policies contained in A3.6, a pump station is permitted to be located within the Greenlands designation south of Welland Road at Cream Street.

A3.9.2 Transportation

A3.9.2.1 The policies related to transportation within the East Fenwick Secondary Plan Area are found in Section 5 of the Official Plan. Notwithstanding Section 5 of the Official Plan, rights of way for new public roads within the East Fenwick Secondary Plan Area shall be as follows:

a) for Minor Collector Roads, the right of way widths shall be between 22.0 to 34.0 metres;

b) for Local Roads, the right of way width shall be 16.0 to 20 metres; and,

c) for Public or Private Laneways, the right of way width shall be 7.5 and 9.0 metres.

A3.9.2.2 Notwithstanding Section 5 of the Official Plan, rights of way for existing public roads within and bounding the East Fenwick Secondary Plan Area shall be as follows:

a) for Memorial Drive, the right of way width shall be between 20.0 and 22.0 metres;

b) for Canboro Road, the right of way width shall be between 20.0 and 24.0 metres;

c) for Welland Road, the right of way width shall be between 20.0 and 24.0 metres;

d) for Balfour Street, the right of way width shall be between 20.0 and 22.0 metres; and,

e) for Cream Street, the right of way width shall be between 20.0 and 22.0 metres.

A3.9.2.3 All roads within the East Fenwick Secondary Plan Area shall be developed to be consistent with the design intent illustrated in the Urban Design Guidelines attached to this Plan as Attachment 3;

A3.9.2.4 Mid-block connectors should be strategically located throughout future *development*s to enhance active modes access to the Greenlands system;

A3.9.2.5 Mid-block connectors should be a minimum of 6.0 metres in width;

A3.9.2.6 In addition to those policies, the following policies apply to the trail system within the East Fenwick Secondary Plan area:

a) a comprehensive trail system is conceptually identified on Schedule 1 and Attachments 1 and 3. It is the intent of the Town to achieve this trail network through the appropriate processes required to facilitate the *development* of this Plan including an Environmental Impact Study process;

b) the conceptual trail system includes trails within the *natural heritage system* (pending the outcome of an EIS), stormwater management facilities, linkages, open spaces and the road system;

c) adjustments and alternatives to the trails network identified on Schedule C3-8 shall be permitted subject to the Town being satisfied that the principle of connectivity and continuity of the system has been fulfilled;

d) trail design and type will be based on each site's sensitivity in order to mitigate impacts to the *Natural heritage system*; and,

e) trails for pedestrians and cyclists within the East Fenwick Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Plan as Appendix C.

A3.9.2.7 Protection of the site's existing hedgerows and non-*significant* woodland areas shall be implemented through the conservation and integration of these features as an integral part of the community open space structure, generally visible from or as part of the public right of way or as rear lot conditions. The protection of the site's existing hedgerows and non-*significant* woodland areas shall also implement Low Impact Design features outlined in Section A3.7.2, where feasible; and,

A3.9.2.8 The Canboro Promenade, shown on Schedule A8/9, shall be implemented as private *development* extends east along Canboro Road. The objective of the Canboro Promenade is to implement a safe and comfortable pedestrian and cycling link along the north side of Canboro Road where the majority of new private *development* is expected to take place. The implementation and coordination of the Promenade will be undertaken as part of the Draft Plan of Subdivision process to ensure the required right-of-way is secured through this process and shall be designed in accordance with the direction contained in Attachment 3 – Urban Design Guidelines.

A3.9.3 Utilities

A3.9.3.1 Ensure utility services such as hydroelectric power, communications/ telecommunications, pipelines and natural gas lines are readily available to all *development* at levels necessary to ensure the safety and convenience of existing and future residents.

A3.9.3.2 The Town shall promote utilities to be planned for and installed in initial common trenches, below ground where feasible, on a coordinated and integrated basis in order to be more efficient and cost-effective and minimize disruption.

A3.9.3.3 Utility services shall be developed to be *compatible* with the general character of the surrounding uses and minimize visual impact, where feasible. The Town will encourage utility providers to consider innovative methods for containing utility services on or within streetscape features such

as gateways, lampposts, etc. when determining appropriate location for large utility equipment and utility cluster sites.

A3.9.3.4 Utilities location and screening within the East Fenwick Secondary Plan Area shall be developed generally consistent with the Urban Design Guidelines attached to this Plan as Attachment 3.

A3.9.4 Heritage and *Archaeological resources*

A3.9.4.1 The policies related to the heritage and *archaeological resources* within the East Fenwick Secondary Plan Area are found in Section 3 of the Official Plan. Notwithstanding Section 3 of the Official Plan, *built heritage* and *cultural heritage landscape*s within the East Fenwick Secondary Plan Area shall be *conserved* as follows:

a) *Development* applications should conserve *significant built heritage* and cultural heritage resources in order to foster a sense of place and benefit communities, including the First Nations and Metis communities, consistent with the Heritage resources identified in Attachment 5;

b) *Development* shall be planned to conserve Canboro Road and Memorial Drive as *significant cultural heritage landscape*s;

c) *Development* shall be planned to conserve *significant built heritage resource*s and *cultural heritage landscape*s located at 1159 Cream Street, 655 Canboro Road, 645 Canboro Road, 1128 Cream Street and 646 Welland Street. Where impacts are expected to these properties, a Heritage Impact Assessment should be prepared in accordance with policies found in Section D4 of the Official Plan;

d) Where impacts are expected to properties located at 704 Canboro Road, 695 Canboro Road, 606 Canboro Road, 607 Canboro Road, 615 Canboro Road, 668 Canboro Road, 675 Canboro Road, 687 Canboro Road, 688 Canboro Road, 691 Canboro Road, 1108 Cream Street, 1118 Cream Street, 1162 Cream Street, 578 Welland Road, 630 Welland Road, 663 Welland Road, a heritage impact assessment should be prepared in accordance with Section D4 of the Official Plan;

e) *Development* adjacent to identified *built heritage resource*s and *cultural heritage landscape*s shall require a Heritage Impact Assessment prepared in accordance with Section 3 of the Official Plan;

f) Designation of properties of cultural heritage value under the *Ontario Heritage Act* is encouraged; and

g) Archaeological Assessments shall be required on lands containing *archaeological resources* or *areas of archaeological potential*, where *development* and *site alteration* is proposed. *Development* and/or *site alteration* shall not be permitted unless *significant archaeological resources* have been *conserved* or he land has been investigated and cleared or mitigated following clearance from the Province. First Nations shall be consulted by the proponent at the earliest opportunity.

A3.9.5 Subdivision of Land

A3.9.5.1 The policies related to the subdivision of land within the East Fenwick Secondary Plan Area are found in Section 11of the Official Plan. In addition to the policies of Section 11 of the Official Plan, the following policy applies to all lands within the East Fenwick Secondary Plan Area:

a) it is the intent of the Town to ensure that Draft Plans of Subdivision are developed within a reasonable time frame. As such, the following statement shall be added to all Conditions of Draft Plan Approval:

i) a Draft Plan Approval extension may be extended pursuant to Subsection 51(33) or 51(32) of the *Planning Act,* but no extension can be granted once, or if, the approval has lapsed. If the owner wishes to request an extension to Draft Plan Approval, a written explanation must, together with a resolution from Council, be received by the Town of Pelham sixty days prior to the lapsing date; and a Draft Plan Approval extension will only be granted if, in the opinion of the Town, *significant* progress toward final approval has been achieved. Dormant Draft Plans shall not be considered for an extension of Draft Plan Approval.

A3.9.5.2 In addition to the policies of Section 11 of the Official Plan, the following policy applies to all lands within the East Fenwick Secondary Plan area:

a) for each of the two Residential Neighbourhoods, the Town encourages the benefitting landowners to work together, and to enter into a Developer's Group Agreement based on the requirements of this Plan;

b) it is intended that there be at least one Developer's Group Agreement for the Residential Neighbourhood north of Canboro Road and one for the Residential Neighbourhood between Canboro and Welland Roads;

c) it is recognized that in circumstances where there are multiple landowners, a singular Developer's Group Agreement may not be possible. To be considered a Developer's Group Agreement in fulfillment of the requirements of this plan, the Agreement must include a landowner or landowners that represent at least 50% of the

redevelopment landholdings total area within the subject Neighbourhood;

d) if there is a landowner that represents at least 50% of the landholdings, the Town may enter into a *Development* Agreement with the landowner;

e) where undue delays are encountered with respect to execution of the required Developer's Group Agreements, the Town may, upon the request of an applicant landowner, attempt to resolve such difficulties or delays. Where resolution of such difficulties is deemed not possible by the Town, despite the Town's intervention, the Town shall approve alternative mechanisms to satisfy the intent of the applicable policies of this Plan;

f) if a benefitting landowner within a Residential Neighbourhood wishes to submit a *development* application and has been unable to obtain the necessary participation of other benefitting landowners through a Developer's Group Agreement, notwithstanding best efforts to do so, then:

i) the applicant landowner shall notify the Town in writing that it proposes to submit an application for *development* on its lands, or a portion thereof, without a Developer's Group Agreement;

ii) the applicant landowner in said notice shall set out, in compliance with the provisions of this Plan that the *development* proposal can be accommodated on its lands, without the participation of other landowners or lands, appropriate urban *development* that implements the Neighbourhood Structure and policy intent of this Plan. The applicant landowner shall also elect in said notice, at its option, either to:

- enter into a *Development* Agreement with the Town in lieu of other benefitting landowners; or

- enter into a Front-Ending Agreement with the Town in accordance with the provisions of Section 44 of the *Development* Charges Act, as amended.

iii) the purpose of these alternative agreements shall be to ensure that a non participating, benefitting landowner cannot develop their lands without appropriate compensation to the applicant landowner for any expenditures that exceeds the amount required to develop the applicant landowner's lands, and is a direct benefit to a non-participating, benefitting landowner; and,

iv) nothing in this policy compels the Town to enter into any agreements with any applicant landowner.

g) the Town, as appropriate, shall require the use of local Area-Specific *Development* Charge By-Laws or Front-Ending Agreements under the *Development* Charges Act, or other suitable arrangements among landowners, in order to implement the *development* of the Secondary Plan Area and to fairly allocate the costs of *development*. The Town shall ensure that stormwater facilities are included in any local Area-Specific *Development* Charges. Such agreements are intended to ensure that the necessary approvals and the required contributions of funds, lands and commitments for services will be in place and operative prior to, or coincide with the *development* and use of land. The Developer's Group Agreement and/or Front-Ending Agreement may deal with:

i) front-end or accelerated payment requirements;

ii) local services as permitted in Sections 44(1) and 59(2) of the *Development* Charges Act;

iii) matters to which the parties voluntarily agree; and/or,

iv) other matters permitted by law.

h) the Town must ascertain and be assured that a Developer's Group Agreement assigns cost sharing and other responsibilities in a reasonable and equitable manner, and, generally speaking, will do so in direct proportion that a *development* benefit is conferred upon the lands being developed. Subject to the appeal mechanisms identified in the *Planning Act* or the *Development* Charges Act, the issuance of final *development* approvals or the release of land for *development*, shall be subject to the execution of a Developer's Group Agreement and/or Front-Ending Agreement.

A3.10 Plan Implementation and Administration

A3.10.1 The policies applicable to plan implementation and administration within the East Fenwick Secondary Plan Area are found in Section 11 of the Official Plan.

A3.11 Transitional Framework

A3.11.1 Preparation of the East Fenwick Secondary Plan was undertaken alongside a concurrent *development* proposal. Because of this, certain sections of the Plan Area will be regulated under policies and legislation that pre-date

several substantial changes in the Town's planning landscape, including but not limited to:

a) The 2022 Regional Official Plan;

b) The Provincial Policy Statement;

c) Changes to the Environmental Impact Study process and requirements; and Amendments to the *Planning Act.*

A3.11.2 Notwithstanding A3.11.1, the transitional policies of Section 1 of the Official Plan and legislative framework applicable at the time of all future *development* applications in the Plan Area shall apply.

Attachment 1 - DEMONSTRATION PLAN & ACTIVE TRANSPORTATION PLAN





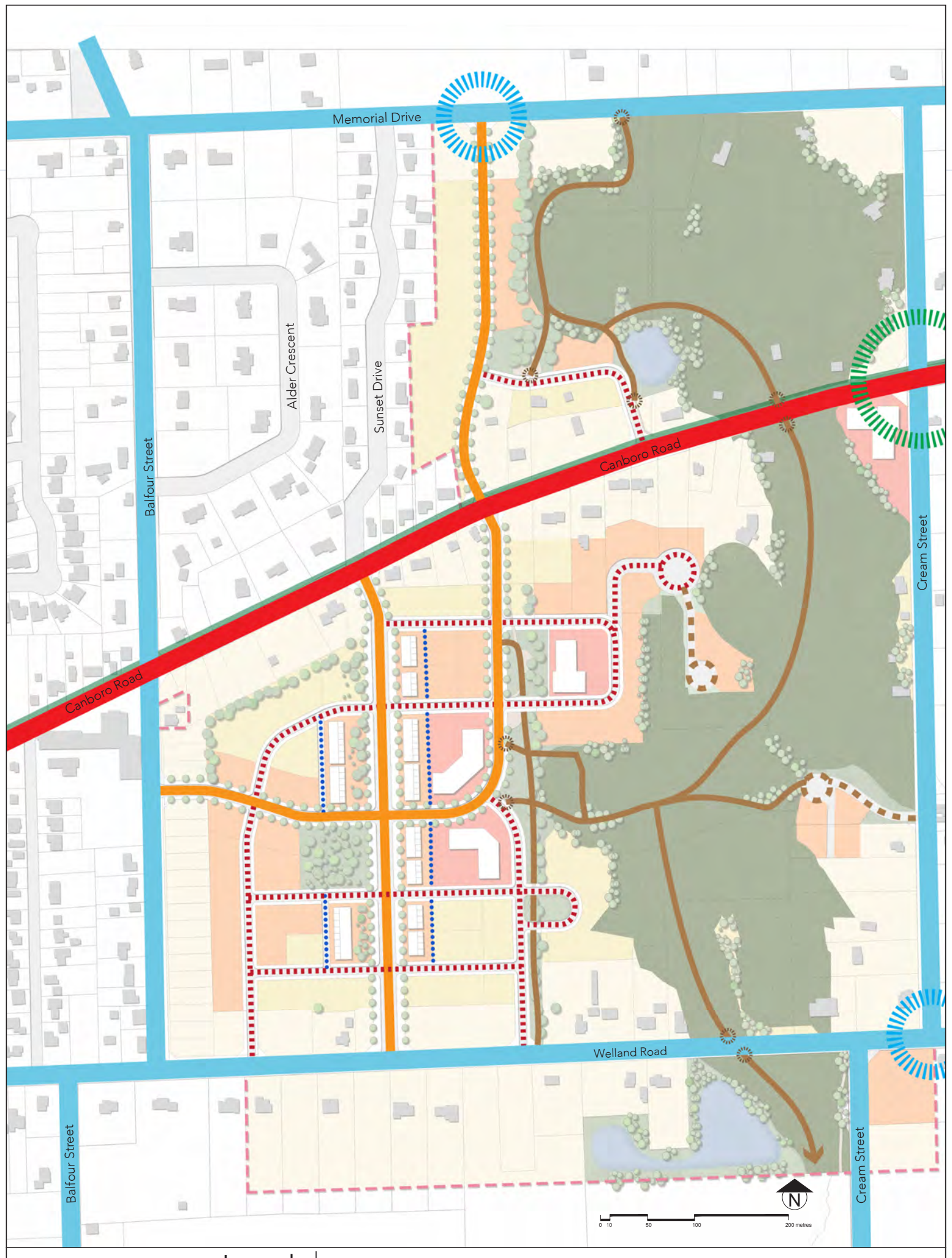
Legend

- Village Residential
- Residential - Low Density (singles and Semis)
- Residential - Medium Density (Townhomes)
- Residential - High Density (Apartments)
- Open Space
- Natural Heritage
- Study Area Boundary

East Fenwick Secondary Plan Area

Neighbourhood Demonstration Master Plan

June, 2018



Legend

Gateway
- Major Gateway
- Minor Gateway
- Trail Gateway

Trails
- Proposed off-road Trails

New Street Network
- Minor Collector
- Local Road
- Laneways
- Private Road
- Canboro Promenade

Existing Street Network
- Arterial Road
- Collector Road

East Fenwick Secondary Plan Area
| Active Transportation Plan

June, 2018

Attachment 2 - LAND USE BUDGET



Fenwick Land Use Budget - GREENFIELD OVERLAY

Gross Greenfield Area (ha)	42.35
Natural Heritage System (ha)	9.59
Net Developable Area (ha)	**32.76**
Units Per Hectare	20
Unit Yield	**655**

Unit Type	Description	NET Density (u/ha)	Percentage	units	Area	PPU	Persons	Jobs	P/J/ha	UNIT TYPE PERCENTAGE
Large Singles	50x18	8	12%	78	9.72					52%
Small Singles	33x12.5	18	41%	266	14.80					
Street Townhomes	33x7	31	28%	184	5.94					33%
Live Work Units	33x7	31	5%	31	1			31		
Home Occupation @ 10% of units minus LiveWork. Assumes one person employment								63		
Walk-Up Apartments	132m^2 average apartment size	75	15%	98	1.30					15%
			100%	657	32.76	2.76	1,813	94	58	100%

Total Potential Future Fenwick Popul	**2,674**

Total Persons Study Area	**2282**
Total Jobs Study Area	**111**
Total Developable Area (ha)	**53.3968**
Total Persons and Jobs Per Hectare	**43**
Total Units Per Hectare	**15.36**

Fenwick Land Use Budget - BUILT BOUNDARY SUBJECT TO POLICY B 1.1.10 OVERLAY

Gross Built Boundary Area Subject to Policy B1.1.	35.83
Natural Heritage System (ha)	15.19
Net Developable Area (ha)	**20.64**
Units Per Hectare	8
Unit Yield	**165**
Existing Residential Units	45
Remaining New Residential Units	**120**

Unit Type	Description	NET Density (u/ha)	Percentage	units	Area	PPU	Persons	Jobs	P/J/ha	UNIT TYPE PERCENTAGE
Large Singles - Existing	50x18	8	29%	45	17.02					72%
Small Singles	33x12.5	18	43%	41	2.27					
Small Singles	33x15.25	10	43%	0	0.00					
Home Occupation @ 10% of units minus LiveWork. Assumes one person employment								17		
Walk-Up Apartments	132m^2 average apartment size	75	3%	84	1.12					3%
			118%	170	20.41	2.76	469	17	24	75%

Density Assumptions - East Fenwick Secondary Plan

Unit Type	Lot Size	Net Net Lot Area (m^2)	Street & SWM Area assumption @ 35% (28% for Streets and 7% for SWM) (m^2)	Net Area (m^2)	Apartment Unit Assumptions: Building Size @ 22x60 average	Units/Ha	Unit Yield per Floor @ 132m^2 (Gross Area)	Floors	Total Unit Yield
Large Single	50x18	900	315	1,215		8			
Small Single	33x12.5	412.5	144	557		18			
Townhouses	33x7.2	237.6	83	321		31			
Apartment	63x63	3,960	1386	5,346	1,320	75	10	4	40

Attachment 3 - URBAN DESIGN GUIDELINES





EAST FENWICK SECONDARY PLAN
URBAN DESIGN GUIDELINES

TOWN OF PELHAM

APRIL 2024

ENVISIONING FENWICK

1. INTRODUCTION

1.1. PURPOSE AND SCOPE

All planning applications are to conform to the ***Town of Pelham Official Plan*** and the ***East Fenwick Secondary Plan***.

This Guideline document intends to provide guidance and serve as an example of the key principles and policies addressed by the ***East Fenwick Secondary Plan***, which has supplementary policies pertaining to Urban Design. These Urban Design Guidelines are based on the following design principles:

a) Conserve, protect, enhance and integrate cultural and built heritage resources;

b) Encourage a diversity of housing that compliments and enhances the Town of Fenwick's community character;

c) Encourage compact, pedestrian friendly neighbourhoods that foster a healthy and inclusive community;

d) Design attractive new communities with a distinct character, identity and sense of place;

e) Develop a continuous and connected open space and trail system;

f) Reinforce the function of the downtown as the primary business, entertainment and commercial point of the community;

g) Promote active transportation and the use of open space to encourage tourism and attract residents seeking an active recreational community as a lifestyle or retirement choice; and,

h) Incorporate sustainable design initiatives that enhance residential and local ecosystem's health and encourage the greening of streetscapes, parks, subdivisions etc.



Image 1. Maple Street - Conservation of Typical Built Form on Existing Roads



Image 2. Canboro Garden Apartments - Encourage Diversity of Housing



Image 3. Cornell - Encourage compact, pedestrian friendly neighbourhoods

These guidelines are not intended to replicate the policies within The ***East Fenwick Secondary Plan*** or the ***Official Plan***, but to provide a greater level of guidance on urban design and sustainability. These guidelines recognize that variations to these provisions might be necessary to accommodate for specific site constraints. It is expected that the proponent in collaboration with Town staff will endeavour to identify the appropriate design solution based on the design best practices put forward by this document. A complete community is achieved through good urban design that complements sustainable development. The intention of this guideline document is to bring together key design elements that shape the built environment from both perspectives, and achieve the overall goal of creating a sustainable, complete community in the settlement of Fenwick. Mindful of that, the purpose is to provide a design vision and guidance for the ***East Fenwick Secondary Plan*** area by addressing the nature, intensity, quality and level of sustainability in both the public and private realms, while still ensuring that all other goals and objectives of the ***Secondary Plan*** and ***Official Plan*** are achieved.



Image 4. Reinforce the Distinct Character and Function of the Downtown



Image 5. The Village Niagara - Pedestrian Friendly Mid-block Connector



Image 6. Cornell - Develop a continuous and Connected Open Space System

1.2. DOCUMENT STRUCTURE

This report is organized into five main Sections:

Section 1: Introduction of the report, which provides background information and highlights the purpose of this report.

Section 2: The Land Use Plan outlines the overall vision for the ***East Fenwick Secondary Plan*** Area, and describes the built form and public realm components of the Land Use Plan.

Section 3: Built Form Guidelines address residential development and built heritage resources. They provide guidance for each of the residential land use designations within the ***Secondary Plan*** area and further define design guidance for building use, typology, setbacks, massing and transition, placement and orientation and treatment of the built form. Urban Design Guidelines address Built Heritage Resources within the Secondary Plan Area.

Section 4: Public Realm Guidelines address key components of the public realm, from the design of blocks to guidance on enhancing the existing street network as well as design guidance for new streets. This Section also addresses the integration of active transportation infrastructure and includes guidance for the Natural Heritage System (NHS) and coordinated open space network of parkettes, trail systems and stormwater management facilities.

Section 5: Green Infrastructure and Building provides further guidance on the public realm and built form by emphasizing sustainable technologies, resource efficiency, and responsible consumption. This Section addresses issues of energy efficiency, water conservation and management, material resources and solid waste, sustainable programs, and lighting.

The East Fenwick Urban Design Guidelines aim to supplement the policies and guidance from the ***Region of Niagara's Official Plan***, the ***Town of Pelham's Official Plan***, and the ***East Fenwick Secondary Plan***. The design elements and guidance in this document address both the built form and the public realm and aim to offer tangible direction in order to deliver the principles and vision outlined in the East Fenwick ***Secondary Plan***.

2. THE LAND USE PLAN

2.1. EAST FENWICK SECONDARY PLAN AREA VISION

The Vision for the ***East Fenwick Secondary Plan*** is based on the ***Town of Pelham's Official Plan*** and aims to deliver a new community that:

> ***Supports and emphasizes Fenwick's unique character, diversity, civic identity, rural lifestyle and heritage features and to do so in a way that positively affects the quality of life and health for the citizens who live and work in Pelham.***

The vision will be developed based on the policies in the ***Official Plan*** and the ***East Fenwick Secondary Plan***. The vision intends to encourage and manage development in a manner that delivers a vibrant and diverse community. Integral to this vision is the design and integration of three distinctive sub-neighbourhoods, all of which will contain a variety of residential housing options and a distinctive open space.

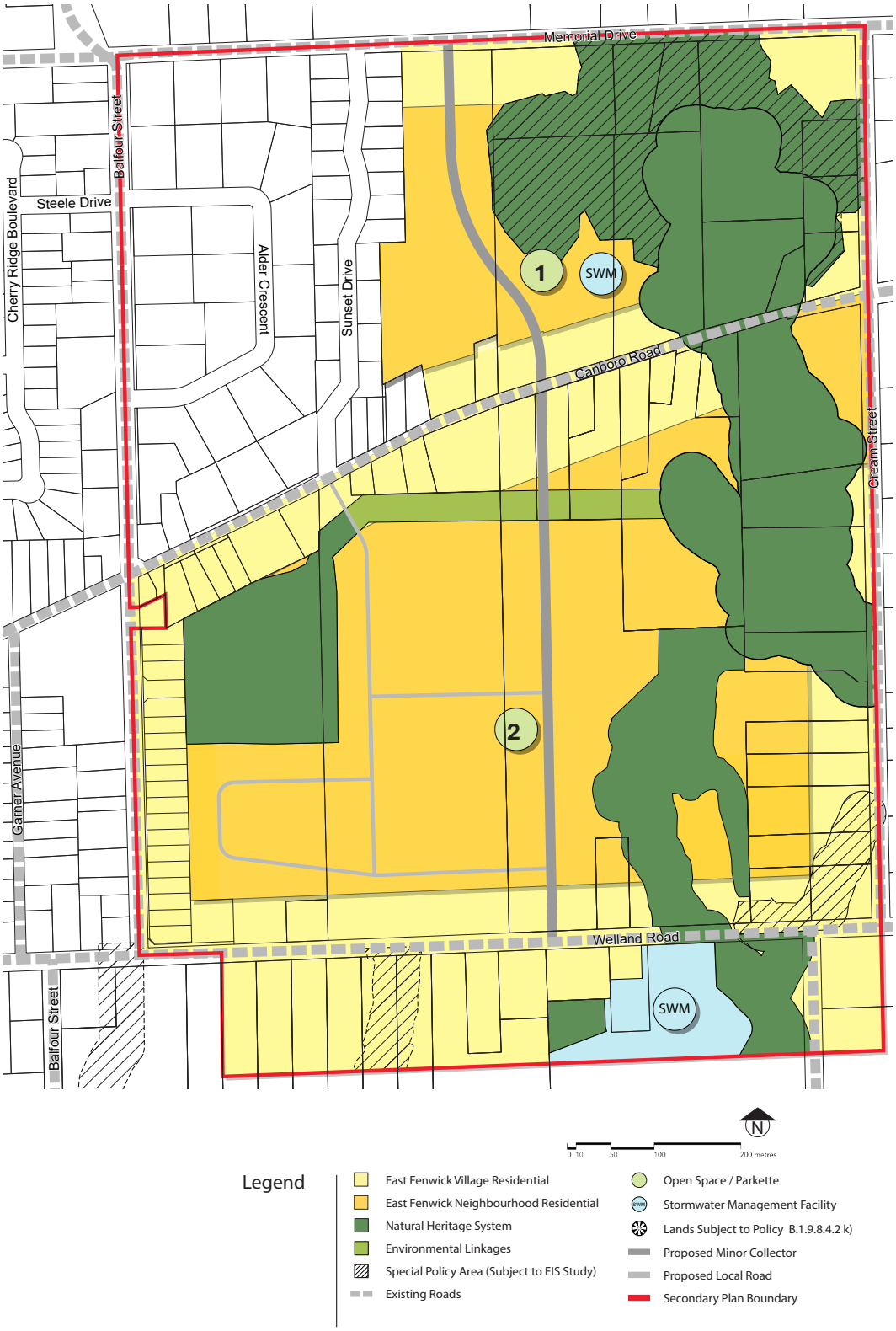
2.2. COMPONENTS OF THE LAND USE PLAN

The Land Use Plan (**Figure 1**) illustrates a structure for guiding future built form and public realm components for the ***East Fenwick Secondary Plan*** Area. It provides guidance on the density and building typology required to meet the Region's density targets. The primary objective of the built form components is to ensure that any new development reinforces a coherent, integrated, and compact built environment. The Land Use Plan also incorporates public realm features, ensuring the integration and coordination of an open space network and the NHS.





Figure 1. East Fenwick Land Use Plan



Schedule A10. East Fenwick Secondary Plan Area
Land Use Structure Plan

3. BUILT FORM GUIDELINES

3.1. RESIDENTIAL DEVELOPMENT

New residential developments within the ***East Fenwick Secondary Plan*** will integrate with the existing built form and rural character of the Town of Fenwick. Therefore, it is essential that future community and architectural design solutions address matters of area character fit, through the implementation of the design best practices contained in this document. The Urban Design Guidelines aim to reinforce the structure and image of Fenwick and provide general direction for housing typology, housing mix, building form and landscaping.



Image 7. Tribute Communities - Semi Detached and Single Housing Types

3.1.1. HOUSING MIX AND DIVERSITY

As per the ***Niagara Region and the Town of Pelham's Official Plans***, the ***East Fenwick Secondary Plan*** is required to provide a combined density of 45 Persons and Jobs per hectare within both the Built Urban Area and the Greenfield Overlays. A mix and diversity of housing will be required to meet this density target. Therefore, the following guidelines apply:

1. A variety of architectural styles, elements, and material detailing should be considered to create distinctive and complementary character, as well as provide visual interest.
2. Live-work units provide an option for home-based employment, while also addressing the employment targets required for the ***East Fenwick Secondary Plan***.
3. Universally accessible housing options should be provided to accommodate the widest spectrum of people to live in the community, regardless of age, ability and socio-economic status. Lifecycle housing options should be provided to support a variety of age groups, including houses designated especially for seniors (ex: bungalows).



Image 8. Cornell - Townhouse Housing Type



Image 9. Walkup Apartment Units

3.1.2. HOUSING TYPES

3.1.2.1 Village Residential

The following presents guidelines for single-detached and semi-detached homes within the Village Residential designation, as seen in **Figure 1**. Where other innovative development standards are proposed, they should be assessed to ensure that the intent and spirit of these guidelines are being met with respect to their primary objective.

1. Houses should be designed to frame the street edge with a consistent setback, and have front doors, windows, verandas, and entry features facing the road.
2. Where denser built forms and townhouse structures are permitted, appropriate transition to adjacent, existing built form should be considered. Character and architectural style of new structures should complement the existing built form, with respect to the scale, material and massing. In order to ensure that shadow and over-view issues are addressed new construction must step back and be scaled to the existing context, see images 11 and 12. Where such structures are permitted, garage areas must not be visible from the public right-of-way (see Section 3.1.5, lane-access garage, for more guidance).
3. The front yard setback of new single or semi-detached homes should complement the adjacent setbacks built form within the Village Residential designation. Therefore, the main building face should be set back within a range of 12.0 to 20.0 metres from the edge of the right-of-way.



Image 10. Fenwick - Porch and Living Space Fronting a Street

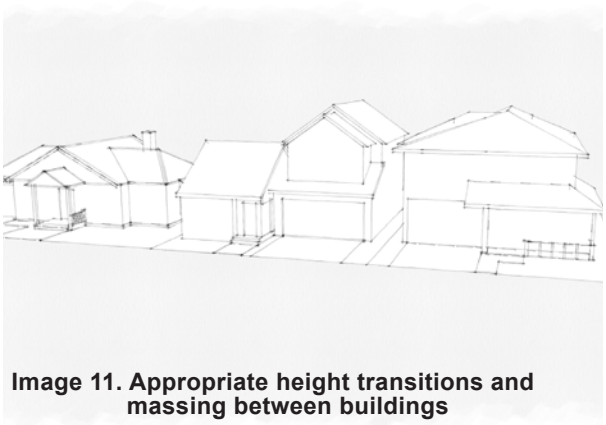


Image 11. Appropriate height transitions and massing between buildings

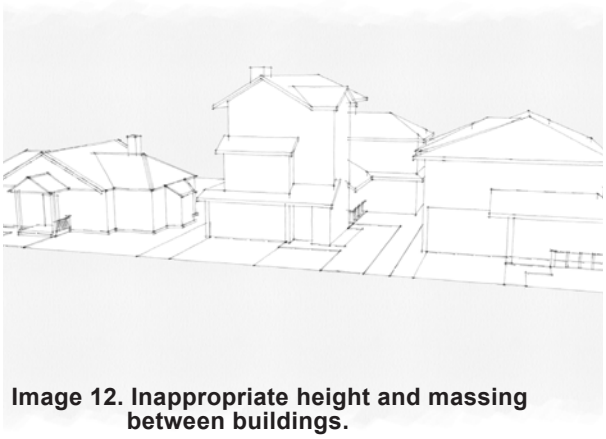


Image 12. Inappropriate height and massing between buildings.

4. Interior side yard setbacks should be:

    a. A minimum of 1.0 metres on one side and 2.0 metres on the other side of the main building.; and,,

    b. 2.75 metres on one side of the main building where the attached or detached garage is located in the rear yard and is accessed by a driveway crossing the front lot line.

5. Exterior side yard (corner lots) should be 2.4 metres.

6. For setbacks to garage buildings refer to Section 3.1.5.

7. Rear yard setbacks:

    a. Rear yard setback to main buildings should be a minimum of 10.0 metres, with appropriate privacy fencing or greenery. Where feasible, the conservation of existing tree line should form a landscaped buffer. Where a tree line is non-existent, local trees or hedges should be planted to create the landscape buffer.

8. Encroachments into the front and exterior side setbacks such as porches, bay windows, canopies, and other features should be between 1.5 to 2.0 metres to add visual interest along the streetscape.

9. The front elevation of the house should be designed so that its front entrance design and architectural elements reduce the visual dominance of the garage and the front driveway. Garages shall not protrude beyond the main front wall of the dwelling unit.

10. Driveways should be designed to reduce the amount of pavement on front yards and enhance the visibility of the street. The use of semi-permeable or permeable paving materials and treatment is encouraged. These may be used to pave the entire driveway or as borders around the driveway to provide visual interest and enhance the permeability of water into the ground.

11. Single detached and semi-detached homes should be one to two storeys in height.

12. Where possible, the new building sitting should conform to the tradicional angle in which the existing homes and lots on Canboro Road are positioned.

13. A garage should not dominate more than 50% of the total facade of a home.

14. Double car garages should have two single garage doors instead of one double wide door.

3.1.2.2 Neighbourhood Residential

a) Single Detached & Semi-Detached Homes

Guidelines for Single Detached and Semi-Detached units within the Neighbourhood Residential designation are consistent to those identified in Section 3.1.2.1 of this report. In addition, Single Detached and Semi-Detached units within the Neighbourhood Residential designation should comply with the following standards:

1. Front porch stair encroachments into the front setback are permitted to a limit of 0.3 metres of the front or exterior lot line;
2. Front porches should have a minimum of 1.2 meter set back to ensure livable space is available
3. For houses with an attached garage in the rear, a minimum amenity area requirement may be considered rather than a rear yard setback. Such amenity areas may include outdoor space such as a second floor deck or porch, and must be setback at least 3.0 metres from the front lot line; and,
4. Rear yard setbacks:
    a. Rear yard setback to main buildings should be a minimum of 6.0 metres, but on long blocks larger setbacks and rear wall articulation may be required;
    b. Rear yards adjacent to the Village Residential designation or existing dwellings off Sunset Drive shall be at least 10.0 metres deep with appropriate privacy fencing or greenery. Fencing should not exceed six feet in height. Where feasible, the conservation of existing tree line should form the landscape buffer. Where a tree line is non-existent, local trees or hedges should be planted to create the landscape buffer.



Image 13. Typical Single Detached Home in Fenwick



Image 14. Porch Encroachment Into Front Setback

b) Townhouses, Stacked Townhouses and Back to Back Townhouses

1. The front yard setback to the main building face should be within a range of 3.0 to 4.5 metres from the edge of the right-of-way, and on collector roads shall be encouraged to be moved to the minimum.
2. Townhouse front porches should have a minimum of 1.2 meter set back to ensure livable space. Stacked and back to back townhouses are exempt from this.
3. Exterior side yard setbacks should be 2.4 metres.
4. Interior side yard separation distances, building wall to building wall, should generally be 1.2 metres to 1.8 metres.
5. Rear yard setbacks:
    a. Street townhouse rear yard setbacks to main buildings should be a minimum of 7.5 metres, but on long blocks larger setbacks and rear wall articulation may be required. ; and,
    b. Lots immediately adjacent to the NHS or public open space should have a rear yard setback to the main building of a minimum of 6.0 metres.
6. Where a lane is provided, the setback to the rear garage from the laneway should be a minimum of 0.6 metres from the lane right-of-way. For further garage setback guidelines refer to Section 3.1.5. This rule exists to avoid parallel parking between rear garages and laneways. Laneway based residential visitor parking is to be accommodated through on-street parking.
7. To ensure an attractive streetscape is delivered, architectural controls shall be developed to address detailed building design aspect such as: massing, grading differentials, elevation articulation, garage articulation, materials colour and quality, roof design



Image 15. Cornell - Lots Fronting open space



Image 16. Angus Glen Community - Rear Lane and Garage Access



Image 17. Grimsby- Townhouse row with planting strips between driveways

as well as the proposed siting strategy. An Architectural Control process can be implemented as part of the Draft Plan of Subdivision conditions and agreement phase to be coordinated between Town staff and the proponent.

8. Garages should be accessed from a rear lane for all street townhouse dwelling units with less than 6.0 metres frontage. Street townhouses with less than 6.0 metres frontage should have rear accessed garages in order to:

    a. Ensure that the front entry and habitable ground floor space, rather than garages, are the dominant features of front façades;

    b. Provide adequate space for front yard landscaping and street trees;

    c. Provide adequate space for incorporation of utility metres and mechanical equipment; and,

    d. Provide sufficient on street parking in front of the units.

9. Where garages are located in the front of the unit, they should be paired to allow for more substantial front yard green space. Garages shall not protrude beyond the main front wall of the dwelling unit.

10. Encroachments into the front and exterior side setbacks such as porches, bay windows, canopies, and other features should be between 1.5 to 2.0 metres to add visual interest along the streetscape. However, stairs are permitted to encroach to within a 0.3 metre of the front or exterior lot line

11. Outdoor amenity areas can be provided in a variety of forms including front verandas, rear yards, rear deck above the garage, roof-top deck, balconies or a design with similar intent.

12. For townhouses with an attached garage in the rear, a minimum amenity area requirement may be considered rather than a rear yard setback. Such amenity area may include outdoor space such as a second floor deck.



Image 18. The Village Niagara - Lane based Townhouses with diverse balcony configuration

c) Apartments and Condominiums

1. Apartment buildings should be oriented to front onto and address the public road, with front yard setbacks between 4.5 metres to 6.0 metres.
2. Primary building entrances should be located and oriented to public roads, and designed to be visible and accessible to the public.
3. Apartment or condominium buildings should have an angular plane of 45-degrees from a height of 13.5 metres or 4 storeys to all public right-of-ways to ensure an adequate built form transition with adjacent buildings and minimize shadow impacts on the surrounding streets.
4. Transition for apartment buildings abutting lower density built forms, open spaces, and the NHS will include a minimum setback of 7.5 metres from the property line and a 45-degree angular plane from a height of 10.5 metres or 3 storeys. This provides a lower building at the rear and a gradual transition from the rear property line.
5. When planning the constructing of two or more mid rise apartments ensure the entire block is designed to maximize clustering of servicing points, parking access and outdoors amenity spaces.
6. Where a public laneway abuts a site, the laneway may be included for the purposes of establishing the setback and angular plane.
7. The ground floor of an apartment or condominium building should be of human scale to ensure that the public realm adjacent to the built form is comfortable, inviting, and safe. Buildings that have at-grade units can provide private, individual entrances or private amenity spaces; privacy issues can be addressed through appropriate soft landscaping.
8. The ground floor of an apartment or condominium building might have a floor to ceiling height of 4.5 metres to accommodate for employment opportunities.
9. Rooftop mechanical equipment shall be screened from view through architectural design that reflects the building's façade treatment. Add-on screening elements such as lattice are prohibited.

