THE GARDEN CITY PLAN

City of St. Catharines Official Plan

City of St. Catharines

August 2010
This Official Plan of the City of St. Catharines Planning Area, known as the Garden City Plan, was adopted by the Corporation of the City of St. Catharines on August 23, 2010 by By-law No. 2010-242, and is still subject to final approval by the Regional Municipality of Niagara.
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PART A

INTRODUCTION
PART A : INTRODUCTION

1. THE GARDEN CITY PLAN

1.1 Purpose and Effect

This Official Plan, including the schedules, and otherwise referred to as the Garden City Plan, or the Plan is a legal document which constitutes the Official Plan for the City of St. Catharines under the Ontario Planning Act.

a) The Plan:

i) outlines the long term vision for the City’s physical form, community character and design;

ii) sets out, by way of land use designations, policies and guiding principles, a comprehensive framework to manage and direct the future orderly and efficient long term development and growth of the City;

iii) primarily focuses on land use and physical development, but is intended to reflect, integrate and balance the collective aims and aspirations of the citizens of St. Catharines as to the quality of life to be preserved and fostered with respect to all of the social, economic, cultural, natural and built environments, and towards the promotion and achievement of sustainable community planning and growth, and the essence of the Garden City.

iv) establishes a framework and policy context for decision making that provides certainty for the planning process, and to guide and direct Council, official bodies, public agencies and the private sector in the consideration of public and private development proposals.

v) In this consideration, the principles and policies contained in this Plan will be implemented through an integrated decision making process that systematically considers all of municipal land use, environment, social, cultural and economic planning frameworks, principles and policies in all planning decisions and processes.

b) i) No by-law may be passed, and no public work undertaken by the City, that does not conform to this Plan.

ii) The capital works program and resulting capital budget are intended to provide the infrastructure required to implement the guiding principles, growth forecasts and land use plan established in this Plan.

iii) It is incumbent upon municipal officials to continuously seek out upper tier funding, private/public partnerships and other source funding, to support and implement the guiding principles and land use policies of this Plan.

1.2 Context

The City of St. Catharines is within the Provincial Greater Golden Horseshoe Growth Plan Area (GGHGP), and is in part included within the Provincial Greenbelt Plan area and the Niagara Escarpment Plan area. The City is one of 12 local area municipalities within the Regional Municipality of Niagara, and is situated within one of the largest economic zones in North America (Schedule A - Setting).
The Plan:

a) must conform to Provincial land use plans and regulations, and must be consistent with Provincial Policy Statements, Guidelines and Interests. The Plan must also conform to the upper tier Region of Niagara Policy Plan, and be applied pursuant to the provisions of the Ontario Planning Act and other legislative authority.

Where the policies contained in the Region of Niagara Policy Plan are consistent with Provincial Plans, the policies of the Region of Niagara Policy Plan may be more restrictive and prevail.

b) reflects the City’s individual community interests within the Provincial and Regional planning frameworks. The Plan may be more restrictive than the policies contained within Provincial and Regional land use planning documents, but is not permitted to conflict with these documents.

Where the policies contained in this Official Plan are more restrictive than the Region of Niagara Policy Plan, the policies of this Plan shall prevail.

c) promotes sustainable community planning, and in doing so, recognizes the importance of an integrated wider based sustainable community planning framework, as follows:

i) supports consistency and contiguity with upper tier and local area municipal and agency planning practices, processes and land use policies,

ii) seeks out and encourages coordinated, connected and integrated land use plans with upper tier and adjacent local area municipalities in the consideration of public and private development proposals,

iii) encourages physical, as well as social, cultural, and economic linkages across municipal jurisdictions towards a Provincial and Regional based connected community.

1.3 Duration

a) The policies of this Plan provide guidance and direction for the development and growth of the City to the year 2031.

b) The policies are intended to support the accommodation of growth associated with housing, population and employment forecasts identified in this Plan for the 2031 planning time horizon.

c) The planning time horizon serves as an appropriate measure of the duration of this Plan and should not be regarded as a specific completion date for implementation. Rather, the Plan should be regarded as a footprint for sustainable growth management, and enabling opportunities for long term sustainable growth and development for the benefit of many future generations.

Notwithstanding, the Plan shall be regularly monitored not less than every five years to ensure municipal goals and objectives are being achieved.

1.4 Plan Organization

This Plan is to be read in its entirety as a comprehensive and integrated policy framework.

Part A through F, and the accompanying schedules, constitutes the Garden City Plan, as follows:

i) Part A ‘Introduction’ describes the purpose and effect, the context under which the Plan was prepared, and the duration and structure of the Plan.

ii) Part B ‘Vision and Guiding Principles’ establishes the vision, guiding principles and basis for which the land use plans and policies of this Plan have been prepared.
iii) Part C ‘General Policies’ sets out the general functional policies to guide and direct growth and development of the municipality, and apply regardless of land use designation unless otherwise indicated.

iv) Part D ‘Land Use Policies’ establishes the general land use designations and applicable policies used in this Plan, and which together constitute the general land use plan for the City of St. Catharines as shown on Schedule D ‘General Land Use Plan’.

The general land use designations and policies are further refined and defined in Part D of the Plan, and which constitute the basis for District land use plans set out in Part E ‘District Plans’ of this Plan.

v) Part E ‘District Plans’ sets out land use plans for defined planning districts within the municipality, consistent with the general land use plan shown on Schedule D and the applicable policies established in Part D of this Plan. District Plans may also set out specific lands for special consideration with respect to goals, objectives, policies and land use permissions.

vi) Part F ‘Implementation and Interpretation’ describes the development approvals process and the mechanisms, tools and interpretation to be applied in the implementation of this Plan, and includes a glossary of terms. Part F also contains Parkland, Trails and Natural Area mapping (Schedules F1, F2, F3, F4).

Part G ‘Appendices’ does not constitute part of this Plan but contains additional background information which shall be applied in the interpretation and implementation of policies of this Plan.
The Garden City Plan
Regional & International Setting  Schedule A

Legend
- Greater Golden Horseshoe Growth Plan Area
- Greenbelt Plan

Circle shows a radius around St.Catharines of 650 km or 400 miles

CITY OF ST.CATHARINES
PLANNING SERVICES DEPARTMENT
OFFICIAL PLAN  AUGUST 2010
PART B
VISION AND GUIDING PRINCIPLES
PART B : VISION AND GUIDING PRINCIPLES

2. The vision and basis for which the land use plans and policies of this Plan have been prepared are as follows:

2.1 Community – Based Strategic Plan

The City’s Community-Based Strategic Plan (May 2006) established the following vision statement:

St. Catharines – The “Garden City” – A Welcoming and Nurturing Community that:

- Is safe and secure
- Thrives through innovative leadership and integrity
- Stimulates and values a vibrant Downtown – the heart of the City
- Embraces its culture and the diversity of its citizens
- Celebrates its unique agricultural and historical assets
- Works together to foster new business and employment opportunities
- Promotes a healthy environment and ideal location

The purpose of the vision statement is to provide a framework on which to build a sustainable St. Catharines.

2.2 Sustainability

Sustainable development is development that recognizes the interdependence of the economic, environmental, social, and cultural needs of the community. It promotes actions that expand economic opportunity, improve environmental quality, increase social well-being, and expands cultural engagement. Sustainable development also involves:

- Long-term impacts and consequences – sustainable development requires long-term horizons rather than short-term reactive responses to problems
- Participation – sustainable development depends on decision-making that is inclusive, participatory, and transparent
- Equity – sustainable development promotes equity between generations and among different groups in society
- Proactive prevention – sustainable development is anticipatory and attempts to prevent problems as the first course of action

A sustainable community is one that incorporates the elements of sustainable development described above and successfully balances social well-being, cultural identity and vitality, economic opportunities, and environmental responsibility; meets the needs of existing and future generations; and respects the needs of other communities in the Region.

A sustainable community is one that:

- Respects and embraces its heritage to create a sense of identity and pride
- Provides choices and opportunities for employment, housing, transportation, social, recreational and cultural amenities
- Protects and enhances its natural areas and processes
- Makes efficient use of its infrastructure by focusing on compact, mixed-use, walkable, bikeable, and connected community
- Has a vibrant downtown and welcoming, attractive public places
- Conserves its landscapes, open space, and agricultural areas
- Provides access and opportunity to the decision-making process
- Promotes healthy community, practices and living.
2.3. Managing Growth and Change

1. Municipal Planning Structure

a) The Garden City

The City has many significant, world renowned amenities and attributes that have helped shape not only the City’s physical character and land use pattern, but also the social, cultural and economic framework, fabric and identity of the City – our sense of place, our Garden City.

These amenities include Lake Ontario, one of the five Great Lakes and a world significant fresh water supply, some of the best tender fruit and crop producing agricultural lands in the world, the world biosphere Niagara Escarpment, the historic and current Welland Canal system, and a Provincial highway system bisecting the City with direct access to international, national, and regional markets within one of the world’s largest economic zones.

i) To provide opportunities for future growth, and at the same time, to promote and enhance our sense of place, this Plan encourages the protection, preservation, enhancement, promotion, integration and connectivity of all these amenities in all future growth and development plans and initiatives.

b) Settlement Pattern

The City was incorporated in 1876 and developed early as a centre of industry, commerce and agriculture. Over the last 50 years, the City has grown as a typical suburban community, moving away from the traditional street grid pattern neighbourhoods that promoted walkable and bikeable communities, and towards expansive development of low density residential neighbourhoods over viable agricultural lands, major activity centres located out of Downtown, and an extensive vehicular transportation network.

Today the City is comprised of an Urban Area that encompasses approximately 7060 hectares of land and 70 % of the municipal planning area.

This area is characterized by stable residential communities; traditional, distinct and suburban neighbourhoods; employment, commercial, recreational, institutional and mixed use activity centres; an extensive system of community and neighbourhood parks, open space and natural areas; and an historic downtown within the central core area of the City, affording direct linkage and connection with all parts of the City.

The remaining 30 % of the municipal planning area is the Agricultural Lands Area, comprising approximately 2725 hectares of land. This area is characterized predominantly by tender fruit and crop producing lands, greenhouse and livestock operations, agricultural related and value added uses, existing rural residential development, and natural heritage.

c) Planning Areas

The City is divided into two primary planning areas – the Urban Area and the Agriculture Area, as defined on Schedule D ‘General Land Use Plan’.

i) The boundary of the Urban Area is established by the Provincial Greenbelt Plan and the Region of Niagara Policy Plan. The Urban Area is intended to provide urban development opportunities on full municipal services to accommodate the City’s projected future population and employment growth.

ii) The Agriculture Area is located within the Provincial Greenbelt Plan area. The Greenbelt Plan designates the Agriculture Area as Protected
Countryside (Tender Fruit and Grape Lands). Certain of the lands also fall within the Greenbelt Plan Natural Heritage System, and also within the Niagara Escarpment Plan area. The Agriculture Area is to be protected and used predominately for agriculture, agricultural related secondary uses, existing rural residential uses, and natural heritage.

iii) This Plan does not support any expansion of the Urban Area, this in recognition of a sustainable planning ethic, and the value and opportunities the agricultural area and community have in enhancing the City’s sense of place.

d) Land Use Designations

There are eight primary land use designations in this Plan which recognize and set out the City’s land use structure and future growth and development opportunities.

The land use designations are shown on Schedule D ‘General Land Use Plan’, and are further defined and subject to the policies in Part D ‘Land Use Policies’ of this Plan.

The primary land use designations are as follows:

- Neighbourhood Residential
- Commercial
- Employment
- Downtown
- Mixed Use
- Parkland and Open Space
- Natural Area
- Agriculture

e) Planning Districts

The City is divided into seven District Plan areas as set out in Part E of this Plan and identified on Schedules ‘E’ to ‘E12’, as follows:

- District Planning Areas - Index Schedule E
- North District Schedule E1, E2, E3
- Central District Schedule E4, E5
- West District Schedule E6, E7
- South District Schedule E8
- East District Schedule E9
- Downtown Schedule E10
- Agricultural Lands Schedule E11, E12

District Plans set out:

- more refined land use designations as established in Part D of this Plan.
- special policies that apply to individual properties or areas within planning districts, including future ‘special study areas’.
2. **Growth Forecast**

   This Plan provides a land use planning framework to guide and manage growth to the year 2031 based on the following population and employment forecasts.

<table>
<thead>
<tr>
<th>Year</th>
<th>Population</th>
<th>Households</th>
<th>Employment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>138,900</td>
<td>56,360</td>
<td>66,870</td>
</tr>
<tr>
<td>2031</td>
<td>143,800</td>
<td>63,550</td>
<td>71,000</td>
</tr>
<tr>
<td>Net Growth</td>
<td>4,900</td>
<td>7,190</td>
<td>4,130</td>
</tr>
</tbody>
</table>

   The growth forecast is based on targets prepared for the Region of Niagara Policy Plan and accompanying growth management strategies, and may be reviewed and revised without amendment to this Plan.

3. **Accommodation of Growth**

   a) Projected population, housing and employment will be accommodated within the Urban Area as defined on Schedule D ‘General Land Use Plan’.

   b) The Plan recognizes a finite and diminishing vacant land supply within the Urban Area to accommodate projected population and employment growth.

   c) Growth will be accommodated through:

      i) more compact built form and density of development;

      ii) a more integrated, interactive mix of uses, activity and functions;

      iii) service, infrastructure, energy, sustainable transportation and accessible efficient and supportive development;

      iv) design initiatives to support compatible, innovative, efficient and sustainable building and site design; enhanced natural and cultural heritage protection, preservation and conservation; greening; to optimize an accessible, integrated, interactive, usable and connected public realm within and between different use and activity areas, functions, landscapes and identities;

      v) recognizing the preferred mix and interaction of uses contemplated, the City’s urban design guidelines shall be emphasized in the evaluation of all development, redevelopment and intensification opportunities;

      vi) the provision of new, and upgrading of existing infrastructure, where required, to ensure adequate service capacity to support development, redevelopment and intensification.

   d) It is the intent of this Plan to provide a balance of housing and employment opportunities in the City in order to maximize the opportunities for local residents to work in St. Catharines, and to maintain a healthy tax base to support a balanced and complete community, and sustainable long term residential and employment development opportunities.

   e) The Provincial Greater Golden Horseshoe Growth Plan ‘Places to Grow’ (P2G)” designates the majority of Downtown as a Urban Growth Centre (as shown in Part D, Schedule D1), and the only one within the Niagara Region. The P2G sets out minimum density targets for housing and employment, and minimum intensification targets for residential development;

      i) Urban Growth Centre - is intended to be a catalyst area and focus for investment in institutional and local, regional and other upper tier government public services, major transit infrastructure, and a vibrant and active public realm. Investment and infrastructure is intended to attract
and accommodate the highest concentration, mix and range of activity and transit, walkable and bikeable supportive residential and employment accommodation within the municipality.

ii) Minimum Density Targets - are established for the Urban Growth Centre and for development of vacant residential and employment ‘Greenfield’ lands as follows:

- Urban Growth Centre - 150 people and/or jobs per hectare of land.
- Greenfield lands - 50 people and/or jobs per hectare of land

iii) Intensification Target – a minimum 95% of residential development occurring annually within the municipality will be within the municipal built boundary and built up area as delineated in Part D, Schedule D1.