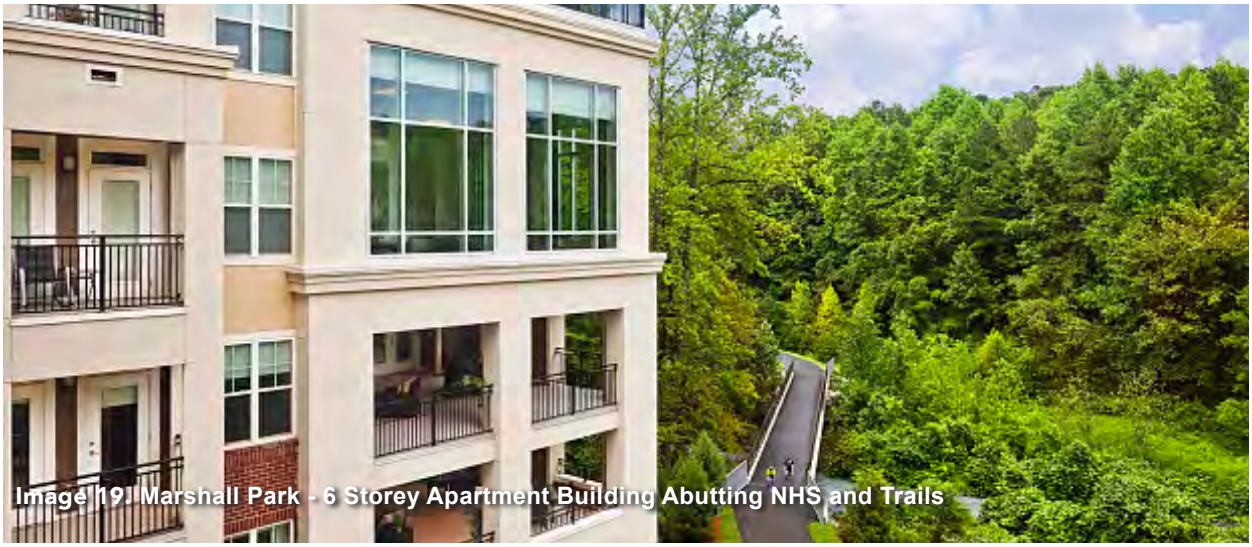


Image 19: Marshall Park - 6 Storey Apartment Building Abutting NHS and Trails

10. Interior courtyards should be designed to maximize sun exposure through the massing and location of building elements.

11. Outdoor amenity area can be provided in a variety of forms including front verandas, roof-top deck, balconies or a design with similar intent.

12. A covered bicycle storage area should be provided at a rate of 0.3 per unit for residents and visitors.

13. All new apartment/condominiums shall provide indoor and secure bicycle parking and/or storage areas that are easily accessible to all residents. In addition, outdoor bicycle parking should be provided at the main entrance or if not feasible in a location that is in close proximity to the entrance and that is convenient and highly visible. Informational signage should be provided.

14. Vehicular parking facilities shall generally be located below-grade. Where this is not feasible surface parking facilities can be sited to the side or rear of buildings. The softening of the impact of surface parking through building orientation, use of permeable paving materials and landscaping treatments is required.

15. A visitor drop off area should be located at the side or rear of the building with lane access or a private drive.

16. Landscaping should be provided to differentiate areas and uses such as parking, building forecourts, courtyards, gardens, and sidewalks to give each site a distinctive, and clearly defined character.

17. Garbage and recycling areas should be screened from view by landscaping or an enclosure and should be located below-grade or at the rear of the building.

18. Service and refuse areas should be paved with an impervious surface materials such as asphalt or concrete.



Image 20. Cornell - Townhouses Abutting Open Space



Image 21. Scott Edwards Architecture - Human Scale Ground Floor

3.1.3. RESIDENTIAL DENSITY

1. Density plays a key role in determining housing form. The strategic allocation of density can contribute to compact form, increase to transportation efficiency and walkability within the community.
2. A mix of housing types will be required in order to meet the 20 unit per net hectare density target within the Greenfield designation.
3. The Built Boundary Area permits a density range of 8 to 15 units per net hectare. In order to promote compact development and conserve land, the top end of the permitted residential densities should be encouraged. A mix of housing types will also be required in order to meet this density target.
4. In order to meet the required residential and employment targets, as set out by the Niagara Region and Town of Pelham ***Official Plan***s, Live/Work Units will be permitted in the Neighbourhood Residential land use (**Figure 1**). Urban Design Guidance for Live/Work Units fall under those in the Neighbourhood Residential designation.



Image 22. Semi-Detached Housing Creates Compact Development and Unit Diversity - Cornell

3.1.4. STREET INTERFACE

The interface between the public realm of streets and the private realm of developments is a transitional space that should be designed to promote and enhance walking and a sense of personal safety and comfort throughout this community. The following guidance pertains to the treatment of these interfaces.

1. Front entry elements should be articulated through the use of framing materials, colour and built form including porches, arches or articulated front steps.
2. Porches should be designed to be functional and useable. Porches should be deep enough to allow a seating area and a depth of 2.0 metres is highly encouraged, although a 1.8 metre minimum depth is allowed. Porches are permitted to encroach into the front yard setback.
3. Front porches should not be enclosed.
4. House entry features should be articulated through detailing and/or a variation of materials such as porticos and/or decorative treatments around the main door including stone, mill work, sidelights, accent lighting, or house number sign.
5. Appropriate native or xeriscaping front yard landscaping should be provided to enhance the overall streetscape quality and in turn, animate and create visual interest for pedestrians in the neighbourhood.
6. Decorative fencing around front and/or exterior side yards adjacent to the dwelling should not block the view of the sidewalk from the house. Their height should be limited to 1.2 metres and they should offer a level of transparency as primarily open structures, not solid walls. Solid, low fences can be used if made of local stone and fit with the general Fenwick character.
7. No two adjacent buildings should exhibit the same architectural style.

3.1.5. GARAGES & DRIVEWAYS

The design of garages and driveways can have a major impact on the visual character of the individual dwelling and the collective streetscape. These guidelines intend to enable a cohesive streetscape where attached garages and driveways complement instead of dominate the streetscape.

a) Front Garages

The following guidelines shall be applied in order to minimize the presence of attached and detached garage buildings accessed from the front of the lot:

1. Garages must be a natural extension of the design, massing, and material of the main dwelling.
2. For buildings within the Village Residential designation, garages should be set behind the main building face notwithstanding the presence of a porch feature.
3. Within the Neighbourhood Residential designation, garages for single attached, semi-detached or townhouse typologies should be set behind or flush with the main building face. Garage doors facing a public road should be setback a distance of at least 6.0 metres from the road right-of-way. For apartment or condominium dwellings, residential parking should be set behind the building.
4. Attached garages should be setback 6.0 metres from the rear lot line and 1.2 metres from the side lot line.
5. A variety of garage door configurations and styles should be provided. The door should have a maximum width of 2.4 metres for single doors, and 4.6 metres for one-and-a-half garage doors.



Image 23. Articulated Front Entry, No Fence Blocking Sidewalk and Garage Set Behind Main Building Face



Image 24. The Village Niagara - Natural Extension of Design and Material to Front Garage



Image 25. Sears Architects - Rear Garage

6. The maximum width of the garage door that faces the street (excluding the width of piers), should be no larger than:

    a. A single car garage door for lots with less than 9.0 metres frontage;

    b. A one and a half car garage door for lots between 9.0 metres and less than 11.0 metres frontage; and,

    c. A two-car garage door for lots with 11.0 metres or a greater frontage where the garage door may be provided as one door or two separate doors provided in total they equal a two-car garage door. Double car garages should be comprised of two single garage doors separated by a masonry column or, in the case of full double door garages, style with the appearance of 2 single bay doors and a centre pier should be encouraged.

7. Tandem garage designs are encouraged to help minimize the impact of garage width on the elevation and in turn on the streetscape.

8. Glazed door panels are encouraged on all garage doors.

b) Lane-Accessed Garages

Garages that are accessed from a laneway can either be detached or attached to the main dwelling at the rear. Attached garages can either be set into the house with access at the rear, or they can be attached to the main dwelling through a breezeway, which forms a side courtyard for amenity space.

1. The minimum setback for garages accessed by a lane should be 0.6 metres from the lane right-of-way.

2. Side yard setbacks should be 1.2 metres minimum if the garage building has doors and/or windows other than the main vehicular entrance facing the side yard.

3. Side yard setbacks should be a minimum of 0.3 metres if the garage building has no doors and/or windows other than the main vehicular entrance facing the side yard but may be 0.0 metres where the garages on abutting lots are attached.

4. The garage door facing onto a laneway is not required to have a maximum door width.



Image 26. Oakville - Lane-Accessed Garage



Image 27. Lanefab - Laneway Secondary Suite

5. Where possible, garages should be paired to allow for increased rear yard, or an outdoor parking pad to accommodate resident parking.
6. The maximum number of attached garages on adjacent lots should be 4.
7. Secondary suites located above detached garages are encouraged for lot sizes greater than 6.0 metres, and should be located on end units.

c) Driveways

1. Driveway widths should generally be no larger than the interior width of the garage.
2. Driveways are encouraged to be paved with light-coloured or permeable materials to reduce storm water run off and reduce heat island effect.
3. Driveways should be located as far as possible from parks, open space features, public walkways, schools and intersections.
4. Below grade garages that are located below the elevation of the centreline of the road are discouraged.

3.1.6. PRIORITY LOTS

Priority Lots have high public exposure, such as corner lots or lots located adjacent to public open space. The identification and treatment of Priority Lots should be determined through the Draft Plan Subdivision process and Site Plan Agreement. The following provides guidance on the allocation of such lots.

a) Buildings facing and flanking arterial or collector roads

1. Units facing or flanking onto arterial or collector roads should be given special consideration in architectural design, massing, orientation, and siting. Materials and should be of high architectural quality.
2. For dwellings flanking an arterial or collector road, the main front door should be visible from, and oriented to, the exterior side elevation of the house with access to the sidewalk. The entries should be articulated through the use of entry features such as projecting porches facing the street.
3. Side elevations flanking arterial or collector roads should be consistent with the front elevation in terms of materials, fenestration style and detailing.
4. Façades should be highly articulated through coordinated fenestration, masonry detailing, accent gables, dormers, and/or other special treatment.

b) Buildings Adjacent to Parks and Open Space

1. Front, side and rear elevations exposed to public spaces such as parkettes, should be well articulated. .Articulation of buildings may also include changes in material colours and texture, changes in building plane, and variation of roof lines.The rear portions of buildings may benefit from rear yard covered porches. A combination of fenestration, bay windows, material changes and dormers may be used in addition to other design elements to achieve the objective.

2. Side and rear elevations should have a similar design and use materials that are consistent in architectural design and material with those used on front elevations. Architectural detailing such as corbelling should continue from front to side elevations, where visible to the public.

3. For units flanking onto parks, parkettes and public spaces, a highly articulated side face is encouraged. Architectural design and material should match the front facade's quality. Side main entrances are an alternate means to achieve this.

4. The location of porches, windows, and entry doors for units surrounding parkettes should maximize opportunities for overview and safety.

5. Projecting porches should emphasize the entrance as well as to reduce the presence of the garage.

6. Driveways of adjacent homes should be located as far away as possible from public space.

7. It is encouraged that medium to high density housing typologies are located adjacent or nearby open space so as to provide those residents with access to green space as well as increase the opportunities for social surveillance.

c) Corner Units

1. Side or rear elevations visible from the street should have windows, materials, and other architectural treatments equal in quality to the front elevation of the house.

2. Corner windows and wrap-around porches should be included to emphasize a corner location. Where possible, the entry door should be located on the exterior side elevation of the house with direct access to the sidewalk.

3. Townhouse units should be encouraged as bookends to residential blocks.



Image 28. Cornell - Articulated Façade Abutting Public Space



Image 29. The Village Niagara, High Architectural Quality with an Emphasis on Main Entrance Over Garage at the View Terminus of a T intersection.

d) Gateway Corner Units

Gateway corner units are typically homes that are located at the entry to the community from adjacent areas. These units should be designed with the following principles in mind:

1. Gateway dwellings should be given special consideration in architectural design, massing, orientation, siting and materials, and shall be of high architectural quality.
2. Entry elements and porches are encouraged to produce interest in the façade as well as to help define the entrance to the neighbourhood.
3. Pairing of similar model dwellings on lots directly opposite each other is encouraged to establish and enhance a gateway condition.
4. It is encouraged that landscaping and landscape features are provided as a means to accentuate the unit and create an inviting atmosphere.
5. Low apartment blocks should be considered at key focal areas such as intersections, fronting parks etc.



Image 30. The Village Niagara - Corner Unit with Highly Articulated Façade Elements Facing the Public Realm

e) T Intersections/Key View Terminus

T intersections occur when one road terminates at right angles to another. Consideration should be given to homes at the top of the T intersection and the last two lots on either side of the road that terminates at the intersection.

1. Architecture on lots at the end of T intersections should have facade designs that utilize elements such as coordinated fenestration, masonry detail, and entry elements.
2. Pairing of side yards is encouraged to form a landscaped area at the terminus of the T intersection.
3. Buildings sited at the end of the view corridor should be designed with architectural elements that address these views.



Image 31. Essence Properties - Corner Unit with Front and Side Entrance

3.2. HERITAGE RESOURCES

3.2.1. CANBORO ROAD

The Canboro Road Corridor has been identified as an important historic scenic route and grouping of heritage resources in the ***Town of Pelham Heritage Master Plan*** (BRAY Heritage 2012). It has also been identified as a significant cultural heritage landscape (ASI, 2017). Key character-defining elements of the corridor include its diagonal alignment, which comes from an old Indigenous trail. It also has mature roadside vegetation, cemeteries and community buildings, which create a scenic route that connects Downtown Fenwick with Fonthill. The ***Town of Pelham's Official Plan*** identifies the Canboro Road Corridor as a special district in the Town of Pelham. Section B2.2.7 of the ***Official Plan*** identifies the corridor as an area of significant potential for enhancement as a rural promenade characterized by public parks and spaces geared to pedestrians and cyclists, as well as the promotion of agricultural based tourism and accessory commercial uses. As per ***Official Plan*** policy A2.4.2, Canboro Road shall promote an active transportation linkage between Fonthill and Fenwick. Canboro Road Corridor has also been defined as a Community Improvement Plan study area, should Council wish to foster and enhance this area as a promenade and tourist destination. This is the basis for the corridor enhancements proposed in the ***Secondary Plan***, as per Section 4.1.2.1.

In addition to these policies, the following guidelines apply to development and road enhancements along Canboro Road:

1. The built form in this area should be consistent with the character, massing and setback of the existing built form.
2. Any buildings that do not conform to the single or semi-detached building typology shall be designed as a landmark building that fits within Fenwick's Village character and shall not exceed 4 storeys in height.
3. Garages and access to parking for new development may be located at the rear of the property in order to maintain the rural landscape character and enhance the walkability of the area. Attached garages are permitted and shall be set back from the main façade of the building.
4. Enhancements to the road should seek to maintain the village character by incorporating landscaping, bioswales and at-grade pedestrian walkways.
5. Sightlines at existing and new intersections should be enhanced to ensure a safe vehicular, pedestrian, and cycling thoroughfare.
6. Where possible, retain the existing tree canopy and mature vegetation and maintain the existing alignment of the road.
7. Enhancing the urban tree canopy should be encouraged when possible.



Image 32. Canboro Road Existing Streetscapes

3.2.2. MEMORIAL DRIVE

Memorial Drive is the northern boundary of the ***East Fenwick Secondary Plan*** area. It operates as a local roadway and a transition between the urban boundary and the rural areas to the north. Memorial Drive has low to medium volume of vehicular traffic, which moves at slow traffic speeds. It is an undivided paved corridor with an east-west orientation. Memorial Drive is located adjacent to the study's Provincially Significant Wetland, which is reflected in the natural landscape and mature vegetation adjacent to the road. It is identified as a significant cultural heritage landscape.

1. The built form in this area should be consistent with the character, massing and setback of the existing built form and building performance standards of Section 3.1.2.1.
2. Any buildings that do not conform to the single or semi-detached building typology shall be designed as a landmark building that fits within Fenwick's Village character and shall not exceed 4 storeys in height.
3. Garages and access to parking for new development may be located at the rear of the property in order to maintain the rural landscape character and enhance the walkability of the area. Attached garages are permitted and shall be set back from the main façade of the building.
4. Enhancements to the road should seek to maintain the village character by incorporating landscaping, bioswales and at-grade pedestrian walkways.
5. Sightlines at existing and new intersections should be enhanced to ensure a safe vehicular, pedestrian, and cycling thoroughfare.

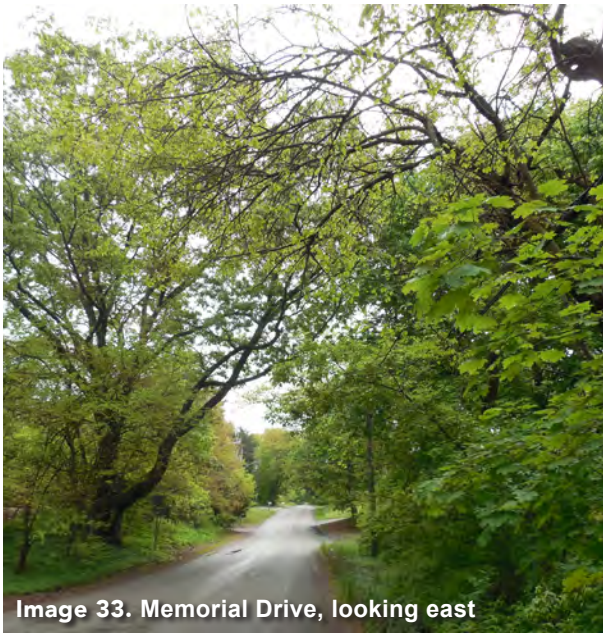


Image 33. Memorial Drive, looking east



Image 34. Typical Built Form on Memorial Drive



Image 35. Memorial Drive Streetscape

3.2.3. CREAM STREET & WELLAND ROAD

The areas adjacent to these two streets are identified as having a single-family residential infill character. A number of cultural heritage resources have been identified adjacent to Cream Street and Welland Road, however the area has not been identified as a cultural heritage landscape. The land use is primarily residential, typically 1-3 storeys with a variety of architectural styles, consistent with the development pattern of gradual infill. The streetscape has a rural character with little or no shoulder, a few ditches, and no sidewalks or curbs. The following design guidelines should be considered:

1. The built form in this area should be consistent with the character, massing and setback of the existing built form.
2. Any buildings that do not conform to the single or semi-detached building typology shall be designed as a landmark building that fits within Fenwick's Village character and shall not exceed 4 storeys in height.
3. Garages and access to parking for new development may be located at the rear of the property in order to maintain the rural landscape character and enhance the walkability of the area. Attached garages are permitted and shall be set back from the main façade of the building.
4. Enhancements to the road should seek to maintain the village character by incorporating landscaping, bioswales and at-grade pedestrian walkways.
5. Enhance the sightlines at existing and new intersections to ensure safe vehicular, pedestrian, and cycling thoroughfare.



Image 36. Cream Street Streetscape



Image 37. Cream Street Built Form



Image 38. Welland Road Streetscape and Built Form

4. PUBLIC REALM GUIDELINES

4.1. DEVELOPMENT BLOCK DESIGN AND STREET NETWORK

4.1.1. BLOCK DESIGN

As per the ***Region of Niagara's Urban Design Guidelines***, block length and design define and structure neighbourhoods, influencing development opportunities, movement options and neighbourhood character. Each guideline may not be appropriate for all instances and an alternative may be better suited for a specific development. Therefore, variations to these provisions may be considered by Town staff, when it is demonstrated that an exception may be appropriate, provided that adjustments to block lengths maintain and facilitate pedestrian movement throughout the community through the provision of clear and safe mid-block connectors and walkways. The following are design guidelines for block design for East Fenwick:

1. To maximize connections and permeability for both vehicular and active transportation modes, the street should be based on a grid pattern that is modified in response to natural open space, built heritage or existing street conditions.
2. Block lengths should generally range between 150 to 250 metres to promote walkability.
3. New developments that are adjacent to existing built form should pursue opportunities to integrate with or connect to existing streets. The number of connections should be maximized to increase permeability.
4. Blocks longer than 250 metres may be considered on an individual basis where other block alternatives are not feasible. In such cases, publicly accessible pedestrian walkaways (refer to Section 4.2.1) should be provided to facilitate pedestrian circulation and access.

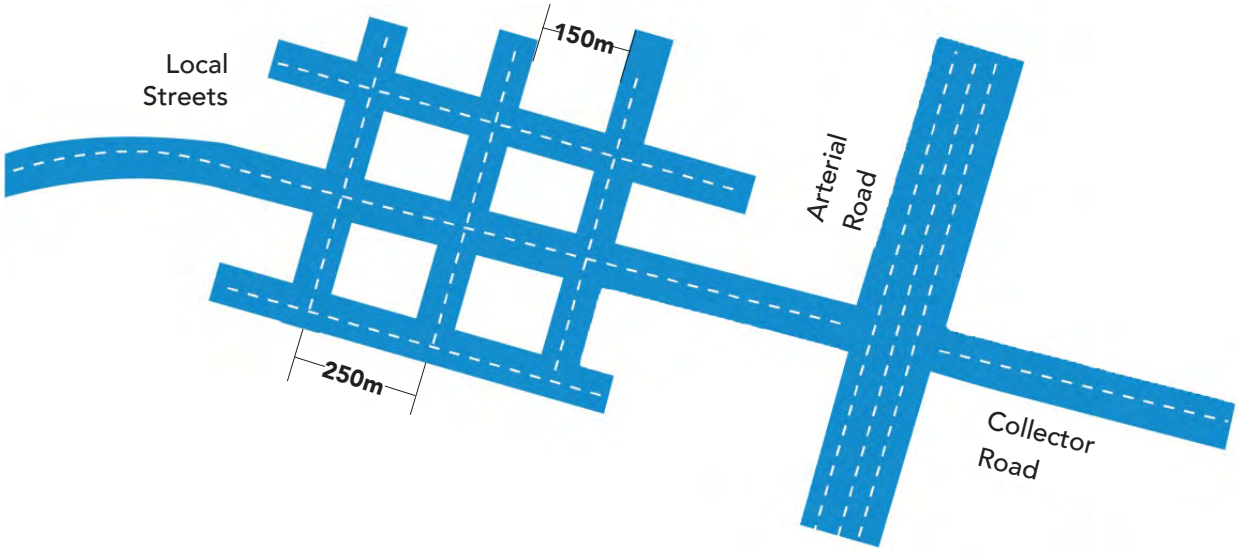


Figure 2. Block Design Adopted From Congress for New Urbanism

5. Draft plans shall be designed to ensure that residents are generally located within a 200 to 400 metre radius (2.5 to 5 minute walk) to a parkette or to other passive recreational elements such as trail heads, neighbourhood park, community park, or school.

6. Where possible, existing hedgerows should be conserved and integrated into the neighbourhood's local street and block pattern. As per ***Secondary Plan*** policy B1.9.11.2.f, Heritage Greenways should be within the public right of way, adjacent to the pedestrian realm.

7. In order to minimize the visual impact of long blocks, lots located at the end of blocks should be turned 90-degrees to face the other road, where appropriate. However, a variety of lot facing conditions, in addition to flankage lots, should be considered along long stretches of collector and arterial roads.

8. Where rear lanes are used, the maximum lane length should be no more than 180 metres in order to provide for a maximum 90.0 metre hose length from fire hydrants located on road connections. Where the 180 metre length is exceeded, an on-street hydrant location and fire hose access to the rear lane shall be provided.

9. A block of lots may front onto a public open space, such as a parkette, provided the rear lot line adjoins, and has access from a rear lane or a public road.

10. The use of cul-de-sacs should be minimized, except where necessary due to grading and topography or at view terminus sites. Where cul-de-sacs are used a pedestrian and/or bicycle through-connection should be provided to promote active transportation.

11. Significant hedgerows within public open space or parks should be protected where possible and feasible. Any grading activities around the hedgerows should be minimized.



Image 39. Alison Brooks Architects - Towns Fronting Parkette with Rear Lane & Public Road Access

4.1.2. STREETS

The ***East Fenwick Secondary Plan*** policy states that where appropriate and feasible, arterial and collector roads streetscape design will include sidewalks on at least one side of the street; on-road or separated bicycle lanes and trail connections.

Standard street design guidelines put forward by this document include:

- The careful evaluation of the alignment of streets adjacent to existing hedgerows and wooded areas to ensure the site's existing natural features are visible and part of the community's open space network;
- The careful evaluation of the retention or realignment of existing drainage features subject to NPCA approval. If an existing drainage area is to be realigned it should be incorporated into the street's cross Section in the form of bio-swales or other features that continue to support the area's drainage. (See Boulevard B cross Section under Street and Block Network Section). The design of the realignment should consider measures to prevent risk of drowning;
- New streets must be designed to accommodate the infiltration of stormwater runoff from the 25 mm storm event through the use of roadside ditches and medians to meet the Stormwater Reduction Targets;
- Where feasible, a 2.5 metre on-street parking width is recommended, specially where bike lanes are placed beside on-street parking;
- Streets should have a relatively consistent building edge in order to provide spatial definition and containment to the street. A minimum and maximum front and exterior setback zone will be an important component of this strategy;
- The implementation of a rural-cross Section for new deciduous streets with street trees and swales as an essential component of their engineering and an essential component of the community's streetscape character; and,
- A utility strategy where utilities are clustered or grouped where possible to minimize visual impact.

4.1.2.1. Existing Street Enhancement

The following Section describes the proposed design standards and enhancement measures for each existing road topology within the East Fenwick study area.

a) Canboro Road

As one of the most iconic scenic routes in Pelham, Canboro Road, is the spine linking Fonthill to Fenwick and is envisioned as a future pedestrian and cyclist friendly corridor. Canboro Road, located at the heart of the ***East Fenwick Secondary Plan*** area is designated as an Arterial road in the *Official Plan*.

Three design cross-sections were developed for the road recognizing its reduced width (12.0 metres at its narrowest) and the potential need to widen the road, should better pedestrian and cycling facilities be introduced.

Option 1 shows a streetscape character composed of:

- A total right of way width of 19.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the road;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A pedestrian sidewalk on the north side of the road.

Option 2 shows a streetscape character composed of:

- A total right of way width of 21.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the road;
- On-street parking on north side of the road only;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A pedestrian sidewalk on the north side of the road.

Option 3, our recommended strategy as it implements a pedestrian Promenade along the road, is composed of:

- A total right of way width of 24.0 metres;
- Two vehicular traveling lanes;
- On-street parking on both sides of the road;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A two-way cycling trail and pedestrian sidewalk Promenade on the north side of the road.



Image 40. Proposed Enhancement of Canboro Road

Figure 3. Canboro Road - Option 1

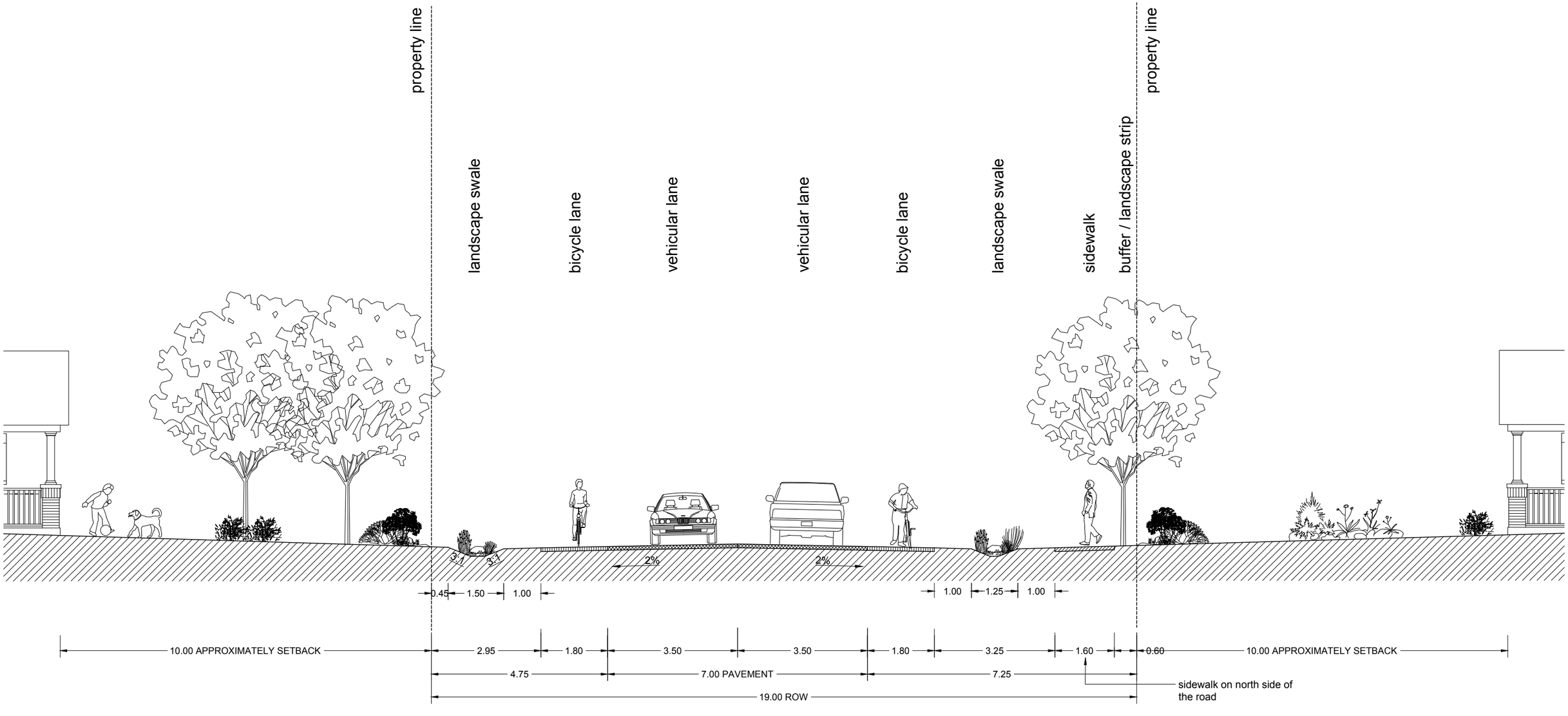


Figure 4. Canboro Road - Option 2

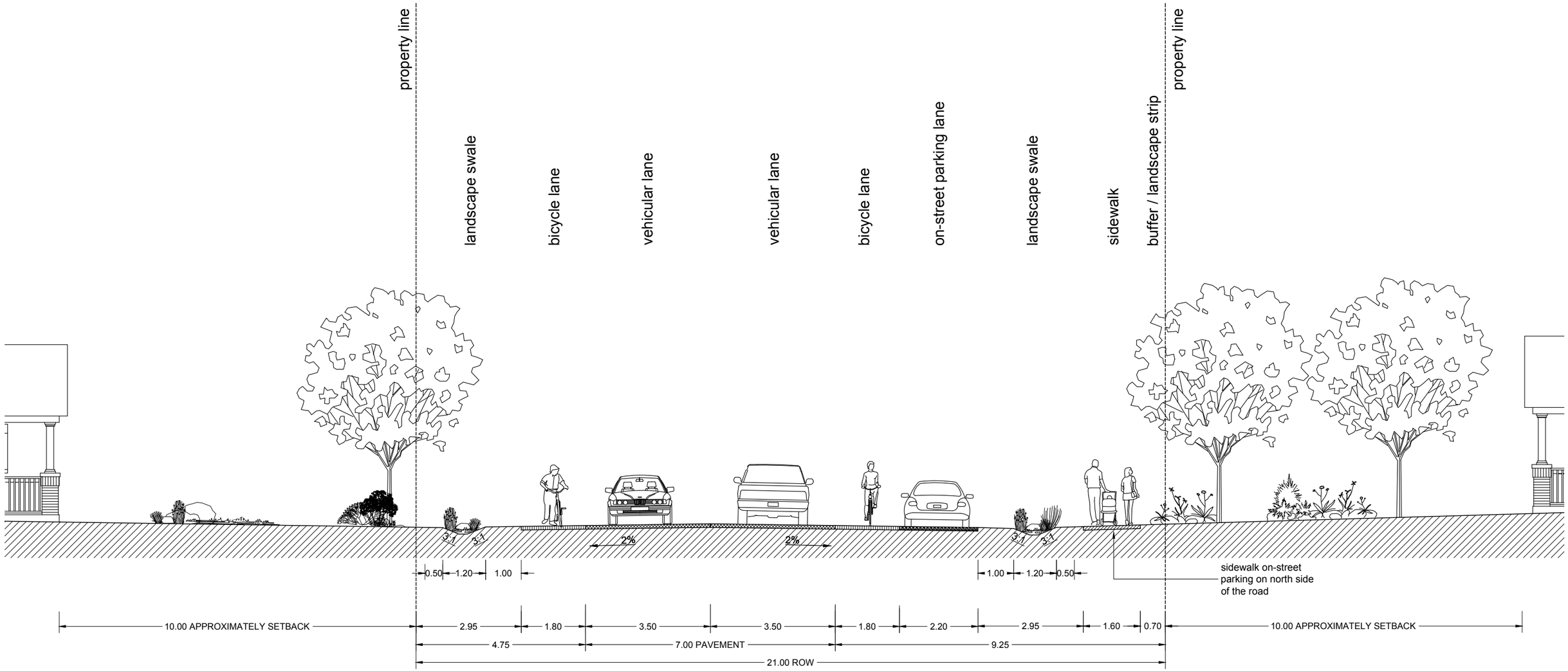
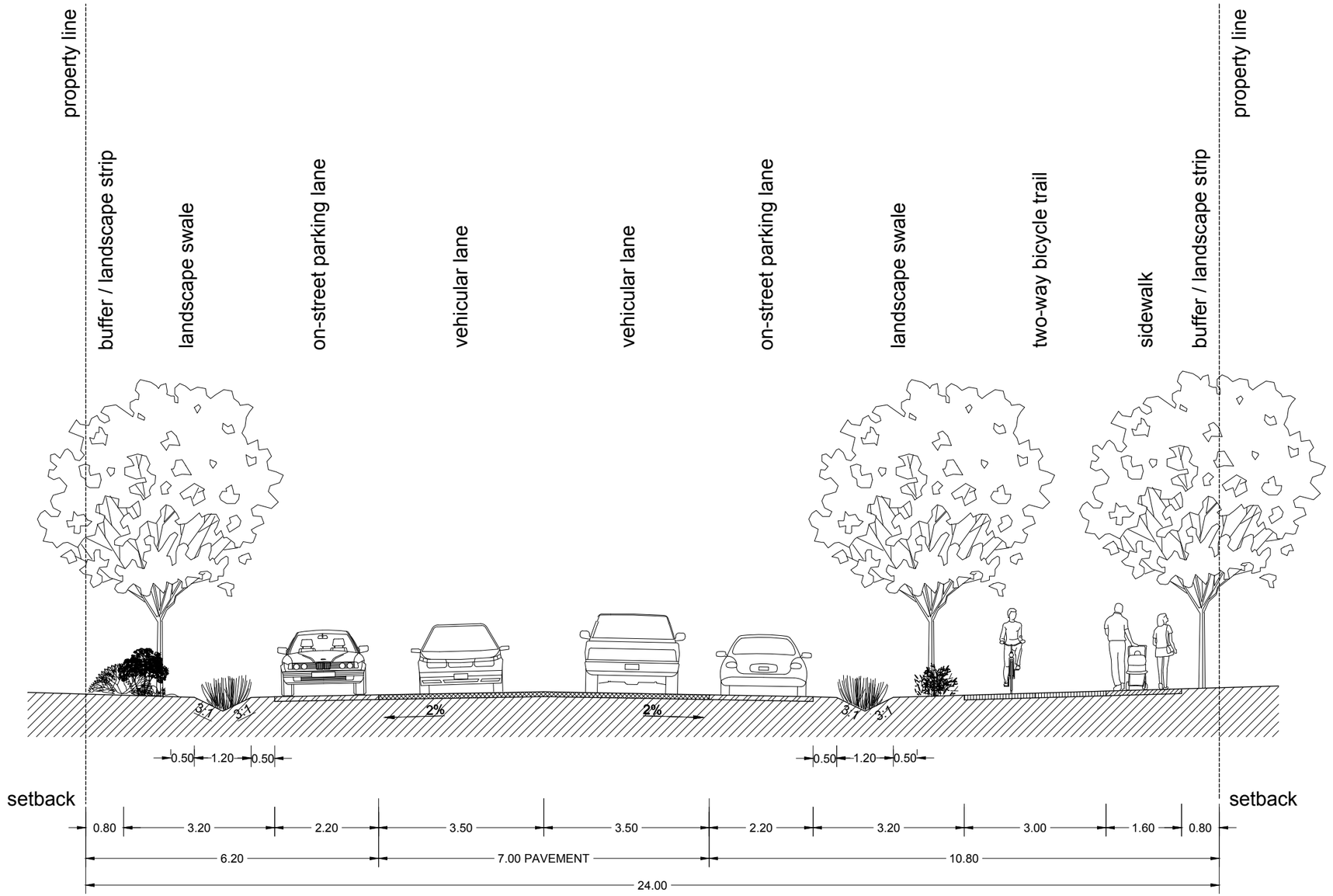


Figure 5. Canboro Road - Option 3



b) Cream Street

Cream Street, located on the east boundary of the ***East Fenwick Secondary Plan*** area is designated as a Local road in the ***Official Plan***. Cream Street's combination of mature vegetation and rolling hills make for an scenic drive, especially at the north end at Memorial Drive. Cream Street has a consistent right of way of 20.0 metres. The proposed streetscape is composed of:

- A total right of way width of 20.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- A pedestrian sidewalk on the west side of the street; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.

c) Balfour Street

Balfour Street, located on the west boundary of the ***East Fenwick Secondary Plan*** area is designated as a Local road in the ***Official Plan***. Balfour Street has a consistent right of way of 20.0 metres. The proposed streetscape is composed of:

- A total right of way width of 22.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- On-street parking on the east side of the road;
- A pedestrian sidewalk on the east side of the street; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.

d) Memorial Drive

Memorial Drive, located on the north boundary of the ***East Fenwick Secondary Plan*** area is designated as a Local road in the ***Official Plan***. Memorial Drive has a consistent right of way of 20.0 metres. The proposed streetscape is composed of:

- A total right of way width of 20.0 metres.;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- A pedestrian sidewalk on the south side of the street; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.

Figure 6. Cream Street and Memorial Drive – Option 1

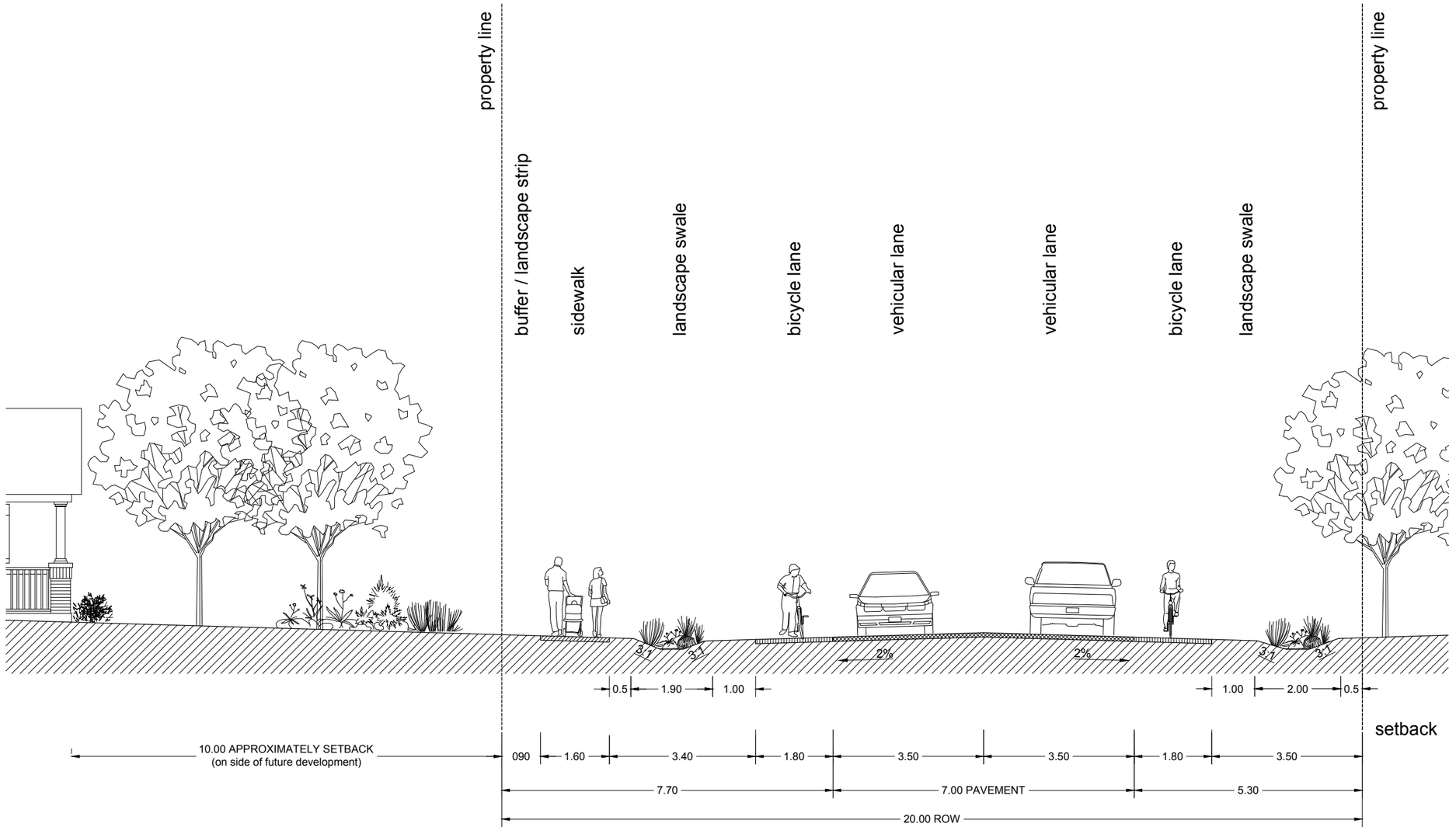
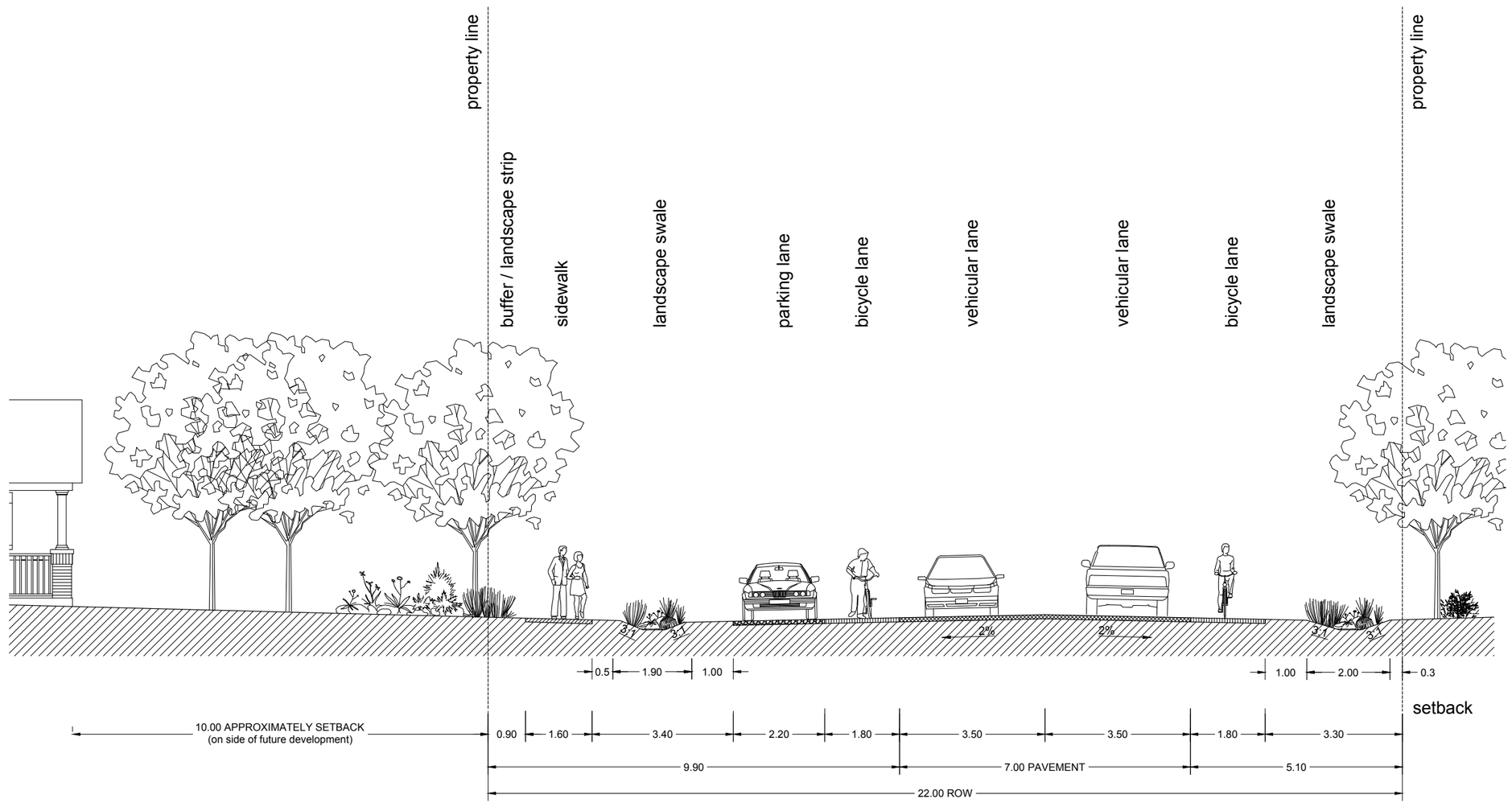


Figure 7. Balfour Street – Option 1



e) Welland Road

Welland Road, located on the south side of the ***East Fenwick Secondary Plan*** area is designated as a Collector road in the ***Official Plan***. Welland Road has a consistent right of way of 20.0 metres. Two street cross Sections have been designed for the road to include:

Option 1

- A total right of way width of 20.2 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- A pedestrian sidewalk on the north side of the street; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.

Option 2

- A total right of way width of 24.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the road;
- On-street parking on both sides of the road;
- A pedestrian sidewalk on the north side of the road; and,
- Landscaped swale/boulevards with no street curb on both sides of the road.

Figure 8. Welland Road – Option 1

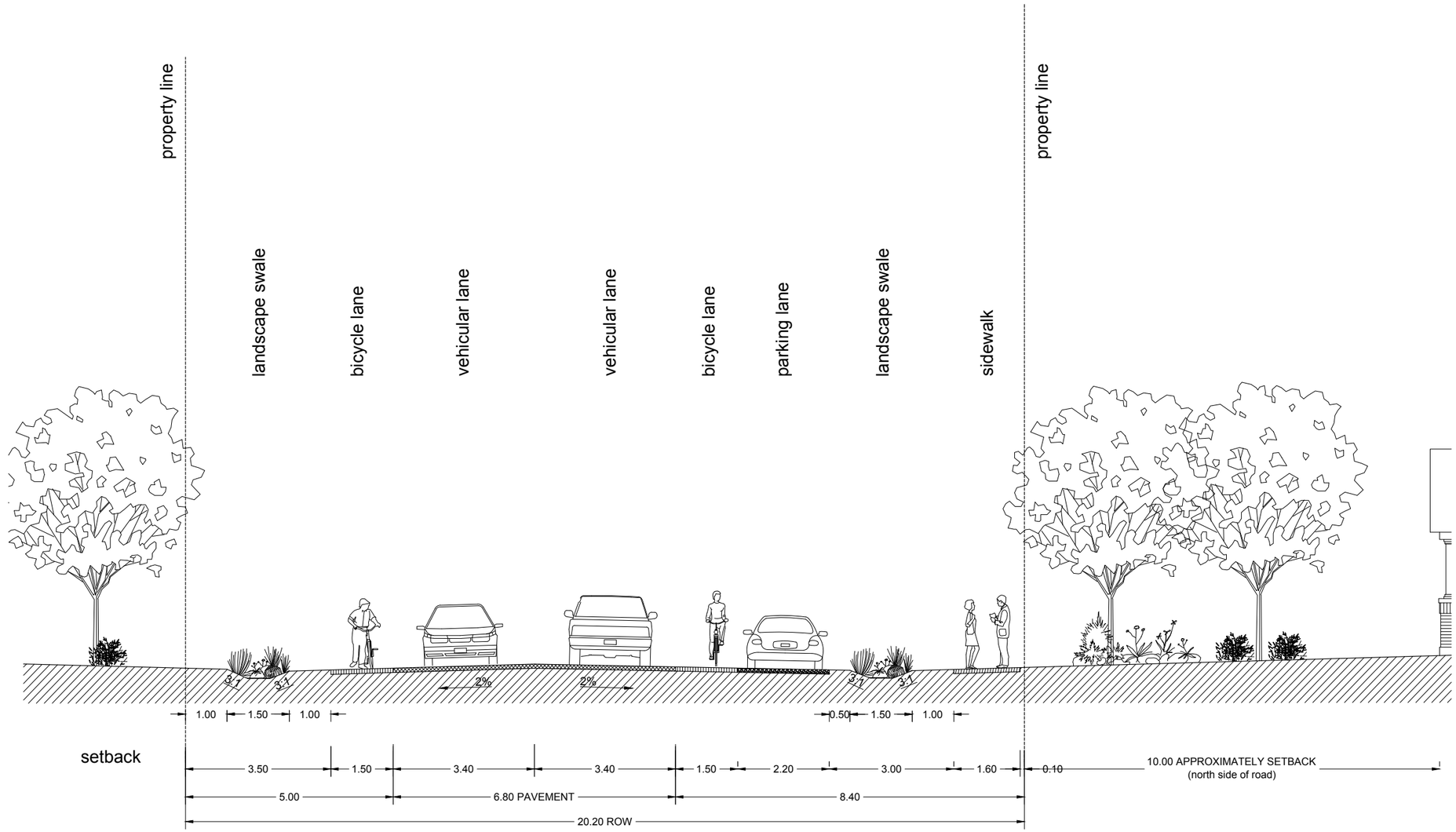
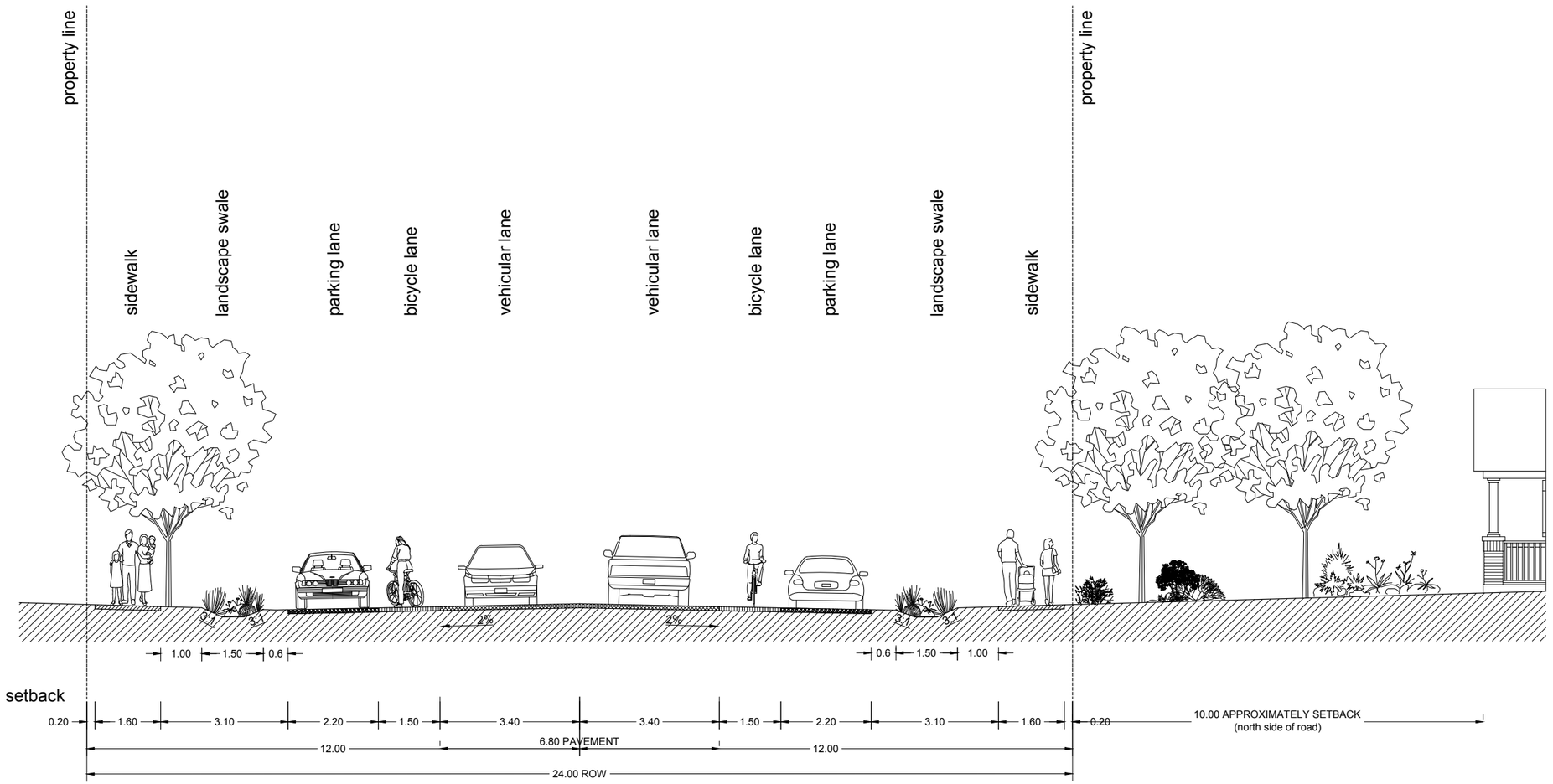


Figure 9. Welland Road - Option 2



4.1.2.2. New Street Design

The following Section describes the proposed design standards for new road topology within the East Fenwick study area.

a) Minor Collector Road

The community's future Minor Collector Roads are envisioned as pedestrian, cycling, transit and vehicular roads, wider than local streets and easily identifiable as the community's main through roads. Two Minor Collector Road cross sections have been developed to address site specific conditions.

The inclusion of bump out boulevards at key intersections is encouraged to support a comfortable pedestrian experience. Bump outs should be the same width from the curb as on street parking.

Option 1 allows for the incorporation of site specific drainage features into the overall streetscape design by realigning the site's existing drainage feature in a median. The proposed streetscape is comprised of:

- A total right of way width of 34.0 metres;
- A landscaped median with a bio-swale;
- Two vehicular traveling lanes;
- Off-street parking on both sides of the street;
- Landscaped swale/boulevards with no street curb on both sides of the road;
- On-street cycling lane on both sides of the street; and,
- A pedestrian sidewalk on the both sides of the street.

Option 2 streetscape is comprised of:

- A total right of way width of 22.0 metres;
- Two vehicular traveling lanes;
- On-street cycling lane on both sides of the street;
- On-street parking on both sides of the street;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A pedestrian sidewalk on the both sides of the street.

Figure 10. Minor Collector Road - Option 1

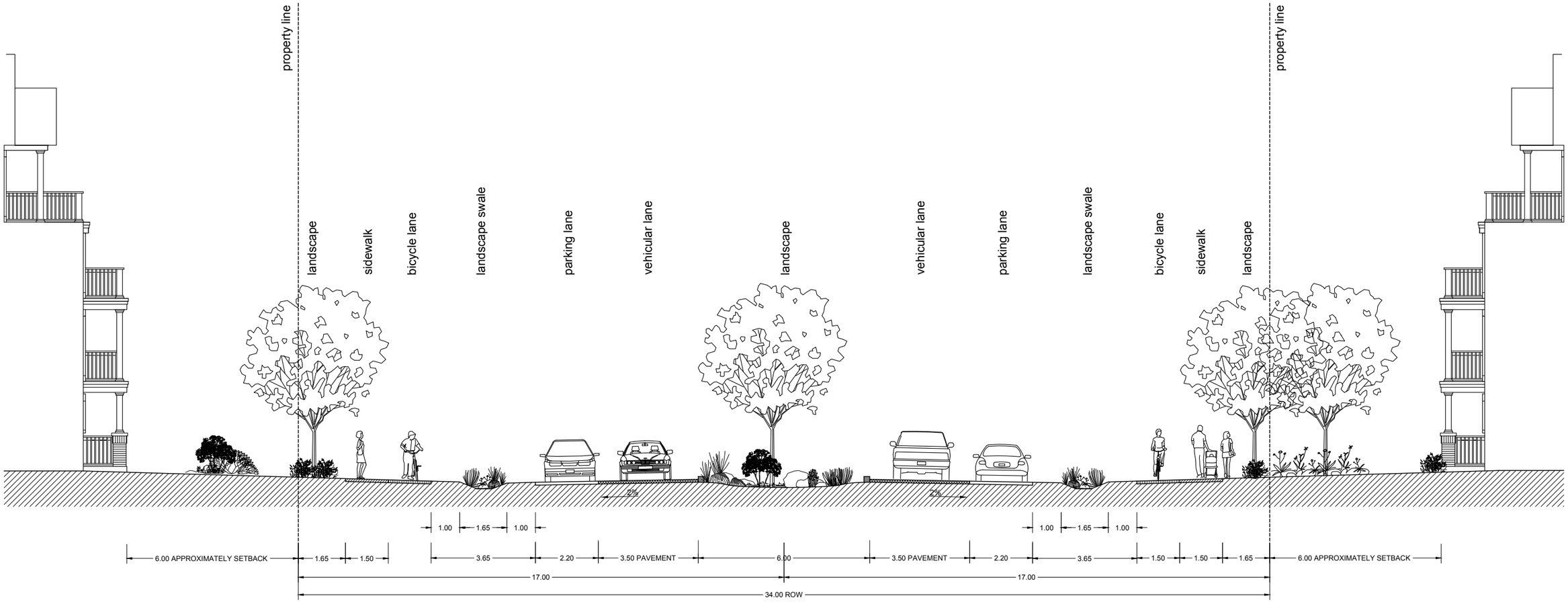
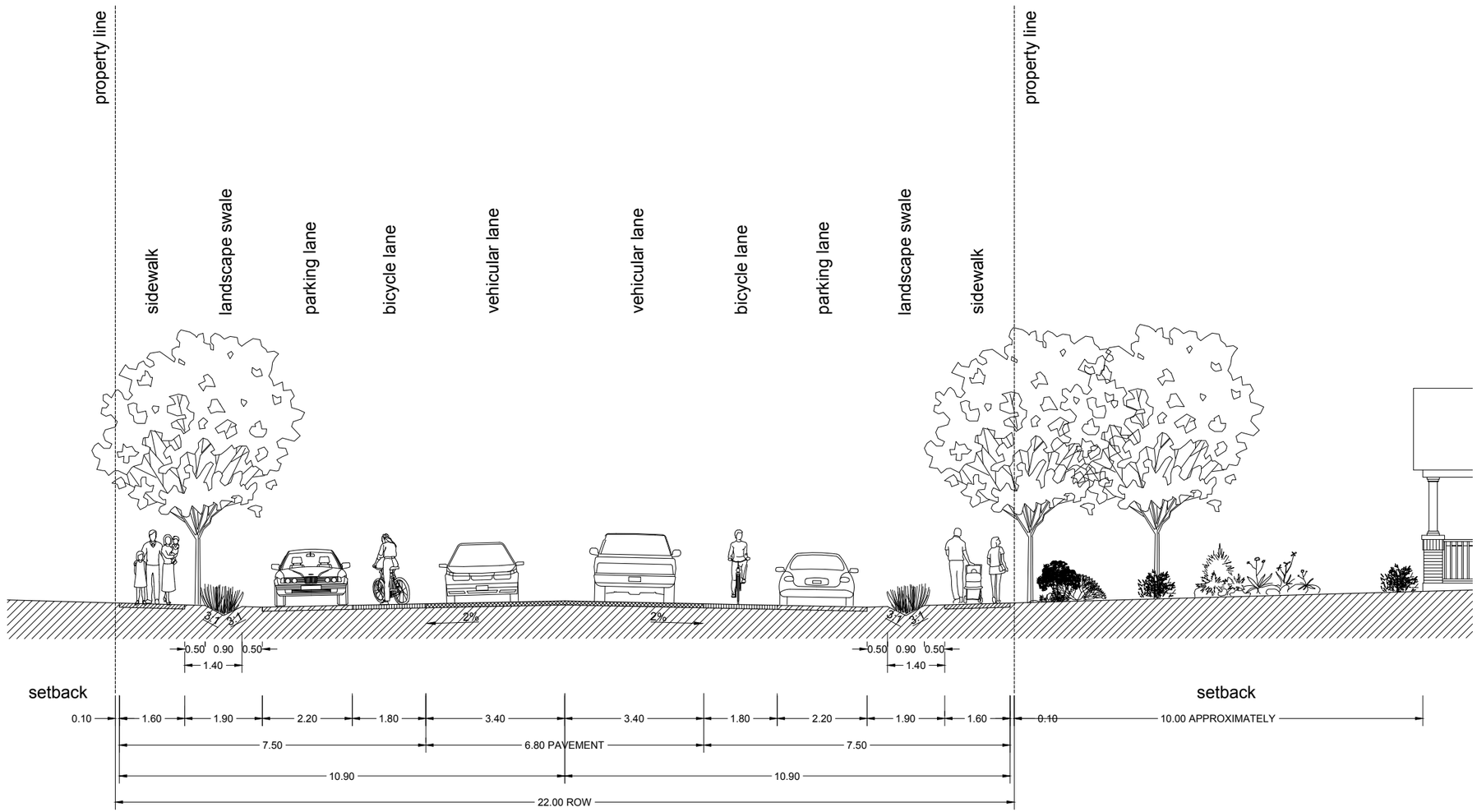


Figure 11. Minor Collector Road - Option 2



b) Local Street

Local streets are intended to be pedestrian friendly, "share the road" cycling routes. Their proposed streetscape is comprised of:

- A total right of way width of 16.0 metres;
- Two vehicular traveling lanes;
- On-street cycling: shared the road program;
- On-street parking on one side of the street;
- Landscaped swale/boulevards with no street curb on both sides of the road; and,
- A pedestrian sidewalk on the both sides of the street.

c) Laneway

Rear laneways help to create beautiful streets because parking driveways and service areas can be located along them while permitting buildings to front with living spaces and porches onto the street. The following are guidelines for laneway design:

- Rear laneways are proposed to be used in specific conditions where direct fronting onto existing hedgerows and treed features is desired.
- A 7.5 metre lane is proposed for the ***East Fenwick Secondary Plan*** area as illustrated in the following cross section.



Image 41. Seattle - Distinctive Materials for Pedestrian Crossing and Signage

Figure 12. Local Road

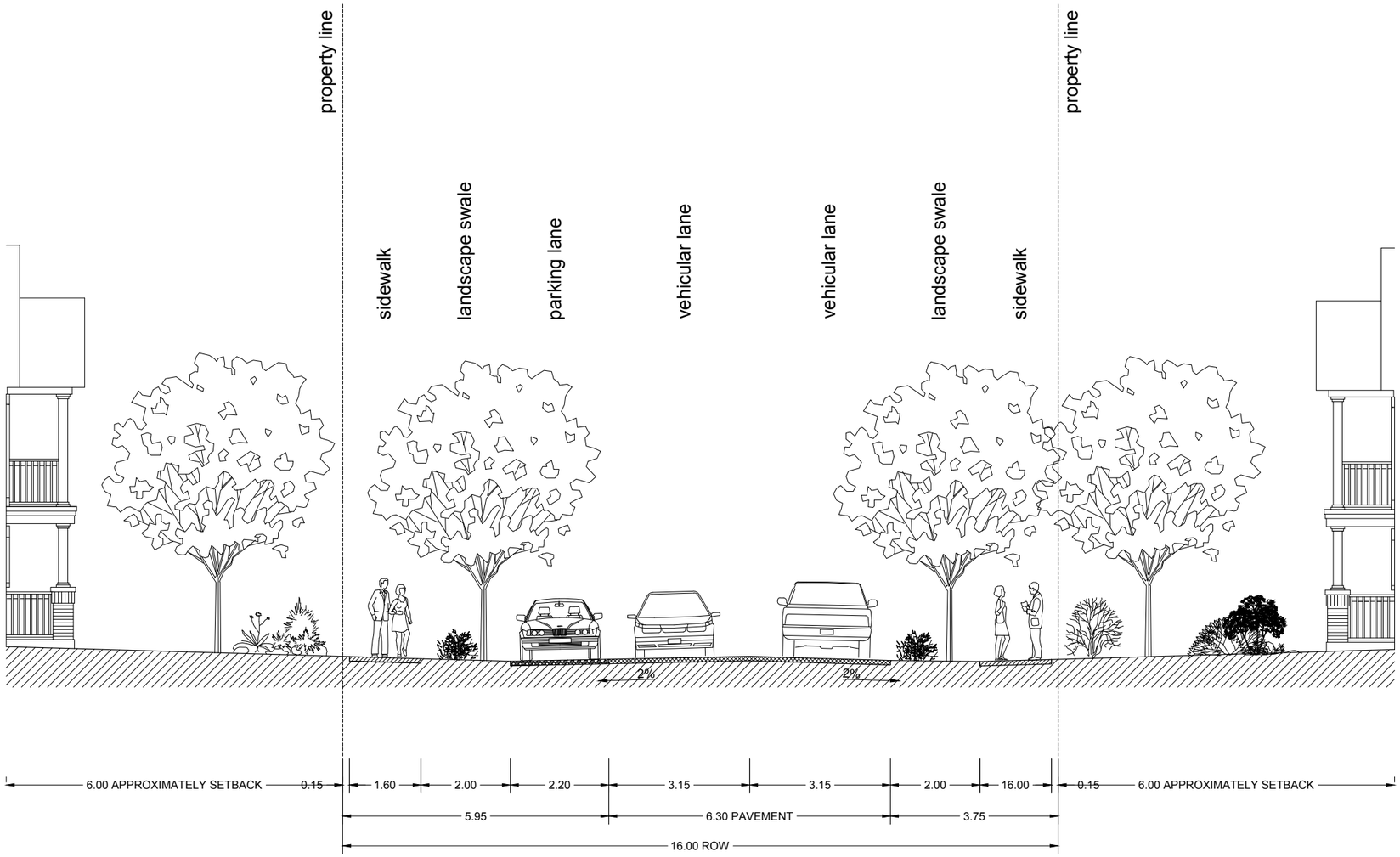
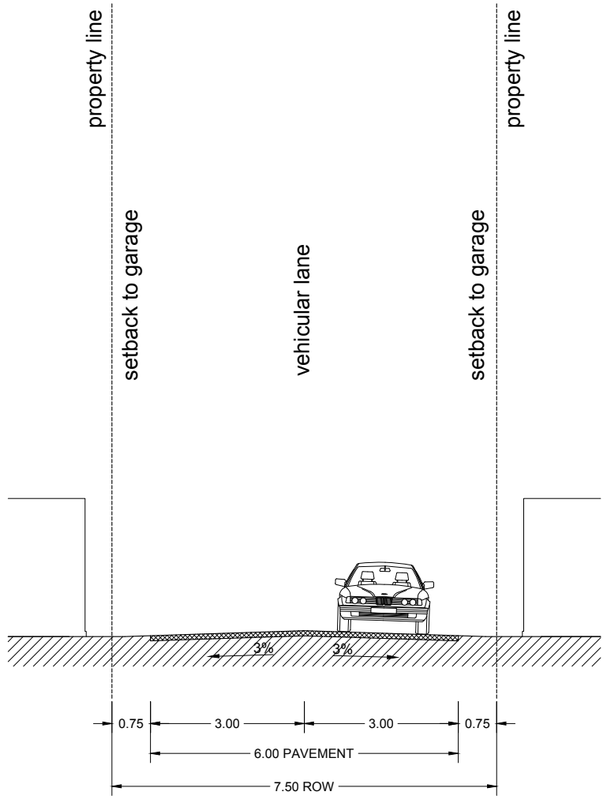


Figure 13. Laneway



4.1.3. STREETSCAPE ELEMENTS

a) Street Trees

1. For new streets, deciduous street trees should be provided on both sides of the road in the public right-of-way. At least 1 street tree should be planted for each residential dwelling unit (excluding multiple dwellings that are subject to site plan approval), or at an interval of 6.0 to 9.0 metres, and at least 3 street trees for each linkage lot where practicable based on factors such as utility requirements, driveway and street furniture locations and the type of species. Where it is not possible to provide the target number of trees as set out above, an equivalent number of trees should be provided in other locations within the draft plan of subdivision.

2. When selecting street tree species, trees that are compatible with bioswales and road salt should be selected. Where it may not be feasible to have both street trees and bioswales, it is encouraged that at least one tree be planted on the private front yard of dwellings that are adjacent to the sidewalk.

3. Street trees should be located at a minimum 1.0 metre away from a driveway edge, although 2.0 metres is preferred.

4. Street trees should be of a species that would provide a large canopy and shade over sidewalks in order to reduce heat island effect and enhance pedestrian comfort and safety. Street trees should also allow for sun exposure in the winter.

5. A diversity of native tree species should be considered and delivered along each street, and a themed street tree planting should be encouraged to assist in identifying and enhancing certain areas within the neighbourhood. It is recommended that a mix of tree species be selected on the same street in order to prevent invasive species.



Image 42. Varied Street Tree Species along Memorial Dr.



Image 43. Fenwick, ON - Tree Planting on Private Front Yard of Dwellings Adjacent to Sidewalk

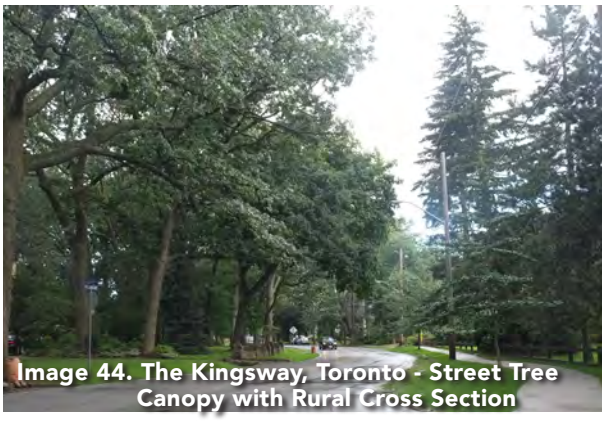


Image 44. The Kingsway, Toronto - Street Tree Canopy with Rural Cross Section

6. When selecting landscape treatments vernacular planting sightlines and colour should be considered.

b) Swales, enhanced Grass Swales and Bioswales

1. Swales typically require a large area and are therefore well-suited for installation within planting zones and medians in new street cross-sections. They consist of linear vegetated channels that convey, treat ad attenuate storm water runoff. Vegetation and check dams may be integrated into swales to slow velocity of runoff, allowing for sedimentation, filtration, evapotranspiration and infiltration.

1. Enhanced grass swales are similar to traditional grass swales, however they feature a slightly altered parabolic form and incorporate amended soils that slow runoff and assist in contamination removal. Enhanced grass swales might be used in particularly low traffic volume roadways that do not receive high loads of de-icing compounds in the winter.

1. Bioswales have a filter media and/or storage gallery and optinal under drain (depending on native soil permeability) below. Bioswales might be planted with grasses or finished with more elaborate combinations of plant and aggregate materials.

c) Street Furniture

1. Street furniture should be provided in high-pedestrian areas, such as parkettes. Furnishings should include elements such as pedestrian scaled lighting, benches, bicycle racks, newspaper boxes, and three stream receptacle bins. Where possible street furniture should be manufactured from recycled materials.

2. The Town may develop, in consultation with landowners, a unified standard and design vocabulary for street furniture, which shall apply to all new East Fenwick neighbourhoods. This design may be a continuation from the Fenwick Downtown Revitalization Project.



Image 45. UBC Rain Garden



Image 46. Portland's "Green Street" project



Image 47. Planted Bioswale

d) Pedestrian Crossings

Pedestrian crosswalks generally serve two functions:

- Separate the pedestrian realm from vehicle lanes by demarcating a safe route for pedestrians to cross the street; and
- Act as traffic calming measures since frequent stops will likely encourage slower traffic speeds and cautious driving.

Guidelines for pedestrian crossings are as follows:

1. Formal pedestrian crossings should be present at four-way intersections in high pedestrian areas, over all existing roads and the neighbourhood's future minor collector roads.
2. Pedestrian crossings should have a minimum width of 2.0 metres.
3. To enhance their visibility and quality, pedestrian crossings should utilize distinctive features such as alternative pavement markings or materials to minimize the conflict between vehicles and pedestrians. At a minimum, they should be identified with distinctive painted lines.
4. Pedestrian crossings should be highly visible to motorists and include appropriate signage.
5. Pedestrian crossings should be continuous and connected to adjacent sidewalks.
6. If pedestrian pathways are elevated, the height of curb cuts should be minimized to facilitate wheel-chair and stroller usage. Curb ramp designs at intersections should comply with all ***AODA*** standards and have raised tactile surfaces or materials with contrasting sound properties to help pedestrians with visual impairments.

e) Utilities

1. Utilities should be clustered and screened away from public streets and views.
2. High-efficiency light bulbs should be used, where feasible, for street lights and traffic lights as they consume significantly less energy, last longer and require less maintenance than conventional bulbs.
3. Pedestrian signalization should be automatic and not require a button to activate.

f) Utility Pole Placement and Design

1. Where feasible services should be co-located to reduce the number of poles installed for visual benefits and cost reduction. (A2.5.2 OP)

1. Poles should not interfere with historical site lines from key viewing areas such as squares, patios and other notable gathering spaces.

1. Poles should align with the corners of buildings and driveways, not the centre, to avoid blockages of existing or potential entrances, patios and windows (A2.4.1 OP).

1. Avoid visual clutter by aligning poles and/ or new streetscape object with existing streetscape elements such as waste bins, benches and street trees to maintain existing sidewalk width and support a unified design vocabulary.

g) On-Street Parking

On-street parking plays a key role in the design of a sustainable community. While on-street parking accommodates visitor parking it also functions as a traffic calming device to slow traffic, and acts as a safety buffer separating the pedestrian realm from vehicles. The guidelines for on-street parking are as follows:

1. Parking should be provided on at least one side of the street for local and collector roads.
2. Parking bays should be located on collector and arterial roads where permanent parking is provided.
3. On-street parking areas may be demarcated with a special pavement treatment or with signage in order to distinguish the parking lane from the roadway or pedestrian and cycling pathways.



Image 48. Georgetown - Pedestrian Crossing



Image 49. City of Surrey - Painted Utility Box



Image 50. Brian Lancaster - Permeable, Demarcated Pavement Distinguishes Parking Lane

4.2. ACTIVE TRANSPORTATION INFRASTRUCTURE

Active transportation infrastructure includes walking, cycling and transit networks and infrastructure, which allow for a fully integrated pedestrian-supportive urban system. In addition to the policy direction in the ***Secondary Plan*** and the ***Town's Official Plan***, the following guidelines apply.

4.2.1. PUBLIC PEDESTRIAN WALKWAY NETWORK

Official Plan policy A2.3 encourages new neighbourhoods to be compact and pedestrian friendly. Pedestrian walkways are an important design element that creates flexibility, giving pedestrians options to get to their destination using the most direct route. Public pedestrian walkways are located within the public realm. In order to encourage walkability within the neighbourhood, and improve circulation and pedestrian access, street-related pedestrian walkway shall be required within the neighbourhood. The following are guidelines for creating accessible, safe and inviting pedestrian walkways:

1. Public pedestrian walkway blocks should be 1.5 to 1.6 metres wide.
2. As per ***Official Plan*** policy B1.6.4.6, roads shall be developed to include safe, convenient and attractive facilities for pedestrians. Crime Prevention Through Environmental Design (CPTED) principles should be used in the design of public pedestrian walkways, such as:
    - Adequate lighting;
    - Clear sight lines, allowing view from one end of the walkway to the other;
    - Provide appropriate landscaping, but avoid landscaping that might create blind spots or hiding places;
    - Adequate fencing and fenestration adjacent to public walkways to provide opportunities for casual surveillance; and,
    - Integrating activity generating uses such as seating areas, parkettes or other amenities.
3. Where feasible, sidewalks should be continuous throughout the community.
4. In order to accommodate the needs of persons with disabilities, and the elderly, sidewalks should be designed to applicable municipal and ***AODA*** standards.



Image 51. Collingwood, ON - Pedestrian sidewalk with visual surveillance and landscaping

4.2.2. CYCLING NETWORK

On-street and separated bicycle lanes have been proposed for the ***Secondary Plan*** area. Where possible, new bicycle lanes will link with the existing cycling network within Fenwick and the Town of Pelham, as per the ***Town's Official Plan*** and the Niagara Region's Cycling Network. The following are guidelines for the cycling network:

1. Where cycling routes intersect major intersections, route signage should be provided.
2. Access to cycling routes should be clear and unobstructed.
3. Pedestrian and cycling lanes should be painted along multi-use trails or clearly identified by other means to minimize pedestrian and cycling conflicts.





Image 49. Share the Road - Beacon Lite (left), Shared Pathway - Barricade Traffic Services Inc (right)

4.2.3. TRANSIT NETWORK

The following are guidelines pertaining to transit facilities and infrastructure.

1. Future transit stops should be located in accessible, safe, and comfortable locations, which maximize pedestrian accessibility from surrounding residential neighbourhoods. In addition such transit stops should be:
    - Located close to intersections;
    - Coordinated with neighbourhood trail connections and building entrances; and
    - Designed to include amenities for passengers such as seating and weather protection.
2. Transit stops should generally be within 400 metres or a 5-minute walking distance for residents.



Image 52. Town of Pelham Bus Stop

4.3. NATURAL HERITAGE SYSTEM

A Natural Heritage System (NHS) has been established, which is comprised of a Provincially Significant Wetland and a Significant Wildlife Habitat area. The designated area is subject to further Environmental Impact Studies that must be reviewed and approved by the Region in consultation with the Town and the NPCA. The following guidelines are for land designated in the NHS:

1. Integrate the NHS as a key structural element of the neighbourhood by providing appropriate views, vistas and connections, as well as providing a range of development interfaces that offer opportunities for public visual and physical access while also limiting access where necessary.

2. Physical barriers, such as lot fencing, should be reviewed and considered in areas where access and encroachment are to be restricted. Fencing should be coordinated as a condition of draft plan approval to ensure consistent fencing design is established.

3. For homes adjacent to the NHS, homeowner education and stewardship should be encouraged through the distribution of a homeowners pamphlet as a condition of draft approval. Information in the pamphlet may include conservation practices and protection of the surrounding NHS, which include the identification of native plant species appropriate to the existing ecosystem, and the avoidance of organic waste dumping.

4. Carefully consider the design and location of parking areas, three stream receptacle bins or street furniture to ensure that the edge of the NHS is not degraded. This can be achieved through larger setbacks or landscaped buffers with private and decorative fencing.