The intensification target is established in the upper tier Region of Niagara Policy Plan.

iv) This Plan provides and will maintain opportunities to achieve minimum residential and employment density targets established in the Provincial Places to Grow Plan, and the applicable minimum intensification target for residential development.

f) Housing

i) If past trends towards development of primarily low density housing were to continue, the vacant residential land supply is not adequate to accommodate all of projected future population and housing needs. To accommodate projected future growth requires evolution from traditional development patterns and trends.

ii) This Plan emphasizes the provision of new housing through the efficient usability of vacant and occupied lands; higher density of development; small lot infill; intensification; mixed use development; and reuse, rehabilitation and redevelopment of the built form.

iii) All types of new housing will be encouraged in a manner not to compromise, but to accentuate and enhance the character, structure, function and accessibility of established residential neighbourhoods and other activity areas; cultural and heritage landscapes, buildings and identities; and the City’s network of parks, open space and natural areas, and public realm opportunities.

iv) All types of new housing will be encouraged to support housing diversity for a range of life stages, incomes and ages to promote social inclusion, reduce isolation, and promote affordable housing opportunities.

v) It is recognized that new housing development and intensification may occur in all residential neighbourhoods. The primary emphasis for intensification and accommodation of new housing opportunities is directed towards the Urban Growth Centre, and intensification along major road corridors, at nodes and mixed use areas.

The range and scale of housing permitted is further defined in Part D ‘Land Use Policies’ and set out in Part E ‘District Plans’.

Primary target areas for residential growth are identified in Part D, Schedule D1 ‘Primary Target Areas for Residential Growth’.
g) Employment

i) The land use plan provides opportunities for a diverse range, mix, scale and location of economic activities to accommodate projected employment growth forecasts.

ii) Primary areas for employment growth and development are directed to the Urban Growth Centre and designated Employment Lands.

iii) The Urban Growth Centre is the City’s major mixed use activity centre, providing the highest concentration, density, range and mix of office, commercial, entertainment, civic, government, institutional, recreational, creative and cultural employment opportunities, and housing accommodation.

The mix and density of uses permitted is intended to support and facilitate investment in major transit and public realm infrastructure to attract and accommodate local, regional, provincial, national and international serving public uses and employment, and transit supportive residential accommodation.

iv) Employment Lands are designated primarily to accommodate a full range and scale of business and industrial employment uses, major office, associated retail, service and office commercial uses, and major large scale institutional or recreation uses which by virtue of scale, size and operation cannot appropriately locate in the Urban Growth Centre or other land use designations.

The range and scale of uses permitted within employment lands is further defined in Part D ‘Land Use Policies’ and set out in Part E ‘District Plans’.

To accommodate projected employment growth forecasts, and promote long term sustainable employment opportunities beyond the Plan time horizon, this Plan emphasizes:

- the provision of an adequate, available, suitable, variable and competitive choice of vacant employment lands to attract and accommodate a diverse range of new economic activities.

- reuse, rehabilitation, redevelopment and enhancement of occupied employment lands to accommodate new or expanded economic activity and employment opportunities;

- transit supportive, public realm, design and greening initiatives to provide compatible, efficient, functional, connected, accessible, interactive, environment friendly and sustainable development.

- clustering of like activities to support compatible development and encourage integrated, interactive and connected business and employment opportunities.

v) Population and public serving commercial, institutional, recreation, and cultural uses generate significant employment opportunities outside the UGC and Employment Lands.

i) Commercial centres are intended to primarily support a concentration of retail and service commercial facilities, functions and structure to serve a regional and/or local and community commercial marketplace.

Growth of commercial centres to maintain and attract new employment opportunities is promoted through reuse, redevelopment and rehabilitation.
ii) This Plan will ensure opportunities for commercial, institutional, recreational and cultural activities to adequately serve and support local resident needs and employment opportunities; and to support and attract tourist related activity and employment.

vi) Live work accommodation and home based business are desirable to enhance accessible and transit supportive business and employment opportunities.

vii) The agricultural land base will be protected to support and enhance sustainable crop production, and agriculture, related service, value added and agri-tourism uses and employment opportunities.

viii) This Plan supports the integration of compatible agricultural uses and activities within the Urban Area to promote sustainable development, the agricultural community, and related employment opportunities.
PART C

GENERAL POLICIES
PART C : GENERAL POLICIES

3. CULTURAL HERITAGE

Cultural Heritage is the legacy of physical artifacts, including buildings, structures, sites, or landscapes, either individually or in groups, which are considered to be of architectural and/or historical significance at the community, regional, provincial, or national level.

Conserving and enhancing our cultural heritage is important not only because it connects us to our past and helps us to interpret our history, but also because it makes economic sense. Heritage can benefit the local economy by attracting visitors to the City, and favorably influencing the decisions of those contemplating new investment or residence in the city.

The City’s cultural heritage resources have in the past been threatened by neglect, obsolescence, redevelopment, and the lack of the financial means necessary for protection or rehabilitation. The following policies provide the framework for the protection and enhancement of the City’s cultural heritage resources.

3.1. General Policies

1. The City shall identify cultural heritage resources through a continuing process of inventory, survey, and evaluation.

2. The City shall foster awareness and appreciation of the city’s cultural heritage and encourage public and private stewardship.

3. The City shall support the continuing use, reuse, care, and conservation of cultural heritage resources and properties.

4. All development/redevelopment shall have regard for identified cultural heritage resources and shall wherever feasible, incorporate these resources into any development plan.

5. The City may require a cultural heritage impact statement where a proposed development/redevelopment or site alteration of lands has the potential to adversely affect cultural heritage resources. The City shall develop guidelines for the preparation of cultural impact assessments.

6. All new development in older established areas of historic, architectural, or landscape value, shall be subject to urban design guidelines to ensure development is in keeping with the overall character of these areas.

7. All City-owned cultural heritage resources shall be conserved and maintained in a state of good repair.

8. When a City-owned heritage property is sold, leased, or transferred to another owner, where possible a heritage easement agreement will be secured and barrier free public access maintained to areas with heritage value.

9. The City shall encourage the adaptive reuse of heritage properties. Any permitted redevelopment shall ensure, where possible, that the original building fabric and architectural features are retained and restored and that any new additions will complement the existing building.
3.2. Heritage Designation

1. The City, in consultation with the St. Catharines Heritage Committee, may designate individual properties, pursuant to the Ontario Heritage Act, if they exhibit or contain one or more of the following criteria:

   a) The structure or property is associated with a person or persons of local, regional, provincial, or national significance;

   b) The structure or property has played a role in an important historic event or trend;

   c) The structure or property has architectural significance, value, or interest due to design, integrity, architectural style or period, or if it is the work of an important architect or early builder;

   d) The structure or property has contextual significance because of its site, integrity, landmark status, or integral contribution as part of the surrounding streetscape.

2. In reviewing proposals to alter individual property or structures designated under the Ontario Heritage Act, the City will be guided by the general principles contained in Section 3 of this Plan, in addition to the reason for designation.

3. To ensure a greater degree of protection to designated resources, the City may enter into agreements with property owners, or may attempt to secure conservation easements, in order to protect those features of a building or structure deemed to have particular heritage value.

4. The City, in consultation with the Heritage Committee, may designate Heritage Conservation Districts, pursuant to the Ontario Heritage Act, where it has been determined that the district possesses one or more of the following attributes:

   a) The area contains a group of buildings or features that reflect an aspect of local history through association with a person, group, or activity;

   b) The area is characterized by buildings and structures that are of architectural value or interest;

   c) The area contains other important physical and aesthetic characteristics that alone would not be sufficient to warrant designation, but provides an important context or association including such matters as landscape features or archaeological sites;

   1. To date, the City has three designated Heritage Conservation Districts – the Queen Street District, the Yates Street District, and the Port Dalhousie District, and a fourth Heritage District pending approval, the Power Glen District. Heritage Districts are designated on Schedule B “Heritage Districts” of this Plan.

5. Prior to designating a Heritage Conservation District, the City will:

   a) By by-law define an area to be examined for future designation;

   b) Undertake a study pursuant to the provisions of the Ontario Heritage Act and any other applicable statutes and regulations:

   c) Prepare and adopt a Heritage Conservation District Plan pursuant to the provisions of the Ontario Heritage Act and any other applicable statutes and regulations.

   d) Establish for each district a “district committee” that will advise Council on matters pertaining to the designated district where appropriate.

   e) Be guided by the requirements of the Ontario Heritage Act.
6. Within a designated district, it is the intent of the City to conserve and enhance its unique heritage character. The City, in consultation with the district committee will encourage property owners to maintain, repair and restore heritage buildings and seek government grants, loans and other incentive programs for eligible conservation work.

7. In reviewing proposals for the construction, demolition, or removal of buildings and structures or the alteration of existing buildings, the City shall be guided by the applicable heritage district plan and the following general principles:

   a) Heritage buildings, associated landscape features and archaeological sites including their surroundings shall be protected from any adverse effects of change;

   b) Original building fabric and architectural features should be retained, repaired, or restored rather than replaced wherever possible;

   c) New additions and features should generally be no higher than the existing building and wherever possible be placed to the rear of the building or set back substantially from the principle façade;

   d) New construction and/or infilling should be compatible with surrounding buildings and streetscapes by being generally of the same height, width and orientation as adjacent buildings; being of similar setback; and using similarly proportioned windows, doors, and roof shape;

   e) Design, style, materials and colours for new construction will be considered on an individual basis on the premise that contemporary styles can be more appropriate in certain cases than using design styles and motifs from previous periods;

   f) Public works and landscaping within a designated district should ensure that existing roads and streetscapes are maintained or enhanced and that proposed changes respect and are complementary to the identified heritage character of the district;

   g) The City shall have regard for cultural heritage resources in undertaking public works. When necessary, the City will require measures to mitigate any negative impacts on significant cultural heritage resources;

   h) The City shall encourage local utility providers to place equipment and devices in locations which do not detract from the visual character of cultural resources and which do not have a negative impact on the architectural integrity of those resources, where feasible;

   i) Required road rights-of-way indicated elsewhere in the Official Plan, will be required in designated districts but every effort shall be made to ensure that existing pavement widths, especially where they are major contributors to the character of the streetscapes will be retained;

   j) The City shall have regard for cultural heritage resources especially in terms of the character of landscapes and streetscapes, tree lines, bridges and the prevailing pattern of settlement in considering the construction of new roads and road improvements including realignment and road widening. When necessary, the City will require measures to mitigate any negative impacts on significant cultural heritage resources.

8. The City may accept easements on real property designated under the Ontario Heritage Act.
3.3. **Heritage Register**

Through a continuing process of inventory and evaluation the City shall maintain, pursuant to the Ontario Heritage Act, a Register of Property of Cultural Heritage Value or Interest.

The Register shall contain those lands that have been designated under Part IV and Part V of the Ontario Heritage Act, as well as properties considered to be worthy of future designation. The Heritage Committee will be consulted before a non-designated property is added too, or removed from the Register in accordance with the Ontario Heritage Act.

The City may consider designation, under Part IV or Part V of the Ontario Heritage Act, of non-designated properties on the Register after consultation with the Heritage Committee and the affected landowner(s).

The owner(s) of a non-designated property on the Register must give the City minimum notice prior to the demolition of any structures on the property as set out in the Ontario Heritage Act. The owner(s) of a property designated under Part IV or Part V of the Ontario Heritage Act must obtain the consent of City Council to allow any demolition of structures on the property, as set out in the Ontario Heritage Act.

3.4. **Archaeological Resources**

1. An Archaeological Master Plan shall be prepared to inventory archaeological sites, establish procedures for their protection and interpretation, and identify areas of archaeological potential.

2. Until an Archaeological Master Plan is adopted, a development proposal on or adjacent to sites with archaeological value or potential will require an assessment by a qualified professional in accordance with Provincial standards and guidelines.

3. Development and site alteration shall only be permitted on lands containing archaeological resources or areas exhibiting archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or by preservation on site.

4. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site will be permitted.

5. The City has special regard for the Welland Canals system. Any proponent for development, redevelopment or site alteration on lands within or adjacent to the Welland Canals system (First, Second, Third Canal) as generally illustrated on Part G, Appendix 1 of this Plan, will require an archaeological assessment. Significant archaeological resources shall be conserved by removal and documentation, or by preservation on site, and other measures may be required to ensure that the heritage integrity of the Canals systems is preserved and promoted.

3.5. **Cultural Heritage Landscapes**

1. A Cultural Heritage Landscape is a defined geographical area characterized by human settlement activities that have resulted in changes and modifications to the environment, which is now considered to be of heritage value or interest. Cultural Heritage Landscapes may include urban streetscapes and commercial mainstreets, designed landscapes such as parks, cemeteries, gardens and rural landscapes.

2. The City shall prepare an inventory of Cultural Heritage Landscapes which may be included in the Register of Properties of Cultural Heritage Value or Interest, or may be considered for designation under the Ontario Heritage Act, and shall be protected in the carrying out of any undertaking subject to the Environmental Assessment Act or the Planning Act.
3.6. Cultural Heritage Impact Assessments

1. A cultural heritage impact assessment may be required by the City and submitted prior to or at the time of any application submission pursuant to the Planning Act where the proposed development, site alteration, or redevelopment of lands (private and public) has the potential to adversely affect cultural heritage resources through displacement or disruption. Cultural heritage impact assessments may be required in the following instances:

   a) Properties designated under any part of the Ontario Heritage Act or adjacent to properties designated under the Ontario Heritage Act;

   b) Properties that are included in the City’s Register of Property of Cultural Heritage Value or Interest or adjacent to properties included in the City’s Register of Property of Cultural Heritage Value or Interest;

   c) A registered or known archaeological site or areas of archaeological potential;

   d) Properties that comprise or are contained within cultural heritage landscapes that are included in the Registry of Property of Cultural Heritage Value or Interest.

2. The City shall develop guidelines for the preparation of cultural heritage impact assessments.

3. Where cultural heritage resources are to be affected, the City may impose conditions of approval on any planning application to ensure their continued protection.

3.7. Implementation

The City may encourage the conservation and enhancement of cultural heritage resources through the following methods:

   a) Participation in the programs of senior levels of government intended for the protection and restoration of cultural heritage resources;

   b) The consideration of funding programs to aid in the protection and restoration of heritage resources;

   c) Support the engagement of the arts community and others in the promotion and development of cultural heritage programs and activities;

   d) Creation of partnerships with heritage foundations and other groups and organizations;

   e) The use of preferred or beneficial zoning in exchange for the preservation of on-site buildings, landscapes, or streetscapes of architectural and/or historical significance, as provided for in Section 16.7 of the Plan.

   f) The consideration of the preservation and enhancement of cultural heritage resources as a condition of planning approvals.

3.8. Cultural Heritage Policy

The City’s Municipal Cultural Policy and related documents shall be monitored and updated when required to ensure plan objectives are being met.
4. **URBAN DESIGN**

Urban design is the art of shaping communities. It is concerned with how buildings, landscapes, and public spaces look and function together to create an overall character that reflects unique aspects of a community’s history and culture.

Good urban design can create lively community places with distinctive character and meaningful connections between public spaces and built form. For residents, it means safe, accessible, appealing places to live and visit; for businesses, increased productivity and prestige; for developers, a better return on investment; for the environment, sustainability; and for the community - civic pride and preserved identity.

Urban design applies to individual sites, neighbourhoods, as well the whole community, ensuring that the new fits with the old, that man-made and natural environments are compatible, and that our heritage is protected and enhanced. Urban design is particularly crucial in St. Catharines which is a mature city with a finite urban boundary. Future growth will occur primarily through intensification and redevelopment. Compact development and mixed-use environments will require innovative and sensitive design to ensure compatibility and to create a sense of place.

The following urban design policies describe the general intent for development. They should be read in conjunction with the City’s Urban Design Manual that sets out specific design details and requirements for different development types and initiatives, and according to specific use and activity areas of the City.

4.1. **Urban Design Principles**

Good urban design is a key planning tool to create sustainable communities. Sustainable design involves the holistic design of communities and buildings for long-term economic prosperity, social harmony and stability, minimized environmental impact, and strengthened cultural identity.