Image 53. Fenwick - Cultural Heritage Hedgerows

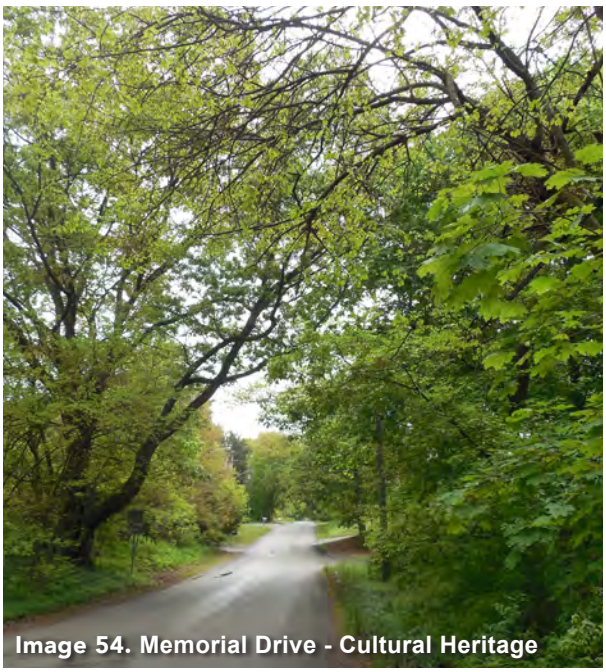


Image 54. Memorial Drive - Cultural Heritage

4.4. OPEN SPACE NETWORK

4.4.1. GENERAL GUIDELINES

The ***East Fenwick Secondary Plan*** area is comprised of three interconnected neighbourhood parkettes and an extensive Natural Heritage System. The following are general guidelines for the open space or greenlands network.

1. New trees and landscaping within parks should be of native plant materials, and where possible, should be salvaged from the site or the local area.
2. Amenity areas within parks should be located and oriented to maximize sunlight and be sheltered from the wind, noise, and traffic of adjacent streets and uses. Amenities can include playground or outdoor fitness equipment.
3. Seating and shade areas should be designed in coordination with pathways and play area locations.
4. Parkettes should be designed and located to utilize Crime Prevention Through Environmental Design (CPTED) principles by ensuring clear view into and out of surrounding areas, which include:
    - Adequate lighting;
    - Fronting buildings to overlook public spaces, especially for playgrounds, which should be highly visible to public streets and/or houses, in order to enhance safety.
    - Using signs and design for ease of access and egress; and
    - Mix of activity for constant use of the space.
5. Playground amenities are encouraged to be designed as learning amenities constructed from natural materials.
6. Parks should include appropriate signage visible from surrounding streets.
7. Wayfinding signage should be designed with a unified design vocabulary for ease of use and to further build a unique East Fenwick neighbourhood identity.

Figure 14. East Fenwick Secondary Plan - Greenlands Structure Plan



Schedule A8. East Fenwick Secondary Plan Area
Greenlands Structure Plan

4.4.2. PARKETTES

As per the ***Town's Official Plan*** policy B1.7.9.4.1, parkettes shall be designed to reinforce a high quality formalized relationship with its adjacent building use, streetscape and/or component of the Green Lands system. Landscape elements and features within the parkette shall be designed to define and articulate activity areas, circulation, entry points, seating and gathering areas. In addition to these policies, the following guidelines apply;

1. A parkette should provide soft landscapes to serve non-programmed recreational uses.
2. Parkettes should accommodate facilities such as play structures, splash pads, open informal play areas, seating with shade opportunities as well as community information boards.
3. Public frontage is encouraged on all four sides of the parkette. This can be in the form of roads or houses fronting onto the parkette with the use of rear lanes.
4. Residential units on roads abutting the parkette should front onto the parkette.
5. Landscape treatment and built form elements should be located at entries to and/or at view corridors terminating at parkettes in order to create a terminus/landmark in the community.
6. Formalized paths within parkettes should connect to pedestrian walkways and trails within the NHS, and should be consistent with pedestrian desire lines.
7. Where residential side yards abut a parkette, a combination of decorative fencing, landscaping, and privacy fencing should be provided to demarcate the public and private realm, and to ensure the privacy of the residence is maintained.



Image 55. Cornell - Parkette within woodlot, with soft landscaping, play structure and pathways

4.4.3. PEDESTRIAN SYSTEM & TRAIL NETWORK

As per the ***Town's Official Plan***, continuous and connected open space and trail systems are to be developed that link the local neighbourhood to the broader town and encourage active transportation. The ***Secondary Plan*** has proposed an East Fenwick network of open spaces, that are comprised of the existing NHS along with a series of small neighbourhood parkettes that are interconnected with a pedestrian system or trail network. The following are additional guidelines for the development of pedestrian systems and trail network:

1. A primary neighbourhood trail system will function as a north-south and east-west spine that links adjacent neighbourhoods. The system may traverse through local streets or through the NHS with a width ranging from 2.0 to 3.0 metres. Recreational trails within the NHS will function as multi-use trails that support both destination and recreational use and shall generally consist of a 2.4 metre wide trail.
2. Native non-invasive plantings are encouraged along trail connections abutting natural features.
3. Trails will be designed to accommodate a range of users and abilities, and should be barrier-free where appropriate. The use of permeable materials should be encouraged for trail construction in areas where sufficient drainage exists.
4. Trails should be clearly signed regarding permitted uses and speed. Wayfinding signage and/or trail markers should have a unified design vocabulary and be provided throughout the trail network.
5. Multi-use designation symbols should be placed at the beginning of a trail, the entrance to any stage of a crossing, and shortly after a crossing. They can also be placed at intervals along the length of a trail to remind trail users to keep to the right. Directional arrows can also be used in conjunction with designation symbols to direct users. Designation symbols should be accompanied by signage outlining the permitted modes of travel on the trail.
6. Benches and three stream receptacle bins should be provided at trail heads and at regular intervals along the route.
7. Trails located in proximity to significant sensitive natural features or adjacent to stormwater management facilities should incorporate interpretive signage at various locations to promote stewardship initiatives that will protect and enhance the features and functions of the natural environment.
8. Special treatments at trail head entrances should be considered including high quality features such as landscaping, benches, interpretive or directional signage or wider pathway widths.

4.4.4. STORM WATER MANAGEMENT FACILITIES

The ***East Fenwick Secondary Plan*** has identified two stormwater management ponds, which are integrated with the open space system and aim to mitigate impacts on the natural environment. These stormwater management facilities shall be developed in a manner that will yield the greatest environmental and amenity benefits to the neighbourhood, which will first be achieved through reducing stormwater run-off and flow to the ponds, and secondly, through the design and landscaping of the pond.

Stormwater management facilities will be provided in accordance with the policies in Section C6 of the ***Official Plan***. In general the overall design and grading of all proposed Stormwater Management Facilities should be in accordance with current Ministry of the Environment and Niagara Region requirements. This Section provides guidelines on pond design and landscaping, and should be read in conjunction with Section 5.2 Water Efficiency and Management for stormwater retention and run-off guidelines.

1. The stormwater management site will be a key focal/visual feature within the community, contributing to its appearance and ambiance. Therefore, careful consideration should be taken for the design and integration with the adjacent neighbourhood and open space.
2. The ponds should also be designed to blend with the natural landscape. Where feasible, inlet and outlet structures should be concealed using a combination of planting, grading and natural stone.



Image 56. Geo-scape Contracting - Stormwater Management Facility as Part of the Community's Integrated Active Transportation Network

3. Native species and flood-tolerant water's edge plants, including a mixture of herbaceous and woody vegetation, may be planted to stabilize banks of ponds. The perimeter of the permanent pool should be planted with emergent, strand and submergent species to improve the aesthetics and enhance the performance of the facility.
4. The density quality and amount of planting coverage should be considered when designing storm water management facilities.
5. Where there is a need to discourage public access to areas around the perimeter of the ponds, living fences and barrier plantings may be utilized in place of fencing. Barrier plantings should be installed along the crest of steep slopes, adjacent to deep-water areas and around inlet and outlet structures.
6. Fencing of ponds should be discouraged, except along rear or flankage residential property lines.
7. Pedestrian and cycling trails and viewpoints should be incorporated into the design of pond blocks, where feasible.
8. The Stormwater Management Facility Landscape Plan is to be prepared by a qualified Landscape Architect, reviewed by the Town's Public Works and Parks Departments, and approved by Town Council.
9. Walkways, trails, and other amenities such as fountains, benches, and rock walls may be incorporated into the facility design.
10. Paths shall not be located lower than the 100-year storm event elevation.
11. Side slopes adjacent to wet facilities must be a minimum of 5:1, (5 horizontal to 1 vertical). Slopes within the wet facility (between the permanent pool and the 100-year storm elevation) must be a minimum of 7:1. Slopes within the permanent pool must not exceed 3:1.
12. A minimum buffer of 5.0 meters shall be provided from 0.3 meters above the 100-year storm elevation to the property line.
13. The facility shall display an appropriately located sign that identifies the facility's purpose, warns the public of potential safety hazards, and includes a municipal phone number.



Image 57. Lichtschwärmer - Stormwater Management Pond with living fences, shallow slops and pedestrian access

5. GREEN INFRASTRUCTURE & BUILDING

The guidelines in this section build on the Niagara Region's Smart Growth Design Criteria Completion Checklists and are listed as further guidance to receive funding incentives from the Region.

5.1. ENERGY EFFICIENCY

1. All new developments are encouraged to be built adhering to the following requirements for sustainability:
    - Grade related (3 storeys or less) residential buildings achieve a minimum performance level that is equal to ENERGY Star U standards; and,
    - Mid-rise (4 storeys and greater) residential buildings shall be designed to achieve greater energy efficiency than the Model National Energy Code for Building.
2. All buildings, with the exception of residential buildings containing less than 25 dwelling units shall achieve the following sustainability requirements:
    - LEED Silver, or equivalent, prior to and including 2021; and
    - LEED Gold or equivalent form 2022 up and beyond 2031.
3. Where feasible, alternative community energy systems such as geo-exchange, sewer heat recovery, and/or inter-seasonal thermal energy should be provided.
4. Grade related residential unit driveways are encouraged to be paved with light-coloured material to reduce the heat island effect.
5. Reflective or light-coloured roofs should be encouraged for multi-unit residential units above 5-storeys, and public or institutional buildings, in order to reduce solar heat absorption and energy demand.
6. Light-coloured, permeable material for all hardscape, including parking areas and pedestrian walkways, should be used for development with paved surface in order to reduce solar heat absorption and energy demand.
7. To minimize energy consumption and encourage the integration of passive building systems, buildings should be oriented to maximize the potential for sunlight and natural ventilation.
8. The strategic use of deciduous trees is strongly encouraged as part of a free cooling strategy to help with evapotranspiration and shading.
9. Building design is encouraged to utilize opportunities associated with large expanses of roof areas to implement solar thermal, photovoltaic systems, green roofs or water harvesting systems.
10. Energy Star compliant appliances are encouraged to be provided in cases where the developer provides appliances.
11. Alternative energy sources such as solar thermal, photo voltaic panels and/or geothermal technologies or the inclusion of "roughed in" facilities to accommodate such alternative energy sources are encouraged to be provided.
12. Charging stations for electric vehicles are encouraged in parking areas of apartments or condominiums.

5.2. WATER EFFICIENCY AND MANAGEMENT

1. All new buildings are encouraged to achieve a 20% or greater water conservation efficiency than that required by the Ontario Building Code.
2. Irrigation of all public open spaces/structures should implement a rainwater harvesting program, and can include the use of rain barrels, and/or infiltration trenches provided water balance objectives are met.
3. Water efficient landscaping for high-density blocks should use native and/or drought resistant planting to reduce the amount of watering needed.
4. Grade-related residential unit driveways should be paved with permeable materials to reduce stormwater run off.
5. At site-plan level, developments with five or more dwellings should be encouraged to increase the level of perviousness in order to promote at-source stormwater management, reduce peak flows and lessen the dependence on end-of-pipe facilities such as stormwater management ponds. Pervious areas can include landscaped areas and/or areas containing permeable paving.
6. In order to reduce the volume of run-off into the storm drainage system, surface water run-off flows should be directed to landscaped areas and the use of hard surfaces should be minimized.
7. Innovative sustainable technologies in the capture, conveyance, and treatment of storm run-off to reduce potential pollutants/ contaminants are encouraged.
8. New residential units should be designed to incorporate gray water pipe infrastructure, where permitted, in accordance with the Ontario Building Code and health regulations.



Image 58. Natural Path Landscaping - Permeable, light pavement and light coloured roof

9. Indoor water usage should be minimized in new buildings through the installation and use of water-efficient fixtures, fittings and appliances, such as dual-flush toilets, faucets, and shower heads.
10. Low maintenance and drought-resistant landscaping is encouraged.
11. To conserve and protect the area's natural heritage features, stormwater runoff from all new developments shall be collected and treated to an Enhanced standard (as per MOE guidelines).
12. In order to avoid the negative impacts of flooding in the downstream watershed, all new development post development peak stormwater flows shall be attenuated to pre-development conditions for up to and including the 100 year return period design storm event.
13. All downspouts from residential development shall discharge to grade.
14.
15. Adequate and safe minor and major storm conveyance systems shall be required for all new development.
16. Low Impact Development methods will be strongly encouraged to be utilized in this new community in conjunction with traditional stormwater management techniques.
17. The target is to capture, detain, utilize, or infiltrate all stormwater runoff from all storms up to the 25mm design storm event.
18. Increasing the size and capacity of the major and minor storm systems, and the associated stormwater management systems and facilities, should be considered in order to increase the community's level of resilience against the impacts of climate change (i.e. severe storm events).



Image 59. Philadelphia Water Department - Rainwater Barrel and Permeable Landscaping

5.3. MATERIAL RESOURCES & SOLID WASTE

1. A minimum of 25% recycled/reclaimed materials is encouraged to be used for new infrastructure including roadways, parking lots, sidewalks, unit paving, stormwater management facilities, sanitary sewers, and/or water pipes.
2. All buildings should utilize best practices for design and construction techniques in order to reduce the amount of construction waste produced.
3. Where feasible, streetscape and building materials should be chosen and determined by suitability, durability, ease of maintenance, and cost effectiveness.
4. Green building materials should be used to reduce impacts on the environment. Building materials should be purchased and/or obtained from responsible, ethical, and whenever possible, local sources.
5. The use of recycled and reclaimed material for new buildings is encouraged in order to reduce the negative environmental effects of extracting and processing materials.
6. Waste volumes should be reduced through the provision of recycling and/or re-use and compost stations as well as drop off points for potentially hazardous waste.



Image 57. LEED Categories - Gamma

5.4. LIGHTING

1. Lighting should be downcast to reduce light pollution and address night sky condition.
2. Exterior lighting spill-over onto the street or adjacent properties should be minimized.
3. Renewable energy sources should be considered for electric energy supply in the public realm (i.e. lightning for natural rails and park pathways).
4. High efficiency street lighting should be used so as to reduce energy consumption by at least 15% of the baseline annual energy use.
5. High efficiency lightning should be incorporated into the interior and/or exterior areas of a development, such as in common areas for multi-unit housing.
6. For residential buildings, external lighting should incorporate lighting controls that use motion sensors and/or timers to improve energy efficiency.



Image 61. SEPCO - Downcast, Solar Light Post

5.5. SUSTAINABLE PROGRAM

Sustainable programs should encourage opportunities for community-based initiatives such as car pooling, community composting, waste reduction, educational, and stewardship programs. Some examples of such programs are as follows:

a) Education Packages

1. Owner/tenant education packages regarding household activities to conserve household energy and water resources, access to transit, recycling and composting programs, and depots should be provided at the time of purchase or rental.
2. Encourage homeownership afford-ability for low-income families through the provision of sites for non-profit or charitable Homeownership Programs.

b) Mobility Programs

1. Carpooling or car share programs are encouraged for residents of high density residential buildings. Dedicated parking spaces for carpooling or car share programs should be provided, and located in close proximity to building entrances with clear signage.
2. The availability of transit programs should be publicized to new homeowners as part of an information package provided by developers.
3. Dedicated parking spaces for hybrid/fuel efficient or similar vehicles in high density/ multi-unit buildings should be provided, and located in close proximity to building entrances with clear signage.

c) Cycling Facilities

1. Multi-unit apartment or condominium buildings should provide residents with bicycle parking and/or storage that is secure, enclosed, and easily accessible to residents. Informational signage should be provided.
2. Secure, outdoor bicycle racks should be strategically located at destination points, including village greens and trail heads.



Image 62. Urban Racks - Outdoor Bicycle Racks



Image 63. My Ride - Pelham Transit Program

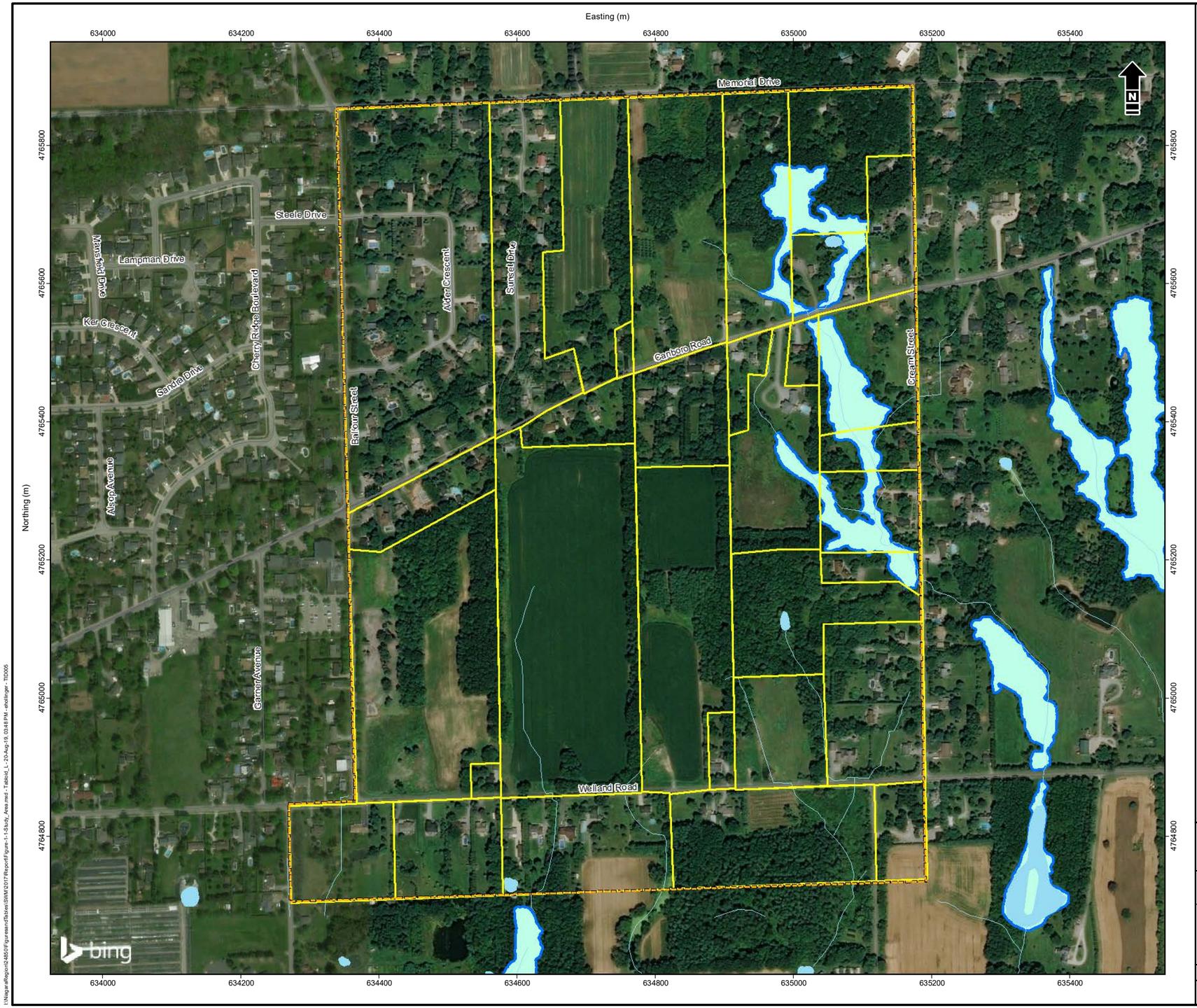
5.6. INNOVATIVE DESIGN

In order to encourage exemplary performance above the requirements set out in this document, innovative design is strongly encouraged and should be recognized.

Innovative elements and performance should, in writing, identify the intent of the proposed innovation, while demonstrating and describing the design approach and strategies utilized to achieve sustainable performance measures that exceed those set out in this document.

Attachment 4 - NATURAL HERITAGE SYSTEM





Study Area
Property Boundary
Provincially Significant Wetland
Water Body
Watercourse
Highway
Road

1:5,500
metres
50 0 50 100
NAD 1983 UTM Zone 17N

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Niagara Region
East Fenwick Secondary Plan

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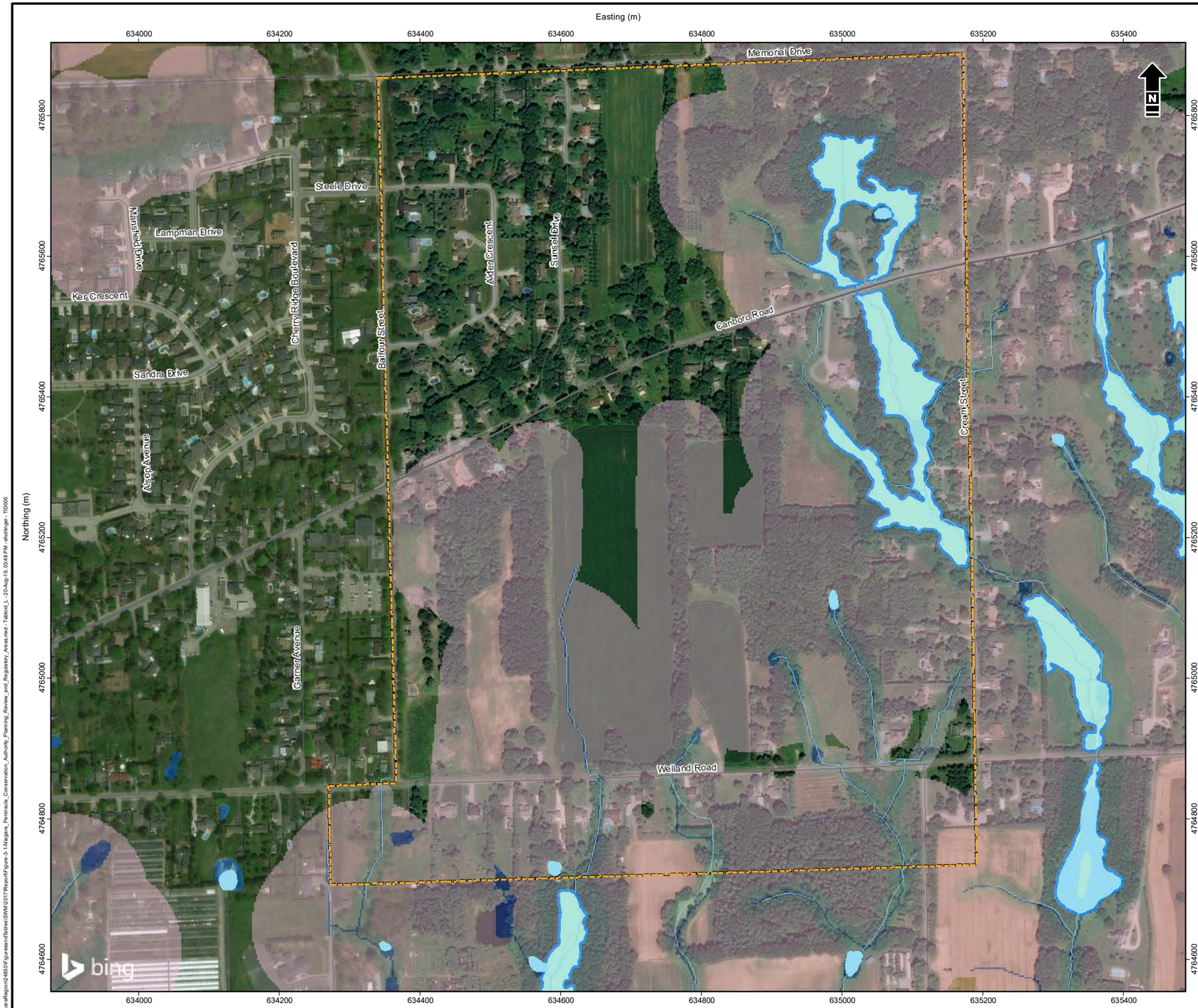
Study Area

Date:	Project:	Submitter:	Reviewer:
August, 2019	24850	E. Wilkinson	S. Toner

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Figure 1.1

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Study Area
NPCA Permit Review
Regulated Wetland
Planning Review Area
Provincially Significant Wetland
Water Body
Watercourse
Highway
Road

1:5,500
metres
50 0 50 100
NAD 1983 UTM Zone 17N

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Niagara Region
East Fenwick Secondary Plan

Niagara Peninsula Conservation Authority Planning Review and Regulatory Areas

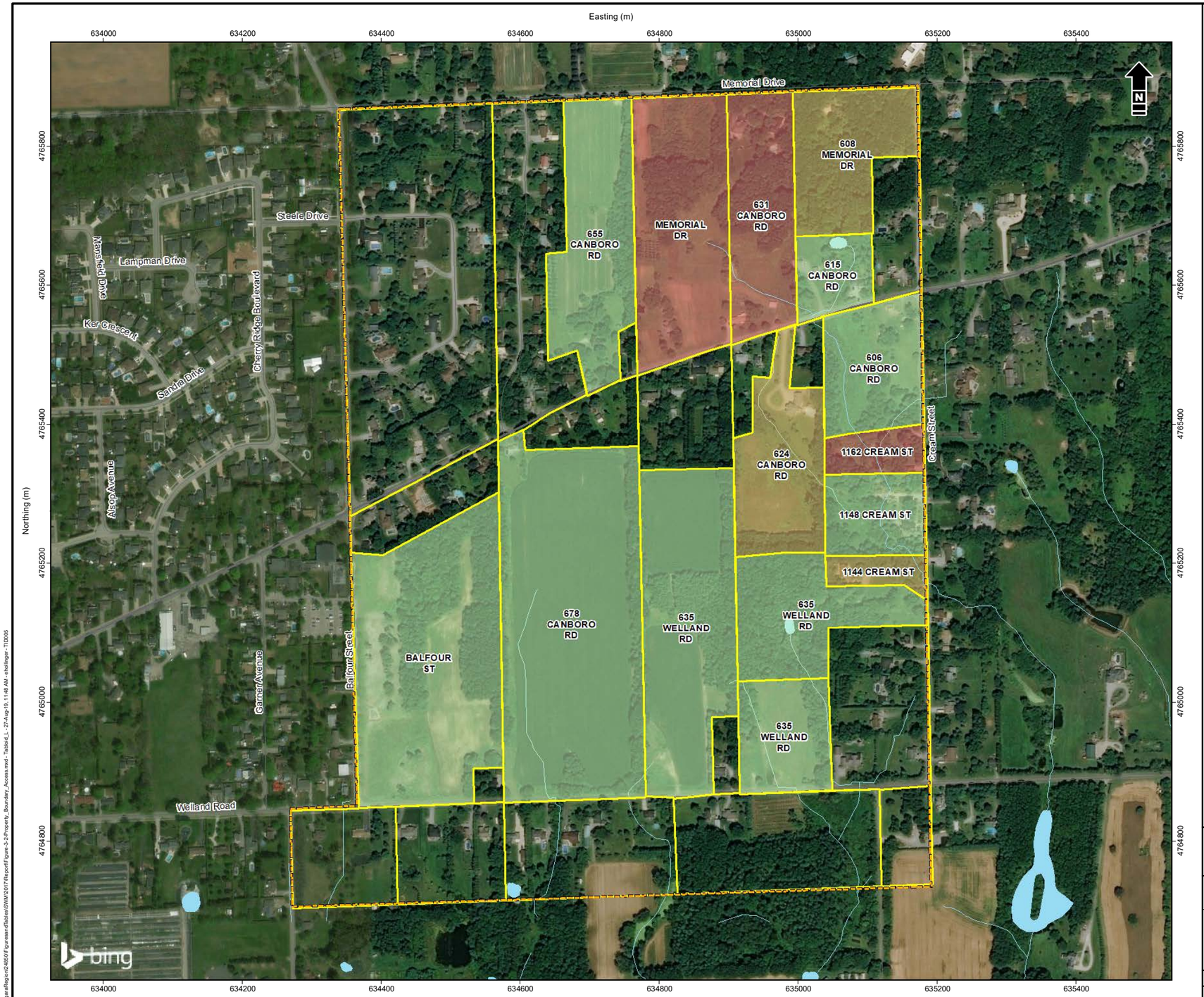
DRAFT

Date:	Project:	Submitter:	Reviewer:
August, 2019	24850	E. Wilkinson	S. Toner

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Figure 3.1

I:\Niagara\Region\24850\Figure\mxd\tables\SWM\2017\Report\Figure-3-1-Niagara_Peninsula_Conservation_Authority_Planning_Review_and_Regulatory_Areas.mxd - Talbot_L - 20-Aug-19, 03:48 PM - aholinger - TID005



Study Area
Property Boundary
Water Body
Watercourse
Highway
Road

Permission
Yes
Not received
No

1:5,500 metres
50 0 50 100
NAD 1983 UTM Zone 17N

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Niagara Region
East Fenwick Secondary Plan

DRAFT

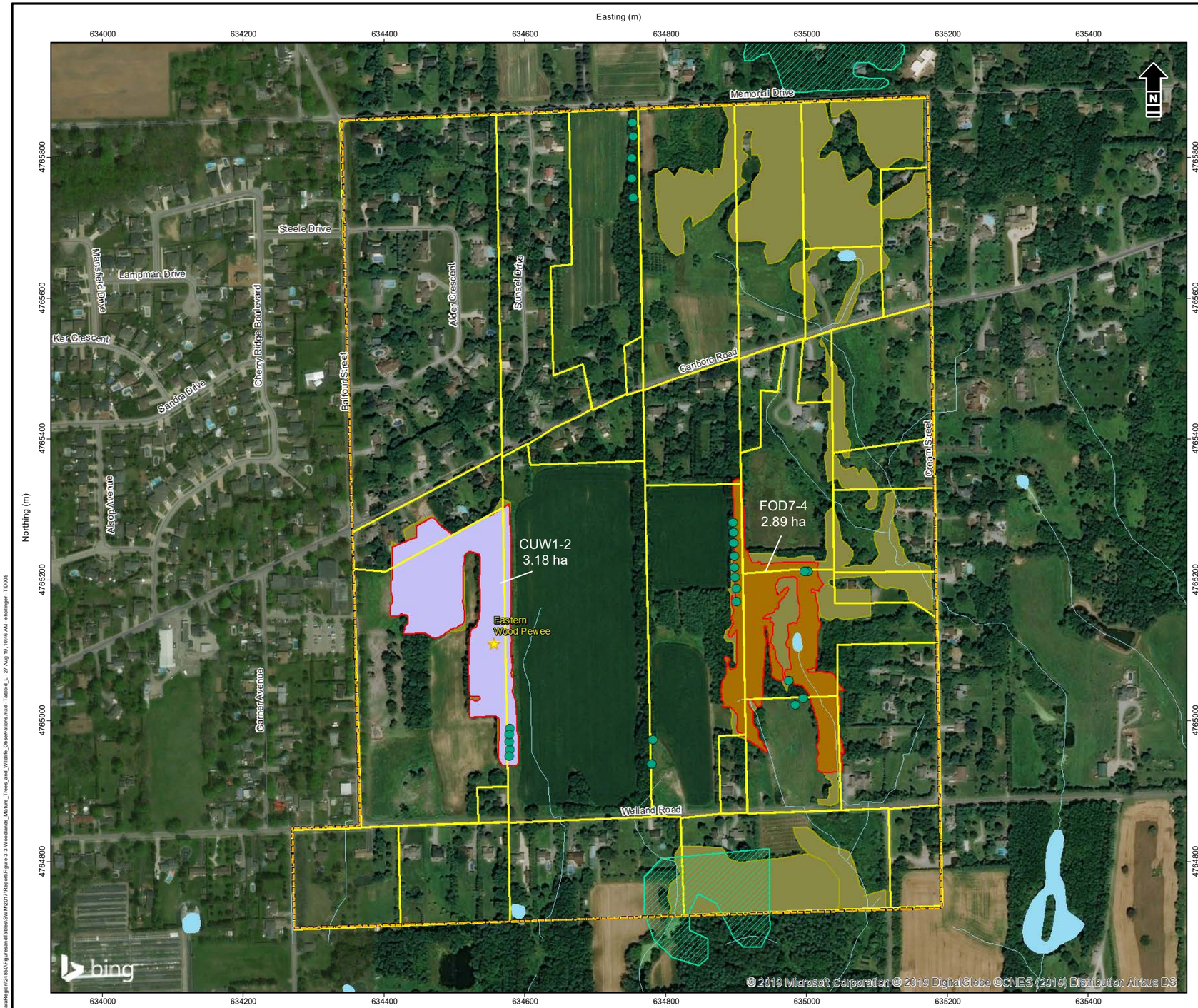
Property Boundary Access

Date:	Project:	Submitter:	Reviewer:
August, 2019	24850	E. Wilkinson	S. Toner

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Figure 3.2

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- Study Area
- Mature Woodland Unit- Significant
- Mature Cultural Woodland Unit- Significant
- Deer Overwintering Area
- Wooded Area
- Property Boundary
- Water Body
- Watercourse
- Highway
- Road
- Mature Tree Location
- Wildlife Observation

Notes:
CUW1-2 deemed significant due to it's area being greater than 2 ha (as per Niagara Region OP).

FOD7-4 deemed significant due to it's area being greater than 2 ha (as per Niagara Region OP) and because it is a rare vegetation community within the upper-tire municipality of Niagara and is therefore considered Significant Wildlife Habitat (protected under the Provincial Policy Statement).

1:5,500 metres
50 0 50 100
NAD 1983 UTM Zone 17N

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Niagara Region
East Fenwick Secondary Plan

Woodlands, Mature Trees and Wildlife Observations

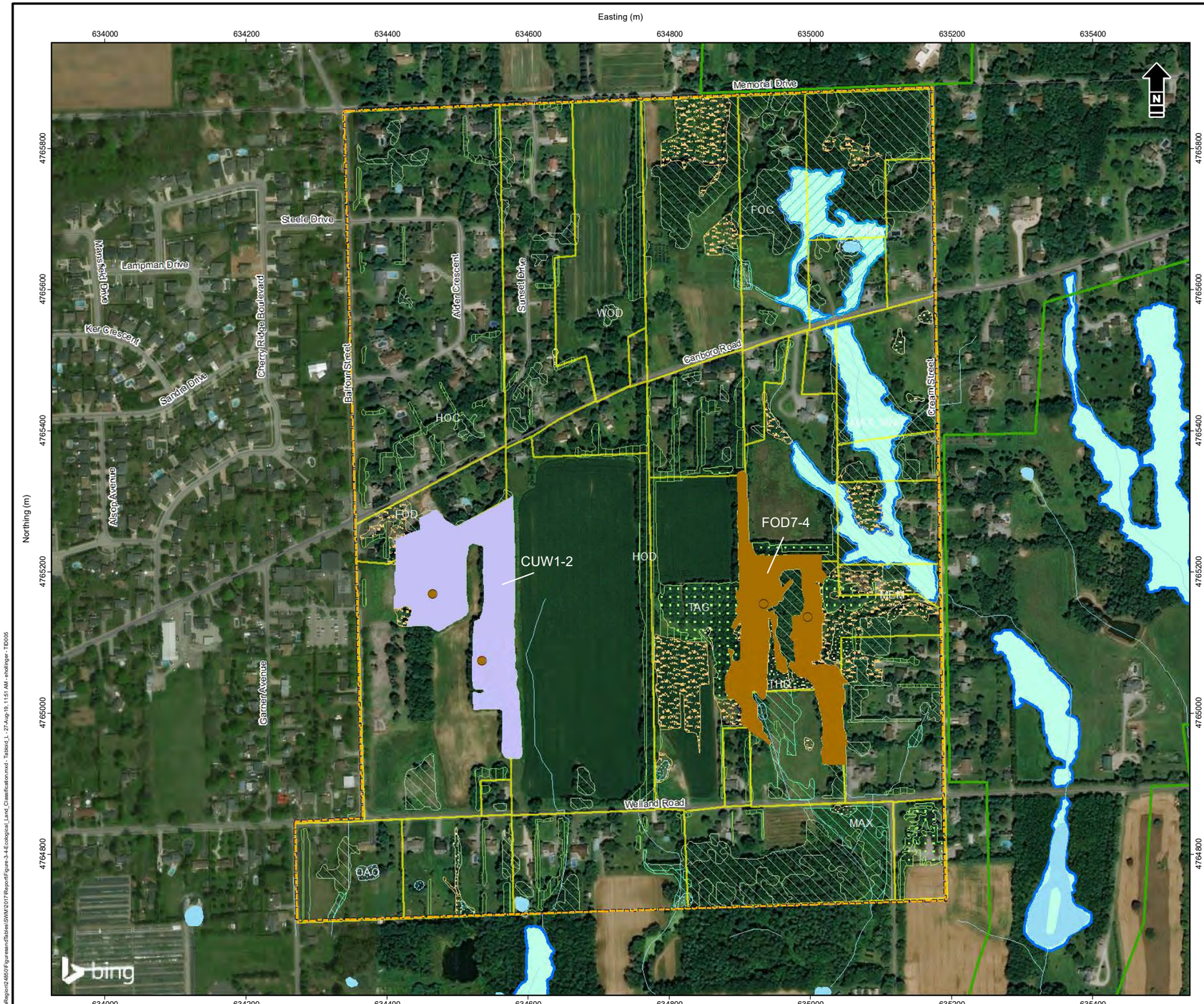
DRAFT

Date:	Project:	Submitter:	Reviewer:
August, 2019	24850	E. Wilkinson	S. Toner

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Figure 3.3

I:\Niagara\Region\24850\Figures\mxdTables\SWM2017\Report\Figure-3-3-Woodlands_Mature_Trees_and_Wildlife_Observations.mxd - Tabloid_L - 27-Aug-19, 10:46 AM - ehollinger - TB005



- Study Area
- Natural Heritage System Area (Undifferentiated)
- Property Boundary
- Provincially Significant Wetland
- Water Body
- Watercourse
- Highway
- Road
- Ecological Land Classification Assessment Location

Ecological Land Classification Community Class (NPCA)

- Swamp
- Marsh
- Meadow
- Thicket
- Woodland
- Forest
- Hedgerow
- Treed Agriculture
- Open Water

Ecological Land Classification Vegetation Community (Matrix)

- FOD7-4 Fresh-Moist Black Walnut Lowland Deciduous Forest
- CUW1-2 Dry Red Oak Cultural Woodland

1:5,500 metres
50 0 50 100
NAD 1983 UTM Zone 17N

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Niagara Region
East Fenwick Secondary Plan

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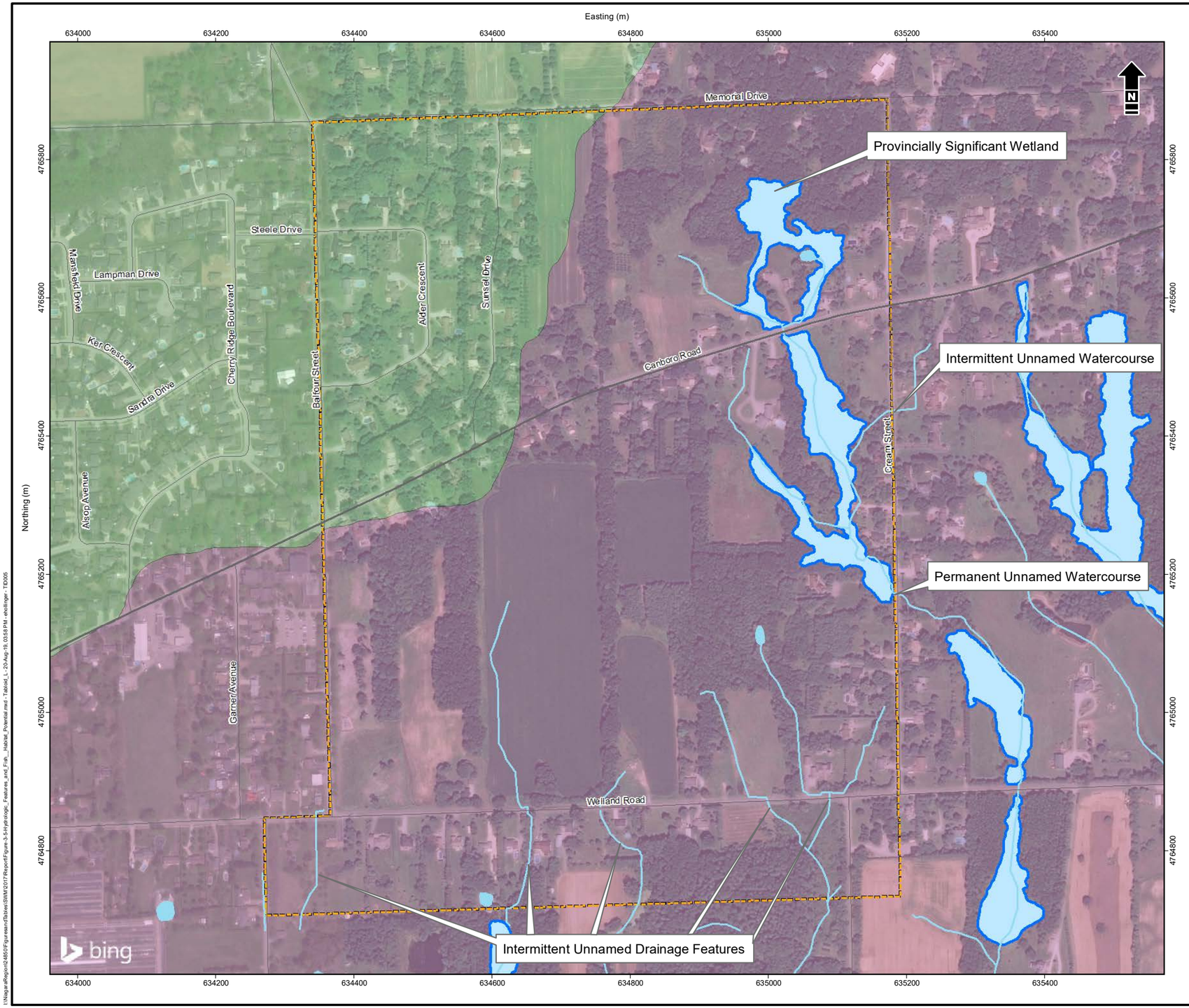
Ecological Land Classification

Date:	Project:	Submitter:	Reviewer:
August, 2019	24850	E. Wilkinson	S. Toner

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Figure 3.4

I:\Niagara\Region\24850\Figures\mxd\Data\SWM\2017\Report\Figure-3.4-Ecological_Land_Classification.mxd - Tasked | - 27-Aug-19, 11:51 AM - ahollinger - TED\05



- Study Area
- Provincially Significant Wetland
- Fifteen Mile Creek Subwatershed
- Coyle Creek Subwatershed
- Water Body
- Watercourse
- Highway
- Road

Note:
Intermittent Unnamed Drainage features only contribute to downstream fish habitat seasonally (spring freshet) or during high water events.

Permanent Unnamed Watercourse feature contributes to downstream fish habitat regularly within the Coyle Creek Subwatershed.

1:5,500 metres
50 0 50 100
NAD 1983 UTM Zone 17N

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Niagara Region
East Fenwick Secondary Plan

Hydrologic Features and Fish Habitat Potential

DRAFT

Date:	Project:	Submitter:	Reviewer:
August, 2019	24850	D. Relyea	S. Toner

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Figure 3.5

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Attachment 5 - CULTURAL HERITAGE RESOURCE ASSESSMENT



CULTURAL HERITAGE RESOURCE ASSESSMENT

EXISTING CONDITIONS REPORT

EAST FENWICK SECONDARY PLAN CULTURAL HERITAGE STUDY
LOTS 12 & 13, CONCESSION 9 & 10 , VILLAGE OF FENWICK

TOWN OF PELHAM
NIAGARA REGION, ONTARIO

Prepared for:

Town of Pelham
20 Pelham Town Square
P.O. Box 400
Fonthill, ON L0S 1E0
T: 905-892-2607

ASI File 17CH-038

July 2017

ASI Archaeological & Cultural Heritage Services
528 Bathurst Street Toronto, ONTARIO M5S 2P9
416-966-1069 F 416-966-9723 asiheritage.ca

CULTURAL HERITAGE RESOURCE ASSESSMENT

EXISTING CONDITIONS REPORT

EAST FENWICK SECONDARY PLAN CULTURAL HERITAGE STUDY
LOTS 12 & 13, CONCESSION 9 & 10, VILLAGE OF FENWICK

TOWN OF PELHAM
NIAGARA REGION, ONTARIO

EXECUTIVE SUMMARY

ASI was retained by SGL Planning & Design Inc. on behalf of the Town of Pelham to conduct a Cultural Heritage Resource Assessment (CHRA) Study for the East Fenwick study area in the Town of Pelham, Ontario. The project involves a built heritage and cultural heritage landscape assessment of the subject lands in order to assist the Town of Pelham in the preparation of the East Fenwick Secondary Plan. The aim of this assessment is to guide future development within the 235 acre area of the East Fenwick community.

The purpose of this report is to describe the existing conditions of the study area, present known and identified built heritage and cultural landscapes, and to identify and propose appropriate mitigation measures and recommendations for minimizing and avoiding negative impacts to identified cultural heritage resources, for consideration as a part of the Secondary Plan process.

The results of background historical research and a review of secondary source material, including historical mapping, revealed that the study area has a rural land use history dating back to the early nineteenth century. The field review confirmed that this area retains a number of nineteenth- and twentieth-century cultural heritage resources. 23 cultural heritage resources within and adjacent to the study area have been identified, including: two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties. Land use changes, road improvements and/or pedestrian realm improvements, and other alterations associated with the Secondary Plan process may have a variety of impacts upon cultural heritage resources.

Based on the results of this assessment and a review of the potential heritage impacts resulting from the secondary plan process, the following recommendations have been developed:

1. A total of 23 cultural heritage resources were identified within and/or adjacent to the East Fenwick Secondary Plan study area, which include two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties. The East Fenwick Secondary Plan should incorporate policies that ensure the long-term viability and presence of significant built heritage resources and cultural heritage landscapes.

2. BHR 4 should be considered for designation under Part IV of the Ontario Heritage Act.

ASI

3. CHL 2 is important historic rural route and former Indigenous trail, which has been previously identified in the Pelham Heritage Master Plan, and in Section B2.2.7 of the Official Plan. CHL 2 maintains a strong connection to the historic settlement patterns of East Fenwick and to the built heritage resources found along the road. CHL 2 should be studied for designation or recognition as a Cultural Heritage Landscape, under Part V of the Ontario Heritage Act, or through an Official Plan Amendment.

4. CHL 1 is an important historic rural route, characterized by little or no shoulder, no formal ditches, no sidewalks, no curbs, relatively slow, low traffic levels, and mature roadside vegetation. These attributes facilitate pedestrian and cycling activity. CHL 1 acts as a boundary road between the urban and rural areas of East Fenwick. CHL1 should be studied for recognition as a Heritage Route under D4.2.2.6 of the Official Plan.

5. Alternative road and pedestrian realm improvement approaches to conserve and enhance the road corridors and alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties should be considered for CHL 1 and CHL 2 as a part of the secondary plan process. A gradual transition from the urban boundary to the rural areas to the north should be considered for CHL 1.

6. BHRs 2, 8, 16 and 20 contain heritage features that are good candidates for conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, it is expected that these properties may be subject to impacts as a result of future development or land use changes. A Heritage Impact Assessment should be completed for the subject properties.

7. CHLs 1-2 and BHRs 1- 2, 4-21 may be altered as a result of changes in land use, future development, road widening and/or improvements and pedestrian realm improvements. Upon the completion of a proposed land use plan resulting from the secondary plan process, the heritage impacts should be assessed, including the development of specific mitigation measures.

ARCHAEOLOGICAL SERVICES INC.

PROJECT PERSONNEL

Senior Project Manager:	Rebecca Sciarra, MA, CAHP Partner and Director, Business Services
Project Manager:	Lauren Archer, BA Cultural Heritage Specialist, Cultural Heritage Division
Project Administrator:	Carol Bella, Hons BA Research Archaeologist and Administrative Assistant
Fieldwork Assistant:	Laura Wickett, BA (Hon), Dip. Heritage Conservation Cultural Heritage Assistant, Cultural Heritage Division
Report Preparation:	Lauren Archer
	Laura Wickett
Graphics:	Jonas Fernandez, MA Geomatics Specialist
Report Reviewer:	Rebecca Sciarra

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1.0 INTRODUCTION

ASI was retained by SGL Planning & Design Inc. on behalf of the Town of Pelham to conduct a Cultural Heritage Resource Assessment (CHRA) Study for the East Fenwick study area in the Town of Pelham, Ontario (Figure 1). The project involves a built heritage and cultural heritage landscape assessment of the subject lands in order to assist the Town of Pelham in the preparation of the East Fenwick Secondary Plan. The aim of this assessment is to guide future development within the 235 acre area of the East Fenwick community.

The purpose of the CHRA report is to describe the existing conditions of the study area, present a built heritage and cultural landscape inventory of cultural heritage resources, and propose appropriate mitigation measures and recommendations for minimizing and avoiding negative impacts on identified cultural heritage resources. The assessment was completed by Lauren Archer, Cultural Heritage Specialist in the Cultural Heritage Division at ASI.



Figure 1: Location of the East Fenwick study area

2.0 BUILT HERITAGE RESOURCE AND CULTURAL HERITAGE LANDSCAPE ASSESSMENT CONTEXT

2.1 Legislation and Policy Context

The authority to request this heritage assessment arises from Section 2 (d) of the *Planning Act*. The *Planning Act* (1990) and related *Provincial Policy Statement* (*PPS*), which was updated in 2014, make a number of provisions relating to heritage conservation. One of the general purposes of the *Planning Act* is to integrate matters of provincial interest in provincial and municipal planning decisions. In order to

inform all those involved in planning activities of the scope of these matters of provincial interest, Section 2 of the *Planning Act* provides an extensive listing. These matters of provincial interest shall be regarded when certain authorities, including the council of a municipality, carry out their responsibilities under the *Act*. One of these provincial interests is directly concerned with:

> 2.(d) the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest

Part 4.7 of the *PPS* states that:

> The official plan is the most important vehicle for implementation of this Provincial Policy Statement. Comprehensive, integrated and long-term planning is best achieved through official plans.
>
> Official plans shall identify provincial interests and set out appropriate land use designations and policies. To determine the significance of some natural heritage features and other resources, evaluation may be required.
>
> Official plans should also coordinate cross-boundary matters to complement the actions of other planning authorities and promote mutually beneficial solutions. Official plans shall provide clear, reasonable and attainable policies to protect provincial interests and direct development to suitable areas.
>
> In order to protect provincial interests, planning authorities shall keep their official plans up-to-date with this Provincial Policy Statement. The policies of this Provincial Policy Statement continue to apply after adoption and approval of an official plan.

Those policies of particular relevance for the conservation of heritage features are contained in Section 2- Wise Use and Management of Resources, wherein Subsection 2.6 - Cultural Heritage and Archaeological Resources, makes the following provisions:

> 2.6.1 Significant built heritage resources and significant cultural heritage landscapes shall be conserved.

A number of definitions that have specific meanings for use in a policy context accompany the policy statement. These definitions include built heritage resources and cultural heritage landscapes.

A *built heritage resource* is defined as: "a building, structure, monument, installation or any manufactured remnant that contributes to a property's cultural heritage value or interest as identified by a community, including an Aboriginal community" (PPS 2014).

A *cultural heritage landscape* is defined as "a defined geographical area that may have been modified by human activity and is identified as having cultural heritage value or interest by a community, including an Aboriginal community. The area may involve features such as structures, spaces, archaeological sites or natural elements that are valued together for their interrelationship, meaning or association" (PPS 2014). Examples may include, but are not limited to farmscapes, historic settlements, parks, gardens, battlefields, mainstreets and neighbourhoods, cemeteries, trailways, and industrial complexes of cultural heritage value.

In addition, significance is also more generally defined. It is assigned a specific meaning according to the subject matter or policy context, such as wetlands or ecologically important areas. With regard to cultural heritage and archaeology resources, resources of significance are those that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people (*PPS* 2014).

Criteria for determining significance for the resources are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation (*PPS* 2014).

Accordingly, the foregoing guidelines and relevant policy statement were used to guide the scope and methodology of the cultural heritage assessment.

2.2 Town of Pelham Policies Regarding Cultural Heritage

The Town of Pelham provides cultural heritage policies in Section D4 of its Official Plan (2012). Cultural heritage policies relevant to this assessment are provided below:

> D4.2.1 Cultural Heritage Impact Statements
>
> Council may require the submission of a Heritage Impact Assessment (HIA) to support an application for development if the affected lands are the site of an identified cultural heritage resource or are located in close proximity to an identified cultural heritage resource. The intent of the HIA is to determine what impacts the development will have on the resource and whether the application for development will conform to the goals, objectives and policies of this Plan.
>
> D4.2.2.1 Built Heritage Register
>
> Under Section 27 of the Ontario Heritage Act, the Town must maintain a register of all designated properties, but Council may also include on the register, properties that have not been designated but that Council believes to be of cultural heritage value or interest.
>
> D4.2.2.2 Cultural Heritage Landscape Register
>
> In accordance with the Ontario Heritage Act, the Town must also prepare an inventory of cultural heritage landscapes. Landscapes such as existing rural and agricultural areas, historic hamlets, and heritage roads will be identified in the inventory. A cultural heritage landscape is a defined geographical area of heritage significance that has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place.
>
> The Town of Pelham also has a Heritage Master Plan, which was completed in August 2012. The Heritage Master Plan guides the Town's plans for finding, assessing, conserving and celebrating heritage resources. It encourages development that respects the heritage character of Pelham, recommends policies for inclusion in the Town's Official Plan and provides priorities and timelines for the Town's actions in heritage conservation.

D4.2.2.6 Heritage Routes

Council supports the development of Heritage Routes that weave through the Town's Rural Area, providing linkages for hiking, cycling, and car touring and highlighting cultural heritage resources. Selected Heritage Routes are to be identified in consultation with the Pelham Municipal Heritage Committee.

In support of developing the Heritage Routes, Council shall endeavour to:

a) Prepare streetscape guidelines or standards to protect cultural heritage features and resources along heritage routes. The design guidelines will provide protection for existing trees and landscape features, and will ensure that the general heritage appeal and viewscapes are protected and enhanced;
b) Coordinate clear and consistent signage along the Heritage Routes that may serve wayfinding and/or educational purposes;
c) Cooperate with the Region, adjacent municipalities, and the Wine Council of Ontario to ensure Heritage Route signage is coordinated with any other local signage (e.g. for Wine Routes);
d) Support the development of appropriate scenic lookouts and other complementary uses along Heritage Routes, provided that such uses:

i) Are small in scale;
ii) Are in keeping with, and complementary to the passive recreational character of the Route;
iii) Have no negative impacts on the surrounding public and/or private land uses;
iv) Have no negative impacts on the natural environment or on cultural heritage resources; and v) Will not require the extension of the municipal water supply or sanitary sewage services.
e) Enhance cycling and driving conditions along the Heritage Route corridors where appropriate, including through the provision of bicycle lanes in accordance with the Niagara Region Bicycling Network. Wherever possible, linkages to other recreational driving routes and cycling/hiking trails in the Region should be achieved.

To support the tourism role of Heritage Routes, the Town will promote the Heritage Routes and request that the Niagara Economic and Tourism Corporation include the Pelham Heritage Routes in its promotional materials and activities.

Section B2 of the Official Plan addresses Rural Area Designations, section B2.2 Specialty Agricultural includes the identification of the Canboro Road Corridor as a special area in the Town of Pelham:

B2.2.7 The Canboro Road Corridor

The Canboro Road corridor is an important transportation linkage between Downtown Fenwick and Fonthill and is considered to be an area of significant potential for enhancement as a rural promenade characterized by public parks and spaces geared to pedestrians and cyclists, as well as the promotion of agricultural based tourism and accessory commercial uses. In an effort to encourage and foster land use that contributes to the identity of a promenade, the Zoning By-law may establish site-specific provisions for agricultural–related and secondary uses along this corridor. In addition, the Canboro Road corridor between Fenwick and Fonthill shall be defined

as a Community Improvement Plan study area should Council wish to use the provisions of a Community Improvement Plan to foster and enhance this area as a promenade and tourist destination.

2.3 East Fenwick Secondary Plan Context

The Town of Pelham Council has identified the development of a Secondary Plan for East Fenwick as a priority. The Secondary Plan will guide future growth and development in East Fenwick, including the greenfield area. The Secondary Plan will be adopted by Town Council and approved by the Region of Niagara.

The project goals are to develop a Secondary Plan for the East Fenwick urban area that will provide the framework:

- for permitting new development compatible with the character of Fenwick and consistent with Provincial, Regional and Local planning policies and legislation;
- to establish appropriate land use designations and policies that will support the future development of East Fenwick for an appropriate and compatible mix of uses, local services and community infrastructure;
- to identify existing transportation and infrastructure, i.e. water, sanitary and storm services, available in and around the study area and upgrades that may be required to the systems to support the Secondary Plan;
- to establish a system of public space areas and linkages with natural heritage areas;
- to provide for an implementation and phasing plan;
- to establish design guidelines for built form and public realm development that is consistent with the policy objectives of the Secondary Plan and the provision of well-designed attractive; and accessible public spaces that prioritize the pedestrian experience.

The study area includes that area within the urban area boundary of Fenwick that is bounded by Memorial Drive to the north, Balfour Street to the west, land on the south side of Welland Road to a depth of approximately 120m to the south and Cream Street to the east and comprises approximately 95 ha (235 acres). Canboro Road bisects the study area and is identified as an arterial road and Welland Road along the south boundary is considered to be a collector road with all the other streets being local roads.

The lands are designated Urban Living Area/Built Boundary with the majority of the area identified within the Greenfield Overlay and a portion of the area is designated Environmental Protection Three in the Town Official Plan. The Official Plan also identifies provincially significant wetlands, woodlands and deer wintering area within the study area. Also, the study area is included within an area designated as being part of a highly vulnerable aquifer. The Region of Niagara Official Plan also identifies a significant portion of the Secondary Plan area as a designated greenfield area with the remainder as built up along with environmental protection and environmental conservation areas relating to provincially significant wetlands and significant woodlands.

2.4 Data Collection

In the course of the cultural heritage assessment, all potentially affected cultural heritage resources within the study area are subject to inventory. Short form names are usually applied to each resource type, (e.g. barn, residence). Generally, when conducting a preliminary identification of cultural heritage resources,

three stages of research and data collection are undertaken to appropriately establish the potential for and existence of cultural heritage resources in a particular geographic area.

Background historic research, which includes consultation of primary and secondary source research and historic mapping, is undertaken to identify early settlement patterns and broad agents or themes of change in a study area. This stage in the data collection process enables the researcher to determine the presence of sensitive heritage areas that correspond to nineteenth and twentieth century settlement and development patterns. To augment data collected during this stage of the research process, federal, provincial, and municipal databases and/or agencies are consulted to obtain information about specific properties that have been previously identified and/or designated as retaining cultural heritage value. Typically, resources identified during these stages of the research process are reflective of particular architectural styles, associated with an important person, place, or event, and contribute to the contextual facets of a particular place, neighbourhood, or intersection.

A field review is then undertaken to confirm the location and condition of previously identified cultural heritage resources. The field review is also utilized to identify cultural heritage resources that have not been previously identified on federal, provincial, or municipal databases.

Several investigative criteria are utilized during the field review to appropriately identify new cultural heritage resources. These investigative criteria are derived from provincial guidelines, definitions, and past experience. A built structure or landscape is identified as a cultural heritage resource that should be considered during the course of the assessment, if the resource meets a combination of the following criteria:

- It is 40 years or older;
- It is a rare, unique, representative or early example of a style, type, expression, material or construction method;
- It displays a high degree of craftsmanship or artistic merit;
- It demonstrates a high degree of technical or scientific achievement;
- The site and/or structure retains original stylistic features and has not been irreversibly altered so as to destroy its integrity;
- It has a direct association with a theme, event, belief, person, activity, organization, or institution that is significant to: the Town of Pelham; the Province of Ontario; Canada; or the world heritage list;
- It yields, or had the potential to yield, information that contributes to an understanding of: the Town of Pelham; the Province of Ontario; Canada; or the world heritage list;
- It demonstrates or reflects the work or ideas of an architect, artist builder, designer, or theorist who is significant to: the Town of Pelham; the Province of Ontario; Canada; or the world heritage list;
- It is important in defining, maintaining, or supporting the character of an area;
- It is physically, functionally, visually, or historically linked to its surroundings;
- It is a landmark;
- It illustrates a significant phase in the development of the community or a major change or turning point in the community's history;
- The landscape contains a structure other than a building (fencing, culvert, public art, statue, etc.) that is associated with the history or daily life of that area or region; or
- There is evidence of previous historic and/or existing agricultural practices (e.g. terracing, deforestation, complex water canalization, apple orchards, vineyards, etc.).

If a resource satisfies an appropriate combination of these criteria, it will be identified as a cultural heritage resource and is subject to further research where appropriate and when feasible. Typically, further historical research and consultation is required to determine the specific significance of the identified cultural heritage resource. When identifying cultural heritage landscapes, the following categories are typically utilized for the purposes of the classification during the field review:

Farmscapes:	comprise two or more buildings, one of which must be a farmhouse or barn, and may include a tree-lined drive, tree windbreaks, fences, domestic gardens and small orchards.
Roadscapes:	generally two-lanes in width with absence of shoulders or narrow shoulders only, ditches, tree lines, bridges, culverts and other associated features.
Waterscapes:	waterway features that contribute to the overall character of the cultural heritage landscape, usually in relation to their influence on historic development and settlement patterns.
Railscapes:	active or inactive railway lines or railway rights of way and associated features.
Historical Settlements:	groupings of two or more structures with a commonly applied name.
Streetscapes:	generally consists of a paved road found in a more urban setting, and may include a series of houses that would have been built in the same time period.
Historical Agricultural Landscapes:	generally comprises a historically rooted settlement and farming pattern that reflects a recognizable arrangement of fields within a lot and may have associated agricultural outbuildings and structures
Cemeteries:	land used for the burial of human remains.

3.0 HISTORICAL CONTEXT

3.1 Introduction

This section provides a brief summary of historical research and a description of both previously identified above ground cultural heritage resources as well as cultural heritage resources that have been identified through fieldwork, which may be affected by the proposed undertaking. A review of available primary and secondary source material was undertaken to produce a contextual overview of the study area, including a general description of Euro-Canadian settlement and land use. Historically, the study area is located in the Former Township of Pelham, Welland County in the following lots:

- Lots 12 and 13, Concession 9-10

3.2 Natural Heritage, Geography and Physiography

East Fenwick is situated within the Haldimand Clay Plain physiographic region of southern Ontario (Chapman and Putnam 1984: 156–159). The Haldimand Clay Plain physiographic region, an area of approximately 3,500 square kilometres, comprises the majority of the Niagara Peninsula south of the Niagara Escarpment, the limestone bluffs of which channeled early settlement, especially in the Short Hills, along Twelve Mile Creek.

In the last Ice Age, the region was entirely submerged by glacial Lake Warren which now consists of predominantly glaciolacustrine clay overburden. The depth and even the presence of this clay overburden varies from place to place, and there are many relatively distinct sub-areas of the region. Predominant native vegetation at time of settlement included a mixed hardwood/coniferous climax forest of American Chestnut, White Pine, White and Red Oak, Beech, Sugar Maple, Black and White Ash (Cruickshank, 1887: 290). The study area is located between the watersheds of the Welland River to the south, and Fifteen Mile Creek to the north. The Fonthill Kame is recognized as a proglacial delta of the ancient Lake Warren. The Fonthill Kame influences the climate of Pelham by sheltering it from the winds from the southwest. This provides good growing conditions for fruit crops, including the vines that supply the local wine industry. It is also mined for sand and gravel. The best growing soil is in the area flanking Canboro Road between Fenwick and Fonthill, in the Fonthill Kame, which is optimal for fruit production.

The area is representative of a number of Carolinian species and is home to over 500 bog, valley, and meadow plant species The habitat within the Kame is also well suited for a variety of animal species including the white-tailed deer, opossum, red fox, and meadow voles. It also serves as a feeding and sanctuary area for wood ducks, green-winged teals, mallard and black ducks, and great blue herons. The Fonthill Kame is also home to some rare and threatened species including the spotted salamander, red-backed salamander, pickerel frog, pileated woodpecker, and the spotted turtle. Also prevalent are rare plant species including ginseng, broak-beech fern, flowering dogwood, black walnut, swamp white oak, sassafras, tulip tree and the cucumber tree. (Niagara Greenbelt, 2016)

3.3 Indigenous Land Use

The lands with the East Fenwick study area have a cultural history which begins approximately 11,000 years ago and continues to the present. Although East Fenwick does not appear to have been occupied by aboriginal groups on any permanent basis, it has primarily been used by early Indigenous people as an important travel route, through which parties of Indigenous peoples passed during certain times of the year. The land did not offer sufficient resources to support year-round occupation. Based on an inventory of documented archaeological sites, it appears that the extensive clay plains of the mid-peninsular area may have prevented Iroquoian peoples from establishing villages in this area (BRAY Heritage 2011). The majority of archaeological material from the pre-contact period represents the remains of small camps occupied for short periods of time as people moved throughout their territories on a seasonal basis. Oral narratives identify Canboro Road as an old Indigenous trail, along with Lundy's Lane (to the east) and the Talbot Road (to the west), which both connect with the Canboro Road (Brehault 1968: 14). A few small component sites may represent the traces of parties travelling between the major clusters of large Neutral settlements in the Hamilton-Brantford-Grimsby area to the west and the Fort Erie-Port Colborne area to the east (BRAY Heritage 2011).

3.4 Township Survey and Settlement

3.4.1 County of Welland

From 1841 to 1851 the entire Niagara Peninsula comprised a single county municipality, administered by a District Council whose headquarters were located at Niagara-on-the-Lake. During that time Welland County was part of Lincoln County, one of the nineteen counties created by Upper Canada's first Lieutenant-Governor, John Graves Simcoe, in 1792. (Mika and Mika 1977)

In 1851 the southern section of the district broke away to be governed by a provisional council under Warden John Fraser. The town of Welland, then known as Merrittsville, was chosen as the county seat in 1854, and here the first Welland County Council met at the new county buildings on August 18, 1856. (Mika and Mika 1977)

Welland County's early settlers were United Empire Loyalists who came to the area during and after the American Revolutionary War. Many of them were disbanded soldiers of "Butler's" Rangers, a corps of Loyalist refugees raised by Lt. Col. John Butler and led by him in numerous forays from the Niagara Peninsula into rebel territory. The building of the first Welland Canal in the 1820's stimulated the growth of settlements in the area. (Mika and Mika 1977)

3.4.2 Township of Pelham

Located centrally within the Niagara Peninsula, the Town of Pelham was, until January 1, 1970, the Township of Pelham. At that time its main centres of population were Fonthill, Ridgeville, Fenwick, and North Pelham. The Welland River forms the southern boundary of the town and Highway 20 cuts laterally across the area. The Toronto, Hamilton and Buffalo Railway runs across the southern portion of the town. (Mika and Mika 1977)

Settlement of the region began about 1784, the earliest inhabitants including David Secord, George Hansler, Jacob Reece, John Wenger, Samuel Beckett-Willson, John Crowe, A. Overholt, T. Page and T. Rice, as well as settlers Disher, Wilson, Miller, Nunn, Jennings, Foss and Oille. Many of these were Quakers from Pennsylvania and other parts of the United States. (Mika and Mika 1977)

Fonthill was originally known as Riceville, then Osborne's Corners, and Temperanceville, before receiving the name Fonthill in 1850. A post office was established in 1841 under the name of Pelham. John Price was first postmaster. A Baptist church was built in 1846, and the Fonthill Grammar School in 1856. Industries at Fonthill included the Fonthill Nurseries, established in 1837. The area continues to be an important area for fruit crops today. (Mika and Mika 1977)

By 1886 The Township of Pelham contained two woollen mills, three post offices, seven churches, ten public schools, and at least one nursery. Railway travel came to Pelham in 1853 when a Great Western Railway train made its first journey from Hamilton to Queenston.
On January 1, 1970 Pelham Township became the Town of Pelham. The region's rich soil and temperate climate support the growth of fruit and other cash crops. (Mika and Mika 1977)

3.4.3 Village of Fenwick

Situated on the historic Canboro Road, Fenwick was originally a police village in Pelham Township, Welland County. In 1970 Lincoln and Welland Counties were amalgamated to form the Regional Municipality of Niagara, and Fenwick was joined to the Village of Fonthill and the Township of Pelham and became a part of the newly created Town of Pelham. The town is situated in a rich market gardening and fruit-producing area. Prior to annexation, the population of Fenwick was 737. (Mika and Mika 1977)

Fenwick was first settled in the early 1790s, when it was known as Diffin's Corners. In 1853 a post office opened in the settlement and the name officially changed to Fenwick, likely in honour of a British nobleman. Sometime in the 1860s the settlement was incorporated as a police village. (Mika and Mika 1977)

Many of the original settlers in the area were United Empire Loyalists and Quakers who had emigrated from Pennsylvania and New Jersey. The early churches of Fenwick included the Episcopalian Methodist and the New Connexion Methodist. In 1977 there were three churches in Fenwick, the United Church, whose history began in 1835, with the present building erected in 1900, the Church of Christ, and St. Ann's Roman Catholic Church. In 1955 the Polish congregation built the latter church and services were conducted in Polish. (Mika and Mika 1977)

Fenwick had two hotels, the usual small businesses necessary to serve a pioneering community, and later, an Oddfellow's Hall, and the Lion's Club, which, in more recent times officially opened Centennial Park. Memorial School was named for the much respected Ed. Farr, an early school teacher. The Fenwick Fall Fair, under the auspices of the Pelham Township Agricultural Society, was held in Fenwick in the middle 1850s. Excursion trains brought people from Fort Erie, Hamilton and Toronto. Early industries in Fenwick included an apple-drying factory, a spinning mill, a sawmill, a cooperage and several blacksmith shops (Mika and Mika 1977).

3.4.4 Canboro Road Corridor

The Canboro Road, (sometimes “Canborough”, or the “Great West Road”), was the route along which the first settlements in Pelham were established, which initially centered around coach stops/inns, but also around early institutions. Historic mapping suggests that the Canboro Road was not actually surveyed and improved as a road until the 1840s (Cruikshank 1887: 293). Oral narratives identify Canboro Road as an old Indigenous trail, along with Lundy’s Lane (to the east) and the Talbot Road (to the west), which both connect with the Canboro Road (Brehault 1968: 14). The best growing soil is in Pelham flanking Canboro Road between Fenwick and Fonthill, within the Fonthill Kame, and is optimal for fruit production. Canboro Road runs diagonally through the historically surveyed roads that together form the historic road network which together formed the early infrastructure of Fenwick, and connected the area regionally. Additional historic corridors within the study area include Memorial Drive and Welland Road.

The Canboro Road Corridor has been identified as an important historic scenic route and grouping of heritage resources in the Town of Pelham Heritage Master Plan (BRAY Heritage 2012). Character defining elements include its diagonal alignment cutting across the concession grid, the component communities, including Fenwick, the cemeteries and community buildings along the road and the mature roadside vegetation. The Canboro Road Corridor benefits from slow traffic speeds and low-medium volumes of vehicular traffic. The large roadside trees and adjacent buildings provide the elements of a scenic drive and set it apart from roads that serve as traffic arteries (BRAY Heritage 2012).

3.5 Review of Historic Mapping

A number of property owners and historical features are illustrated within the study area within the 1862 *Tremaine Map of the Counties of Lincoln and Welland* and the 1880 *Illustrated Historical Atlas of the Township of Pelham*. It should be noted, however, that not all features of interest were mapped systematically in the Ontario series of historical atlases, given that they were financed by subscription, and subscribers were given preference with regard to the level of detail provided on the maps. Moreover, not every feature of interest would have been within the scope of the atlases. Table 1 provides a summary of early land owners and tenants, as well as identified historical features.

Historic mapping within the 1862 *Tremaine Map of the Counties of Lincoln and Welland* (Figure 2) confirmed that the study area was a rural, agricultural landscape in the mid-nineteenth century. In addition, historic map analysis demonstrates that that Memorial Drive, Balfour Street, Welland Road, Cream Street and Canboro Road were surveyed prior to 1859. The maps reviewed record the names of owners/occupants of properties within the study area, as well as the location and arrangement of residences, farmhouses, churches, schools and other key resources. The map depicts the location of the historic settlement area of Fenwick, to the west of the study area, including the Fenwick Post Office.

By 1880, the *Illustrated Historical Atlas of the Township of Pelham* (Figure 3) indicates that several properties have changed hands, and have been severed, however, the area is still a predominantly rural agricultural area. Farmsteads with farmhouses and orchards exist on many properties, and a church exists at the intersection Canboro Road and Belfour Street. The map depicts the course of a tributary of the Welland River. The historic settlement area of Fenwick, to the west, has experienced some growth at the intersection of Canboro Road and Welland Road.

National Topographic Survey (NTS) mapping from 1907, 1920, and 1938 as well as aerial photography from 1954 illustrates the development of the study area over the course of the early twentieth century. Generally, this mapping demonstrates a period of steady but limited growth of the historic settlement area of Fenwick east along Canboro Road. The area largely retains its rural agricultural character to the current day. Alder Crescent and Sunset Crescent are both later developments, occurring after 1954 but before 2007.

In the National Topographic Survey (NTS) mapping from1907 (Figure 4), light development of farmhouses and residences exists along Canboro Road, Cream Street, and to a lesser extent Welland Road and Memorial Drive. The historic settlement of Fenwick has grown along Canboro Road and north to Maple Street. This level of development stays consistent in the 1920 National Topographic Survey (NTS) mapping. The 1920 mapping indicates that (Figure 5) the area retains its rural agricultural character, very little changes in the study area.

In the National Topographic Survey (NTS) mapping from 1938 (Figure 6), the area retains its rural agricultural character. However, the historic settlement of Fenwick, along Canboro Road, has experienced steady but significant growth, increasing in density until Belfour Road, which was the traditional urban boundary of Fenwick. Additional residential development has also occurred along Cream Street and Welland Road.

In the Digital Aerial Photograph of Southern Ontario from 1954 (Figure 7), the area retains its rural agricultural character. Very little development has occurred beyond the historic agricultural and rural hamlet historic settlement patterns of Fenwick.

Table 1: Nineteenth-century Property Owners and Historical Features in the Study Area

Location		Tremaine		Illustrated Atlas	
Con	Lot	Owner(s)/Tenant(s)	Historical Feature(s)	Owner(s)/Tenant(s)	Historical Feature(s)
9	12	T.C. J.D. J. Fell J. Wellson J. Crow	Buildings (1) (Along Canboro Road)	E.S. W.M. Mrs. B J.S. A.B. B.F.	Buildings (5)(Along Canboro Road) Buildings (6)
	13	E.Mch. R. Farr G.W. Wulers J. Hicks	Buildings (1)	D.F.S. R.F. R. Farr C. Reece Geo. Cplar T.H.	Farmsteads (4), Orchards (4)
10	12	U. Rice J. Fliey G. Castle	Buildings (3)	T. Scanton	Farmstead (1), Building (1) Orchard (1)
	13	Geo. Waters	n/a	D. Leppert	Farmstead (1), Orchards (2)

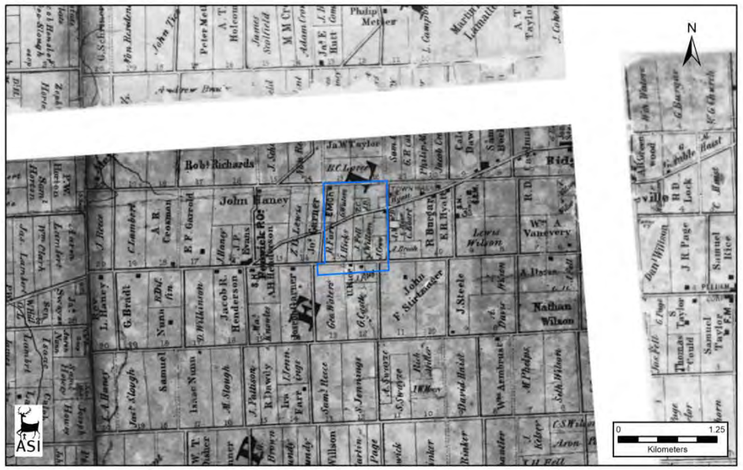


Figure 2: 1862 Tremaine's Map of the Counties of Lincoln and Welland
(Source: Tremaine 1862)

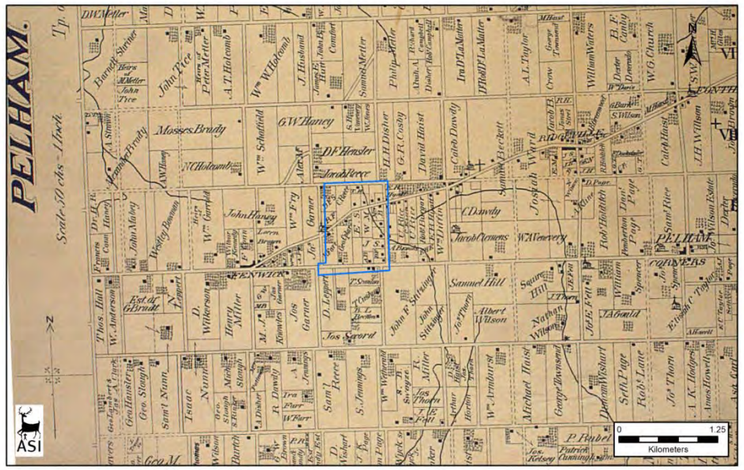


Figure 3: 1880 *Historic Atlas Map of Pelham* Township
(Source: Pope 1880)

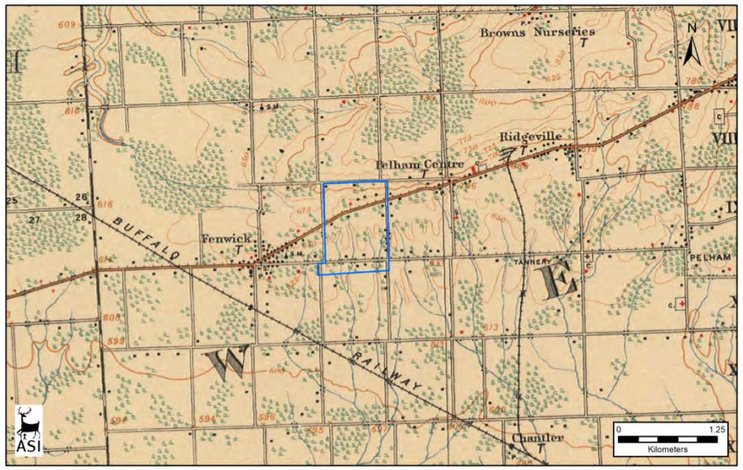


Figure 4: 1907 National Topographic Survey (NTS)
(Source: NTS 1907)

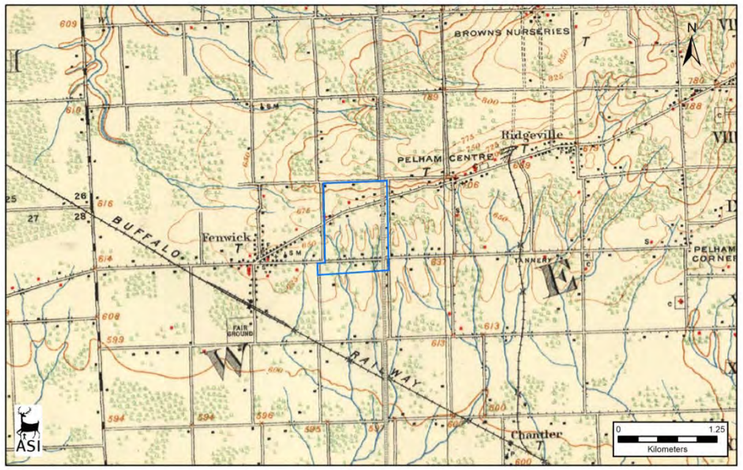


Figure 5: 1920 National Topographic Survey (NTS)
(Source: NTS 1920)

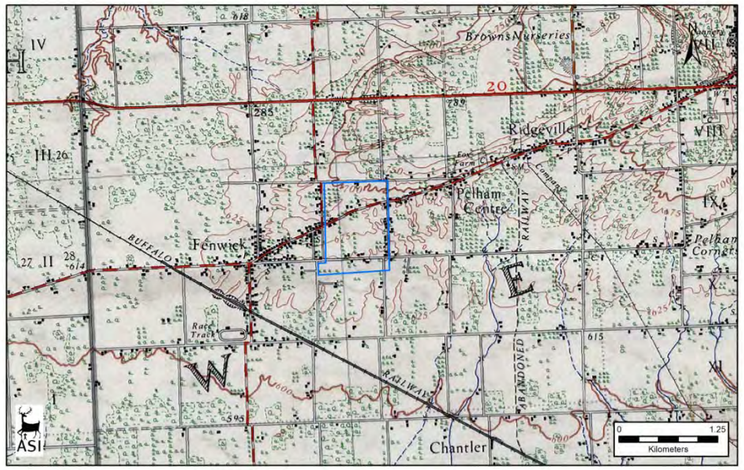


Figure 6: 1938 National Topographic Survey (NTS)
(Source: NTS 1938)



Figure 7: 1954 Aerial Photograph
(Source: Hunting Survey Corporation 1954)

4.0 DATA COLLECTION RESULTS

In order to make a preliminary identification of existing built heritage resources and cultural heritage landscapes within the study area and to collect any relevant information, the Town of Pelham's Municipal Register of Cultural Heritage Resources was consulted, including:

- Town of Pelham Municipal Register of Cultural Heritage Resources (2016)
- Niagara Region GIS Navigator, Heritage Designation layer (2016) (https://maps-beta.niagararegion.ca/Navigator/)
- Pelham Historical Society Collection and Archives, at the Fenwick Branch of the Pelham Public Library, in consultation with the Society Archivist, Mary Lamb, including the Pnyx Historical Calendar Collection (http://vitacollections.ca/pelhamlocalhistory/results?q=pnyx&st=kw)

Other resources consulted for the preliminary identification of cultural heritage resources within the study area included:

- The Ontario Heritage Trust's Ontario Heritage Plaque Guide, an online, searchable database of Ontario Heritage Plaques[1]
- the Federal Heritage Buildings Review Office (FHBRO) [these properties are recognized under the Treasury Board Policy on the Management of Real Property (TBPMRP)][2]
- Park's Canada's *Canada's Historic Places* website: available online[3], the searchable register provides information on historic places recognized for their heritage value at the local, provincial, territorial and national levels.
- Parks Canada website (national historic sites)[4]

In addition, municipal staff at the Town of Pelham was contacted to gather any relevant information regarding cultural heritage resources and concerns within the study area (by email communication, May 24th 2017).