The development of St. Catharines will be based on the following sustainable design principles:

a) a strong sense of identity and place as the “Garden City”;

b) innovative and sustainable design;

c) a stimulating, attractive, and safe public realm;

d) compatibility of new development with established areas;

e) universal access to public areas;

f) conservation of heritage buildings and structures;

g) protection of the natural environment and processes;

h) a compact, walkable, well connected community;

i) a range of choices for housing and transportation;

j) mixed-use nodes and corridors;

k) complete streets for all users.
4.2. Community Identity – The “Garden City”

The City’s natural beauty - its gardens and parks, its historical setting, its natural amenities, and its agricultural lands all have contributed to creating the “Garden City” image. Residents of St. Catharines are proud of this image and urban design policies need to ensure that it is reflected and enhanced in our urban form.

1. Excellence in urban design will be promoted by:
   a) Committing necessary funds to create and maintain high quality public buildings, structures, streetscapes, and open spaces that reflect the “Garden City” image;
   b) Using design competitions and other incentives to stimulate interest in and promote high quality and innovative design.

2. Public buildings will incorporate architectural detail, public art, or other amenities that illustrate our heritage and contribute to the cultural and historic well-being of the community.

3. Local and regional municipal incentive programs should be considered to encourage LEED certification or equivalents for all major developments.

4. Urban design concept plans shall be required for major development proposals in the Downtown, intensification areas, heritage conservation districts, and other high profile areas. Such plans will establish the contextual relationship of the proposed development to adjacent buildings, streets, and surroundings.

5. The City’s Urban Design Guidelines will ensure design objectives established in Heritage Conservation District Plans, or through individual heritage property designations, are maintained.

4.3. The Natural Environment

St. Catharines is located between Lake Ontario and the Niagara Escarpment, with numerous creek systems and environmentally sensitive natural areas. In the urbanized areas, the relationship to these natural features will be enhanced through a thoughtful approach to their conservation, visibility, and accessibility.

1. The natural features of the City will be connected to the surrounding City by improving physical and visual access from adjacent public spaces and by designing these into a comprehensive open space network.

2. The enjoyment of the valleys and ravines will be protected and enhanced by ensuring that adjacent development, particularly from building height and massing, will preserve views and vistas.

3. Development and redevelopment activities will be designed to be compatible in scale and character with natural features and enhance the visual qualities and public enjoyment of those features.

4. Site design and planning will consider the existing topography and the preservation and enhancement of vegetation and natural features. This includes:
   a) Ensuring that existing naturalized open space on lands proposed for development/redevelopment is retained to the maximum extent possible, and where retained, is allowed to regenerate with minimum intervention;
   b) Enhancing ecological stability by supporting the use of low maintenance landscape features and materials;
   c) Supporting the use of native plant species when creating new plant communities or when adding to existing native plant communities;
d) Applying development standards designed to maximize retention of all woodlots and other natural features;

5. Where they remain, the pleasant tree-lined streets of the older areas will be protected and where trees have to be removed, they will be replaced as soon as possible.

6. A program of tree planting, preservation, and landscaping will be undertaken so that all areas are provided with trees and other vegetation to maintain a high standard of amenity and appearance.

7. In all public works, trees should be retained and when trees must be lost to accommodate the works, they will be replaced as soon as possible by other trees of sufficient maturity and in sufficient numbers to enhance the appearance of the public works.

4.4. The Public Realm

The public realm – the streets, parks, squares, public buildings, and open spaces, is a critical component of city life, drawing people together and providing the setting for festivals, cultural events, and recreational and leisure activities, as well as for daily casual contact. They create strong social bonds and help establish our public identity.

1. Urban design opportunities to enhance the quality of the public realm shall be encouraged as part of the design of all municipal undertakings, including public parks and buildings, public streets, natural areas, and all municipal engineering projects related to public spaces. The design of such projects will consider:

   a) the introduction or improvement of linkages where existing areas are inadequately connected to each other or between public places;
   b) improvements to streetscapes, including pedestrian-scale lighting, street furniture, signage, and landscaping wherever road improvements occur;
   c) naturalization opportunities including the use of native species of trees in development of open spaces;
   d) the placement of a broad range of art works in publicly accessible and visible locations;
   e) roadway design to maximize the preservation and maintenance of natural features;
   f) the protection and enhancement of major vistas, gateways, and scenic routes.

2. Public buildings will be located and designed to promote their public status on prominent, accessible sites. Public space associated with public buildings will be designed to accommodate a variety of public functions.

3. Major private development projects should be required to incorporate public spaces, bicycle facilities and sidewalks to support connections to the City’s pedestrian bike and transit network.

4. Wherever feasible, utilities will be placed underground and/or designed to minimize negative impacts, maintain existing area character, and enable further aesthetic improvements such as boulevard trees planting.

Consideration shall be given to the location of utilities within the public rights of way as well as on private property. Utilities shall be clustered or grouped where possible to minimize visual impact. The City encourages 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.
5. The City shall identify certain locations as design priority areas given their importance as growth areas, major activity areas, or prominent focal points. These areas will include:

a) Downtown,

b) Mixed-use areas, nodes and corridors.

c) City and neighbourhood gateways

d) Traditional and arterial streetscapes

e) Major vistas, landscapes

6. Design features for the design priority areas may include but are not limited to decorative lighting, public art, distinct signage, wider sidewalks, boulevard and median treatment and planting, traffic calming, entrance features, and enhanced pedestrian surfaces.

4.5. Built Form

Built form refers to the arrangement of buildings and their relationship to each other, and to the natural environment. It plays a large role in defining the character of an area. New development in St. Catharines will primarily be by way of intensification and redevelopment, and urban design will have a significant impact on how the new development will fit with established areas. Compatibility of development does not necessarily mean the same as or similar to existing buildings in the vicinity, but rather that new development respects and enhances the existing character and context of an area. Where there is no discernable character, new development will set the standard for future development.

1. As a basis for evaluating compatibility and for achieving design excellence, development/redevelopment will be designed in a manner that maximizes compatibility with the surrounding area in terms of the following matters:

a) Building scale, height, and massing.

b) Spacing of buildings.

c) The level and visibility of the ground floor relative to exterior grade.

d) Roof form and pitch, together with any other structures on the roof.

e) The placement, number, type and proportion of doors and windows on street facing facades.

f) Use of materials, textures, and colours.

g) Continuity in the provision, location, and linkage of amenity, open space, and green corridors.

h) Preservation and enhancement of significant views and vistas.

i) Retention of natural vegetation and other distinctive landscape or streetscape features.

j) The overall scale of the development as it relates to the surrounding area. In this regard, factors contributing to compatibility include avoiding long unbroken expanses of walls; creating relief in walls; the use of varied colours, textures, types, qualities and patterns of finish materials; roofline articulation.
2. Development/redevelopment will locate parking, service areas, and utilities to minimize the impact on the property surrounding area, and the environment by:

   a) Consolidating and minimizing the width of driveways and curb cuts.
   
   b) Providing underground parking or parking structures where possible.
   
   c) Limiting surface parking between the front and flanking face of a building and the public street.
   
   d) Providing perimeter landscaping as well as landscaped interior islands.
   
   e) Using permeable pavement systems or other low impact development practices.
   
   f) Connecting parking areas to the street through safe, landscaped pedestrian walkways.
   
   g) Integrating utilities as part of the building and site design, where feasible.

3. Development/Redevelopment may be required to provide amenities for adjacent streets and open spaces such as street furniture, bicycle parking facilities, trees, signage, and lighting to ensure they are fully integrated into the surrounding neighbourhood.

4. Major development/redevelopment proposals shall be required to prepare an urban design scheme (site plans, building elevations, context plans, and other studies) to determine impacts on the physical compatibility of the surrounding area and on the long term development or redevelopment potential of the area.

4.6. Universal Access

   Universal access means providing a broad range of users with varying needs the opportunity to move through the City independently with as few obstacles, physical and psychological, as possible.

1. New buildings, the retrofitting of existing municipal buildings and public spaces shall be designed to foster and support accessibility by all citizens. The full range of abilities of all ages and users shall be considered in the design of the built environment.

2. The travelled portion of pedestrian and bicycle routes shall be kept free from obstructions or projections of street furniture, fixtures, or buildings.

3. Barrier-free features shall be well-integrated within the functional and aesthetic design composition.

4.7. Personal Safety

   Design, through sensitive site layout and location of public spaces, can have a significant influence on the safety of an environment based on the “eyes on the street” philosophy.

1. Publicly accessible spaces shall be located near public roads, transit stops, or other public spaces in order to allow public surveillance.

2. Adequate lighting shall be provided in concealed areas or those areas where visibility may be poor.

3. Views shall be provided into, out of, and through publicly accessible spaces.

4. Access points from public and public accessible spaces shall be clearly identified.

5. Public spaces shall be designed to encourage a variety of activities on a daily, weekly, and seasonal basis.
4.8. **Landscaping**

Landscaping has a number of significant roles to play in creating interesting and functional places.

1. Landscaping design shall:
   a) enhance the visual appeal of development.
   b) buffer unsightly areas or uses that are incompatible.
   c) promote the use of native species.
   d) provide seasonal variation in form, colour, texture, and representation.
   e) promote human scale and create an attractive environment for pedestrian movement.
   f) assist in energy conservation.
   g) mitigate the effects of inclement weather.
   h) preserve and compliment existing natural landscape.

2. Appropriate buffering will be required between all uses of land where there may be a conflict and where one use may detract from the enjoyment.

4.9. **Public Art**

Public Art is a civic asset that contributes to the identity and character of the community by telling its story and interpreting its history. Public Art, as an important expression of community identity and culture, enhances tourism and economic development and the overall vitality of the City. It improves the visual environment, while strengthening community identity and boosting community pride.

1. The City shall set an example for the community through the provision of public art in municipal facilities and on public lands.

2. The City shall encourage other public and private sector owners and developers to include public art as a component of their developments, particularly those developments that include space that will attract significant pedestrian traffic.

3. The City shall initiate partnerships with other public and private institutions in the development of public art projects.

4. The City should establish a minimum 1 %, and work towards a target of a minimum 3 %, of the capital budget of all major public buildings and structures, for the provision of public art.

5. The City’s Public Art Policy shall be monitored and updated when required to ensure plan objectives are being met.

5. **TRANSPORTATION**

The City’s transportation system plays a major role in shaping the form, character, development and redevelopment of the City, influencing both the land uses and quality of life. It is based on the concept of complete streets – accommodating all users of a corridor including pedestrians, bicyclists, users of mass transit, persons with disabilities, motorists, freight providers, emergency responders, and adjacent land users.

Components of complete streets may include but is not limited to: sidewalks, bike lanes (or wide paved shoulders) and facilities, special bus lanes, comfortable and accessible transit facilities, frequent crossing opportunities, median islands, accessible pedestrian
signals, curb extensions, greening, street furniture, wayfinding, streetscape amenities, and travel demand measures.

It is the intent of this Plan to create a comprehensive and integrated transportation system to implement the City’s planned land use structure, and connections with and between the Downtown, residential and employment neighbourhoods, major activity centres, nodes and development corridors, agricultural lands, parkland and trails, and the City’s natural and cultural heritage.

A Transportation Master Plan will be prepared that will outline the City’s strategic direction for the development of its transportation networks, programs, and priorities, and how it can best implement the complete streets concept. The policies of this Plan together with the Transportation Master Plan will contribute to the overall transportation management strategy for the City.

5.1. General Policies

1. The transportation system shall be designed to complement and facilitate the City’s achievement of planned land use patterns, growth objectives, and urban structure.

2. To facilitate a greater multi-modal split, with less emphasis on the automobile, the City will balance the provision of a safe, functional, and attractive pedestrian and cycling oriented environment with an acceptable level of vehicular traffic. The City may accept a level of automobile service which is less than optimum in return for a more pedestrian and cycling oriented environment, and transit supportive development.

3. The City will encourage and facilitate alternative forms of transportation that promote energy conservation and a healthy lifestyle.

4. A Transportation Impact Study may be required for new development or redevelopment to assess transportation demands, impacts, and opportunities.

5. To implement the findings of the Transportation Impact Study, the City will include conditions of approval that support safe and efficient pedestrian and cyclist movement, including:

   a) The acquisition of easements and dedication of land for sidewalks, bicycle trails, transit stops, or other facilities;

   b) The provision of associated amenities such as transit shelters, bicycle parking facilities, and lighting;

   c) Site, building, and road designs that meet the needs of pedestrians, cyclists, and transit users.

6. The City shall consider various traffic calming and management measures to reduce the negative impacts of traffic, and to promote safer streets and the concept of complete streets.

5.2. Road Classification

The safe and efficient movement of traffic through the system is a prime objective. To achieve this objective, ultimate road right-of-way widths for arterials, collectors, and local streets are set out below. Road allowances also contain important utility corridors and in some instances, a road widening will be taken to secure the utility corridor area.

1. A road classification system designates roads into different classes according to the type of service each class is intended to provide. Roads within the City are classified as Provincial highway, regional arterials, major and minor arterials, collectors, and local roads as shown on Schedule C ‘Transportation’ of this Plan. The classification is based on current road patterns and function, and should be reviewed and evaluated subject to a Transportation Master Plan.
A) Provincial Highway – the QEW and the Highway 406.

Development or redevelopment in the vicinity of the QEW or the Highway 406 may be subject to distance separation from highway lands, or other regulations, as established through Provincial policy.

Schedule C ‘Transportation’ of this Plan sets out the general limits of Provincial highway control and where possible distance separation or other regulations may apply.

B) Arterial Roads:

a) Shall accommodate relatively high volumes of traffic and act as transit corridors.

b) The maximum right-of-way width shall generally be 26.2 metres except where Regional Roads in the Region of Niagara Policy Plan are identified as having larger right-of-way maximums.

c) Sidewalks shall be provided on both sides of the road and bicycle lanes and facilities shall be provided where feasible.

d) Access to private property shall be restricted/controlled.

C) Collector Roads:

a) Shall accommodate moderate volumes of traffic and may act as local transit corridors.

b) Shall provide direct access to abutting properties.

c) The maximum right-of-way shall generally be 20.0 metres.

d) Sidewalks shall be provided on both sides of the road and bicycle lanes and facilities shall be provided where feasible.

D) Local Roads:

a) Shall provide direct access to abutting properties and enable the movement of low volumes of traffic to collector roads.

b) The maximum right-of-way shall be 20 metres.

c) Sidewalks should be provided on both sides of the road, where feasible.

2. Unless otherwise specified in the Official Plan, a dedication of land to widen a highway under this provision will be taken equally from both sides of the highway measured from the centre line of the highway. In certain cases where factors such as topography and existing development dictate, it may be necessary to require more than half of the widening on one side of the road.

3. All existing roads will be brought up to meet current general standards now required for roads. However, it is recognized that due to the expense this may not be achieved for many years. Priority will be given to those areas where the residents indicate that they are prepared to assist the municipality through shared costs or where it is desirable to carry out the improvements in conjunction with other public works in the vicinity.

4. Because road improvements (including road widening) can have a significant impact on the character of a neighbourhood, the City shall ensure that the design process will minimize the impact on the livability of affected residential areas by:

a) Reducing the use of local roads by through traffic;

b) Minimizing conflicts between local and through traffic;
c) Minimizing any adverse impacts on the social and natural environments of adjacent lands.

5. The City shall consider various traffic calming and management measures (e.g. narrowing streets, on-street parking) to reduce through traffic and to promote safer streets.

6. The City may consider alternative standards to meet specific local economic, environmental, and social conditions.

5.3. **Alternative Forms of Transportation**

This Plan recognizes that in order to achieve a healthy and livable community, the transportation system now and in the future, will need to reduce reliance on the automobile in favour of more sustainable forms of connective transportation such as walking, cycling, and transit.