A field review was undertaken by ASI on July 5, 2017 to document the existing conditions of the study area. The field review was preceded by a review of available, current, and historical aerial photographs and maps (including online sources such as Bing and Google maps). The existing conditions of the study area are described below. Identified cultural heritage resources are discussed in Table 2 and Table 3 and mapped in Figure 12 of this report.

4.1 East Fenwick Secondary Plan – Existing Conditions

The study area includes that area within the urban area boundary of Fenwick that is bounded by Memorial Drive to the north, Balfour Street to the west, land on the south side of Welland Road to a depth of approximately 120m to the south and Cream Street to the east and comprises approximately 95 ha (235 acres). Canboro Road bisects the study area and is identified as an arterial road and Welland Road along the south boundary is considered to be a collector road with all the other streets being local roads. As a

[1] http://www.heritagetrust.on.ca/Resources-and-Learning/Online-Plaque-Guide.aspx [Accessed 24 October 2016]
[2] http://www.pc.gc.ca/progs/beefp-fhbro/roles/beefp-fhbro.aspx [Accessed 24 October 2016]
[3] http://www.historicplaces.ca/en/home-accueil.aspx (accessed 24 October 2016).
[4] http://www.pc.gc.ca/eng/progs/lhn-nhs/index.aspx [Accessed 24 October 2016]

part of the East Fenwick Secondary Plan, new zoning and land-use designations will be proposed for the area. The area is historically predominantly rural agricultural, and this agricultural character is still reflected in the existing conditions.

4.1.1 Character Areas

Prior to the identification of potentially significant cultural heritage landscapes, lands within the study area were classified into character areas in order to understand the predominant character and development patterns of the landscapes and streetscapes of East Fenwick (See Figure 8 in Appendix A). Identification of a character area does not necessarily indicate or confirm the presence of significant built heritage resources or cultural heritage landscapes.

Character areas share a consistent pattern of:

- Built form, such as architectural style, building height, building age, or setback;
- Streetscape features, road width, paving type, shoulders, ditches, sidewalks, streetlights;
- Landscape features, such as lot size, vegetation, topography, tree species, tree lines;
- And/or development pattern or history.

Seven distinct character areas have been identified:

- Traditional Agricultural Character Area
- Single Family Residential Infill Character Area
- Sunset Drive Development Character Area
- Alder Crescent Character Area
- Canboro Road Character Area
- Canboro Road Historic Scenic Road
- Memorial Drive Historic Scenic Road

Traditional Agricultural Character Area

This area includes properties in the interior of the study area, including the majority of properties to the north of Welland Road, as well as select properties to the north of Canboro Road, and to the south of Memorial Drive. These lands have traditionally been used as agricultural fields, or have been associated with former farms or early agricultural development, and currently retain this use or evidence of this use. The character attributes of this area include open, rolling and hilly terrain, the Fonthill Kame, agricultural fields, treelines, historic fence lines, black walnut trees and wild grapes. This area includes lands identified as being a part of the Canboro Road Provincially Significant Wetland. Part of the properties identified as BHR 2, BHR 8 and BHR 21 are located within this character area. This area has not been identified as a cultural heritage landscape (CHL).

Single Family Residential Infill Character Area

This area includes Cream Street and Welland Road as well as properties immediately adjacent to Cream Street, Memorial Drive and the south side of Welland Road. These lands have been developed gradually over time, and include primarily single family residences built between the nineteenth century and the present, with the majority of the buildings being built after 1964. They maintain a consistent, but varied setback, including front yards and driveways. These homes are typically 1-3 storeys, and include a variety

of architectural styles, consistent with the development pattern of gradual infill. Almost all of the residences face the street. Cream Street, Memorial Drive, and to a lesser extent, Welland Road, maintain a more rural streetscape, including little or no shoulder, few ditches, no sidewalks, no curbs, and relatively slow, low traffic levels. Properties along Memorial Drive and Cream Street which are located adjacent to or within the Canboro Road Provincially Significant Wetland incorporate the natural landscape and features. The properties identified as BHRs 4, 5, 14, 15, 16, 18, 19 and 20 are located within this character area. This area has not been identified as a cultural heritage landscape (CHL).

Sunset Drive Development Character Area

This area includes Sunset Drive, as well as property immediately adjacent to Sunset Drive. Sunset drive was surveyed as a road circa 1960, and the agricultural lands on either site were subdivided and sold as individual lots for residential development. The majority of the residences within the study area were built between 1960 and 1980, and consist of architectural styles typical of this era. Homes are typically 1-2 stories, with large lot sizes, varied setbacks, mature trees and vegetation, driveways and front yards. Sunset Drive is a narrow road with no painted lines, shoulder, sidewalks, or ditches, with street lights and above ground power lines. Sunset drive connects Canboro Road and Memorial Drive, however, it is not a straight road, but curves gradually, back and forth. No BHRs have been identified within this character area. This area has not been identified as a cultural heritage landscape (CHL).

Alder Crescent Character Area

This area includes Adler Crescent, as well as well as property immediately adjacent to Adler Crescent. Adler Crescent is a recent contemporary sub division, built circa 2000, consisting of a crescent shaped roadway, large estate lots, and very large 1-4 storey single family residences. No BHRs have been identified within this character area. This area has not been identified as a cultural heritage landscape (CHL).

Canboro Road Character Area

This area includes properties immediately adjacent to Canboro Road. Canboro Road is a former Indigenous trail, which was used extensively for early travel and settlement. A clear pattern of development appears in topographic and air photos, growing out of Fenwick along Canboro Road, towards the former historic settlement area of Pelham Centre. These lands were developed gradually over time, and include primarily single family residences built between the nineteenth century and the present, with the majority of the buildings being built before 1973. They maintain a consistent, but varied setback, including front yards and driveways. These homes are typically 1-3 storeys, and include a variety of architectural styles, consistent with the development pattern of gradual infill. All of the residences face the street. A collection of properties identified as built heritage resources have been identified within this character area, including BHRs 1, 2, and 6-13 are located within this character area. This area has not been identified as a cultural heritage landscape (CHL), although it is located directly adjacent to the Canboro Road Historic Scenic Road (CHL 2). Built heritage resources along Canboro Road contribute to the heritage character of CHL 2.

Canboro Road Historic Scenic Road

This area includes the Canboro Road corridor and runs diagonally through the centre of East Fenwick. Canboro Road is a former Indigenous trail, which was used extensively for early travel and settlement. The Canboro Road Corridor has been identified as an important historic scenic route and grouping of heritage resources in the Town of Pelham Heritage Master Plan (2012). Character attributes include its

diagonal alignment cutting across the concession grid, its connection to component communities, including Fenwick and Pelham Centre, the historic rural character of the street, including little or no shoulder, few ditches, few sidewalks, no curbs, and relatively slow, low traffic levels, and the mature roadside vegetation. Canboro Road benefits from slow traffic speeds and low-medium volumes of vehicular traffic. The large roadside trees and adjacent buildings provide the elements of a scenic drive and set it apart from roads that serve as traffic arteries. A collection of properties identified as built heritage resources have been identified adjacent to this character area, including BHRs 1, 2, and 6-13 are located within this character area. This area has been identified as a cultural heritage landscape (CHL 1) and retains cultural heritage value.

Memorial Drive Historic Scenic Road

This area includes the Memorial Drive corridor, a historically surveyed road. The area consists of a straight, undivided paved road with an east-west orientation. The topography is fairly flat with some gently rolling hills. The historic rural character of the street includes little or no shoulder, few ditches, no sidewalks, no curbs, and relatively slow, low traffic levels, and the mature roadside vegetation. The roadway is lined with hydro poles and mature trees. Memorial Drive is located adjacent to the Canboro Road Provincially Significant Wetland, and this is reflected in the natural landscape and mature vegetation adjacent to the road. Memorial Drive benefits from slow traffic speeds and low-medium volumes of vehicular traffic. This creates an environment that facilitates pedestrian and cycling activity, which contributes to the character of the area. Memorial drive also acts as the transition road between the urban boundary and the rural areas to the north. A gradual, and cohesive transition currently exists between these two areas. No BHRs have been identified within or adjacent to this character area. This area has been identified as a cultural heritage landscape (CHL 1) and retains cultural heritage value.

4.1.2 Summary of Public Consultation Results

On June 21, 2017, SGL associates, led by Ute Maya-Giambattista, conducted a presentation and workshop to the St. Ann Catholic Elementary School regarding the East Fenwick Secondary Plan. The aim of the workshop was to obtain student input regarding the key features that make Fenwick a great community and the desired development features for Fenwick's growth. The students identified preserving the community's greenspaces, wildlife and trail-system, maintaining the community's small-town and agricultural feel, creating safe sidewalks and bike paths and creating more parks for the community as important.

On June 22, 2017, Town staff members and the consulting team assembled at the Village of Fenwick's Fire Station 2 to conduct a Visioning Workshop regarding the East Fenwick Secondary Plan. The workshop aimed to obtain public input regarding the type of development most appropriate for the Village, and the types of community features most desired by the residents. In general, members of the public were concerned with the implications of the Secondary Plan with regards to development in the community, including concern for environmental preservation of trees, wildlife, the need for maintaining Fenwick's small-town feel and the impacts of projected traffic counts based on Provincial minimum density requirements, and forecasted population growth as a result of development in the Secondary Plan study area.

The results of these public consultation sessions were considered as part of the cultural heritage analysis presented in this report, and through identification of the pedestrian-friendly historic rural routes, historic settlement patterns, and the contribution of natural heritage to the development and character of East Fenwick.

4.2 East Fenwick Secondary Plan – Identified Cultural Heritage Resources

Based on the results of the background research, character area analysis, and field review, there are 23 cultural heritage resources within and adjacent to the study area, including: two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties. See Table 2 for a summary of built heritage resources and cultural heritage landscapes and Table 4 in Appendix B for a detailed description of these identified resources. See Figure 9 in Appendix B for detailed mapping. Built heritage resources are mapped to the property parcel, however, further analysis is required to determine the boundaries of each resource's significant heritage attributes.

Table 2: Summary of Built Heritage Resources (BHR) and Cultural Heritage Landscapes (CHL) in the Study Area

Feature ID	Location	Recognition	Description/Comments
CHL 1	Memorial Drive, between Balfour Street and Cream Street	Identified during field review	Approximately 815 m long portion of a straight, undivided paved road with an east-west orientation. Located in a transition area between urban and rural boundaries. Lined with mature trees and hydro poles, the character of the adjacent landscape ranges from residential houses, to farm fields, to brush and woodland.
CHL 2	Canboro Road, between Balfour Street and Cream Street	Identified in the Pelham Heritage Master Plan, and in section B2.2.7 of the Official Plan.	Approximately 860 m long portion of a two-lane paved road with a diagonal orientation running southwest to northeast. The road cuts through a rural agricultural area. Lined with mature trees and hydro poles, the majority of this road section is flanked by residential houses, but there are also fields and stretches of open green space.
BHR 1	695 Canboro Rd.	Listed	2.5-storey red brick church building built in 1886. Converted into apartments in the mid twentieth century.
BHR 2	655 Canboro Rd.	Listed	Two-storey, red brick Gothic Revival-style residential building built in 18712. A garage is located to the west of the house.
BHR 3	704 Canboro Rd.	Listed	Two-storey red brick Edwardian-style school building built in 1927 with large mid-century brick additions. Converted into apartments in the 1970s. Property contains a large parking lot.
BHR 4	1159 Cream St.	Listed	Two-storey Folk Victorian-style frame residential building clad in siding, built in 1870 as the home of John Crow.
BHR 5	606 Canboro Rd.	Identified during field review	1.5-storey L-shaped stucco residential cottage with a side addition.
BHR 6	607 Canboro Rd.	Identified during field review	1.5-storey frame residential building with board and batten siding. Original rectangular house has an addition similar in size and materials.
BHR 7	615 Canboro Rd.	Identified during field review	One-storey frame residential cottage clad in board and batten siding with a rear addition. A garage is located east of the house.
BHR 8	645 Canboro Rd.	Identified during field review	Two-storey frame residential building clad in siding. The property contains outbuildings and farm fields.
BHR 9	668 Canboro Rd.	Identified during field review	1.5-storey frame residential building clad in vinyl siding. An outbuilding is located behind the house.
BHR 10	675 Canboro Rd.	Identified during field review	1.5-storey frame residential building clad in aluminum siding with a rear addition. Outbuildings are located behind the house.

Table 2: Summary of Built Heritage Resources (BHR) and Cultural Heritage Landscapes (CHL) in the Study Area

Feature ID	Location	Recognition	Description/Comments
BHR 11	687 Canboro Rd.	Identified during field review	Two-storey frame residential building clad in vinyl siding. A garage has been added to the west side of the house.
BHR 12	688 Canboro Rd.	Identified during field review	Two-storey frame residential building clad in siding. A garage is located to the east of the house.
BHR 13	691 Canboro Rd.	Identified during field review	1.5-storey frame residential building clad in vinyl siding, with a rear addition. A large barn is located east of the house.
BHR 14	1108 Cream St.	Identified during field review	1.5-storey frame residential cottage built c. 1879. Clad in siding, with a large single storey addition on the south side.
BHR 15	1118 Cream St.	Identified during field review	1.5-storey Victorian frame residential building clad in siding.
BHR 16	1128 Cream St.	Identified during field review	1.5-storey frame residential building clad in siding.
BHR 17	1162 Cream St.	Identified during field review	1.5-storey frame residential building clad in siding with a brick-clad addition on the north side
BHR 18	578 Welland Rd.	Identified during field review	2-storey frame residential building clad in siding. A garage is located to the east of the house.
BHR 19	630 Welland Rd.	Identified during field review	1.5-storey frame residential building clad in siding, with a single-storey extension on the west side. A garage is located to the east of the house.
BHR 20	646 Welland Rd.	Identified during field review	1.5-storey frame residential building clad in vinyl siding, with a large addition at the rear.
BHR 21	663 Welland Rd.	Identified during field review	One-storey, frame residential building clad in vinyl siding. A garage is located northeast of the house.

4.3 East Fenwick Secondary Plan – Preliminary Impact Analysis

Development activities have the potential to affect cultural heritage resources in a variety of ways, and as such, appropriate mitigation measures need to be considered prior to the development of preferred land uses. Appropriate mitigation measures will be developed upon the selection of a preferred alternative for the subject secondary plan, including land uses, development, road and pedestrian realm improvements, and other recommendations resulting from the secondary plan process. A preliminary heritage impact analysis has been included below in Table 3 to inform the secondary plan process.

Table 3: Potential Impacts of Secondary Plan Land Uses on Identified CHLs and BHRs

Feature ID	Description	Potential Impact	Mitigation Approaches
CHL 1	Memorial Drive CHL	• Alteration or removal of heritage attributes due to: o Road widening o Loss of mature vegetation o Increased traffic volumes o Pedestrian realm improvements o Road improvements o Incompatible development adjacent to resource o Loss of gradual transition from urban boundary to rural area	• Study for recognition of Memorial Drive as a Heritage Route under D4.2.2.6 of the OP is recommended. • Consideration of alternative road and pedestrian realm improvement approaches to conserve and enhance the corridor. • Consideration of alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties, and encourage a gradual transition from the urban boundary to the rural areas to the north. • Heritage impact analysis of proposed land use plan, once a preferred alternative has been developed, with the development of

Table 3: Potential Impacts of Secondary Plan Land Uses on Identified CHLs and BHRs			
Feature ID	**Description**	**Potential Impact**	**Mitigation Approaches**
			specific mitigation measures.
CHL 2	Canboro Road CHL	• Alteration or removal of heritage attributes due to: o Road widening o Loss of mature vegetation o Increased traffic volumes o Pedestrian realm improvements o Road improvements o Incompatible development adjacent to resource	• Study for designation or recognition of the Canboro Road Corridor as a Cultural Heritage Landscape, through Part V of the OHA or through an OPA is recommended. • Consideration of alternative road and pedestrian realm improvement approaches to conserve and enhance the corridor. • Consideration of alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties. • Heritage impact analysis of proposed land use plan, once a preferred alternative has been developed, with the development of specific mitigation measures.
BHR 2, 8, 16 and 20	655 Canboro Rd., 645 Canboro Rd., 1128 Cream St., and 646 Welland Rd.	• Alteration or demolition of property, related to future development and road widening and improvements and/or pedestrian realm improvements	• Properties contain heritage features that are good candidates for conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, it is expected that these properties may be subject to impacts. • Heritage Impact Assessments should be completed for the subject properties, to confirm the cultural heritage value of the property, and assess the impacts of the proposed work. • Heritage impact analysis of proposed land use plan should be completed once a preferred alternative has been developed, with the development of specific mitigation measures.
BHRs 1, 5-7, 9-15, 17-19, and 21	Built Heritage Resources	• Alteration of properties, related to road widening and improvements and/or pedestrian realm improvements	• Properties contain heritage features that may, upon further investigation, warrant conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, impacts to the subject properties are not anticipated by proposed land use changes. • Heritage impact analysis of proposed land use plan should be completed once a preferred alternative has been developed, with the development of specific mitigation measures. • Should future development propose alteration or demolition of the identified resources, a Heritage Impact Assessment should be completed, to confirm the cultural heritage value of the property, and assess the impacts of the proposed work.
BHR 3	704 Canboro Rd	• Outside of study area, no anticipated impacts	• No further work required for the Secondary Plan.

Table 3: Potential Impacts of Secondary Plan Land Uses on Identified CHLs and BHRs			
Feature ID	**Description**	**Potential Impact**	**Mitigation Approaches**
			• Should future development propose alteration or demolition of the identified resource, a Heritage Impact Assessment should be completed, to confirm the cultural heritage value of the property, and assess the impacts of the proposed work.
BHR 4	1159 Cream St.	• Alteration to property related to road widening and improvements and/or pedestrian realm improvements	• Recognition through Part IV designation under Ontario Heritage Act is recommended. • Should future development propose alteration or demolition of the identified resource, a Heritage Impact Assessment should be completed, to confirm the cultural heritage value of the property, and assess the impacts of the proposed work.

5.0 CONCLUSIONS

The results of the background historical research and a review of secondary source material, including historical mapping revealed a study area with a rural land use history dating back to the early nineteenth century. The field review and character area analysis confirmed that this area retains a number of nineteenth- and twentieth-century cultural heritage resources. The following provides a summary of the assessment results:

Key Findings

- A total of 23 cultural heritage resources were identified within and/or adjacent to the East Fenwick Secondary Plan study area;
- These resources include two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties.
- Identified cultural heritage resources are historically, architecturally, and contextually significant rural and agricultural properties and landscapes, which have emerged from their physiographic and natural heritage contextual setting, and contribute to consistent land use patterns within the East Fenwick Secondary Plan study area.

Preliminary Impact Assessment

All 23 cultural heritage resources identified within the study area were assessed for potential impacts, and the following provides a summary of impact screening results:

- BHR 3 is located outside of the study area, and no impacts are anticipated, accordingly, no further work for this property is required for this property as a part of the East Fenwick Secondary Plan.
- BHR 4 is located outside of the study area, but may be altered as a result of road widening and/or improvements and/or pedestrian realm improvements. Designation under Part IV of the Ontario Heritage Act is recommended for this property. The heritage impact of the proposed land use plan, resulting from the secondary plan process, should be assessed once a preferred alternative

has been developed, including the development of specific mitigation measures. A Heritage Impact Assessment should be completed should any additional alterations or demolition be proposed for the property.

- BHRs 2, 8, 16 and 20 contain heritage features that are good candidates for conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, it is expected that these properties may be subject to impacts, through alteration or possible demolition, as a result of future development or land use changes, road widening and/or improvements and/or pedestrian realm improvements. A Heritage Impact Assessment should be completed for the subject properties. The heritage impact of the proposed land use plan resulting from the secondary plan process should be completed, once a preferred alternative has been developed, with the development of specific mitigation measures.

- BHRs 1, 5-7, 9-15, 17-19, and 21 may be altered as a result of road widening and/or improvements and/or pedestrian realm improvements. The heritage impact of the proposed land use plan resulting from the secondary plan process should be assessed, once a preferred alternative has been developed, including the development of specific mitigation measures. A Heritage Impact Assessment should be completed to confirm the cultural heritage value of these properties should any additional alterations or demolition be proposed for the property.

- CHL 2 is important historic rural route and former Indigenous trail, which has been previously identified in the Pelham Heritage Master Plan, and in Section B2.2.7 of the Official Plan. CHL 2 maintains a strong connection to the historic settlement patterns of East Fenwick and to the built heritage resources found along the road. CHL 2 is recommended to be studied for designation or recognition as a Cultural Heritage Landscape, through Part V of the Ontario Heritage Act or through an Official Plan Amendment. CHL2 may be impacted by the alteration or removal of heritage attributes due to: Road widening, loss of mature vegetation, increased traffic volumes or speeds, pedestrian realm improvements, road improvements, and incompatible development adjacent to resource. The heritage impact of the proposed land use plan resulting from the secondary plan process should be assessed, once a preferred alternative has been developed, including the development of specific mitigation measures. Alternative road and pedestrian realm improvement approaches to conserve and enhance the corridor and alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties should be considered for CHL 2 as a part of the secondary plan process.

- CHL 1 is an important historic rural route, characterized by little or no shoulder, no formal ditches, no sidewalks, no curbs, relatively slow, low traffic levels, and mature roadside vegetation. These attributes facilitate pedestrian and cycling activity. CHL 1 acts as a boundary road between the urban and rural areas of East Fenwick. CHL 1 is recommended to be studied for recognition as a Heritage Route under D4.2.2.6 of the Official Plan.CHL 1 may be impacted by the alteration or removal of heritage attributes due to: Road widening, loss of mature vegetation, increased traffic volumes or speeds, pedestrian realm improvements, road improvements, incompatible development adjacent to resource and the loss of the gradual transition from urban boundary to rural area. The heritage impact of the proposed land use plan resulting from the secondary plan process should be assessed once a preferred alternative has been developed, including the development of specific mitigation measures. Alternative road and pedestrian realm improvement approaches to conserve and enhance the corridor and alternative development and land use approaches that conserve and enhance the landscape and encourage a gradual transition

from the urban boundary to the rural areas to the north should be considered for CHL 1, as a part of the secondary plan process.

6.0 RECOMMENDATIONS

The background research, data collection, and field review conducted for the study area determined that there are two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties within the East Fenwick Secondary Plan study area. These cultural heritage resources combine to create a study area with a rural land use history dating back to the mid-nineteenth century, which has emerged from the unique physiographic and natural heritage contextual setting. As a result of the research and analysis found in this report, the identified cultural heritage resources are strong candidates for conservation and integration into future land uses in the secondary plan area, or should be subject to cultural heritage impact statements during subsequent development planning applications.

As part of the development of policies for the East Fenwick Secondary Plan, the following mitigation measures and/or alternative development approaches should be incorporated to reduce the potential for adverse impacts to the cultural heritage resources in the area. Common mitigation protocols may include, but are not limited to, the following and are suitable for consideration and application for minimizing impacts on cultural heritage resources:

- Avoidance and mitigation to allow development to proceed while retaining the cultural heritage resources in situ and intact;
- Adaptive re-use of a built heritage structure or cultural heritage resources;
- Alternative development approaches to conserve and enhance a significant heritage resource;
- Avoidance protocols to isolating development and land alterations to minimize impacts on significant built and natural features and vistas;
- Historical commemoration of the cultural heritage of a property/structure/area, historical commemoration by way of interpretive plaques;
- Documentation and salvage including the relocation of a structure or (as a last resort) the salvaging of its architectural components may be considered;
- Architectural design guidelines for buildings on adjacent and nearby lots to help integrate and harmonize mass, setback, setting, and materials;
- Limiting height and density of buildings on adjacent and nearby lots;
- Ensuring compatible lot patterns, situating parks and storm water ponds near a heritage resource;
- Vegetation buffer zones, tree planting, site plan control and other planning mechanisms;
- Allowing only compatible infill and additions;
- Preparation of cultural heritage impact assessments for all developments affecting a cultural heritage resource;
- Preparation of conservation, restoration and adaptive reuse plans as necessary;
- Heritage Designation, Heritage Conservation Easement; and
- Preparation of security plan and/or letter of credit to help ensure security and protection of heritage resources.

Based on the results of the assessment, the following recommendations have been developed:

1. A total of 23 cultural heritage resources were identified within and/or adjacent to the East Fenwick Secondary Plan study area, which include two cultural heritage landscapes, three residential/farmscape properties and 18 residential properties. The East Fenwick Secondary Plan

should incorporate policies that ensure the long-term viability and presence of significant built heritage resources and cultural heritage landscapes.

2. BHR 4 should be considered for designation under Part IV of the Ontario Heritage Act.

3. CHL 2 is important historic rural route and former Indigenous trail, which has been previously identified in the Pelham Heritage Master Plan, and in Section B2.2.7 of the Official Plan. CHL 2 maintains a strong connection to the historic settlement patterns of East Fenwick and to the built heritage resources found along the road. CHL 2 should be studied for designation or recognition as a Cultural Heritage Landscape, under Part V of the Ontario Heritage Act, or through an Official Plan Amendment.

4. CHL 1 is an important historic rural route, characterized by little or no shoulder, no formal ditches, no sidewalks, no curbs, relatively slow, low traffic levels, and mature roadside vegetation. These attributes facilitate pedestrian and cycling activity. CHL 1 acts as a boundary road between the urban and rural areas of East Fenwick. CHL1 should be studied for recognition as a Heritage Route under D4.2.2.6 of the Official Plan.

5. Alternative road and pedestrian realm improvement approaches to conserve and enhance the road corridors and alternative development and land use approaches that conserve and enhance the landscape and built form character of adjacent properties should be considered for CHL 1 and CHL 2 as a part of the secondary plan process. A gradual transition from the urban boundary to the rural areas to the north should be considered for CHL 1.

6. BHRs 2, 8, 16 and 20 contain heritage features that are good candidates for conservation. Based on a review of the East Fenwick Secondary Plan Area Conceptual Tertiary Plan, prepared by Upper Canada Consultants in 2010, and consideration of properties then shown to be owned by a developer's group, it is expected that these properties may be subject to impacts as a result of future development or land use changes. A Heritage Impact Assessment should be completed for the subject properties.

7. CHLs 1-2 and BHRs 1- 2, 4-21 may be altered as a result of changes in land use, future development, road widening and/or improvements and pedestrian realm improvements. Upon the completion of a proposed land use plan resulting from the secondary plan process, the heritage impacts should be assessed, including the development of specific mitigation measures.

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Appendix A: *Major Participating Landowners.* Copy on file with ASI.

APPENDIX A: Character Areas Located Within the East Fenwick Secondary Plan Study Area

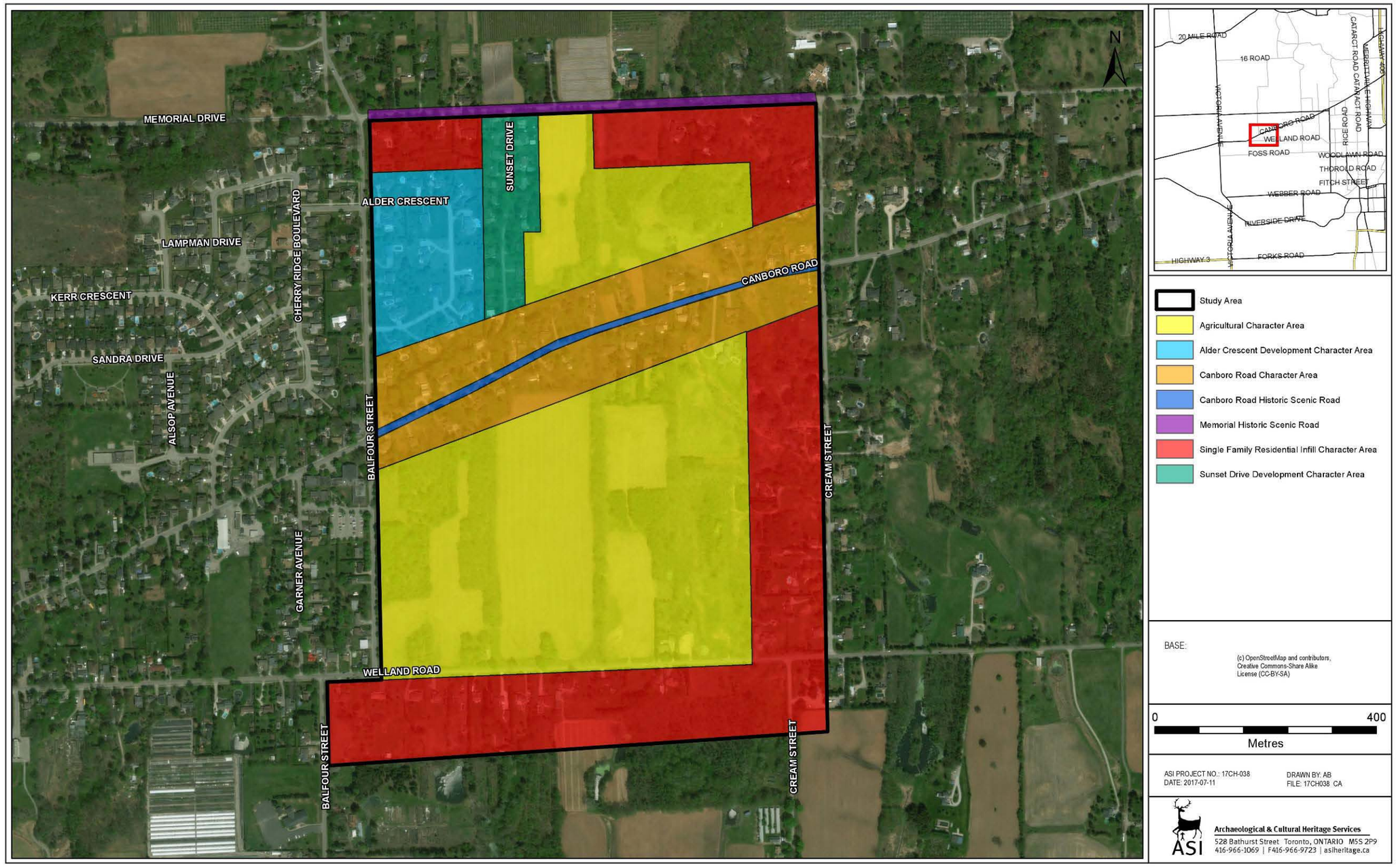


Figure 8: Location of identified Character Areas located within the East Fenwick Secondary Plan study area.

APPENDIX B: Identified Cultural Heritage Resources (CHR) Located Within the East Fenwick Secondary Plan Study Area

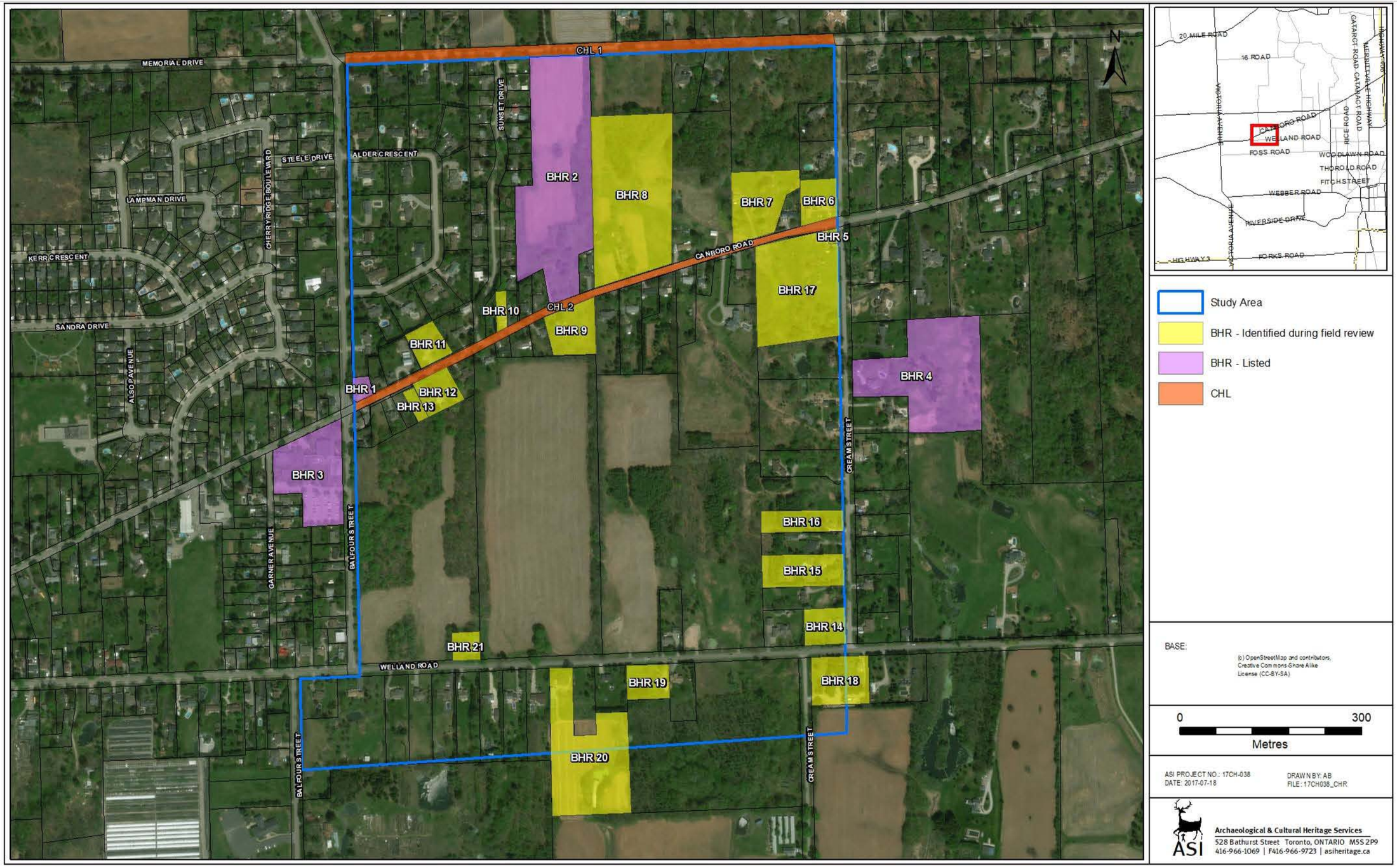


Figure 9: Location of identified Cultural Heritage Resources (CHR) located within the East Fenwick Secondary Plan study area.

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area

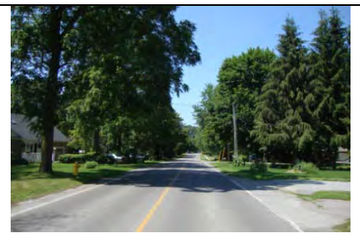
Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
CHL 1	Memorial Drive, between Balfour Street and Cream Street	Identified during field review	Cultural Heritage Landscape; Roadway and streetscape	Design: This portion (approximately 815 m) of Memorial Drive consists of a straight, undivided paved road and an east-west orientation. The topography is fairly flat with some gently rolling hills. There are no shoulders, curbs, sidewalks or formal ditches. The roadway is lined with hydro poles and mature trees. The character of the surrounding landscape along this section of road can be divided into three sections. The section west of Cream St. contains brush and woodland growing up to the edges of the road, with large homes hidden from view on large lots. The central section contains farm fields and some houses. The section east of Balfour St. contains a more dense concentration of houses. Most of the houses appear to have been built in the later twentieth century. History: A review of historic mapping reveals that Memorial Drive was an historically surveyed road, with development along it occurring slowly from the nineteenth century through to the mid twentieth century. The age of the homes along the road would indicate that the majority of the residential development occurred in the mid-to-late twentieth century. Context: Vehicle traffic along this section of road is low. Pedestrian traffic was also noted during the field visit. It is located in a transition area between urban and rural boundaries, with an expanse of agricultural lands to the north and a twenty-first-century subdivision located just southwest of the intersection of Memorial Drive and Balfour Street. This section of Memorial Drive also intersects with a small subdivision established in the 1970s on Sunset Drive.	 
CHL 2	Canboro Road, between Balfour Street and Cream Street	Identified during field review. The Canboro Road Corridor is also identified as a scenic drive in the Town of Pelham's Municipal Heritage Master Plan. It is also identified as a rural promenade in the Town of Pelham's Official Plan.	Cultural Heritage Landscape; Roadway and streetscape	Design: This portion (approximately 860 m) of Canboro Road consists of a two-lane, divided paved road with a diagonal orientation running southwest to northeast. The topography is fairly flat with some gently rolling hills. There is a narrow, paved shoulder, with no curbs and no formal ditches. A narrow sidewalk is located on the north side of the road for approximately 200 metres in the eastern-most part of the study area. The roadway is lined with hydro poles and mature trees. The majority of this road section is flanked by residential houses, but there are also fields and stretches of open green space. The houses along the road are a mix of ages and have varying setbacks. There are a number of nineteenth century farmhouses. History: The Canboro Road was the route along which the first settlements in Pelham were established. Historic mapping suggests that the Canboro Road was not actually surveyed and improved as a road until the 1840s. Oral narratives identify Canboro Road as an old Indigenous trail, along with Lundy's Lane (to the east) and the Talbot Road (to the west), which both connect with the Canboro Road. Canboro Road runs diagonally through the historically surveyed roads that together form the historic road network which together formed the early infrastructure of Fenwick, and connected the area regionally. The mix of house ages indicates that development occurred slowly along Canboro Road. Context: This section of Canboro Road cuts through a rural agricultural area, with some of the best soil for fruit production in Ontario. A twenty-first-century subdivision is located just northwest of the corner of Canboro Road and Balfour Street. The traffic speed is slow and vehicle volume is low-to-medium.	 

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area

Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 1	695 Canboro Rd.	Listed	Church, converted into apartment building	Design: A 2.5-storey red brick church building built in 1886 with a front gable roof. Two hip dormers have been added on the west side and an extension has been added on the east side. The symmetrical façade features a gabled projecting entryway and a door with sidelights and a flat transom topped with a lunette-shaped stained glass window. The first-storey has segmental windows with voussoirs. The upper storeys have semi-elliptical windows with voussoirs. The bays of the building are delineated by vertical bands of projecting brick and the frieze features decorative brickwork. A garage is located behind the building to the west. The property landscape consists mostly of a parking lot, with two exits onto Canboro Rd. History: This property is identified as belonging to "E.M." in the 1862 Tremaine's Map. R. Farr is identified as the property owner in the 1880 Historical Atlas map. Built in 1886 as the Bethany Episcopal Methodist Church. In 1902 the building was acquired by the Knox Presbyterian Church. On July 2nd 1947 the building was sold and then converted into an apartment building. Context: Located adjacent to the Canboro Rd. CHL at the northeast corner of Canboro Rd. and Balfour St., this property is in a transition area between urban and rural boundaries. A subdivision is located to the northwest, while the other surrounding areas are largely rural/agricultural.	
BHR 2	655 Canboro Rd.	Listed	Residential, farmscape	Design: Built in 1872. A two-storey, red brick Gothic Revival-style residential building with a front gable roof. A central front gable frames a single second-storey door. The first storey features two tall round-headed 2-over-2 sash windows and an off-centre entry, covered by a central porch supported by flattened columns. Bargeboard decorates the front gable and porch eaves. A garage is located to the west of the house. The property is set well back from the road and has a maintained lawn, mature plantings and an established entrance drive. The property also contains a large field behind the house. History: This property is identified as belonging to George Waters in the 1862 Tremaine's Map. C. Reece is identified as the property owner in the 1880 Historical Atlas map. Context: Located adjacent to the Canboro Rd. CHL.	
BHR 3	704 Canboro Rd.	Listed	School, converted into apartment building	Design: A two-storey red brick Edwardian-style school building built in 1927. The symmetrical, stepped façade features a projecting centre bay with quoining. The frontispiece is topped by a pediment, with a semi-circular window with moulded trim on the second storey. The front door has a flat transom and moulded trim. The first and second storeys feature a moulded cornice and flat-headed windows. The building has long brick additions added in the mid-twentieth century on the west and south sides. The property features a maintained lawn with mature trees, a small parking lot at the front and a large rear parking lot. History: Built in 1927 as the Pelham Secondary School. Served as school from 1927-1974. It was then converted into an apartment building called the Canboro Gardens. This property is identified as belonging to James Garner in the 1862 Tremaine's Map and in the 1880 Historical Atlas map. A building is identified as being in this location in the 1938 topographic map. Context: Located at the southwest corner of Canboro Rd. and Balfour St., this property is in a transition area between urban and rural boundaries. A subdivision is located to the northwest, while the other surrounding areas are largely rural/agricultural.	

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area

Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 4	1159 Cream St.	Listed	Residential	Design: A two-storey Folk Victorian-style frame residential building clad in siding, built ca. 1870. The building features a rectangular floor plan and a symmetrical façade. The central entranceway has double doors framed by a portico and second storey balcony. The one-over-one sash windows have decorative trim. The cornice features brackets and a decorated soffit. A belvedere sits atop the hip roof. The property features a semi-circular driveway, a maintained lawn and numerous mature plantings. History: No property owner is identified in the 1862 Tremaine's Map or in the 1880 Historical Atlas map, but a house is identified as being in this location in 1880. Johannes Groh (anglicized to John Crow) was a weaver who migrated from Pennsylvania in 1788 to settle in Pelham in with his wife and five children. His fifth child, Jacob Crow Sr., was a prosperous landowner who purchased this property in 1854, and it remained in the Crow family until 1914. The house (built ca. 1870) is recorded as the residence of Jacob's nephew, William Crow, who lived there with his wife, Sarah Jane (Huntsman). Their son Alandis started canning produce on the property before establishing a canning factory at 410 Canboro Rd (later the site of Lindsay Lumber and now the site of the Ridgeville Post Office). William Crow's cousin, John Bowman Crow (1821-1887), was a notable member of the Crow family who in 1859 was appointed clerk to the Township of Pelham. In 1883 he also took on the job of Township Treasurer. His son Judson C. Crow, who had been a schoolmaster, succeeded him in the post of clerk. Context: Located adjacent to the Canboro Rd. CHL.	
BHR 5	606 Canboro Rd.	Identified during field review	Residential	Design: A 1.5-storey, L-shaped stucco residential cottage with a side addition, likely built prior to 1880. The building has gable and hip roofs, an off-centre entrance, a brick chimney and flat-headed windows. It is located atop a berm at the corner of Cream St. and Canboro Rd., with a driveway accessible from both roads. The property has a maintained lawn and mature trees. History: No property owner is identified in the 1862 Tremaine's Map. "Mrs. B." is identified as the property owner in the 1880 Historical Atlas map. A house is identified as being in this location in 1880. Context: Located adjacent to the Canboro Rd. CHL., at the southwest corner of Canboro Rd. and Cream St.	
BHR 6	607 Canboro Rd.	Identified during field review	Residential	Design: A 1.5-storey frame residential building with board and batten siding, likely built prior to 1880. The building consists of two rectangular plans of similar size joined end to end with, with side gable roofs and flat-headed windows. The house is located atop a berm, with a maintained lawn, mature trees, and a driveway exiting onto Cream St. History: No property owner is identified in the 1862 Tremaine's Map or the 1880 Historical Atlas map. A house is identified as being in this location in 1880. Context: Located adjacent to the Canboro Rd. CHL., at the northwest corner of Canboro Rd. and Cream St.	
BHR 7	615 Canboro Rd.	Identified during field review	Residential	Design: A one-storey, frame residential cottage clad in board and batten siding, likely built prior to 1880. The building features a rectangular floorplan and a side gable roof. A central entry is flanked by a wide flat-headed window on one side. A garage is located to the east of the house. The buildings are set well back from Canboro Rd. and accessed by a long driveway. History: No property owner is identified in the 1862 Tremaine's Map or the 1880 Historical Atlas map. A house is identified as being in this location in 1880. Context: Located adjacent to the Canboro Rd. CHL.	

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area

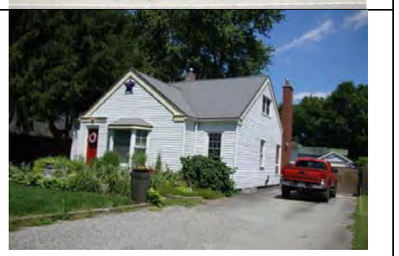
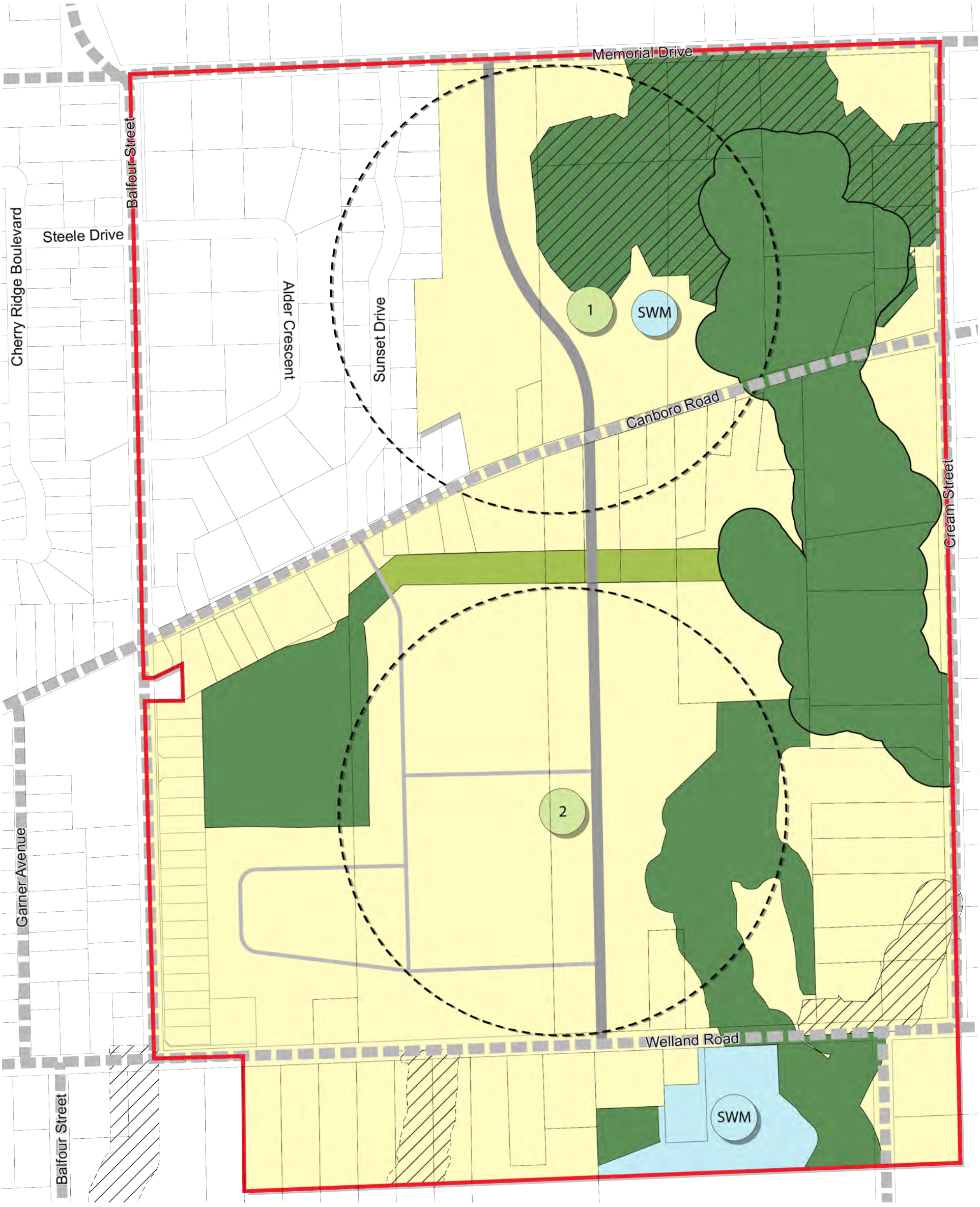
Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 8	645 Canboro Rd.	Identified during field review	Residential, farmscape	Design: A two-storey, frame residential building with a hip roof and a rectangular floorplan, likely built prior to 1880. A front porch is topped with a balcony and two symmetrical flat-headed windows with shutters on the second-storey. Paired wooden brackets are featured along the cornice. Outbuildings are located to the north and northwest of the house. The property has a maintained lawn, mature trees, an established entrance drive and farm fields. History: This property is identified as belonging to "T.C." in the 1862 Tremaine's Map. No property owner is identified in the 1880 Historical Atlas map. A house is identified as being in this location in 1880. Context: Located adjacent to the Canboro Rd. CHL. The property appears to be an active farmscape, with fields located to the east and north of the house and possible agricultural buildings located behind the house.	
BHR 9	668 Canboro Rd.	Identified during field review	Residential	Design: A 1.5-storey, frame residential building with an L-shaped plan, likely built prior to 1880. The building has flat-headed windows and a cross gable roof. The entryway features a small porch with a bell-curved roof. Small setback. An outbuilding is located directly behind the house. The property has a maintained lawn, mature trees and an established entrance drive. History: This property is identified as belonging to J. Hicks in the 1862 Tremaine's Map. George Cplar is identified as the property owner in the 1880 Historical Atlas map. A house and orchard are identified as being in this location in 1880. Context: Located adjacent to the Canboro Rd. CHL.	
BHR 10	675 Canboro Rd.	Identified during field review	Residential	Design: A 1.5-storey, frame residential building clad in aluminum siding with a cross gable roof and a rear addition, likely built between 1920 and 1938. The building has a front central gable, flat-headed windows, a central bay window and two brick chimneys. A garage and an outbuilding are located to the north of the house. The property has a maintained lawn, mature trees and an established entrance drive, with a small setback. History: This property is identified as belonging to George Waters in the 1862 Tremaine's Map. C. Reece is identified as the property owner in the 1880 Historical Atlas map. Context: Located adjacent to the Canboro Rd. CHL.	
BHR 11	687 Canboro Rd.	Identified during field review	Residential	Design: A two-storey, frame residential building clad in vinyl siding with a side gable roof, rectangular floorplan and symmetrical façade, likely built between 1907 and 1920. The building features a central entranceway with a transom, sidelights and pilasters, flanked by flat-headed windows. A garage has been added to the west side of the house. The property has a maintained lawn, mature trees and an established entrance drive. History: This property is identified as belonging to "E.M." in the 1862 Tremaine's Map. R. Farr is identified as the property owner in the 1880 Historical Atlas map. Context: Located adjacent to the Canboro Rd. CHL.	
BHR 12	688 Canboro Rd.	Identified during field review	Residential	Design: A two-storey frame residential building clad in siding, likely built prior to 1880. The building has a verandah with a central pediment, decorative turned posts and decorative moulding along the verandah roofline. A garage is located to the east of the house. The property has a maintained lawn, mature trees and an established entrance drive. History: This property is identified as belonging to R. Farr in the 1862 Tremaine's Map and in the 1880 Historical Atlas map. A house and an orchard are identified as being in this location in 1880. Context: Located adjacent to the Canboro Rd. CHL.	

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area

Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 13	691 Canboro Rd.	Identified during field review	Residential	Design: A 1.5-storey frame residential building clad in vinyl siding, with a rear addition, likely built between 1920 and 1938. The building has an L-shaped floorplan with cross gable roofs and stacked oriel windows. The entranceway is covered by a porch with a bell-curved roof, and a gable is centred over the porch. The porch features bargeboard and is supported by turned posts. The 2-over-2 sash windows are flat-headed. A large barn is located east of the house and is connected by the semi-circular driveway. The property has a maintained lawn and mature trees. History: This property is identified as belonging to R. Farr in the 1862 Tremaine's Map and in the 1880 Historical Atlas map. Context: Located adjacent to the Canboro Rd. CHL.	
BHR 14	1108 Cream St.	Identified during field review	Residential	Design: A 1.5-storey frame residential cottage built c. 1879. Clad in siding, with a large single storey addition on the south side. The original cottage features a symmetrical facade with a side gable roof, a pointed central gable and flat-headed windows. The property has a maintained lawn, mature trees and an established entrance drive. History: Rason Cottage. This property is identified as belonging to J. Crow in the 1862 Tremaine's Map. No property owner is identified in the 1880 Historical Atlas map. A house is identified as being in this location in 1880. Context: The property is located on Cream St., which is largely comprised of residential properties set back from the road within a rural/agricultural area.	
BHR 15	1118 Cream St.	Identified during field review	Residential	Design: A 1.5 storey, Victorian frame residential building clad in siding with an L-shaped floorplan, likely built prior to 1880. The building has cross gable roofs, flat-headed windows and a porch decorated with bargeboard and supported by turned posts. The property has a maintained lawn, mature trees and an established entrance drive with a large setback. History: This property is identified as belonging to J. Crow in the 1862 Tremaine's Map. "B.F" is identified as the property owner in the 1880 Historical Atlas map. A house is identified as being in this location in 1880. Context: The property is located on Cream St., which is largely comprised of residential properties set back from the road within a rural/agricultural area.	
BHR 16	1128 Cream St.	Identified during field review	Residential	Design: A 1.5-storey, frame residential building clad in siding, likely built prior to 1880. The building has a T-shaped floorplan with a cross gable roof and flat-headed windows. The entranceway is covered by a porch, and a pointed gable is centred over the porch. The property has a maintained lawn, mature trees and an established entrance drive, with a large setback. History: This property is identified as belonging to J. Crow in the 1862 Tremaine's Map. "J.S." is identified as the property owner in the 1880 Historical Atlas map. A house is identified as being in this location in 1880. Context: The property is located on Cream St., which is largely comprised of residential properties set back from the road within a rural/agricultural area.	
BHR 17	1162 Cream St.	Identified during field review	Residential	Design: A 1.5-storey frame residential building clad in siding with a brick-clad addition on the north side, likely built prior to 1880. The building has a rectangular floorplan and symmetrical façade, with a central entranceway flanked by flat-headed windows, a side gable roof and an open verandah supported by turned posts. A shed is located to the north of the house. The property has a maintained lawn, mature plantings and an established entrance drive. History: No property owner is identified in the 1862 Tremaine's Map or the 1880 Historical Atlas map. A house is identified as being in this location in 1880. Context: The property is located on Cream St., which is largely comprised of residential properties set back from the road within a rural/agricultural area.	

Table 4 Detailed description of built heritage resources (BHR) and cultural heritage landscapes (CHL) in the study area

Feature ID	Address	Heritage Status	Resource Type	Description/Comments	Photograph(s)
BHR 18	578 Welland Rd.	Identified during field review	Residential	Design: A 2-storey frame residential building clad in siding with a square floorplan, a hip roof and an external brick chimney, likely built between 1920 and 1938. The asymmetrical façade features a portico supported by columns, a second-storey balcony, and a gabled dormer. The flat-headed windows have shutters. A garage is located to the east of the house. The property has a maintained lawn, a picket fence, mature plantings and an established entrance drive. History: This property is identified as belonging to J. F. Stitzinger in the 1862 Tremaine's Map and in the 1880 Historical Atlas map. Context: The property is located near the corner of Cream St. on Welland Rd., which is largely comprised of residential properties and agricultural land.	
BHR 19	630 Welland Rd.	Identified during field review	Residential	Design: A 1.5-storey frame residential building clad in siding, with a single-storey extension on the west side, likely built prior to 1862. The building features a rectangular floor plan and a symmetrical façade. The central entranceway is flanked by flat-headed windows with shutters. The side gable roof features a central gable, and a second-storey window is centred above a porch with a bell-curve roof. A garage is located to the east of the house. The property has a maintained lawn, mature trees and an established entrance drive. History: No property owner is identified in the 1862 Tremaine's Map. A house is identified in this location in 1862. T. Scanton is identified as the property owner in the 1880 Historical Atlas map. Context: The property is located on Welland Rd., which is largely comprised of residential properties and agricultural land.	
BHR 20	646 Welland Rd.	Identified during field review	Residential, farmscape	Design: A 1.5-storey frame residential building clad in vinyl siding, with a large addition at the rear, likely built prior to 1862. The building features a symmetrical façade with a porch. The side gable roof has a central gable and the central entranceway is flanked by flat-headed windows with shutters. The property has a maintained lawn, mature trees and an established entrance drive. The property contains a field behind the house. History: This property is identified as belonging to U. Rice in the 1862 Tremaine's Map. A house is identified as being in this location in 1862. D. Leppert is identified as the property owner in the 1880 Historical Atlas map. Context: The property is located on Welland Rd., which is largely comprised of residential properties and agricultural land.	
BHR 21	663 Welland Rd.	Identified during field review	Residential	Design: A one-storey, frame residential building clad in vinyl siding, likely built between 1920 and 1938. The L-shaped floorplan has a cross gable roof. The asymmetrical façade features flat-headed windows. A garage is located northeast of the house. The property has a maintained lawn, mature trees and an established entrance drive. History: This property is identified as belonging to R. Farr in the 1862 Tremaine's Map and in the 1880 Historical Atlas map. Context: The property is located on Welland Rd., which is largely comprised of residential properties and agricultural land.	



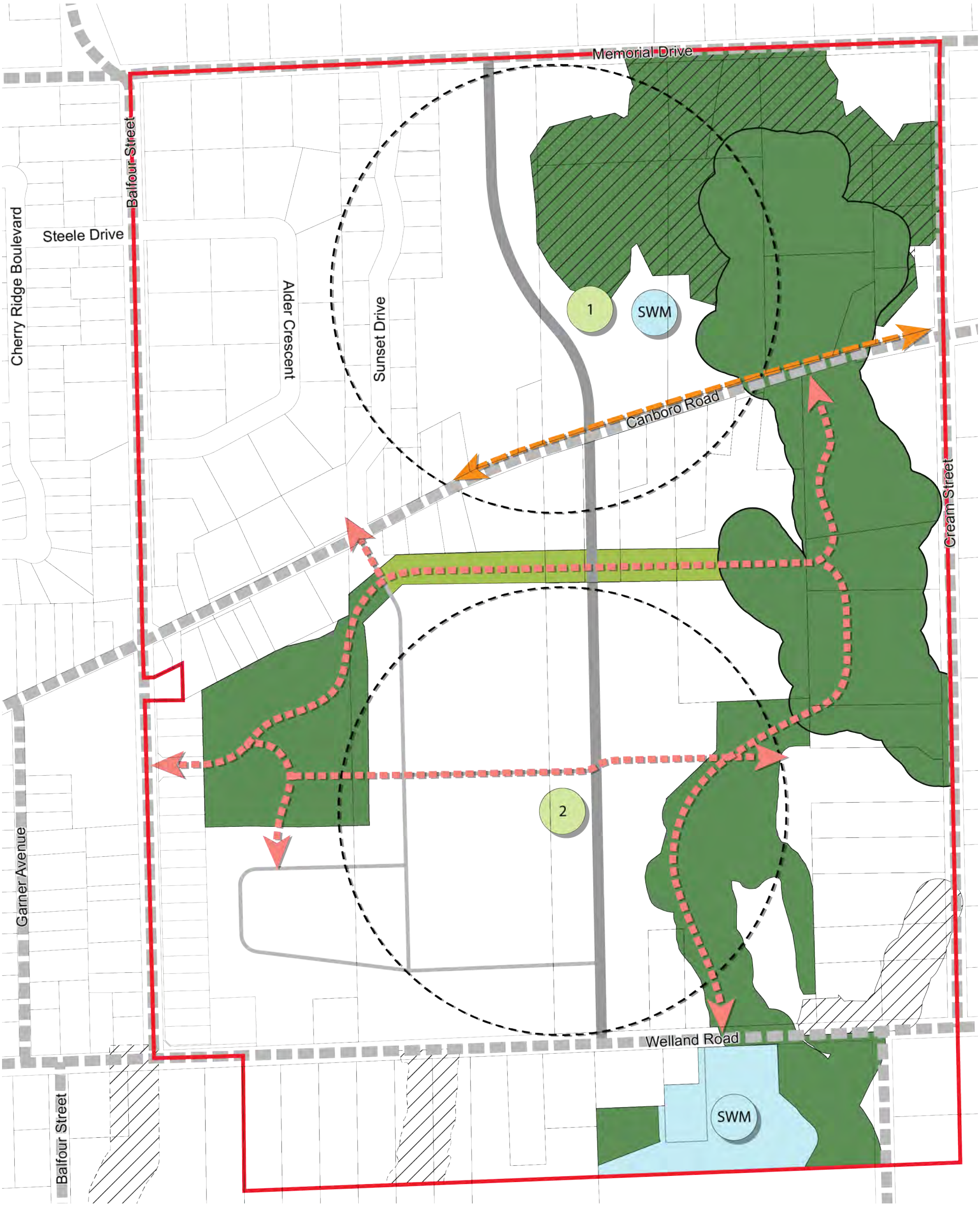
Legend

- Residential Neighbourhoods
- Greenlands System
- Environmental Linkages
- Open Space / Parkette
- Storm Water Management Facility
- Special Policy Area (Subject to EIS Study)
- 2.5 to 5-minute Walking Distance (200m-400m)
- Existing Roads
- Proposed Minor Collector
- Proposed Local Roads
- Secondary Plan Boundary

Schedule 3 East Fenwick Secondary Plan Area

Neighbourhood Structure Plan

April 2024



Schedule 3.1 East Fenwick Secondary Plan Area

Greenlands Structure Plan

April 2024

Memorial Drive
Balfour Street
Steele Drive
Cherry Ridge Boulevard
Alder Crescent
Sunset Drive
1
SWM
Canboro Road
Cream Street
2
Garner Avenue
Welland Road
Balfour Street
SWM
N
0 10 50 100 200 metres

Legend

- Greenland System
- Environmental Linkages
- Open Space / Parkette
- Stormwater Management Facility
- Special Policy Area (Subject to EIS Study)
- Existing Roads
- Existing Cycling Network
- Proposed Cycling Network
- Proposed Off-Road Cycling Network
- Canboro Road Promenade
- Proposed Minor Collector
- Proposed Local Road
- Secondary Plan Boundary

Schedule 3.2 East Fenwick Secondary Plan Area

Street Structure Plan

April 2024

Memorial Drive
Balfour Street
Steele Drive
Cherry Ridge Boulevard
Alder Crescent
Sunset Drive
Canboro Road
Cream Street
Welland Road
Garner Avenue
Balfour Street
1
SWM
2
SWM
N
0 10 50 100 200 metres

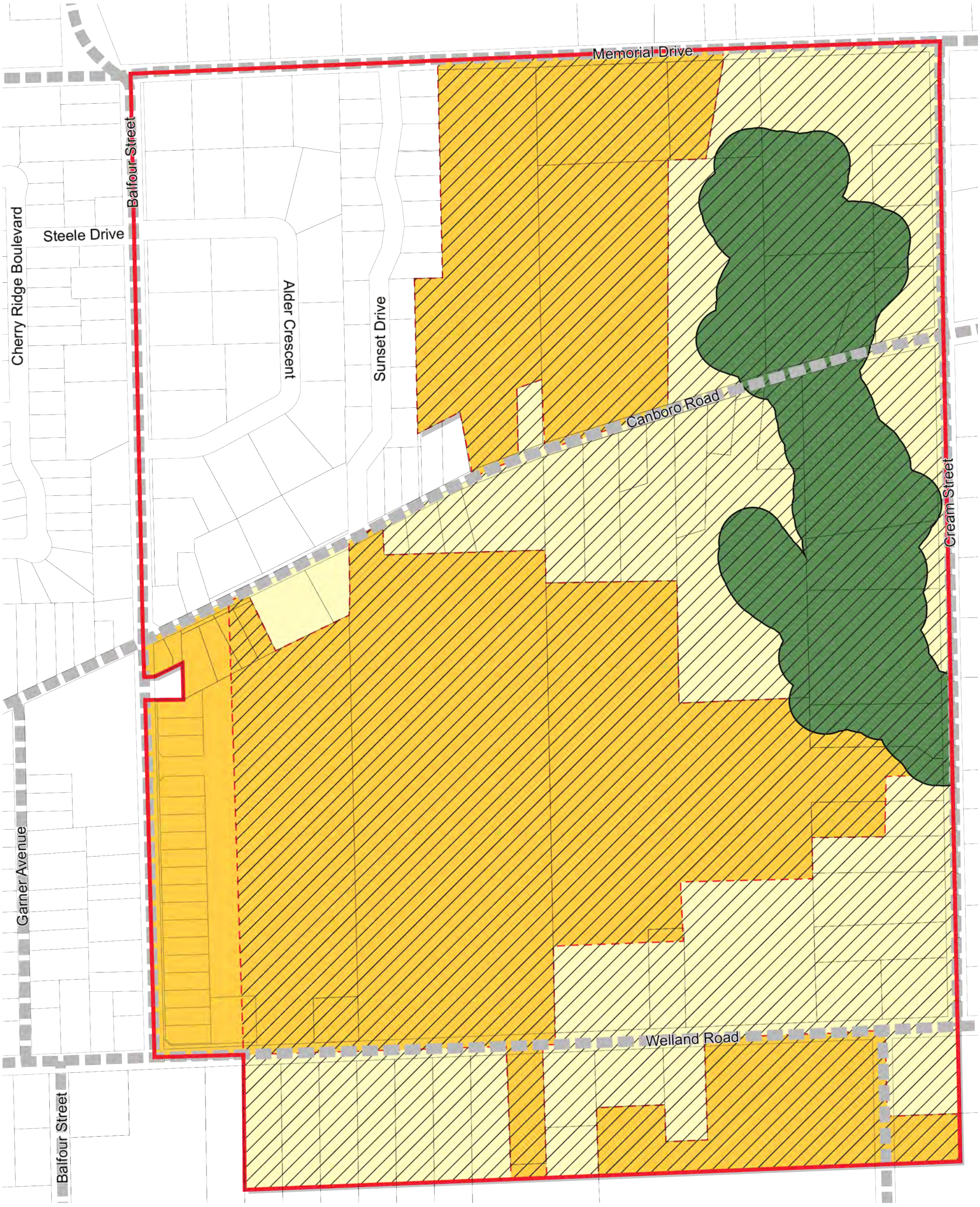
Legend

- East Fenwick Village Residential
- East Fenwick Neighbourhood Residential
- Natural Heritage System
- Environmental Linkages
- Special Policy Area (Subject to EIS Study)
- Existing Roads
- Open Space / Parkette
- Stormwater Management Facility
- Lands Subject to Policy B.1.9.8.4.2 k)
- Proposed Minor Collector
- Proposed Local Road
- Secondary Plan Boundary

Schedule 3.3 East Fenwick Secondary Plan Area

Land Use Structure Plan

April 2024



Schedule 3.4 East Fenwick Secondary Plan Area

Official Plan Designations

April 2024

Appendix 4: Urban Design

Good urban design creates attractive, memorable, and purposeful places and communities. It is a fundamental concept that involves the arrangement, appearance, and relationship between buildings, outdoor spaces, services, and amenities. Urban design should support the creation of enduring, attractive, and valued environments that are memorable and flexible and can evolve to accommodate changes in use over time.

Adaptable and well-designed *infrastructure* networks, buildings, and open spaces result in viable and attractive communities and places that support civic and economic activity and a high quality of life. To achieve a *complete community*, the urban design policies contained in this Plan apply to all *development*, land uses, and public *infrastructure* within the Town.

A4.1 Objectives

A4.1.1 Create neighbourhoods with diverse living, working, learning and playing opportunities.

A4.1.2 To build neighbourhoods that encourage *active transportation*.

A4.1.3 To showcase natural attributes as defining features of the Town's image and character.

A4.1.4 To engage in place-making by developing permanent, memorable, adaptive and flexible *infrastructure* that provides value to the community.

A4.1.5 To create inviting and accessible public spaces that promote social, cultural and economic interaction.

A4.1.6 To establish a pattern of interconnected streets and pedestrian networks in which buildings frame public spaces.

A4.1.7 To allow for various architectural styles and promote excellence in urban design that brings interest and diversity in form and architecture while responding appropriately and achieving *compatibility* with the local context.

A4.1.8 To design inclusive spaces for all, regardless of abilities.

A4.1.9 To improve the conditions for personal security within publicly inclusive spaces by designing attractive and comfortable areas while increasing the potential for informal surveillance and reducing opportunities for crime.

A4.1.10 To design spaces for mobility, including walking, cycling, transit and driving.

A4.1.11 To require urban design that reduces energy and water demand through such measures as, but not limited to, the orientation of streets and buildings and the implementation of active and passive renewable energy systems, alternative energy systems and water conservation strategies.

A4.2 Sustainable Urban Design

A4.2.1 The design of the site and building *development* will support energy efficiency and water conservation by using alternative or renewable energy systems, building orientation, sustainable building design, low-impact stormwater infiltration systems, drought-resistant landscaping, and other similar measures.

A4.2.2 New *development* should be integrated with the existing topography to maintain the area's physical character and minimize the amount of grading and filling required.

A4.2.3 New residential neighbourhoods should be designed to ensure that most residents live within a 10-minute walk of amenities such as parks and open space areas, commercial, grocery, retail uses, and transit, where available.

A4.3 *Low impact development* Design

A4.3.1 With the goal of replicating the existing hydrologic regime, the Town shall encourage the implementation of low-impact design standards as outlined in the Ministry of Environment, Conservation and Parks "Low Impact Design Stormwater Management Guidance Manual, which emphasizes the use of bio-swales, innovative stormwater practices, and at-source infiltration, to contain stormwater runoff from the 90th percentile storm (25mm) on site.

A4.3.2 With the goal of minimizing the *negative impacts* of urbanization on the area's *natural heritage features*, the Town shall encourage low-impact design methods when treating stormwater runoff to treatment train to an enhanced standard (the highest standard as prescribed by the Ministry of the Environment, Conservation, and Parks).

A4.3.3 With the goal of adapting to *climate change* and mitigating the impacts of severe storm events, the Town shall encourage the following;

a) include robust major overland flow routes through all new *development* to reduce the risk of overland *flooding*;

b) new *development* should be designed to minimize the risk of basement *flooding* from groundwater infiltration;

c) heating, ventilation, and air conditioning (HVAC) and electrical systems should be well elevated from the basement floor or located above grade;

d) if the home foundation drain connects to a storm sewer, a backwater valve should be installed on the storm sewer lateral to prevent stormwater from backing up into the basement if the storm sewer is overloaded;

e) if the home foundation does not connect to a storm sewer, a primary and back-up sump pump should be installed complete with a back-up power system;

f) driveways should be built to slope away from homes or garages (i.e. reverse slope driveways should not be permitted);

g) consideration should be given to increasing the capacity of all new storm *infrastructure* by a minimum of 25% to account for more frequent and severe rainfall events;

h) consideration should be given to implementing a minimum building setback from all mapped floodplains to account for more severe rainfall events.

A4.3.4 The Town shall encourage the introduction of *green infrastructure*, such as bioswales, within the street rights-of-way to enhance ground water infiltration and improve water quality as part of a comprehensive water management plan.

A4.3.5 The Town shall encourage a rainwater harvesting program to provide the passive irrigation of public and/or private greenspace, including absorbent landscaping, landscaped walls, cisterns, rain barrels, underground storage tanks and/or infiltration trenches.

A4.3.6 The Town shall encourage xeriscaping using native, drought-tolerant plants, a cost-effective landscape method to conserve water and other resources on a community-wide level.

A4.4 Public Realm

A4.4.1 An identifiable public realm should be established in all residential areas with an interconnected network of streets, parks, school sites, community trails and open spaces.

A4.4.2 New residential *development* should be designed to integrate and connect to surrounding neighbourhoods, providing full pedestrian, *active transportation*, and vehicular access, including access to transit where available.

A4.4.3 *Development* proposals should extend, establish or reinforce a modified grid-like street network that:

a) connects with the existing urban fabric of streets, open spaces and developed areas;

b) is highly interconnected;

c) responds *sensitive*ly and creatively to natural and other established features;

d) integrates with the pedestrian and bicycle networks;

e) supports the integration of viable transit services and

f) is designed to maximize opportunities for solar gain while respecting the built-form policies of this Plan.

A4.4.4 New cul-de-sacs may be permitted only when warranted by site conditions to incorporate a better mix/variety of lot sizes, or to preserve cultural heritage resources in situ.

A4.4.5 Reverse lotting and window roads (i.e. single-loaded local roads flanking arterial and collector roads) should be avoided.

A4.4.6 Road design will balance the provisions for a safe, accessible, functional and attractive pedestrian-oriented environment with an acceptable level of motor vehicle traffic. To achieve a pedestrian-oriented public realm and streetscape, a variety of techniques may be implemented, depending on the function and context of the road, including:

a) widening sidewalks to allow for a comfortable pedestrian environment as well as retail displays, outdoor café seating, benches and shade street trees;

b) reduced lane widths;

c) provision of landscaped boulevards;

d) provision of on-street parking;

e) provision of regular intersections of roads to allow for the creation of a modified grid system; and

f) use of alternative road geometrics and materials at pedestrian crossing areas.

A4.4.7 The Town will coordinate with the Niagara Region to ensure that consistent wayfinding signage is implemented along Regional roads.

A4.4.8 The Town will maintain a tree replacement program within its rights-of-way in all areas.

A4.4.9 Trees, shrubs, and ground cover should be planted in street medians and shoulders to ensure their long-term health by implementing best practices for planting and maintenance. Planting in street medians and shoulders will generally be undertaken with low-maintenance, drought-resistant, and salt-tolerant plant species.

A4.4.10 The Town will coordinate street *infrastructure* elements such as lighting, parking areas, landscaping, transit features, trash containers, bicycle racks and signage to enable the integrity and function of the streetscape and will collaborate with the Region of Niagara on street infrastructure where it is on or impacts a Regional road.

A4.4.11 New *development* should be designed to contribute to a pedestrian-oriented streetscape. This may be achieved through the use of strategies that are appropriate for the proposed *development* and the site's context, such as:

a) locating built form adjacent to, and addressing, the street edge;

b) placing principal building entrances towards the street and corner intersections;

c) maintaining or extending a continuous building façade or streetwall along the street;

d) providing for active uses that offer an interface with the public realm that enhances the liveliness and vibrancy of the street (i.e. seating, cafes, patios, displays);

e) incorporating weather protection measures such as canopies, awnings, building projections or colonnades, where possible;

f) ensuring the street elements are coordinated with those within the public street right-of-way and

g) encouraging the elimination of aboveground utilities as a standard; however, where this is not feasible, ensuring that the placement of above-ground utilities does not visually detract from a cohesive streetscape through strategies such as clustering utilities in appropriate locations or containing them in other streetscape features.

A4.5 Landmarks, Public Views and Public Vistas

A4.5.1 The Town may identify existing landmarks or locations for new landmarks and require measures for protection and retention. In general, signature buildings should be required at corner locations or at the apex of T-intersections to serve as new neighbourhood landmarks.

A4.5.2 Public views or vistas of cultural heritage resources or *natural heritage features* may be identified for protection. The Town may initiate studies from time to time to identify *significant* public views and public vistas.

A4.5.3 Parks, schools, places of worship, and other community facilities should be established in visually prominent, central, and accessible locations to serve as neighbourhood focal points or gathering places. These focal features should have good access to all forms of transportation, be designed to a high standard, and include uses serving the local community.

A4.5.4 Opportunities to provide public views of *significant* natural areas are strongly encouraged.

A4.5.5 Reverse lotting onto *significant* natural areas and other components of the public realm should be avoided.

A4.5.6 Buildings should be oriented to maintain public vistas of *significant* natural areas on lands adjacent to the site.

A4.5.7 Streets should create view corridors and public vistas of *significant* natural areas and park facilities.

A4.6 Gateways

A4.6.1 The Town may identify desirable locations for gateway features and require distinctive urban design forms. Gateways should define a sense of entrance and contribute to the community's image and identity.

A4.6.2 Major gateways will be located in visually prominent sites at major town entry points.

A4.6.3 Minor gateways will be located at prominent intersections, neighbourhood-scaled or secondary entry points into the Town.

A4.6.4 The following roads, where they intersect the Town of Pelham municipal boundary, are considered *significant* gateways:

a) Regional Road 20 (Highway 20) (West Lincoln and Thorold); and

b) Pelham Road (Welland and Thorold)

A4.6.5 *Development* at gateways should be required to meet a high design standard, recognizing their role as a gateway and being appropriately oriented to the public realm.

A4.6.6 Where a commercial or mixed-use *development* is located at the intersection of a major street(s), the *development* or *redevelopment* of each corner property is considered a minor gateway, and the *development* will incorporate neighbourhood-scale gateway features. Generally, this should be accomplished through high-quality built form and may include pedestrian linkages into the site at the intersection.

A4.6.7 Gateways to new neighbourhoods should create a sense of entrance and arrival, contributing to community image and identity. Elements contributing to gateway features and design may include trees and other landscaping, feature lighting, paving and public art.

A4.7 Built Form: Low-Rise Residential Forms

A4.7.1 Various architectural designs are encouraged to create visual interest and diversity in the built environment. However, new buildings proposed within older, established areas of the Town are encouraged to complement the style and architectural/building material elements found in these areas.

A4.7.2 Dwellings should be sited with a consistent setback to provide human-scale streets. Designs should incorporate prominent entrances and front porches to encourage social interaction and allow for views along the street.

A4.7.4 Rear-lane *development* is generally encouraged. On narrow lots, particularly along arterial roads and within mixed-use areas, residential *development* should typically incorporate rear lanes to help create attractive streetscapes and minimize the impact of driveways on the pedestrian and public realm.

A4.7.5 Retaining vegetation in front yards along residential streets is encouraged.