1. **Transit**

   1. Transit will provide access to residential areas, employment areas, schools and other institutions, community facilities, downtown, shopping areas and recreational areas in an efficient and reliable manner.

   2. The City shall provide transit at a level of service to enhance its use as a viable alternative to the automobile, and should include facilities to support multi-modal transportation such as bike racks.

   3. Transit service levels shall be increased incrementally to improve the viability of transit. Service level increases shall be directed to:
      a) The Downtown.
      b) Nodes and intensification areas.
      c) Designated employment areas.
      d) GO transit Stations.

   4. Major new or redeveloped activity nodes or corridors shall incorporate transit and pedestrian systems that reduce reliance on the automobile.

   5. Major transit stops and transfer stations shall provide comfort amenities such as sitting areas, weather protection, and lighting.

   6. The City will encourage the integration of cycling and transit modes by providing bicycle parking facilities at major transit stops and in conjunction with development within nodes and intensification corridors, employment areas, and the Downtown.

   7. The City shall ensure the provision of convenient pedestrian access and walking distance to transit facilities through its planning approvals.

   8. The City shall ensure that other policy objectives (e.g. parking) do not conflict with transit policies.

2. **Cycling**

   1. The City shall require, provide, and maintain a continuous, well signed, clearly visible, and attractively landscaped network of cycling trails.

   2. This network shall provide links between major activity areas.

   3. The City shall provide bicycle parking at public facilities and shall require such facilities as a condition of approval for all major private development, where feasible.
4. The integration of cycling and transit shall be promoted by providing bicycle parking at major transit stops and terminals where feasible.

5. Cycling routes shall be separated from motor vehicles on major roadways where feasible. Where not possible, shared use roadways and bicycle route roadway markings and signage will be provided.

3. **Pedestrians**
   
   1. The City shall ensure that the transportation system will be designed to provide continuous and direct access by sidewalks and walkways to schools, recreation and cultural destinations, community services, major activity centres, and other high volume pedestrian centres.

   2. Streetscape design shall provide safe, convenient, and attractive pedestrian ways and connections.

   3. The City shall encourage weather protection for pedestrians in the Downtown, commercial centers, and other activity areas.

   4. Pedestrian safety will be enhanced on sidewalks and walkways through the provision of lighting and/or public visibility, where feasible.

   5. Sidewalks are to be built to a standard that facilitates the mobility of persons with disabilities.

5.4. **Parking**

Parking is an integral component of the transportation system, influencing travel patterns and development potential. It is the intent of this Plan to ensure the location and design of parking facilities will provide sufficient and safe functioning of the transportation system, and balances the needs of the travelling public with the goal of promoting other modes of transportation. In keeping with the “Garden City” image, it is also important to ensure that large expanses of barren asphalt lots are not created.

1. Parking standards will be established for all land uses in the implementing zoning by-law, and adequate off-street parking shall be provided for development/redevelopment in accordance with these standards. Zoning by-laws may establish maximum as well as minimum parking requirements.

2. The City may consider the reduction or the elimination of parking requirements where shared parking is possible or where transit is readily available, provided that the applicant demonstrates that reduced parking standards will not aggravate the parking supply, or result in unacceptable levels of spill-over parking in adjacent areas to cause negative impact to travel, traffic and parking management.

3. The City may consider a “cash-in-lieu” by-law to exempt or partially exempt development/redevelopment from the parking requirement where it is determined that public parking facilities can accommodate the demand, or where it is not possible to meet the zoning requirements.

4. Residential front yard parking will be controlled through the zoning by-law so that streetscape integrity and pedestrian safety are maintained.

5. The negative impacts of parking on the urban environment and pedestrian activity shall be minimized through:

   a) Locating parking and loading areas at the rear of buildings where feasible;

   b) Use of alternative paving materials such as permeable pavement systems;

   c) Alternative surface water management such as swales and ditches;

   d) Landscape treatments and pedestrian walkways in accordance with the Urban Design Guidelines.
5.5. Rail

1. The City shall support the location of rail service to meet the needs of traditional industrial uses within the City.

2. The City shall cooperate with the C.N.R. to identify potential reuse of railway lands that become surplus to their needs.

3. The City shall cooperate with the C.N.R., the Region, and other agencies to identify where conflicts exist between rail, vehicles, cyclists, pedestrians, and adjacent land uses and to determine methods to ameliorate the conflict.

4. The City shall partner with senior levels of government to facilitate the continuation and expansion of GO services and other passenger services to St. Catharines.

5.6. Air

The City shall have regard for the Federal Department of Transport: “Airport Zoning Regulations”, in reviewing development proposals. The general limits where such regulations may apply are shown in Part G, Appendix 2, and shall be subject to review by Transport Canada or its designate.

5.7. Inter-City Transportation

The City shall cooperate with senior levels of government, other agencies and the private sector to promote an inter-city transportation network to accommodate residents and businesses and to promote tourism.

5.8. Transit Terminus

The City’s major Transit Terminus, to support and enhance city-wide, regional, and provincial transit arrival, departure and connection facilities, shall be located in the Downtown. The location of the City’s major Transit Terminus is identified on the Downtown District Plan in Part E of this Plan.

A major rail transit terminus to support Provincial GO service, and other regional, provincial, national and international rail service, should be developed and enhanced, with supporting connections to the City’s transit system, multi modal connections, and adequate and accommodating parking for all users. The City’s major rail transit terminus is identified on Schedule E6 ‘West’ District Plan in Part E of this Plan.

6. ACHIEVING A SUSTAINABLE CITY

St. Catharines is committed to sustainable development in order to reduce its ecological footprint and create a healthier environment. Sustainability means more than protecting the environment. It also means increasing financial efficiency, building social capacity, and creating a more integrated community.

6.1. General Policies

1. The City shall develop an Integrated Community Sustainability Plan that will provide guidance for the development or alignment of all municipal plans, policies and decisions under one integrated decision-making framework.

2. The City shall support sustainable development through land use and development patterns that:

   a) Promote compact form and a structure of nodes and corridors;

   b) Promote the use of public transit and other alternative transportation modes among residential, employment and commercial areas, and other activity centres;

   c) Promote the development/redevelopment of employment, commercial, and other travel-intensive land uses on sites that are or will be well served by public transit;
d) Promote design and orientation that maximizes the use of alternative or renewable energy sources, such as solar and wind, and the mitigating effects of vegetation.

3. All sustainable development principles shall be considered when reviewing applications for development, public works, and capital expenditures.

4. The City shall develop a sustainable development checklist that will be used as a tool for assessing sustainable development features of applications, including those matters set out in this section as well as other initiatives.

5. The City shall establish a monitoring process that will assess the state of sustainability on an annual basis.

6. In making decisions about planning, development, and conservation, within the sustainability framework, the City shall employ an ecosystem approach addressing:
   a) The interrelationships among air, land, water, plant and animal life, and human activities;
   b) The health and integrity of the broader landscape, including impacts on the natural environment in neighbouring jurisdictions;
   c) The long term and cumulative impacts on the ecosystem.

7. Development should maintain, enhance, or restore ecosystem health and integrity.

8. The City will collaborate with Niagara Region, the Niagara Peninsula Conservation Authority and other appropriate stakeholders, in developing and maintaining an environmental data base and monitoring program to assess ecosystem health and integrity and recommend improvements, where necessary, to this Plan.

6.2. Corporate Policies

1. The City shall require all new major municipal buildings to achieve a LEED silver rating or equivalent, where feasible.

2. The City shall establish an environmental sustainability policy and related procedures such as a sustainable green purchasing procedure and a sustainable green fleet procedure.

3. The City shall require all municipal renovation and retrofitting, including the adaptive reuse of heritage buildings for public use, to incorporate sustainable building techniques wherever feasible.

4. The City shall consider the installation of green or light reflecting roofs in the feasibility and design phase of all new municipal buildings.

5. The City shall consider the installation of solar panels, geothermal heating/cooling systems and other sustainable energy practices in the feasibility and design phase of all new municipal buildings.

6.3. Energy Efficiency/Generation

1. The City shall encourage and support energy conservation, district heating and combined heat and power, and alternative and renewable energy sources developed in accordance with Provincial and Federal legislation, policies and regulations.

2. The City shall develop a community energy plan with an emphasis on alternative energy sources and a decentralized energy system.

3. The City shall promote innovative subdivision and site plan design that minimizes energy consumption through road design and lot layouts which maximize passive solar energy opportunities and other alternative energy sources.
4. The City shall establish urban design guidelines that promote energy efficiency.

5. Site plan control shall be used to incorporate energy conservation measures into the final design. Such measures may include orientation and design of new buildings to maximize solar gain and to minimize energy loss through appropriate construction standards and landscaping designed to moderate seasonal climatic variation.

6. The City will encourage and facilitate the application of energy conservation measures in the design and construction of new buildings and in the rehabilitation and upgrading of existing buildings and structures. Standard municipal requirements for building orientation, landscaping design, lot coverage, and other site or building characteristics may be varied to provide for increased energy efficiency.

Local or regional municipal incentive programs should be considered to facilitate energy conservation measures.

7. Regard shall be had for solar rights and carbon footprint in the evaluation of all development and redevelopment opportunities.

6.4. Air Quality

1. The City shall establish corporate and community targets for greenhouse gas emissions and air pollution reductions.

2. The City shall enact an anti-idling by-law.

3. The City shall ensure that parking policies and development regulations do not undermine transit and active modes of transportation.

4. The City shall encourage transit, walking, and cycling.

5. The City shall promote green space, tree planting, and natural heritage conservation.

6.5. Water Resources

1. Development and site alteration shall only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts on:

   a) The quantity and quality of surface and ground water;

   b) The functions of ground water recharge and discharge areas, aquifers and headwaters;

   c) The natural hydrologic characteristics of water courses such as base flow;

   d) The natural drainage systems, streams, forms and shorelines;

   e) Flooding or erosion.

2. Development and site alteration shall be restricted in the vicinity of vulnerable surface and ground water features of importance to municipal water supplies so that the safety and quality of municipal drinking water will be protected and improved.

3. Efficient and sustainable use of water resources shall be promoted, including practices to conserve water and protect or enhance water quality.
4. A stormwater management plan prepared by a qualified engineer, and based on sediment and erosion control guidelines from the Niagara Peninsula Conservation Authority (NPCA), as amended from time to time, may be required with an application for a development or site alteration depending on:

   a) The scale and nature of the proposal.

   b) Site specific environmental conditions.

   The City, in conjunction with the Region, the Niagara Peninsula Conservation Authority (NPCA) and other authorities will determine the need for such a plan on a case by case basis.

5. Prior to any planning approvals, new development applications requiring a Provincial Permit to Take Water shall satisfy the Region and the City that the water taking will not have negative impacts on natural ecosystems or the quality and quantity of water to meet existing and planned uses.

6. Development and site alteration shall not have significant adverse impacts on ground water quality or quantity. In areas where development and site alteration could significantly affect ground water quality or quantity the City shall require that an assessment of potential groundwater impacts be submitted with the development application.

7. The City supports design, construction, and maintenance of Requisition and Petition Drains authorized under the Drainage Act in accordance with Best Management Practices to avoid significant detrimental effects on farmland, water resources, natural areas, and fish and wildlife habitat.

6.6. The Urban Forest

1. The City should undertake an Urban Forest Coverage Assessment and shall establish an urban forest coverage target that reflects a substantial increase to support a sustainable environment ethic and the Garden City identity.

2. The City shall endeavor to reduce heat island effect by establishing a minimum landscaping and/or tree canopy coverage for parking lots and other major hard surface areas.

3. The City shall establish a 2 for 1 public tree replacement program.

4. Planning applications shall integrate natural features and natural vegetation, including the planting of native species, into development plans.

5. The City shall ensure that appropriate space for tree protection and tree planting within road rights-of-way are included in the design of new roads and road improvements.

6. The City shall continue to move to an allocation target of a minimum of 3 % of the budget for all road reconstruction projects for greening purposes above and beyond normal landscaping requirements.

7. The City may develop programs and incentives to encourage property owners to plant more trees, and should consider developing a by-law to protect trees on private property.
6.7. Urban Agriculture

1. The City recognizes that with the rising costs of food, a growing demand for local produce, increasing pressure on agricultural lands, urban agriculture (e.g. community gardens and rooftop gardens) are an attractive alternative source of food for urban residents. The City shall support urban agriculture by:

   a) Ensuring community gardens are permitted in all zoning categories on appropriate sites outside natural areas and hazard lands, on lands free from contaminated soils, and where any adverse affects on adjacent lands are mitigated;

   b) Offering incentives to individuals and developers, and community organizations who provide space for community gardens;

   c) Promoting community gardens in all development/redevelopment initiatives;

   d) Identifying sites, including City parks, for the establishment of community gardens;

   e) Providing infrastructure support such as water, compost, top soil, and tool storage, where feasible.

2. For long term sustainability, it is critical to both increase local food supply and reduce the distance that agricultural products must be transported. Urban agriculture in conjunction with commercial and/or industrial uses shall be permitted through a zoning by-law amendment provided that it is demonstrated that:

   a) it can be implemented without compromising the main use of the site;

   b) it is compatible with surrounding uses;

   c) on-site services are adequate to accommodate the quantity and quality of discharges;

   d) there is no significant impact on air quality.

6.8. Utilities

1. Utility infrastructure shall be permitted in all land use designations as provided for in the land use policies of this Plan.

2. The City will ensure that adequate utility networks are, or will be, established to serve the anticipated development through discussions with public and/or private utility providers.

3. The City will encourage all utilities to be planned for and installed on a coordinated and integrated basis in order to be more efficient, cost effective and minimize disruption.

4. The City will ensure that appropriate locations for large utility equipment and cluster sites have been determined and that consideration be given to the locational requirements for larger infrastructure within public rights of way, as well as easements on private property.
Heritage Districts

Queen Street Heritage District (Approved 1992)
Yates Street Heritage District (Approved 1996)
Port Dalhousie Heritage District (Approved 2003)
Power Glen Heritage District (Approved 2010)
The Garden City Plan

Transportation

- Major Arterials
- Minor Arterials
- Collectors
- Regional Arterials
- General Limits of Provincial Highway Control (Possible Regulation)

ALL OTHER MUNICIPAL ROADS NOT HIGHLIGHTED ARE DEEMED TO BE LOCAL ROADS

CITY OF ST. CATHARINES
PLANNING SERVICES DEPARTMENT
OFFICIAL PLAN AUGUST 2010
PART D

LAND USE
POLICIES
PART D : LAND USE POLICIES

7. GENERAL POLICIES

This Plan emphasizes more compact, innovative and alternative design to manage development.

Zoning regulations, design guidelines, standards, and other tools to manage land use development shall encourage efficient, integrated, accessible, sustainable, environment friendly, and context sensitive development.

Development within the Urban Area shall be evaluated having regard for the following:

a) Support for accessible and connected non vehicular linkages within and between residential neighbourhoods, other activity centres, uses, and the City’s public realm and open space network.

b) Opportunities to create or enhance public places, non vehicular linkages, facilities and gateways.

c) Building, site and streetscape context sensitive design to ensure:

i) Integration of compatible building form, scale, massing, height, setbacks, spacing, siting, orientation, facades and architectural materials with adjacent buildings, properties and the surrounding neighbourhood;

ii) Adverse impacts on adjacent properties are minimized in regard to grading, drainage, location and design of service utilities and areas, access and circulation, parking, transition in height, privacy, views, vistas, microclimatic conditions, and protection of the natural features, functions and hazards.

iii) Possible negative impacts such as noise, odour, and emissions are not excessive in relation to the predominant land use character and function of the area;

iv) Adequacy of lot size, access, on-site facilities and outdoor amenity areas to accommodate use;

v) Provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping.

d) The preservation, conservation, enhancement and integration of natural and cultural heritage features, landscapes and identities.

e) Public transit service opportunities and features, multi modal accessibility, walkability, bikeability and less emphasis on vehicular use.

f) Treatment of existing topographic and vegetative features, and greening opportunities.

g) The best use of existing resources, infrastructure and service capacity.

Development will only be permitted with adequate municipal water and wastewater service, waste management, and fire and emergency protection.

Compatible and practical on-site renewable water, waste and energy management techniques and design are encouraged, including low impact development (LID) practices.
h) Surface parking areas should be minimized, and shared parking areas, standards and access shall be encouraged where compatible, and adequate and appropriate for intended level of service.

Parking areas and access should be designed to optimize greening opportunities, and to support reduction of heat islands, sustainable storm water management, limited access points to public roads, and provide for safe and pedestrian friendly circulation.

i) Development will only be permitted where the transportation system is adequate to accommodate anticipated traffic volumes, generation, circulation and use.

j) Land assembly and configuration will not detract from the potential development or redevelopment on adjacent properties, or create isolated parcels which may otherwise have future development or redevelopment potential.

k) Alternative and innovative lottage patterns are supported provided that compatible street, building and site context sensitive design with adjacent properties and the surrounding neighbourhood can be achieved; and adequate and maintained access to a public road is provided and ensured.

l) The Plan will seek a balance of housing tenure. Conversion of rental accommodation to condominium and other forms of ownership shall only be permitted where the annual rental vacancy rate by dwelling/structure type, as defined and reported through the Canada Mortgage and Housing Corporation Rental Market Survey, is at or above 3%.

m) **Contaminated Sites**

i) Many properties in the City have been used for landfilling or dumping of waste. The City does not purport to know all sites. The sites generally known to the City are shown in Part G, Appendix 3.

Development on or adjacent to these sites should be cognizant of the potential for leachate, surface runoff, ground settlement, soil contamination, hazardous waste, landfill generated gases and other potential environmental hazards.

a) On all lands known or suspected of potential environmental hazards, the City shall require, prior to consideration of approval for development/redevelopment or site alteration, appropriate studies to assess potential hazards. Protective or mitigating measures may be applied to the subject lands, subject to study evaluation and Provincial standards.

b) In addition to those outlined on Appendix 3, on all other lands subject to Official Plan or Zoning By-law amendment or Subdivision approval, an environmental site assessment from the proponent will be required as a condition of approval, identifying that the site has been investigated and found to be free from contamination subject to Provincial standards.

Where hazards are identified, they shall be subject to appropriate studies, and protective or mitigating measures may be applied.

ii) The City shall require for all land being dedicated, conveyed or purchased by the City, a sworn statement that the site has been investigated and found to be free from contaminates subject to Provincial standards.

iii) All environmental and legal requirements, including but not limited to soil or water studies, audits, and satisfactory mitigating and engineering measures, are the sole responsibility of the developer.
iv) Section 7. m) of this Plan applies to all lands within the municipality.

n) The City shall develop Urban Design Guidelines setting out specific design details and requirements for different development types and initiatives, and according to specific use and activity areas of the City, and which will be regulated through zoning regulation, site plan control, or condition of development approval or other approval process.

o) Community Improvement - the City may designate certain areas or properties as Community Improvement Areas, and prepare and implement community improvement plans for specific projects and programs designed to bring about community improvement, and in keeping with the policies of this Plan. Established Community Improvement Areas are shown in Part G, Appendix 4.

7.1. Certain lands are within the Niagara Escarpment Plan Development Control Area, as identified in Part F, Schedule F4. In the Development Control Area, zoning by-laws have no force or effect. Subject to Niagara Escarpment Regulations, permits are required from the Niagara Escarpment Commission for all new development in the Development Control Area.

7.2. Special Study Areas – Notwithstanding the general land use policies of this Plan, certain lands have been set out as ‘Special Study Areas’

‘Special Study Areas’ are subject to future study to determine and implement appropriate land use designations and policies to guide future development and redevelopment in the affected area(s). ‘Special Study Areas’ are set out in Part E, District Plans. District Plans may also set out parameters for the basis of future study.

Until such time as revised land use designations and/or policies have been implemented by amendment to this Plan, the underlying land use designations and applicable policies established in this Plan will apply.

7.3. Natural Areas – Notwithstanding land use designations and applicable policies established in this Plan, all proponents for development, redevelopment, intensification and site alteration should also make reference to natural area mapping and policies as set out in Part D, Section 13.2 and on Schedules F2, F3 and F4 of this Plan, and may be subject to additional review and possible regulation by the Province, the Region of Niagara and/or the Niagara Peninsula Conservation Authority.

8. NEIGHBOURHOOD RESIDENTIAL

The Neighbourhood Residential land use designation, as set out on Schedule D ‘General Land Use Plan’ provides a full range of housing opportunities, types, form, and density to help accommodate projected growth; and to support a wide variety and choice of housing accommodation to provide accessible, affordable, adequate, and appropriate housing for all socio-economic groups.

The uses permitted within the Neighbourhood Residential designation is defined under the use designations in Section 8.1, other applicable policies of this Plan, and as set out in Part E ‘District Plans’.

The range, scale and density of housing permitted in the residential use designations may be further refined or modified in Part E ‘District Plans’.
8.1. Residential Use Designations

1. **Low Density**

   The Low Density residential designation permits detached, semi-detached, duplex and ground oriented multiple attached dwellings including tri-plexes at a density range between 20 and 32 units per hectare of land. Height of buildings will generally not exceed 11 metres.

2. **Medium Density**

   The Medium Density residential designation permits detached, semi-detached, duplex, multiple attached, tri-plex and apartment dwellings at a density range between 33 and 99 units per hectare of land. Height of buildings will generally not exceed 20 metres.

3. **High Density**

   The High Density residential designation permits multiple attached, triplex and apartment dwellings at a net density of 100 units per hectare of land or greater.

8.2. Residential development, redevelopment and intensification will be integrated within Low, Medium and High Density designations having regard for Section 7 and 8.1.

8.3. New Medium and High Density development sites, as defined in Section 8.1, may be permitted in the Neighbourhood Residential designation by way of zoning by-law amendment, provided:

   a) They are located on or near arterial roads, or on collector roads, in close walkable proximity and accessibility to commercial centres, community facilities, parks, natural areas, public transit service, and existing medium or high density development;

   b) Through regular monitoring of this Plan, the subject lands will be appropriately designated in Part E ‘District Plans’, and subject to the applicable policies of that designation.

8.4. Apartments are permitted on arterial roads in low density residential designations, subject to zoning by-law amendment having regard for the density and height provisions established in Section 8.1.1.

8.5. New residential development may be subject to Provincial guidelines to ensure adequate minimum distance separation from designated employment lands.

8.6. **Ancillary Uses**

   The Neighbourhood Residential designation also permits schools, churches and other local public serving institutional uses, neighbourhood commercial uses, home based business, parks and open space uses.

   a) City wide parkland and open space uses are permitted by way of zoning by-law amendment where they are compatible with the residential environment.

   b) Schools, churches and other local public serving institutional uses are permitted subject to zoning by-law amendment where:

      - Compatible with the surrounding residential environment, and where potential negative impacts such as noise, odours, emissions, litter, and traffic generation are not excessive in relation to the predominant use;
      - Located in areas appropriate and accessible for the intended level of service;
      - In close walkable and bikeable proximity to public transit service;
• The transportation system is adequate to accommodate anticipated traffic volumes and circulation.

Low, medium or high density residential standards are set out in Part E ‘District Plans’ to establish residential development or redevelopment parameters on existing school and church sites where development/ redevelopment is proposed. Medium density residential standards will generally apply to those properties located on arterial or collector roads.

i) this policy should not be construed as the City supporting the redevelopment or relocation of existing school sites.

c) Local convenience commercial centres, catering to the day to day convenience retail and service commercial needs of nearby local residents, may be permitted subject to zoning by-law amendment and will be evaluated based on the following criteria:

i) compatible with surrounding residential environment;
ii) total site size of the centre should not exceed 0.4 hectares of land;
iii) total gross leaseable floor area for commercial uses does not exceed 930 square metres;
iv) total gross leaseable floor area per individual commercial use does not exceed 370 square metres;
v) the centre shall be located at the intersection of arterial or arterial and collector roads, central to it’s intended service area, and have an intended service radius of not more than 0.8 kilometres.
vi) residential units shall be provided where gross leaseable commercial floor area exceeds 370 square metres, and in a manner not to detract from the primary convenience commercial function of the centre.
vii) auto related uses, excluding a gas bar, are not permitted.

Residential intensification of existing local convenience commercial centres is encouraged where it does not detract from the primary convenience commercial function of the centre.

Any application to increase the size of a centre beyond 0.4 hectares of land in size and/or 930 square metres in gross leaseable floor area will only be considered where such application includes development of residential dwelling units.

d) Convenience commercial uses are permitted in High Density residential complexes where sized, designed and intended to primarily serve local residents.

e) Home based business is permitted in all residential use areas in accordance with applicable zoning by-law requirements to ensure the ancillary nature of such use.

8.7. Accessory apartments are allowed in all freehold and condominium residential dwelling units in accordance with applicable zoning by-law requirements.

8.8. A detached accessory dwelling unit may be permitted subject to zoning by-law amendment, and having regard for the following:

• Maintenance of adequate on-site outdoor amenity space and parking;
• Adequate municipal services, and utilities;
• Compatibility with adjacent properties, including form, privacy, shadowing and separation distance.
9. COMMERCIAL

The Commercial land use designation, as set out on Schedule D ‘General Land Use Plan’ is primarily intended to provide concentrations of retail and service commercial uses to accommodate local resident needs, as well as to provide significant employment opportunities. Other uses permitted may include institutional, recreation, cultural, civic, office, and residential.

The planned function, range and scale of permitted uses, size, form and location of Commercial designations is further defined under the use designations in Section 9.2, and as set out in Part E ‘District Plans’.

The range and scale of uses permitted within the use designations may be further modified in District Plans.

9.1. It is expected that the commercial areas designated in this Plan are sufficient in number, size and location to serve the commercial needs of area residents throughout the Plan time horizon. The expansion of commercial designations is discouraged. Intensification, redevelopment and reuse of existing commercial designations is intended to be the primary means of accommodating new or expanded commercial facilities. The City may require a commercial market study and other impact studies in consideration to expand or establish new commercial designations.

9.2. Commercial Use Designations

1. Major Commercial

Major Commercial centres are primarily intended to provide for major concentrations of commercial facilities to support shopping opportunities to serve and attract a city wide and broader regional population base and market.

a) Permitted Uses

A range of commercial uses are permitted, excluding auto dealerships and adult oriented uses. Other uses permitted include institutional, civic, cultural, recreation and residential apartment dwelling units.

b) Major Commercial centres:

i) are to be located on arterial roads with close proximity and adequate and accessible access to 400 series Provincial highways;

ii) shall be developed and designed in campus and nodal format, occupying one or more properties functioning as a singular site or node, and may include lands on other quadrants of an intersection;

iii) shall be designed to ensure:

a) integrated, common and shared access and parking, where feasible;

b) strip or linear development and access points along arterial roads are minimized;

c) adequate on-site parking is provided to accommodate all uses;

d) safe internal vehicular traffic circulation, and to minimize traffic impacts on adjacent roads and uses;

e) safe, connected, convenient, accessible and barrier free pedestrian and bike networks within and adjacent to the site development;

f) common landscaping and design features;

g) on-site and internal parking area landscaping and greening opportunities, and in support of pod parking design;
h) that loading areas, outside storage not intended for retail display and sale of merchandise, and waste management facilities will be located away from, and screened from view from on-site pedestrian and vehicular activity areas; and screened from view from other on-site uses, internal and external roads, pedestrian use activity areas, and adjacent properties and uses not part of the site development;

i) context sensitive building, site and streetscape design to support compatible development between on-site uses, and with adjacent properties and uses not part of the site development, including building form, scale, massing, height, setbacks, spacing, sitting, orientation, facades, architectural materials, buffering, screening, landscaping;

j) well defined and clearly articulated street edges.

iv) are to be well served by public transit and will incorporate convenient and accessible transit transfer, arrival and departure facilities to serve as a major transit depot.

v) outside storage areas intended for retail display and sale of merchandise will be regulated through the implementing zoning by-law to ensure ancillary use, minimize negative impacts on pedestrian, bike, transit and vehicular circulation, and to enhance building, site and streetscape context sensitive design.

c) To support the primary function for city wide and regional population based shopping and service opportunities, the following applies:

i) the Major Commercial centre shall be at least 25 hectares of land in size and have a minimum total gross leaseable retail commercial floor area of 47,000 square metres;

ii) the combined ground floor area devoted to freestanding institutional, civic, hospitality, entertainment, recreation and residential uses shall not exceed half of the total ground floor area of the Major Commercial centre, and no one use may exceed 25% of this permission;

iii) residential uses shall be located in freestanding buildings or in upper storeys of commercial buildings, and will provide adequate exclusive outdoor amenity space for residents;

iv) personal service and local office uses shall not exceed 20% of total gross leaseable retail commercial floor area.

d) The full range and scale of uses permitted in a Major Commercial centre may not be allowed in all locations so designated. The precise range and scale of permitted uses on individual sites within the Major Commercial designation may be stipulated in District Plans or the implementing zoning by-law, and may be subject to impact studies including, but not limited to, use compatibility, traffic, parking, market analysis, and building and site design.

e) Any application to establish a new centre or to expand an established centre beyond existing property limits will require an amendment to this Plan, and be subject to impact studies including, but not limited to, market analysis, land use compatibility and traffic.
2. **Community Commercial**

Community Commercial centres are to be spatially dispersed throughout the Urban Area, primarily intended to provide concentrations of commercial facilities to support day to day and weekly shopping and service needs for the local surrounding community population.

a) **Permitted Uses**

A range of commercial uses are permitted, excluding auto dealerships and adult oriented uses. Other uses permitted include institutional, civic, cultural, recreation and residential apartment dwelling units.

b) **Community Commercial centres:**

   i) are to be located at the intersection of arterial roads and well served by public transit service;
   
   ii) are subject to Section 9.2.1 b), ii), iii) and v);
   
   iii) shall generally not exceed a total floor area of 30,000 square metres for all uses excepting residential, and no one individual use shall occupy ground floor area more than 35 % of total ground floor area permitted;
   
   iv) residential uses shall be located in freestanding buildings or in upper storeys of commercial buildings, and will provide adequate exclusive outdoor amenity space for residents;

c) **In recognizing the diversity in size of established and designated Community Commercial centres, the permitted size of centres shall generally range between 2 hectares and 12 hectares of land.**

   The full range and scale of uses permitted in Community Commercial centres may not be allowed on all properties so designated. The precise range and scale of uses permitted on properties designated Community Commercial may be stipulated in District Plans or the implementing zoning by-law, and may be subject to impact studies including, but not limited to, use compatibility, traffic, parking, market analysis, and building and site design.

d) Any application to establish a new centre or to expand an established centre beyond existing property limits will require an amendment to this Plan, and may be subject to impact studies including, but not limited to, market analysis, land use compatibility and traffic.