A4.8 Built Form: All Built Forms other than Low Rise Residential Forms

A4.8.1 New buildings should address the street. Buildings will enhance the flow and frequency of the immediate vicinity and, where appropriate, will have entrances and windows that face the street.

A4.8.2 The principal entrances of commercial and mixed-use buildings should be oriented toward and/or visible from the street and provide direct user entrances from adjacent streets and walkways. Blank facades facing a street, open space or park should not be permitted.

A4.8.3 Commercial, employment and mixed-use buildings should be consistently located near the street edge and sidewalk.

A4.8.4 Corner buildings should address both streets by providing two articulated facades facing the street.

A4.8.5 Buildings adjacent to the street edge and at sites with high visibility should be designed to consider their public prominence by incorporating increased height, roof features, building articulation and high-quality finishes and windows.

A4.8.6 Intersections of major streets should be emphasized by placing buildings near the intersection and ensuring that building entrances are visible.

A4.8.7 Buildings will be designed to screen roof-top mechanical equipment from public view.

A4.8.8 Long building facades visible along a public street will incorporate recesses, projections, widows or awnings and/or landscaping along the length of the façade to reduce the mass of such facades.

A4.8.9 The design of all commercial buildings and storefronts should be in keeping with the complimentary to the identity of the community and its immediate context. This may require alternative or enhanced standards of corporate or franchise design. Buildings should reflect the community and immediate context through façade articulation, massing, architectural style, vertical windows, appropriate signage, building materials and exterior finishes.

A4.8.10 Where appropriate, a building's first storey should generally be taller to accommodate a range of non-residential uses.

A4.8.11 Large buildings will incorporate architectural elements to improve the visual integrity of the overall structure.

A4.8.12 Industrial buildings incorporating an office component should be designed to locate the office at the street front of the building and are encouraged to be a minimum of 2 storeys high.

A4.8.13 Generally, a minimum building height of 2 storeys will be encouraged to define streets and open spaces. Regulations for minimum building heights may be incorporated into the Zoning By-law for non-residential uses at key locations, such as Landmark Sites.

A4.8.14 Site and building design should support and facilitate future *residential intensification* and *redevelopment*, including strategies for building expansions and, for example, ensuring that upper-storey volumes can be infilled to create additional floor area.

A4.8.15 In addition to the applicable policies of Appendix 4, the following guidelines will be applicable to all *development* within the mixed-use designation:

a) ensuring the provision of natural light, wherever feasible;

b) mitigating and reducing excessive automobile noise and use;

c) the consolidation of access, or providing opportunities the opportunities for consolidation of access to neighbouring properties, wherever feasible;

d) where loading, parking, or other service facilities are required, the *compatible* location of such facilities, mitigating visibility from the street;

e) large surface parking lots and parking facilities shall be discouraged and internal parking opportunities, including underground facilities, are preferred;

f) mixed-use buildings are encouraged to be located adjacent to collector roadways to create vibrant and lively streetscapes and public spaces;

g) where existing parking facilities may be under-utilized, as determined by a parking survey, *residential intensification* and infill may be supported where the proposed *development* includes a mix of uses, including housing and commercial, and facilitates walkability and the provision of public space;

h) strong and integrated *active transportation* connections to adjacent neighbourhoods and community nodes;

i) the inclusion of *green infrastructure*, wherever feasible;

j) the inclusion of bird-friendly best practices in terms of landscaping, lighting, and building design, wherever feasible;

k) consistent building height, providing for minimal variation and a maximum height by the implementing by-law; and

l) density that meets or exceeds the required targets of this Plan.

A4.8.16 In addition to the applicable policies of Appendix 4, the following guidelines will be applicable to all *development* within the highway commercial designation:

a) landscaped areas and accompanying landscaping shall be integral to all commercial *developments*. 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;

b) open storage of goods and materials shall only be permitted by the provisions of the Zoning By-law;

c) loading and unloading areas shall be provided off-street and in the rear or side yard wherever possible;

d) the provisions of the Zoning By-law should provide adequate off-street parking facilities; ingress and egress to such parking areas shall be provided to minimize potential conflict with vehicular and pedestrian traffic;

e) automobile traffic and parking shall be a *significant* design consideration for all highway 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 reduce traffic conflicts;

f) buildings shall be located close to the public street edge with doors and windows opening to create a pedestrian-friendly and active street;

g) public street frontages shall be occupied by building facades, including windows and doors, to create pedestrian-friendly streets;

h) to assist in revitalizing the highway commercial areas, new residential *development* in the form of apartments above commercial use is encouraged. Residential uses are not permitted above automotive use. Residential units shall not be located at grade directly adjacent to a public street in the highway commercial designation;

i) where a proposed use abuts or is proximate to an existing residential land use, fencing, landscaping, berming or a combination of these design elements shall be utilized to ensure *compatibility* and screening between the uses.

A4.9 Built Form: Buildings in Proximity to Residential and *Institutional uses*

A4.9.1 Where commercial, employment or mixed-use *development* is located in proximity to residential and *institutional use*s, the following urban design strategies will be employed to ensure visual integrity:

a) utilizing strategic building massing and placement to minimize the visual impact of flat rooflines, blank façades, or excessive building height through methods such as step-backs or terracing;

b) design exterior lighting and signage to prevent light spillage onto the adjacent property;

c) appropriately locating noise-generating activities within a building or structure and away from *sensitive* receptors;

d) incorporating screening and noise attenuation for roof-top mechanical equipment and other noise-generating activities situated in proximity to *sensitive* receptors; and

e) provide perimeter landscape *buffer*ing incorporating a generously planted landscape strip, berming, and/or fencing to delineate property boundaries and screen commercial or employment use from adjacent land use.

A4.10 Built Form: Mid-rise Buildings

A4.10.1 The following policies should apply to mid-rise building forms, which generally means a building between four and six stories:

a) mid-rise buildings should be designed to frame the street they are fronting while allowing access to sunlight to adjacent properties;

b) mid-rise buildings should be designed to ensure that servicing and automobile parking are appropriately located and screened. Generally, this means that parking is provided underground or at the rear or side of the building;

c) pedestrian access should be provided to the principal entrance from the public realm;

d) where buildings are taller than four storeys, building length may be restricted through the Zoning By-law to reduce impacts such as shadowing; and

A4.11 Built Form: High-rise Buildings

A4.11.1 The following policies apply to tall building forms, which generally means buildings above six storeys:

a) to ensure tall buildings act as landmarks, they should incorporate a distinctive bottom (i.e. a podium), middle and top. Interesting

architectural features and roof treatments should be considered for all rooftops of tall buildings;

b) parking should be provided primarily below grade with limited visitor surface parking. Structured parking above grade may be permitted, where appropriate;

c) built-form studies addressing building massing, shadows, views and microclimatic studies (i.e. wind) may be required to determine the potential impacts to the surrounding neighbourhood arising from tall buildings;

d) the tower portion (i.e. storeys five and above) should be carefully placed to ensure adequate spacing between towers for solar access and privacy.

A4.12 Transition of Land Uses

A4.12.1 To achieve *compatibility* between different land uses, the *development* will create an appropriate transition through roads, landscaping, spatial separation of land uses and *compatible* built form.

A4.12.2 Where proposed buildings exceed the built height of adjacent buildings, the Town may require new buildings to be stepped back, terraced, or set back to reduce adverse impacts on the neighbouring properties and/or the streetscape.

A4.13 Parking

A4.13.1 Building placement and landscaping should screen surface parking areas.

A4.13.2 Surface parking areas should generally be located at the rear or side of buildings and not between the front of a building and the street.

A4.13.3 Where permitted adjacent to the public realm, surface parking areas should be designed to contribute to an attractive public realm by providing screening and landscaping. Generously sized landscape strips incorporating combinations of landscaping and/or decorative fencing or walls should be provided adjacent to the street edge to provide aesthetically pleasing views into the site while screening surface parking areas.

A4.13.4 Large surface parking areas should be divided into smaller and defined sections using appropriately sized landscaped strips, islands, and/or pedestrian walkways.

A4.13.5 Surface parking areas adjacent to ground-related residential uses should be separated by a landscape strip incorporating combinations of landscaping and/or decorative fencing or walls.

A4.13.6 Surface parking areas are encouraged to be designed to support *redevelopment* and retrofitting and to enable the transition to structured or underground parking as site *development* evolves.

A4.13.7 The Zoning By-law may establish the maximum length of frontage along arterial roads that may be used for surface parking. This provision may provide different standards for various land uses.

A4.13.8 Underground or structured parking is encouraged to reduce or eliminate the need for surface parking.

A4.13.9 Surface parking areas should not be permitted immediately adjacent to the corners of an intersection unless no other parking option is available on the site to accommodate required parking.

A4.13.10 Walkways should be provided directly from parking areas and municipal sidewalks to the main entrance(s) of the building(s). These walkways should be well articulated, safe, accessible and integrated with the overall network of pedestrian linkages to create a comfortable walking environment. Landscaping should enhance the walkway.

A4.13.11 Underground and above-grade parking structures, driveway access and ramp locations should be located to reduce conflicts with pedestrians and minimize *negative impacts* on the streetscape.

A4.13.12 In the Institutional and employment/industrial designations, surface parking for employees should be located in the rear or side yard where feasible.

A4.13.13 Bicycle parking should be provided and conveniently located near building entrances. Sheltered bicycle parking should be integrated into the built form.

A4.14 Access, Circulation, Loading and Storage Areas

A4.14.1 Shared driveways are encouraged for employment, commercial and mixed-use sites to reduce access points and reduce conflicts with pedestrians.

A4.14.2 Major driveway entrances to *significant* employment, commercial and mixed-use sites should be defined by landscaping on either side of the driveway and/or by landscaped medians.

A4.14.3 Private roads and internal driveways required for site circulation should be comfortable for pedestrians, cyclists and vehicles. They should be physically defined by raised curbs and, where appropriate, landscaped where they

intersect with a parking area or driveway. Internal driveways or roads will divide large sites into a grid of blocks and roadways to facilitate safe pedestrian and vehicular movement. Internal driveways will be designed to interconnect with adjacent properties to create a cohesive and integrated circulation network.

A4.14.4 Well-articulated and distinct pedestrian walkways should be placed along a building's street frontage and linked to public boulevards, sidewalks, transit stops, trail systems, and other pedestrian systems.

A4.14.5 Pedestrian systems should incorporate landscaping and pedestrian-scale lighting and be defined by distinct materials and/or raised walkways.

A4.14.6 Loading bays, waste service areas and building utilities/mechanical equipment should be located within a building. If permitted outside a building, they should not be located immediately adjacent to an intersection, directed away from a public street, park, public open space or residential area, or adequately screened if this is impossible.

A4.14.7 Where outdoor storage is permitted, it should not be located between a building, a street edge, or a building and the intersection of streets.

A4.15 Signage

A4.15.1 Signs, display areas and lighting should be *compatible* in scale and intensity with the proposed activity and tailored to the size, type and character of the space *development* to be used.

A4.15.2 Signage should be incorporated into the building façade design.

A4.15.3 Commercial signage should be displayed at a consistent height on building facades, such as at the top of the ground floor. Signage should generally not be permitted on the top of buildings or poles.

A4.15.4 All signage will be subject to the policies of the Town’s Sign By-law.

A4.16 Display Areas

A4.16.1 Where outdoor display areas are associated with a large building, landscape elements such as plantings and decorative fencing and architectural elements such as façade extensions and canopies should be incorporated for effective integration with the overall *development*.

A4.16.2 Outdoor display areas adjacent to street edges should generally be avoided but may be permitted for vehicle sales subject to the regulations of the Zoning By-law. Well-designed, pedestrian-scaled outdoor display areas that contribute to a comfortable and safe public realm may be permitted in high

pedestrian traffic, provided that safety and accessibility are not compromised.

A4.17 Lighting

A4.17.1 Lighting of buildings and sites should be provided at levels sufficient for building identification and safety.

A4.17.2 All building and site lighting should be oriented and shielded to minimize the infringement of light and the creation of glare on adjacent properties or public roads.

A4.17.3 Outdoor lighting should incorporate energy efficiencies such as sensors, timers, and direct light away from the night sky.

A4.17.4 Lighting of prominent buildings, monuments and other built features to accentuate civic and architectural design may be permitted.

A4.17.5 Appropriate pedestrian-scaled lighting should be provided to accent walkways, steps, ramps, and other features.

A4.18 Landscaping and *Development*

A4.18.1 Landscaping should:

a) create visual interest by framing important views and focal points;

b) stabilize slopes and, where appropriate, naturalize areas of a site;

c) complement the built form; and

d) contribute to the creation of a high-quality public realm.

A4.18.2 The selection of plant material:

a) should be of an appropriate quantity, size, shape, colour and texture that complements and contrasts with the built form and is reflective of the size and context of the site;

b) should provide seasonal interest;

c) should be appropriate to site conditions (i.e. salt and wind tolerant when adjacent to roadways)

d) is encouraged to be of Indigenous stock and from locally grown sources;

e) when adjacent to *natural heritage features*/systems, should be Indigenous and non-invasive to help prevent the degradation of the existing ecosystem through unwanted seed dispersal;

f) should provide for a diversity of species to minimize potential issues of *significant* plant losses due to disease, insects and/or fungal infestations;

g) is encouraged to promote *naturalization* and reduce the use of sod; and

h) is encouraged to provide shade where appropriate.

A4.18.3 Where possible, existing trees should be retained on-site, and where appropriate, suitable new trees should be planted on-site, in the street right-of-way or in other Town approved locations.

A4.18.4 Where appropriate, trees should help define the image of neighbourhoods, streets, and parks.

A4.18.5 Where required, *buffer* strips should consist of plant material that, at maturity, will form a visual barrier in combination with other strategies such as fencing.

A4.19 Safety

A4.19.1 Sidewalks and community trails should be visible, accessible and aligned along well-used public spaces.

A4.19.2 New *development* should be designed in a manner that:

a) provides an opportunity for informal surveillance of outdoor spaces, "eyes on the street," including public parks, streets and parking areas;

b) marks the transition or boundary between public and private spaces;

c) includes materials that allow for the built environment to be effectively and efficiently maintained;

d) provides adequate lighting by Section A4.15 of this Plan; and

e) provides for multiple walking routes, where appropriate.

A4.20 Accessible Design

A4.20.1 Accessibility standards and designs will be implemented through *development*, including transportation and parking, by the *Accessibility for Ontarians' Disability Act* and the Ontario Building Code.

A4.20.2 The Town will encourage modifying new and existing private buildings and facilities, including parking, to improve accessibility by the Region's Accessibility Design Standards.

A4.20.3 The Town will implement the principles of the Accessibility Design Standards or its successor thereto in the design, construction and renovation of all Town facilities.

A4.20.4 The Town will design and provide municipal *infrastructure* and set *development* standards that promote a universally accessible environment.

A4.21 Public Art

A4.21.1 The Town will promote the provision of public art in publicly accessible areas to be in keeping with the Town's Public Art Master Plan.

A4.21.2 Public art is encouraged to be incorporated into buildings, *infrastructure* or landscapes to create enjoyable and memorable places for residents and visitors. Public art installation as part of public *infrastructure* projects will be considered where appropriate.

A4.21.3 Public art may commemorate important persons or events. It may include statues, paintings, murals, fountains, sculptures, banners, plaques, and memorials that enhance or contribute to a sense of place.

A4.21.4 *Development* that attracts *significant* pedestrian traffic is strongly encouraged to include public art in the building and/or site design.

A4.22 Urban Design Implementation

A4.22.1 The Town will continue to highlight the importance of urban design in all matters related to the planning and *development* of the Town and set out a course of action aimed at achieving good urban design on a broad and consistent basis through measures such as but not limited to:

a) architectural control and design review;

b) municipal *development* engineering standards;

c) subdivision approval;

d) the Zoning By-law; and

e) site plan control.

A4.22.2 Where appropriate, the Zoning By-law will implement the urban design guidelines of this Plan and include regulations that promote *compatibility* in built form and appropriate infill projects.

A4.22.3 The Town may prepare and update the urban design guidelines to assist in interpreting and defining urban design elements as outlined in this Plan.

A4.22.4 Detailed urban design guidelines may be prepared for the Town or specific areas, land uses and/or built-form typologies.

Appendix 5: Natural Environment System: Components and Criteria

This document is an appendix to the Town of Pelham Official Plan and should be read in conjunction with the policies of the Plan. The purpose of this appendix is to:

- List the components of the Town's integrated natural environment system;
- Outline the definitions and criteria for the individual features and components of the natural environment system; and
- Provide additional information to support the implementation of the policies of the Town's Official Plan.

A5.1 Introduction

The establishment of a town-based natural heritage system and water resource system is required by Provincial policy. The natural heritage system and water resource system are ecologically linked, rely on and support each other, and have many overlapping components. Together, these systems collectively form the Town's integrated natural environment system.

A5.2 Components of the Natural Environment System

The Town's *natural environment system* includes the Town's Natural Heritage System, Water Resource System and the *Greenbelt Plan Natural Heritage System* as components of the *natural environment system*. The *Greenbelt Plan Natural Heritage System* is identified by the Province and is required to be implemented by the Town. This system applies outside of *settlement areas* only in accordance with Provincial requirements.

The Town's *natural heritage system,* however, extends beyond the *Greenbelt Plan Natural Heritage System* into the Niagara Escarpment Plan area and into other areas, including within the Town's *settlement areas*. Included within, and outside of the *Greenbelt Plan Natural Heritage System*, are many individual natural features which were identified by the Regional Official Plan, 2022, through various sources of data and information.

The Town has elected to include these features and components as part of this Plan. Table 5-1 provides a complete list of all of the components of the integrated *natural environment system*.

A5.2.1 The following features and areas would also be included as required components of the integrated natural environment system, however they are not appropriately identified or managed until more detailed watershed planning or equivalent is completed at a subsequent stage in the planning process (i.e. subwatershed study completed in support of a secondary plan etc.):

a) groundwater features:

   i) recharge/discharge areas;

   ii) water tables; and

   iii) aquifers and unsaturated zones

b) surface water features:

   i) headwater drainage features;

   ii) recharge/discharge areas; and

   iii) associated riparian lands that can be defined by their soil moisture, soil type, vegetation or topographic characteristics; and

c) other hydrologic functions.

Table 5.1 Components of the Town's Natural Environment System

	Lands in the Greenbelt Natural Heritage System	Lands in the Niagara Escarpment Plan Area	Town of Pelham Natural Environment System
Greenbelt plan natural heritage system	Yes		
Provincially significant wetlands	Yes[1,4]	Yes[1,4]	Yes[2,5]
Other wetlands	Yes[1,4]	Yes[1,4]	Yes[3,5]
Habitat of endangered species and threatened species	Yes[1]		Yes[2]
Habitat of special concern species		Yes[1]	
Fish Habitat	Yes[1]	Yes[1]	Yes[2]
Life science areas of natural and scientific interest	Yes[1]	Yes[1]	Yes[2]
Earth science areas of natural and scientific interest	Yes	Yes	Yes[2]
Significant valleylands	Yes[1]	Yes[1]	Yes[2]
Significant woodlands	Yes[1]	Yes[1]	Yes[2]
Other woodlands	Yes[3]	Yes[3]	Yes[3]
Significant wildlife habitat	Yes[1]	Yes[1]	Yes[2]
Permanent and intermittent streams	Yes[4]	Yes[4]	Yes
Inland lakes and their littoral zones	Yes[4]	Yes[4]	Yes – outside of settlement areas only
Seepage areas and springs	Yes[4]	Yes[4]	Yes
Significant groundwater recharge areas	Yes[7]		Yes
Highly vulnerable aquifers	Yes[7]		Yes
Significant surface water contribution areas	Yes[7]		Yes
Large and medium linkages	Yes	Yes	Yes – outside of settlement areas only
Small linkages	Yes	Yes	Yes
Supporting features and areas	Yes	Yes	Yes
Minimum buffers adjacent to natural heritage features and areas			Yes – outside of settlement areas only

Mandatory buffers adjacent to natural heritage features and areas			Yes, inside of settlement areas only
Vegetation protection zone adjacent to key natural heritage features	Yes	Yes	
Vegetation protection zone adjacent to key hydrologic features	Yes	Yes	
Setbacks to regulated features and areas in accordance with the *Conservation Authority* policies	Yes	Yes	Yes
Hazardous lands adjacent to rivers, streams and small inland systems that are impacted by flooding hazards and/or soil erosion	Yes	Yes	Yes

Footnotes

1 Included as a *key natural heritage feature* as identified in the Greenbelt Plan and/or Niagara Escarpment Plan
2 Included as a *natural heritage feature and area* as defined in the Provincial Planning Statement
3 Included as a *natural heritage feature and area* by the Town of Pelham Official Plan
4 Included as a *key hydrologic feature* in accordance with the Greenbelt Plan and Niagara Escarpment Plan
5 Included as a *natural heritage feature* and area in *settlement areas* by the Town of Pelham Official Plan, and a *key hydrological feature* outside of *settlement areas*
6 Only applies to lands adjacent to *key hydrologic features* outside of *settlement areas*
7 Included as *key hydrologic areas* in accordance with the Growth Plan and Greenbelt Plan
8 *Hazardous lands* are identified by the Niagara Peninsula Conservation Authority

A5.3 Natural Environment System Components

A5.3.1 Table 5.2 provides the criteria for identifying features.

Table 5.2 Criteria for the Components of the Town's *Natural envrionment system*

***NES* Component**	**Criteria**
Areas of Natural and Scientific	The identification of provincial Life Science *ANSIs* and Earth Science *ANSIs* is determined by the Province using criteria established by the Province.
Buffers	The policies of the Town of Pelham Official Plan identify two types of *buffers*, minimum (prescribed) *buffers* and mandatory (non-prescribed) *buffers*. For a minimum *buffer*, the policies of the Plan state what minimum *buffer* is required. The *buffer* width cannot be less than the required minimum, but may be larger as determined through an environmental impact study, hydrologic evaluation, or subwatershed study. Minimum *buffers* apply outside of settlement areas and outside of the *GBNHS*. For a mandatory *buffer*, the policies of the Plan state that a *buffer* is required, but do not state any minimum for the *buffer* width. The width of an ecologically appropriate *buffer* would be determined through an environmental impact study and/or hydrologic evaluation at the time an application for *development* is made. The width of the *buffer* would be based on the *sensitivity* of the *ecological functions* from the change in adjacent land use, and the potential for impacts to the feature and *ecological function*s as a result of that change in land use.
Cultural and Regenerating Woodland	A *woodland* or *other woodland* can be classified as a *cultural and regenerating woodland* if all of the following are met: a) the *woodland* is less than two hectares in size; b) the removal of a portion of *woodland* will not result in a negative impact to the *ecological function*s of the remaining portion; c) there are no other important *ecological function*s that the *woodland* provides (e.g., critical function zone for *wetlands*, etc.);

	d) the *woodland* is not identified as another component of the natural environmental system (e.g., *significant wildlife habitat*, *linkage*, *enhancement area*, *buffer*); e) the canopy is dominated by invasive, non-native species including, but not limited to: Norway Maple, Manitoba Maple, Siberian Elm, Scots Pine, European Buckthorn, White Mulberry, Tree-of-heaven, Apple, Black Locust and White Poplar, or any combination thereof; f) the area was not treed approximately 20-25 years ago as determined through air photo interpretation or other suitable techniques; g) the soil is deemed to preclude the *development* of a native *woodland*; for example: soil that is degraded, soil that is compacted, the top soil has been removed, soil displaying substantial erosion from over-use and/or the *woodland* is regenerating on fill or spoil that was introduced to the site; h) there is limited ability to maintain or restore self-sustaining ecological functions typical of native *woodland*s; and i) the *woodland* provides limited social values (e.g., does not contain sanctioned trails, nor currently provides organized research or educational opportunities). *Woodland*s (including plantations) established and/or managed for the purpose of restoring a native tree community (e.g., naturalization or restoration projects) would still qualify as *woodland*.
Ecological function	*Ecological function*s are to be identified and assessed through the completion of an environmental impact study, hydrologic evaluation, or subwatershed study.

Fish habitat	*Fish habitat* is identified as any watercourse or waterbody identified by the MNRF or provided/approved by the Federal Department of Fisheries and Oceans (DFO) or a delegated authority of DFO (including Conservation Authorities, as appropriate). a) for screening purposes, and until such time appropriate studies are completed to assess watercourses and waterbodies, *fish habitat* will be presumed to be: i) any *permanent or intermittent stream* or waterbody excluding constructed and actively managed offline ponds (e.g., stormwater ponds, active farm irrigation ponds, etc.); ii) intermittent or ephemeral watercourses, or Headwater Drainage Features that provide contributions in terms of baseflow, material (e.g., substrates, etc.) or allochthonous inputs that are important to the maintenance of downstream *fish habitat*; or Shoreline features that provide contributions in terms of material (e.g., substrates, etc.) or allochthonous inputs that are important to the maintenance of *fish habitat* in the Great Lakes.
Floodplains, *Flooding hazards*, *Floodways*	The *floodplain*, *flooding hazard* and *floodway* shall be identified in accordance with protocols deemed acceptable by the *Conservation Authority*.
Greenbelt plan natural heritage system (GBNHS)	A mapped *GBNHS* is provided by the Province in accordance with S. 3.2.1 of the Greenbelt Plan.
Groundwater feature	*Groundwater feature*s and *sensitive groundwater feature*s which have not been mapped as *key hydrologic areas* are to be identified through more detailed studies such as watershed plans and subwatershed studies completed in accordance with watershed planning guidelines and best practices.

Habitat of Endangered Species and Threatened Species	Criteria for the identification of the *habitat of endangered species and threatened species* is determined in accordance with the habitat regulations of the *Endangered Species Act* (2007).
Hazardous lands	The primary responsibility for implementing restrictions on *development* and *site alternation* in natural hazards rests with the *Conservation Authority*. Policies are included in the Official Plan related to natural hazards to ensure conformity with the Provincial Planning Statement. How conformity is achieved and how the policies are implemented is determined by the *Conservation Authority*, who should be consulted when *development* (whether it requires *Planning Act* approval or not) is proposed within or adjacent to natural hazards.
Highly Vulnerable Aquifer	*Highly vulnerable aquifers* are identified based primarily on vulnerability mapping completed as part of the 2005 *Conservation Authority* Groundwater Study (Waterloo Hydrogeologic Inc., 2005). In accordance with the 'Groundwater Vulnerability Analysis', Niagara Peninsula Source Protection Areas' (NPCA, 2009) *highly vulnerable aquifers* are areas of high groundwater vulnerability that "typically consist of granular aquifer materials or fractured rock that have a high permeability, are exposed near the ground surface, and have a relatively shallow water table".
Hydrologic function	*Hydrologic function*s are to be identified and assessed through the completion of a hydrologic evaluation or subwatershed study.

Linkages	Known *linkages* have been identified between *natural heritage features and areas* and key natural heritage features consisting of natural areas (e.g., watercourses, valleylands, meadow, thicket, *woodland*, *wetland*, and *hedgerows*, etc.) or rural/ agricultural lands without major barriers (i.e., developed areas or major roads greater than 30 m in width) based on the following set of criteria: a) large *linkages* (outside settlement areas and outside of the *GBNHS*) that are: i) 200-400 m in width; and ii) connect core areas (i.e., a group of *natural features and areas* within 30 m of each other) with a combined area of ≥50 hectares in size; b) medium *linkages* (outside of settlement areas and outside of the *GBNHS*) that are: i) 100-200 m in width; and ii) connect core areas (i.e., a group of natural features and areas within 30 m of each other) with a combined area of ≥20 hectares in size; c) small *linkages*, both inside and outside of settlement areas and outside of the *GBNHS* that are: i) 60-100 m in width; and ii) connect core areas (i.e., a group of natural features and areas within 30m of each other) with a combined area of ≥10 hectares in size; Opportunities for additional, ecologically appropriate *linkages* shall be screened for when a subwatershed study is being completed in support of a secondary plan.

Other woodlands	To be identified as an *other woodland*, a terrestrial treed area must have ≥ 25 per cent tree cover and meet one or more of the following criteria: a) an average minimum width of 40 m and is ≥ 0.3 ha, measured to crown edges; or b) any size abutting a *woodland woodland*, *wetland* or *permanent stream*. Treed areas that "abut" a *woodland*, *wetland* or *permanent stream* are considered adjacent when located within 20 m of each other. *Other woodlands* are identified based on the Ecological Land Classification methodology. Terrestrial vegetation communities that would meet the ≥ 25 per cent tree cover are identified in Table 5-1.
Permanent and intermittent streams	Criteria for the identification of a *permanent or intermittent stream* should follow protocols established by the Province, such as the Ontario Stream Assessment Protocol.
Seepage areas and springs	*Seepage areas* are to be identified based on the observation of groundwater discharge at the surface as evident by springs, standing water, saturated soils, and/or vegetation indicating groundwater discharge (e.g., watercress).
Setback (to regulated features and areas in accordance with the Conservation Authority)	*Setback*s are identified in accordance with the Niagara Peninsula Conservation Authority policies.

Shoreline areas	*Shoreline areas* include any natural vegetation community (as determined according to Ecological Land Classification) and will be identified based on the following criteria: a) ≥ 0.1 hectares in size; and b) located within 30 m of the limits of the shoreline *flood hazard* associated with the Great Lakes, or within 15 m of a surface water feature, as defined by the Provincial Planning Statement.
Woodland Groundwater Recharge Area	*Woodland* groundwater recharge areas have been delineated for the entire Niagara Peninsula Source Protection Area using methodology developed by the *Conservation Authority* in consultation with the Ministry of Natural Resources and Forestry and was based on the March 2007 Draft Guidance Module – Water Budget and Water Quantity Risk Assessment (Guidance Module). The identification of the *woodland* groundwater recharge areas adheres to the Assessment Report Technical Rules (MOECP, 2009), Regulation 287/07 and Technical Bulletin methodology descriptions (MNRF, MOECP, 2009).
Woodland Surface Water Contribution Areas	The identification of *woodland* surface water contribution areas will be undertaken as part of more detailed studies such as watershed plan and subwatershed studies completed in accordance with watershed planning guideli*NES* and best practices. The identification, evaluation and management recommendations for headwater drainage features should follow that of 'The Evaluation, Classification and Management of Headwater Drainage Features Guideline', prepared by the Toronto and Region Conservation Authority and Credit Valley Conservation (2014, or as amended from time to time).

Woodland Valleylands	*Woodland valleylands* include any of the features identified in any of the following three categories: a) all streams with well-defined valley morphology (i.e., *floodplains*, riparian zones, meander belts and/or valley slopes) of an average width of 25 metres or more; the physical boundary is defined by the stable top of bank (as defined by the conservation authority); b) all spillways and ravines with the presence of flowing or standing water for a period of no less than two months in an average year. Such features must be greater than 50 metres in length (as defined from the point of valley formation downstream to the confluence of the valley being assessed); 25 metres in average width with a well-defined morphology (i.e., two *valley* walls of 15 per cent slope or greater with a minimum height of 5 metres, and *valley* floor), and having an overall area of 0.5 hectares or greater; or c) additional features or areas beyond the ones described above that have been identified by the Town, or the *Conservation Authority* as providing one or more of the features or functions described in the table contained in Appendix A of the Greenbelt Plan 2005 Technical Definitions and Criteria for Key Natural Heritage Features in the Natural Heritage System of the Protected Countryside Area (MNRF, 2012).
Woodland Wildlife Habitat	*Woodland* wildlife habitat shall be identified in accordance with the *Woodland* Wildlife Habitat Criteria schedules for Ecoregion 7E (MNRF, January 2015) and/or the appropriate provincial guidance document(s) as may be developed or amended from time to time. Where any disagreements arise with respect to interpretation of *woodland* wildlife habitat, the Town may confer with the Province, however the Town's interpretation shall prevail if it provides equal or greater protection for wildlife habitat.

Woodland	To be identified as *woodland*, a *woodland* must meet the Ecological Land Classification definition of forest (as per the definition of '*woodland*'), and then meet one or more of the following criteria: a) two hectares or greater in size; b) one hectare or greater in size meeting at least one of the following criteria: i) naturally occurring (i.e., not planted) trees (as defined in the species list of Appendix D in the Greenbelt Technical Paper); ii) treed areas planted with the intention of restoring *woodland*; iii) 10 or more trees per hectare greater than 100 years old or 50 cm or more in diameter; iv) wholly or partially within 30 m of a provincially *woodland* wetland or habitat of an endangered or threatened species; v) overlapping or abutting one or more of the following features: • permanent streams or intermittent streams; • *fish habitat*; • *woodland* valleylands;

Woodland (Continued)	c) 0.5 hectares or greater in size, meeting at least one of the following criteria: i) a provincially rare treed vegetation community with an S1, S2 or S3 in its ranking by the MNRF's N.H.I.C.; ii) habitat of a *woodland* plant species with an S1, S2 or S3 in its ranking or an 8, 9, or 10 in its Southern Ontario Coefficient of Conservatism by the NHIC, consisting of 10 or more individual stems or 100 or more sqm of leaf coverage; iii) any *woodland* overlapping or abutting one or more of the following features: • *woodland* wildlife habitat; • habitat of threatened species and endangered species; or • non-provincially *woodland wetlands* • d) any size overlapping or abutting one or more of the following features: i) provincially *woodland* wetland; and ii) life science area of natural and scientific interest *Woodland*s that abut another feature are considered adjacent when located within 20 m of each other. *Woodland* are identified based on the Ecological Land Classification methodology. Terrestrial vegetation communities that would meet the ≥ 60 per cent tree cover and be considered a forest are identified in Table 5-1. Guidance for delineating the boundary of a *woodland* as defined by the Town should follow those of Appendix B in the Greenbelt Plan 2005 – Technical Definitions and Criteria for Key Natural Heritage Features in the Natural heritage System of the Protected Countryside (MNRF, 2012).

Supporting features and areas	The identification of *supporting features and areas* is to be determined through a detailed study, such as an environmental impact study, hydrological evaluation, or subwatershed study which would evaluates the ecological contribution of the supporting feature and area to other components of the *natural envrionment system*. *Enhancement areas* are identified where: a) the area is comprised of natural vegetation communities (as determined according to Ecological Land Classification); or b) the area is currently under agricultural production; or c) the area does not contain a permanent form of *development* (i.e., house, road, or related infrastructure). *Enhancement areas* inside of settlement areas are to be identified as follows: a) in 'bays and inlets' along the edge of features - < 60 m wide; b) interior gaps in features - < 0.5 ha; and c) gaps between features - < 60 m *Enhancement areas* outside of settlement areas are to be identified as follows: a) in 'bays and inlets' along the edge of features - < 120 m wide; b) interior gaps in features - < 1 ha c) gaps between features - < 120 m

Surface Water Feature	*Surface water features* and sensitive *surface water features* which have not been mapped as *key hydrologic features* are to be identified through more detailed studies such as watershed plans and subwatershed studies completed in accordance with watershed planning guidelines and best practices.
Wetlands, Provincially Significant Wetlands and *Other Wetlands*	The criteria for identifying provincially *significant wetlands* are established by the Province in accordance with the Ontario Wetland Evaluation System. At the time of writing this report the Ontario Wetland Evaluation System, Southern Manual, 3rd Edition, Version 3.3 (MNRF, 2014) is considered the document by which an evaluation should be undertaken to identify a provincially *significant wetland*. The Ministry of Natural Resources and Forestry is responsible for review and approval of a *wetland* evaluation. *Other Wetlands* include: a) all *wetlands* that meet an Ecological Land Classification *wetland* system classification and have not been evaluated as a *provincially significant wetland*. Vegetation communities that would be considered other *wetlands* are identified in Table 5-1; b) both evaluated non-provincially *significant wetlands* and *wetlands* that have not been evaluated. These include *wetlands* that are regulated, those that are not regulated by the *Conservation Authority*; and c) *wetlands* with ecological and hydrological functions and *wetlands* that have only have a hydrological function. In settlement areas, other *wetlands* which are not regulated by the *Conservation Authority* require further evaluation to determine the appropriate protection or management of the feature. Within settlement areas, other *wetlands* which are not regulated by the *Conservation Authority* are considered to be a required component of the *water resource system* and are protected or managed in accordance with the policies of this Plan.

Vegetation protection zone	*Vegetation protection zones* apply to *key natural heritage* features in the *GBNHS* and to any *key hydrologic features* outside of a settlement area. Elsewhere in the Town the term buffer is used. The width of a *vegetation protection zone* is determined in accordance with Provincial policy and the policies of this Plan.

A5.4 Mapping of the Natural Environment System

A5.4.1 The basis for mapping of significant woodlands, other woodlands, other wetlands*, shoreline areas and linkages is the Ecological Land Classification (ELC) System.

*Provincially significant wetlands are identified based on Provincial mapping, regardless of the ELC Code.

A5.4.2 Table 5.3 are Ecological Land Classification Types which feature they would be associated with (i.e. woodland, other woodland or wetland).

Table 5.3 Ecological Land Classification (ELC) Type and Associated Natural Feature Classification

ELC Code	ELC Land Classification	Woodland (>60% canopy)	Other Woodland (>25% canopy)	Natural Cover	Wetland
TAG	Treed Agriculture	Yes	Yes	Yes	No
BOT	Treed Bog	No	Yes	Yes	No
HOC	Continuous Hedgerow	No	Yes	Yes	No
SVC	Coniferous Savanna	No	Yes	Yes	No
WOC	Coniferous Woodland	No	Yes	Yes	No
HOD	Deciduous Hedgerow	No	Yes	Yes	No
SVD	Deciduous Savanna	No	Yes	Yes	No
WOD	Deciduous Woodland	No	Yes	Yes	No
SVM	Mixed Savanna	No	Yes	Yes	No
WOM	Mixed Woodland	No	Yes	Yes	No
BLT	Treed Buff	No	Yes	Yes	No
CLT	Treed Cliff	No	Yes	Yes	No
RBT	Treed Rock Barren	No	Yes	Yes	No
SBT	Treed Sand Barren and Dune	No	Yes	Yes	No
SHT	Treed Shoreline	No	Yes	Yes	No
TAT	Treed Talus	No	Yes	Yes	No
FOC	Coniferous Forest	Yes	Yes	Yes	No
FOD	Deciduous Forest	Yes	Yes	Yes	No
FOM	Mixed Forest	Yes	Yes	Yes	No
SWC	Coniferous Swamp	No	No	Yes	Yes
SWD	Deciduous Swamp	No	No	Yes	Yes
SAF	Floating-leaved Shallow Aquatic	No	No	Yes	Yes
MAM	Meadow Marsh	No	No	Yes	Yes
SAM	Mixed Shallow Aquatic	No	No	Yes	Yes
SWM	Mixed Swamp	No	No	Yes	Yes
MAS	Shallow Marsh	No	No	Yes	Yes

SAS	Submerged Shallow Aquatic	No	No	Yes	Yes
SWT	Swamp Thicket	No	No	Yes	Yes
BOS	Shrub Bog	No	No	Yes	Yes
OAO	Open Aquatic	No	No	Yes	No
IAG	Agriculture Infrastructure	No	No	No	No
CVC	Commercial and Industrial	No	No	No	No
THC	Coniferous Thicket	No	No	Yes	No
THD	Deciduous Thicket	No	No	Yes	No
MEF	Form Meadow	No	No	Yes	No
MEG	Graminoid Meadow	No	No	Yes	No
CGL	Green Lands	No	No	Yes	No
MEM	Mixed Meadow	No	No	Yes	No
THM	Mixed Thicket	No	No	Yes	No
OAG	Open Agriculture	No	No	Yes	No
BLO	Open Bluff	No	No	Yes	No
CLO	Open Cliff	No	No	Yes	No
RBO	Open Rock Barren	No	No	Yes	No
SHO	Open Shoreline	No	No	Yes	No
TAO	Open Talus	No	No	Yes	No
OAW	Open Water	No	No	Yes	No
CVR	Residential	No	No	No	No
SAG	Shrub Agriculture	No	No	Yes	No
BLS	Shrub Bluff	No	No	Yes	No
CLS	Shrub Cliff	No	No	Yes	No
RBS	Shrub Rock Barren	No	No	Yes	No
SHS	Shrub Shoreline	No	No	Yes	No
TAS	Shrub Talus	No	No	Yes	No
CVI	Transportation Utilities	No	No	No	No