3. **Arterial Commercial**

Arterial Commercial designations are primarily intended to provide a range of service commercial uses, and uses to serve the travelling public and the automobile using consumer, and will be established only in a very limited number of suitable locations along arterial roads.

a) Development of Arterial Commercial properties is encouraged through campus format, occupying one or more properties functioning as a singular site, and will be evaluated pursuant to Section 9.2.1 b) iii).

b) **Permitted Uses**

   Permitted uses include commercial uses, excluding large scale retail food stores and adult oriented uses. Other uses permitted include institutional, civic, cultural, and recreation uses.

   i) A retail store is permitted, provided that all other retail stores on the property do not exceed 10 % of permitted total floor area on the property.
ii) Office uses are permitted up to a maximum 10% of permitted total floor area on the property.

iii) Outside storage areas intended for retail display and sale of merchandise will be regulated through the implementing zoning by-law to minimize negative impacts on adjacent or adjoining properties, on pedestrian, bike, transit and vehicular circulation, to enhance building, site and streetscape design, landscaping opportunities, and to support well defined and clearly articulated street edges.

c) The full range of arterial commercial uses permitted may not be allowed in all locations so designated. The precise range and scale of permitted uses on individual sites within the Arterial Commercial designation may be stipulated in District Plans or the implementing zoning by-law, and may be subject to impact studies including, but not limited to, use compatibility, traffic, parking, market analysis, and building and site design.

10. EMPLOYMENT

The Employment land use designation, as set out on Schedule D ‘General Land Use Plan’ is intended to provide for a broad range of business and industrial employment uses, and a major source of employment opportunities for local residents.

The location, range and scale of uses permitted within the Employment designation is further defined under the employment use designations in Section 10.3, and as set out in Part E ‘District Plans’.

Section 10.3 of this plan establishes two employment use designations – ‘General Employment’ and ‘Business Commercial Employment’. The ‘General Employment’ designation is intended to provide opportunities for employment generating employment uses with a limited range of ancillary uses. The ‘Business Commercial’ designation provides for a mix of complementary employment generating employment uses together with population generating employment uses primarily intended to serve both the employer, employee and the community at large.

The full range and scale of uses permitted in the Employment designations may not be allowed on all properties so designated. The precise range and scale of uses permitted may be stipulated in District Plans or the implementing zoning by-law, and may be subject to impact studies including, but not limited to, use compatibility, traffic, parking, building and site design, and environmental sensitivity.

10.1. It is a policy of this Plan to protect and preserve designated Employment Lands for employment uses, and in so doing:

a) to maintain a sufficient supply of vacant designated Employment lands within the Urban Area to meet anticipated short and long term employment land needs, including allowance for variability of choice in terms of location, use, property size and servicing needs for a diverse range of employment uses and opportunities; and

b) to support the retention or relocation of existing employment uses, and the reuse, rehabilitation, redevelopment and intensification of existing developed properties for expanded or new employment uses and opportunities within the Employment lands designation.

10.2. The City will only consider the conversion of lands designated Employment in this Plan to a non-employment designation, or to add a use or range of uses to an Employment designation that are primarily permitted in a non-employment designation(s) and not contemplated in the Employment designation, through a municipal comprehensive review and the provisions for such review established in the Provincial Policy Statement and the policies of Provincial Plans, and where:
i) there is a need for the uses proposed by the conversion as established by the municipal comprehensive review;

ii) the conversion will not prevent the ability of the City to meet the employment forecasts established for the City by the Region of Niagara;

iii) the conversion will not adversely affect the overall viability of the employment area and will not impact the ability of adjacent employment lands to be used or continue to be used for employment purposes;

iv) there is existing or planned infrastructure to accommodate the proposed conversion;

v) the lands are not required in the long term for employment purposes; and

vi) cross jurisdictional issues have been considered.

10.3. Employment Use Designations

1. General Employment

The General Employment designation is intended to provide for a full range of industrial operations, industrial service uses, employment business opportunities, and a limited range of retail, service commercial, recreation and institutional uses.

a) Permitted Uses

Permitted Uses include:

i) industrial operations; transportation terminals; repair activities, service trades, construction activities, car wash;

ii) knowledge based research, technology, service, communication, information, management uses; arts and cultural enterprise; banquet, meeting and convention centres; adult oriented uses;

iii) major office uses, major large scale institution or recreation uses;

iv) ancillary and subordinate retail, service commercial and recreation uses.

b) All uses are generally permitted only within enclosed buildings, and may have outside storage and/or processing areas subject to the implementing zoning by-law, and only where;

i) adequately screened from view from lands designated residential, commercial or open space, or lands used for large scale public institutional uses, and where not located in a yard fronting an arterial or collector road or Provincial highway.

c) Heavier more intense industrial uses are generally described as those which by function or operation, may likely be offensive or dangerous by virtue of, but not limited to, noxious emissions, fumes, excessive noise, vibration, dust or airborne particles, handling of hazardous materials or hazardous water, or which may cause excessive negative impact caused by height, outside mechanical, operation or processing facilities, intensity of light, or extensive outdoor storage or parking areas.

i) The location of heavier more intense industrial operations is to be controlled through the implementing zoning by-law to ensure separation from sensitive land uses. Such uses should not be permitted on properties adjacent to, or across a municipal road, from a residential or commercial land use designation, or a major large scale public institutional use;
ii) The location of new industrial uses or operations may be subject to Provincial guidelines to ensure adequate minimum distance separation is provided from sensitive land uses.

d) Major office uses:

i) are permitted only on arterial roads or in locations affording high visibility and exposure to a Provincial 400 series highway, and; where by virtue of scale and size cannot appropriately locate in the Urban Growth Centre

ii) shall be well served by public transit;

iii) shall be developed to minimize surface parking and to maximize greening opportunities and building and site design to present a corporate and Garden City image;

iv) should only be permitted on a site not less than 0.4 hectares of land in size, and a minimum lot area floor ratio of 1:1.

e) Major large scale institutional uses do not include private schools, and are permitted by way of zoning by-law amendment:

i) where by virtue of scale, size and operation the use cannot appropriately locate in the Urban Growth Centre or other land use designations, and which serves at a minimum a City wide population base;

ii) where located on an arterial road, are well served by public transit, and incorporates on-site public transit arrival and departure facilities;

iii) on a site generally not less than 4 hectares of land in size, and designed and intended to accommodate not less than a 1:0.25 lot floor area ratio for the primary function.

f) Major large scale recreation uses include active sport and fitness facilities, stadia and the like, and may be permitted by way of zoning by-law amendment:

i) where by virtue of scale, size and operation the use cannot appropriately locate in the Urban Growth Centre or other land use designations,

ii) only within enclosed buildings designed and intended to accommodate not less than a 1:0.25 lot floor area ratio for the primary function, on a property in excess of 1 hectare of land in size, and where located on an arterial road and well served by public transit.

g) The location of adult oriented land uses shall be strictly controlled through the implementing zoning by-law to ensure adequate separation distance is maintained from sensitive land uses including residential, commercial, institutional and recreational uses and green space designations, and from gateway locations or along roads where exposure and visibility of land uses creates an important first impression of the municipality to the travelling public.

h) Vehicle wash bays, other than those located entirely within an enclosed building, shall not be located in a yard abutting a residential designation or an arterial road.
i) A limited range of ancillary retail and service commercial uses are permitted, including convenience stores, a gas bar, restaurants, banks and fitness centres, provided they are clearly subordinate to, and primarily serve uses, businesses and employees within the surrounding employment area.

i) All ancillary uses shall not exceed 15% of the total floor area of all buildings on the property.

j) A maximum 15% of the total floor area of an industrial or office use may be used for the display and/or retail sale of products manufactured, processed, fabricated, refined or assembled on the premises.

2. **Business Commercial Employment**

The Business Commercial Employment designation is intended to provide for a limited range of industrial operations and industrial service uses; knowledge based employment and office uses; and a range of retail, service commercial, recreation, cultural and institutional uses to serve employment uses and also the community at large.

a) **Permitted Uses**

Permitted Uses include General Employment uses defined under Section 10.3.1 a) i) to iii), excepting: distribution uses, waste transfer and processing stations, recycling, large scale transportation terminals, and any operation which may be considered offensive or dangerous by nature as defined under Section 10.3.1 c).

A limited range of retail, service commercial and recreation uses are permitted, including auto commercial uses and entertainment, but not auto wreckers or retail food stores.

b) All uses are permitted only within enclosed buildings. Limited outside storage may be permitted subject to zoning by-law regulation, and only where adequately screened from view, and should not be located in a yard abutting a residential designation, or an arterial or collector road or Provincial 400 series highway.

c) Population serving commercial, institutional, recreation and cultural uses shall be small in scale unless otherwise stated in Part D, Section 10.3.2 of the Plan.

d) Major office, major large scale institutional, major large scale recreation, adult oriented land uses, and vehicle wash operations are subject to the respective provisions in Section 10.3.1 d) to h).

e) A retail store is permitted, provided that all other retail stores on the property do not exceed 10% of permitted total floor area on the property.

f) Outside storage areas intended for retail display and sale of merchandise will be regulated through the implementing zoning by-law to minimize negative impacts on adjacent or adjoining properties, on pedestrian, bike, transit and vehicular circulation, to enhance building, site and streetscape design, landscaping opportunities, and to support well defined and clearly articulated street edges.

g) A maximum 35% of the total floor area of an industrial use, and 15% of an office use, may be used for the display and/or retail sale of products manufactured, processed, fabricated, refined or assembled on the premises.

h) Gas bars are permitted as an ancillary use.
10.4. General Policies

a) Direct access to arterial roads is discouraged, and all roads within Employment designations shall be constructed to an adequate standard to accommodate industrial and employment traffic.

i) Direct access to the Welland Canals Parkway is not permitted.

b) Employment lands are to be well served by public transit.

c) Development or redevelopment within the Employment designation as set out on Schedule D, General Land Use Plan shall be subject to site plan control and to the following minimum requirements:

i) parking areas in front or flankage yards should be paved and designed with internal and perimeter landscaping;

ii) parking spaces for employees and clients are to be clearly delineated;

iii) street edges are clearly articulated;

iv) lighting should be directed away from adjacent uses;

v) outside storage areas, processing areas, and waste management facilities are to be adequately screened from view;

vi) where feasible, non vehicular connections within and between the employment designation and other use areas shall be provided.

1. To ensure compatible context sensitive building, site and streetscape design, and to support gateway initiatives, higher design standards shall be applied to properties located on arterial and collector roads, or where having exposure and visibility to a Provincial 400 series highway; and on properties adjacent to, or across a road, from a residential, commercial or green space designation, a large scale public institutional use, or other sensitive land uses.

11. DOWNTOWN

a) Downtown St. Catharines is one of the oldest and most diverse parts of the City and in many aspects, best reflects it’s cultural heritage, identity and sense of place. The Downtown has played a significant role in the development of the City and while this role has evolved over time, the intent of this Plan is to ensure that downtown continues to evolve as a compact, multi functional activity centre, and remains a focus for government, civic, institutional, commercial, office, service, entertainment and cultural employment, enterprise and activity, residential accommodation, and a focus for public and private investment and infrastructure.

b) The Provincial Greater Golden Horseshoe Growth Plan ‘Places to Grow’ (P2G) recognizes and reinforces the role of the Downtown, designating the majority of the Downtown as a Urban Growth Centre (UGC). The UGC is intended to be a catalyst area and focus for investment in institutional and local, regional and other upper tier government public services, major transit infrastructure, and a vibrant and active public realm. Investment and infrastructure is intended to attract and accommodate the highest concentration, mix and range of activity and transit supportive residential and employment accommodation within the municipality.

To support this role, the P2G establishes a minimum density target for housing and employment to be achieved in the UGC at a rate of 150 people and/or jobs per hectare of land.

The boundary of the UGC designation is delineated in Part D, Schedule D1 ‘Primary Target Areas for Residential Growth’.

c) A high quality and connected public realm, public gathering places, and urban design standards are seen as integral to supporting the role of Downtown as the
City’s major activity centre, to attract and accommodate a diverse mix of uses, to maintain and enhance heritage facilities, landscapes, connections, and to foster civic, cultural and artistic expressions, pursuits and identity.

d) As the Niagara Region’s ‘Urban Growth Centre’, it is important that Downtown project a sense of vitality, beauty and dynamism. The downtown experience is based not only on the level of activity on the streets, but also the character of it’s streets and the quality of it’s public realm and built environment. Good urban design ensures that the built environment and public spaces fit together harmoniously to create a distinct sense of place.

i) Excellence in design will be encouraged through urban design guidelines and regulations regarding building architecture and form, the character of streets and the interface between the public and private realm, and the quality of open spaces, parks, plazas, boulevards and pedestrian friendly streets.

ii) The City shall continue to enhance the major features, landmarks, and special spaces through development and implementation of urban design guidelines and public improvement programs.

11.1. The Downtown land use designation, as set out on Schedule D ‘General Land Use Plan’ is intended to provide the highest concentration, density, range and mix of office, commercial, entertainment, civic, government, institutional, recreational, creative and cultural employment uses and residential accommodation within the municipality.

The location, range and scale of uses permitted within the Downtown designation is further defined under the use designations in Section 11.2, other applicable policies in Section 11, and as set out in the Downtown District Plan in Part E of this Plan.

The use designations in Section 11.2 are established, in part, to support opportunities to achieve the minimum density targets and other applicable policies established in the Provincial P2G Plan, as well as to attract and accommodate an eclectic mix and integration of complementary land uses and activities.

11.2. Downtown Use Designations

1. Low Density Residential

The Low Density Residential designation permits detached, semi-detached, duplex, and ground oriented multiple attached dwellings including tri-plexes at a density range between 20 and 32 units per hectare of land.

a) Height of buildings will generally not exceed 11 metres.

2. Low-Medium Density Residential

The Low-Medium Density Residential designation permits detached, semi-detached, duplexes, multiple attached and apartments up to a density 99 units per hectare of land.

a) Height of buildings will generally not exceed 20 metres.

3. Medium-High Density Residential

The Medium-High Density Residential designation permits multiple attached and apartments at a density range between 33 and 198 units per hectare of land.
4. **Mixed Medium- High Density Residential/Commercial**

The Mixed Medium-High Density Residential/Commercial designation permits detached, semi-detached, duplexes, multiple attached and apartments at a density range between 33 and 198 units per hectare of land.

a) Institutional uses are permitted, and where located on the ground floor of a building containing residential units, small scale retail and service commercial, recreation and creative and cultural uses are also permitted. Auto related service and dealerships are not permitted. Hotels are permitted only on arterial roads.

5. **Mixed High Density Residential/Commercial**

The Mixed High Density Residential/Commercial designation permits multiple attached and apartments at a density of 100 units per hectare of land or greater.

a) Institutional uses are permitted, and where located on the ground floor of a building containing residential units, small scale retail and service commercial, recreation and creative and cultural uses are also permitted. Auto related service and dealerships are not permitted. Hotels are permitted only on arterial roads.

6. **Commercial Core**

Permitted uses within the Commercial Core designation include retail and service commercial uses, institutional, education, civic, government, office, finance, recreation, creative and cultural uses, hospitality, restaurants, entertainment, and residential apartment units. Auto related service uses or dealerships, and adult oriented uses are not permitted.

a) To foster a vibrant, connected, contiguous, walkable and bikeable retail and commercial environment:

i) ground floor residential dwelling units shall generally not be permitted fronting on a public street or right-of-way, except lands adjacent to McGuire Street (Lower Level). This prohibition will be more precisely defined in the implementing zoning by-law;

ii) local office uses that do not generate a significant amount of pedestrian traffic or require a ground floor location are encouraged to locate on upper floors;

iii) retail functions will only be permitted on upper floors where in conjunction with a ground floor commercial use.

b) To support mixed use development, efficiency and increased density, buildings will be a minimum 2 storeys, and generally not less than 7.5 metres in height.

c) To protect and enhance the heritage landscape, building height on St. Paul Street between William Street and Garden Park shall generally be restricted to 11 metres at the street front, and any additional height should be appropriately terraced away from the street to maintain the historical landscape.

7. **Green Space**

Certain lands within the Downtown designation are set aside for parkland and open space or natural area. These lands are designated Parkland and Open Space or Natural Area in the Downtown District Plan in Part E of this Plan, and are subject to the applicable policies and uses as set out in Part D, Section 13 of this Plan, unless otherwise modified in the Downtown District Plan.
11.3. The densities established in Section 11.2 shall apply to new development or redevelopment of properties for residential or mixed use residential development. The reuse of existing buildings to add residential units or intensification of existing residential uses to add new residential units, where site plan control is not required, shall generally not be subject to the minimum densities established in Section 11.2.

11.4. General Policies

a) Home based business and Live Work Accommodation are permitted in all land use designations established in Section 11.2.1 to 11.2.6, except live work accommodation is not permitted in the Low Density Residential designation.

b) Incentive programs should be established to support residential development, redevelopment and intensification; sustainable transportation; the provision of public realm infrastructure and amenities, public art and cultural expression: façade improvements; natural and heritage conservation and restoration; adaptive reuse of buildings; and business enterprise in the Downtown.

c) The City should continue to foster partnerships with the private sector, other public agencies, and educational institutions to develop facilities, programs, services, and opportunities for cultural expression and the provision of public art, and other pursuits including those listed in b) above.

d) Cultural facilities of a city wide or regional significance will be encouraged to locate in the Downtown Commercial Core.

e) The City shall continue to consolidate municipal government functions in the Downtown: and,

shall strongly advocate the location of other upper tier government offices and functions in the Downtown to strengthen it’s role as the Niagara Region’s only Urban Growth Centre.

i) Civic Square – The Civic Square area, as generally shown on the Downtown District Plan, should continue to be the focus and concentration for the provision of civic and government facilities in the Downtown. The Civic Square should be designed as a connected campus format, and to support a major gathering place to accommodate a variety of cultural activities, expression and functions, and public art.

a) commercial uses will generally not be permitted within the Civic Square area.

f) Farm market operations should be retained and supported in the Commercial Core to enhance the viability of the agriculture community and integration within the urban environment, and community sense of place.

g) The pedestrian realm is a key to providing shoppers, employers, employees, residents and visitors an active, visible and safe sense of place.

The City shall create an attractive, high quality pedestrian environment by considering ‘pedestrian first’ and public realm principles, opportunities and connections in evaluating traffic operations, development applications and public works projects.

i) the provision of public amenity space and/or facilities shall be required in all major development or redevelopment.

ii) the City shall consider, in applications under Section 41 of the Planning Act when evaluating all development and redevelopment, proposed streetscape improvements.
the City shall plan, fund, and maintain pedestrian level lighting, street
trees, landscaping and street furniture as a standard component in
completing roadway improvements.

iv) the City shall better delineate and whenever possible create or extend non
vehicular routes to link together the Downtown’s major activity centres,
landmarks, green spaces, residential and employment neighbourhoods, the
Downtown transit terminus, public parking areas, as well as to support non
vehicular connections to areas outside the Downtown.

i) major activity centres should be appropriately and adequately
signed, and should where possible incorporate cultural expression
and public art.

ii) this Plan supports the closing of James St. between St. Paul Street
and Church Street to facilitate a major pedestrian public realm
spine through the Downtown connecting major activity centres.
This opportunity shall be evaluated through the Transportation
Master Plan.

iii) pedestrian access between St. Paul Street and the Lower Level area
to the east shall be encouraged and where existing, protected, in
the consideration of any development or redevelopment proposals
on lands on the east side of St. Paul Street or the Lower Level.

v) road, intersection and traffic control configuration and operations shall, as
a priority, consider opportunities to maximize the convenience and
attractiveness of the pedestrian realm; and

i) wherever possible, walkways will be segregated from vehicular
traffic, and areas within a road allowance dedicated for non
vehicular use and pedestrian use will be increased.

h) The City shall develop a Transportation Master Plan that strengthens and
reinforces the Downtown as a major destination point, and direct transit access to
major Downtown destination points.

i) Downtown Transit Terminus – the general location of the Downtown
Transit Terminus is shown on the Downtown District Plan. The Transit
Terminus shall retain a location within the Commercial Core designation,
and be developed and maintained as the City’s major public transit
terminal, supporting city wide, regional, and provincial arrival, departure
and transfer connections, facilities and amenities, including end of trip
amenities to support multi modal connections and utility, and cultural
expression and public art opportunities to signify the Garden City
experience.

i) Stand alone surface private parking lots are only permitted within or in areas
adjacent to the Commercial Core, subject to site specific zoning by-law
regulations.

j) All surface parking lots shall be designed to ensure perimeter landscaping, and
where feasible, should not be located in front or flanking yards.

k) The City’s existing municipal parking strategy for the Downtown should be
reviewed with the purpose of reducing or eliminating parking requirements for
commercial and residential development, redevelopment and intensification, and
supporting public parking programs and facilities.
12. **MIXED USE**

The lands designated Mixed Use on Schedule D ‘General Land Use Plan’ are intended to provide for a broad array and mix of medium and higher density housing, live work accommodation, commercial, local office, institutional, recreational and cultural uses intended to primarily serve the immediate neighbourhood and community population.

Mixed use areas are to be developed in linear or nodal fashion, developed in an integrated and compact manner, either in stand alone or mixed use buildings, supporting the efficient use of public transit and infrastructure, and urban design opportunities to create or enhance animated, interactive, visible and distinct streetscapes.

The Mixed Use designations established on Schedule D ‘General Land Use Plan’ and in District Plans in Part E are all different, and generally are designated to recognize areas or street neighbourhoods that have evolved as mixed use corridors or nodes over time, or where significant opportunities for development or redevelopment have been identified, and, which may support compact, public transit efficient development, and linear linkages between other activity use areas, neighbourhoods, and major nodes.

In recognizing the distinct character and location of mixed use areas, the range and scale of uses permitted in the Mixed Use designations may be more precisely set out in District Plans and through zoning by-law regulations, and subject to the general policies as set out in Section 12.1 below.

12.1. **General Policies**

Lands currently designated mixed use, or to be developed or redeveloped for mixed use, are subject to the following:

i) Are to be developed to support minimum densities of 100 people and/or jobs per hectare of land;

   Development or redevelopment specifically designed for Live Work Accommodation may be supported at lower densities but generally not less than 75 people and/or jobs per hectare;

ii) Retail and service commercial uses will only be permitted on the ground floor;

iii) The development or redevelopment for commercial, institutional and recreational buildings in excess of 930 square metres of gross floor area shall only be permitted in combination with residential units. Commercial, institutional and recreation buildings shall generally not exceed 1860 square metres in gross floor area;

iv) Height will be restricted to ensure street animated development, and to recognize the character of surrounding neighbourhoods. Building height will be stepped back to support street animated development and protect adjacent neighbourhoods from intrusive development. The height of buildings will generally not exceed 20 metres;

v) Parking requirements may be minimized, and shared parking and access is encouraged in order to reduce street front parking areas and support transit friendly development;

vi) All development will be of high quality design that considers the integration of new and existing buildings, connected building façade treatments and streetscape initiatives to ensure pedestrian first design principles and greening;

vii) Prohibited uses in the mixed use designation include vehicle sales and auto related service facilities and car washes. Drive thrus, gas bars and car washes may be permitted subject to zoning by-law amendment;
Recognizing the preferred mix of uses contemplated, the City’s urban design guidelines should be emphasized in the evaluation of all development, redevelopment and intensification opportunities.

13. GREEN SPACE

The City enjoys a variety of green spaces including parks, open spaces, and trail systems, as well as many natural features such as the Niagara Escarpment, Martindale Pond, Fifteen Mile Creek, Twelve Mile Creek, the Lake Ontario shoreline, wetlands, woodlots, and other valleylands and natural features. Together they contribute to the City’s green infrastructure. Green spaces are recognized as having a direct and significant impact on our quality of life and a healthy landscape, both in the traditional role of providing recreational and quiet places, and in providing essential self sustaining ecosystem services such as pollution reduction, water absorption, and biodiversity habitats.

The policies of this Plan promote a diverse and connected system of parks, open spaces and trails that make the most efficient use of resources, encourage stewardship, and provide the most benefit and enjoyment for all St. Catharines residents and visitors, while also conserving, protecting and enhancing an integrated, connected and sustainable network of the City’s natural heritage resources for the benefit of future generations.

The policies of this Section are to be read in conjunction with Part C, Section 6 ‘Sustainability’ and other applicable policies of this Plan.

Green spaces are designated on Schedule D ‘General Land Use Plan’ and on District Plans in Part E under the following two land use designations:

- Parkland and Open Space
- Natural Area

Schedule F1 ‘Parkland and Major Trails’ of this Plan also shows public parkland, and existing and proposed major trail systems.

Schedule F2 to F4 ‘Natural Areas’ identifies more specifically natural areas, features and hazards.

13.1. PARKLAND AND OPEN SPACE

The Parkland and Open Space designation is intended to provide opportunities for a variety of active and passive recreational opportunities, to provide relief from the built environment, and to support opportunities for conservation and enhancement of cultural and natural heritage.

i) For the convenience of mapping, not all parkland and open space may necessarily be shown on Schedule D ‘General Land Use Plan’, on District Plans in Part E, or on Schedule F1 ‘Parkland and Major Trails’ of this Plan, primarily where they are small in size such as small trails and special urban parks. Specific reference should be made to the Parks Policy Plan and the Recreation Master Plan.

ii) The classification of parkland and other criteria related to the establishment, size, function, purpose, service and development of parkland is set out in the Parks Policy Plan and the Recreation Master Plan.

iii) Where a natural area feature or hazard is within a municipal park or trail system, or open space designation, the applicable policies in Section 13.2 will apply to the natural feature.
1. Permitted Uses

Permitted uses include:

i) private and public parks, and open space linkages;
ii) cemeteries;
iii) active or passive indoor and outdoor recreational facilities;
iv) cultural heritage;
v) essential operations for utilities but not including their offices.

a) Permitted uses may be allowed provided that:

i) the use of land does not conflict with the policies in this Plan related to natural areas or cultural heritage resources;
ii) the design minimizes or eliminates any potential instability of slopes and allows for settlement of previous fill areas;
iii) all structures, parking areas and active playing fields are attractively designed and landscaped in order to enhance their appearance, and are appropriately setback and buffered between adjacent properties.

b) Ancillary uses may be permitted where they provide complementary services and facilities to the main use, and will be limited in size subject to zoning by-law regulation.

2. Parks Classification

A) In order to effectively match resources with the parks and recreational needs of City residents, parkland is organized under the following classifications:

i) Neighbourhood Parks and Playgrounds - designed primarily for children’s activities and passive recreation;

ii) District Parks and Playfields - primarily designed with emphasis on facilities for organized and non-organized active outdoor playing fields, with opportunities for passive recreational use and provision for public art and cultural expression;

iii) City-Wide Parks and Regional Open Spaces - designed for opportunities that may include passive and active indoor and/outdoor recreation, social, and cultural activities, and promotion and preservation of natural and cultural heritage amenities, cultural expression and public art, and may include multi purpose or specialized facilities;

iv) Linear Parks - walking and cycling trails to support a connected network of non vehicular linkages within and between other parkland, open space, natural areas, downtown, residential, employment and commercial neighbourhoods, community facilities and other activity use areas. The level of development of linear parks can range from minimal to extensive, and may include trailhead parking, restroom, pavilion, public art and other amenities;

v) Special Urban Parks - smaller specialized parks, such as parkettes, urban squares or plazas suitable to fit within higher density urban areas such as the Downtown or other higher use activity centers and nodes, or to support the acquisition and development of smaller parks within under served areas where the acquisition of larger parks is not possible. These park settings are intended to
serve as interesting public spaces for passive social, cultural and leisure activities and should emphasize opportunities for the provision of public art and cultural expression.

B) The classification of parkland and criteria related to size, purpose, function, and development of parkland shall have regard for the policies more specifically set out in the Parks Policy Plan and the Recreation Master Plan.

3. Park Acquisition

Parkland acquisition to achieve the objectives of the Parks Policy Plan and the Recreation Master Plan may occur through purchase, donation, bequest, expropriation, and dedication,

i) the City should establish incentive programs, including preferred or beneficial zoning, to encourage acquisition of parkland.

a) Priorities for Acquisition

Parkland acquisition priorities that should be implemented on an opportunity basis include:

i) lands to link, connect and extend the City’s Green Space and cultural heritage landscapes and routes, and link together with other local municipal and upper tier government or agency parkland, open space, natural and cultural heritage areas;

ii) lands to complete gaps in the trail system along the Lake Ontario waterfront, increasing public access to the waterfront, and improve waterfront parkland;

iii) lands to establish special urban parks to support the creation of parkettes, urban squares and plazas in urbanized core areas and at nodes;

iv) lands to establish, and link to, greened gateway initiatives and opportunities at key entrance locations into the City’s urban fabric, the Downtown, and residential, employment and mixed use neighbourhoods;

v) lands to establish, extend and link non vehicular connections with and between the City’s Green Space, the Downtown, residential, employment, commercial and mixed use neighbourhoods, community facilities and other activity use areas;

vi) lands to support streetscape improvements;

vii) lands for playing fields to accommodate recreational demand.

4. Parkland Dedication

a). The City will, as a condition of development, redevelopment or subdivision of land, require that land in an amount not exceeding, in the case of land proposed for commercial and employment purposes, 2 % and in all other cases 5 % of the land proposed for development , redevelopment or subdivision be conveyed to the municipality for parks or other recreational purposes, pursuant to the provisions of the Planning Act.

b) In the case of development, redevelopment or subdivision of land proposed for mixed use purposes, the conveyance of land shall be
calculated at 2% for commercial or employment uses, and 5% for all other uses.

c) The City will use alternative requirements where dedication of parkland is greater than a) and b) above, pursuant to the Planning Act, as follows:

i) for residential development:

- up to 40 units per hectare of land, park dedication will be calculated based on 1 hectare of land for every 300 dwelling units;
- between 40 units and 80 units per hectare of land, parkland dedication will be calculated based on 1 hectare of land for every 400 dwelling units;
- exceeding 80 units per hectare of land, parkland dedication will be calculated based on 1 hectare of land for every 500 dwelling units.

d) Notwithstanding a) to c) above, not more than 30% of any lands proposed for development or redevelopment shall be required for parkland dedication.

e) Land conveyed to the City as parkland dedication will be expected to meet standards for location, size, drainage, grading, topography, and other criteria as outlined in the Parks Policy Plan and the policies of this Plan.

f) Land conveyed to the City as parkland dedication in the Downtown will be taken, where suitable, to increase landscaped areas along the street front to enhance pedestrian circulation, opportunities for streetscape amenities, and to extend or establish special urban parks.

g) Lands conveyed to the City as parkland dedication on properties adjacent to the Lake Ontario waterfront will be taken, where suitable, as the lands on that portion of the property adjacent to the waterfront.

h) The municipality encourages the provision of indoor and outdoor recreation and amenity space in the design of medium and high density residential developments. The provision of private open space and recreational and amenity space in medium and high density developments will be in addition to the requirements for parkland dedication.

i) Cash-in-lieu of parkland dedication as set out in Section 13.1.4 a) to c) may be accepted by the municipality, pursuant to the Planning Act, where:

i) required dedication of land would render the remainder of the site unsuitable or impractical for development or redevelopment;

ii) required land dedication fails to provide an area of suitable shape, size, location or other criteria, including priority for land acquisition as set out in Section 13.1.3 of this Plan, and in the Parks Policy Plan.

5. General Policies

a) Where parks, open space and recreation facilities are inadequate, the municipality will attempt to bring these areas up to standards through an ongoing program of park development and restoration.

i) priority should be considered for park development and restoration of Centennial Park, given it’s cultural and natural heritage, its location to the central core of the City, and the opportunities that exist to support major non-vehicle connections between the Downtown and other parkland and natural areas, city gateway locations, the Welland Canals system and Merritt Trail.
b) The identity of municipal parks and natural areas, including the connections between them and the amenities within, should be improved through a promotional program, and also a program of signing and wayfinding which emphasizes cultural and natural heritage perspectives and linkages.

c) Private property encroachments on municipal parkland, open space and natural areas should not be permitted and should progressively be eliminated in order to maximize the use and enjoyment of these areas for public purposes.

d) The City should undertake integrated studies to develop an overall and connected City-wide Trails Master Plan, Gateway Master Plan, and Bike Route Plan, and Master Plans for all City-Wide and District Parks.

e) The City should work towards a minimum allocation of 3% of funding for capital works projects to be set aside for streetscape enhancement on road right-of-ways within or immediately adjacent to the capital works project. This policy does not apply to capital works projects directly related to road reconstruction works subject to Part C, Section 6.6.6.

f) The City shall continue to seek out increased public access to parkland, open space and natural areas under ownership or control by other government agencies, and school boards, through joint use and service agreements.

g) The City shall continue to foster community partnerships for parkland renewal and stewardship programs and practices.

h) Part D, Section 7. m) ‘Contaminated Sites’ also applies to lands designated Parkland and Open Space in this Plan.

13.2. NATURAL AREA

The City’s rivers, streams, wetlands, shoreline, woodlots, forests, natural areas and habitat areas are to be protected and promoted for long term sustainability. The purpose of the Natural Area designation is to protect for the long term preservation of a diverse and connected system of natural features, areas, biological and ecological functions. Natural areas, features and functions should be maintained, restored and where possible improved, recognizing links and corridors between them.

A) Lands designated Natural Area on Schedule D ’General Land Use Plan’ and on District Plans in Part E indicate the general location of all known natural areas and features, and may include one or more of the following:

i) shoreline;

ii) floodplain;

iii) valleylands;

iv) wetlands;

v) woodlands;

vi) fish habitat;

vii) areas of natural and scientific interest;

viii) significant habitat of endangered species and threatened species;

ix) significant wildlife habitat;
x) natural corridors;

xi) key hydrologic features.

B) The general location of known natural areas, features and hazard lands are further defined on Schedule F2 and F3 of this Plan.

Schedule F4 sets out the Region of Niagara and Niagara Peninsula Conservation Authority (NPCA) natural area mapping Screening Areas, where lands may be subject to Provincial or Region of Niagara regulation or controls as applied to natural areas, features or hazards and/or subject to NPCA regulation or controls in accordance with Ontario Regulation 155/06 as amended from time to time. Ontario Regulation 155/06 applies to watercourses, valleylands, floodplains, shorelines and wetlands.

This mapping should not be construed as representing the precise boundaries or all of known natural areas, features, hazard lands, or NPCA regulated or screening areas. Natural Area designations, features, and hazard lands may be defined more precisely through Watershed, Environmental Planning Studies, Environmental Impact Studies (EIS), the NPCA, or other government or regulatory authority and mapping.

A significant modification to a Natural Area designation requires an amendment to this Plan. Minor boundary adjustments may be made without an amendment to this plan.

Schedules F2 to F4 and other Schedules of this Plan may be updated as additional natural areas, features and hazards are identified, or where more accurate mapping is available, without amendment to this Plan.

C) Permitted Uses

The following uses may be permitted within the Natural Area designation, subject to applicable Conservation Authority policies and the policies of this Plan:

i) legally existing uses, buildings and structures including agricultural uses;

ii) fish, wildlife and conservation management including forestry management;

iii) essential linear public works including transportation, utility, watershed management, and flood and erosion control facilities, subject to the Environmental Assessment Act;

iv) passive recreation features such as trails, walkways, and bicycle paths.

1. General Policies

a) Where planning applications to establish a new use, or expand a permitted use, are not subject to the Environmental Assessment Act, an approved Environmental Impact Study (EIS) shall be required, subject to the policies of this Plan, for any development, redevelopment or site alteration within or adjacent to natural areas and features. Protection or mitigating measures may be required to be implemented by the applicant.

b) Where an EIS is required, it shall be prepared in accordance with Region of Niagara and NPCA guidelines.

The required scope and/or content of an EIS may be reduced, after consultation with the Niagara Region and the NPCA where the environmental impacts of a development application are thought to be limited; or other environmental studies fulfilling some or all requirements of an EIS have been accepted by the City, Niagara Region and the NPCA.
c) The City may require an independent peer review of an EIS with costs to be borne by the applicant.

d) Lands designated Natural Area where no development or placement of fill and site grading is permitted shall be zoned to prohibit the erection, location or use of any buildings or structures other than those which legally exist.

e) Subject to other policies of this Plan, expansion of an existing use located within or adjacent to a natural area or feature may be permitted if it will have no negative impact on the natural feature or its ecological functions, and shall be subject to an approved EIS.

f) Where development or site alteration is approved within a natural area, feature, hazard lands or buffer zone, the applicant will submit a Tree Saving Plan maintaining or enhancing the ecological functions to be retained. The Plan shall be prepared in accordance with the Niagara Region Tree and Forest Conservation By-law and its implementation monitored by a member of the Ontario Professional Forestry Association.

g) Where lands are not subject to Section 13.2.1 f) of this Plan above, the City should enact and maintain a by-law regulating the destruction or injuring of trees in identified woodlots less than 0.5 hectares of land in size.

Where a woodland greater than 0.5 hectares of land in size is located on or adjacent to lands subject to an application for plan of subdivision, consent, site plan approval or a development permit, the applicant shall be required to prepare a Tree Saving Plan as a condition of approval. A grading or building permit shall not be issued until the Tree Saving Plan, with appropriate implementation and monitoring measures, has been approved by the City.

h) Where development or site alteration is approved in or adjacent to a natural area, new lots thus created shall not extend into either the area to be retained in a natural state or the buffer zone identified through an EIS. The lands to be retained in a natural state and the adjacent buffer zone shall be maintained as a single block and zoned to protect their natural features and ecological functions.

i) The City will, where deemed appropriate, pursue the acquisition of natural areas or features by way of land dedication or other means, and which will be adequately sized to support the protection of natural features, function, access and maintenance. It should not be assumed that these lands will be accepted as parkland dedication, and lands having inherent environmental constraints will generally not be accepted as parkland dedication pursuant to the Planning Act.

j) The City recognizes that lands designated Natural Area, whether in private or public ownership, are accessible to the public at the discretion of the owner.

k) The City shall encourage and provide assistance, where feasible, to private landowners and interest groups in developing and maintaining stewardship programs to support retention and enhancement of natural areas and features.

l) Prior to any planning approvals, new development applications requiring a Provincial Permit to Take Water shall satisfy the City and the Niagara Region that the water taking will not have any negative impacts on natural ecosystems or the quantity and quality of water to meet existing and planned uses.
m) Part D, Section 7. m) ‘Contaminated Sites’ also applies to lands designated Natural Area in this Plan.

n) Agricultural Area

Certain lands within the defined Agricultural Area of this Plan are located within the Provincial Greenbelt Plan Natural Heritage System and/or the Niagara Escarpment Plan (NEP) Area.

The Greenbelt Plan Natural Heritage System is not specifically shown in this Plan, but is included within the Region of Niagara natural area Screening Area as shown on Schedule F4 of this Plan.

In addition to other policies of this Plan, the following policies apply to lands within the Provincial Greenbelt Natural Heritage System.

i) Notwithstanding the requirement for an EIS elsewhere in the Plan, where development or site alteration is proposed, an EIS will be required within 120 metres of any natural area or feature; and, where key hydrologic features have not already been identified or designated, an EIS may be required for lands on and within 120 metres of a site where development or site alteration is proposed.

ii) Other than uses existing at the date of adoption of this Plan, no development or site alteration shall be permitted within a natural area or feature or within a natural self sustaining vegetative protection zone to be determined through an EIS.

The natural self sustaining vegetative protection zone shall generally be a minimum 30 metres in width where adjacent to wetlands, seepage areas and springs, fish habitat, permanent and intermittent streams, lakes, and significant woodlands.

New buildings and structures for agricultural uses, or agriculture cultivation, shall not require the vegetative protection zone to contain natural self sustaining vegetation.

iii) Small scale expansion of existing farm buildings and structures may be permitted within natural areas or features, other than within a Provincially significant natural area or feature, if to the satisfaction of the approval authority, that such development will not negatively impact natural areas, features and ecological functions.

iv) Municipal Drains

Where development or site alteration is proposed adjacent to a municipal drain, a minimum 15 metre buffer zone measured from the stable top of bank shall be required to provide access for drain maintenance, and to protect the integrity of the drain and environmental health. A lesser buffer zone may be permitted where demonstrated to the satisfaction of the City and the NPCA that there will be minimal negative impact on the maintenance and functioning of the drain.

o) Niagara Escarpment Plan

Certain lands within the municipality are also located within the Niagara Escarpment Plan (NEP) Area, as shown on Schedule F4. The Niagara Escarpment Plan (NEP) also sets out policies for natural areas, features and hazards. Certain lands within the NEP are also located within the Provincial Greenbelt Plan area. Where in conflict with the policies of the
Greenbelt Plan, the applicable policies or the NEP prevail, with certain exceptions.

Notwithstanding, the policies of the Region of Niagara Policy Plan may be more restrictive than the Greenbelt Plan of the NEP, provided they do not conflict with the policies of those Plans.

2. Natural Areas

1. Shoreline

a) Development and site alteration shall not be permitted within the dynamic beach hazard limit, and may be permitted within the erosion hazard limit and the flooding hazard limit subject to the approval of the NPCA.

i) Public access to shorelines should be maintained and where possible improved. Road closings that would reduce public access should not be permitted unless a suitable new access is provided nearby;

ii) Landowners shall be encouraged to maintain and restore the shoreline in a natural state by establishing a naturally vegetative strip along the shoreline, and the use of non-structural shoreline protection such as bio-engineering using native vegetation, where feasible.

b) Where major development or redevelopment is proposed along the shoreline:

i) public access to the shoreline will be provided;

ii) development design should ensure that the view of the shoreline be maintained from beyond the limits of the developed site;

iii) where possible, the shoreline should be maintained in, or restored to a naturally vegetated state;

iv) suitable shoreline lands should be dedicated to the City or appropriate public agency where such lands would provide public benefit and identified as part of a planned public trail system. These lands should be located above the stable top of bank.

2. Floodplains

Development and site alteration may be permitted in accordance with the Conservation Authority’s Ontario Regulation 155/06 as amended from time to time, and subject to NPCA approval.

3. Valleylands

Along valleylands where the valley bank height is equal to or greater than 3 metres, the following applies:

i) Development or site alteration shall not be permitted within the valley or within 7.5 metres of the long term stable top of bank(s), as determined by the NPCA, except for compatible permitted recreational uses, essential public works and utilities, subject to the requirements of this Plan.
ii) Where the NPCA finds evidence of slope instability or where the angle of the valley slope exceeds 3:1 (horizontal distance: vertical distance), a greater setback from top of bank may be required subject to a geotechnical report prepared by the proponent to the satisfaction of the NPCA.

iii) Subject to review by the NPCA a reduced top of bank setback may be considered, subject to an approved geotechnical investigation, where the reduced setback, with any required mitigating measures, will result in no adverse long term environmental impacts.

iv) Where possible, existing vegetation should be maintained within the defined top of bank setbacks. Vegetation below the top of bank shall not be disturbed, and where already impacted, the applicant may be required to rehabilitate and revegetate the valleylands as a condition of development approval.

v) Unless otherwise directed by the NPCA, development or site alteration within a valleyland, on lands within 15 metres of the Twelve and Fifteen Mile Creek valley top of bank, or where abutting other valleyland top of bank, must demonstrate through an EIS, that erosion and adverse impacts to water quality and quantity, slope stability, wildlife habitat, existing vegetation and drainage shall be minimized, and valley slopes not disturbed.

vi) With the exception of infill situations, new lot lines created through plan of subdivision, condominium or consent should be located 7.5 metres from the top of bank. Lands below the top of bank in plans of subdivision and condominium should be maintained as one block, and should be dedicated to the municipality or a public agency where appropriate and desirable.

vii) Within the urban area boundary, redevelopment on an existing lot of record may be permitted to the limits of the stable top of bank, subject to the City approval of appropriate studies and any required mitigation measure to ensure that erosion and adverse impacts to water quality and quantity, slope stability, wildlife habitat, existing vegetation and drainage shall be minimized, and valley slopes not disturbed.

4. Wetlands

i) Development and site alteration shall not be permitted within a provincially, regional or locally significant wetland or within the required buffer zone, which shall generally be a minimum of 30 metres measured from the boundary of the wetland. The final width of the required buffer zone shall be established through an approved EIS or Subwatershed Study.

ii) Unless otherwise directed by the NPCA, development proposed on lands within 120 metres of an individual wetland area, or on lands connecting a wetland with a wetland complex, shall require approval of an EIS, or where a subwatershed study has been completed, may require a site specific EIS.

5. Woodlands

To be identified as significant, a woodland must meet one or more of the following criteria:
- contains threatened or endangered species;
- contains interior woodland habitat at least 100 metres in from the woodland boundaries;
• overlap or contain one or more other natural area features identified in Section 13.2;  
• be a minimum of 2 hectares in size, and may be crossed by a watercourse.

i) Development or site alteration shall not be permitted within a significant woodland or within the required buffer zone, which shall generally be a minimum of 10 metres measured from the drip line of the woodland. The final width of the required buffer zone shall be established through an approved EIS or Subwatershed Study.

ii) Unless otherwise directed by the NPCA, development proposed on lands within 50 metres of a significant woodland shall require approval of an EIS to demonstrate that there will be no negative impact on the woodland or it’s ecological function.

6. Fish Habitat

Development and site alteration may be permitted within a Fish Habitat or on adjacent lands if it will result in no net loss of the productive capacity of fish habitat as determined by the Department of Fisheries and Oceans or it’s designate.

A naturally vegetated buffer zone, a minimum 30 metres in width measured from stable top of bank, shall generally be required adjacent to Critical Fish Habitat, and a minimum 15 metre buffer zone from Important or Marginal Fish Habitat.

Unless otherwise directed by the Department of Fisheries and Oceans, or it’s designate, development proposed within 30 metres of a fish habitat shall require approval of an EIS. A narrower buffer zone may be considered where the EIS has demonstrated that it will not harm fish or fish habitat, but in no case shall the buffer zone adjacent to Critical Fish Habitat be less than 15 metres.

7. Areas of Natural and Scientific Interest (ANSIs)

ANSIs are defined as lands that contain natural landscapes or features which have been identified as having values related to natural heritage preservation, scientific study, or education and contain representative earth science and/or natural processes.

Development and site alteration shall not be permitted in a provincial or regional significant ANSI unless it has been demonstrated through an EIS that such development will not have a negative impact on the feature or it’s ecological function. Notwithstanding, no development is permitted within a Provincial Life Science ANSI.

Development proposed on lands within 50 metres of an ANSI shall require a satisfactory EIS to demonstrate that there will be no negative impact on the ANSI or it’s ecological function.

8. Significant Habitat of Threatened and Endangered Species

Mapping of Significant Habitat of Threatened or Endangered Species may not be included on the Schedules of this Plan. Much of this habitat may be found within the Natural Areas shown on Schedules F2 and F3. Significant habitat of threatened and endangered species will be identified through the planning and development review process, or through other studies or mapping.
Development and site alteration shall not be permitted in the Significant Habitat. Development or site alteration proposed on lands within 50 metres of a significant habitat will require a satisfactory EIS to demonstrate that there will be no negative impact on the significant habitat of threatened or endangered species or it’s ecological function.

9. Significant Wildlife Habitat

Mapping of Significant Wildlife Habitat may not be included on the Schedules of this Plan. Much of this habitat may be found within the Natural Areas as shown on Schedules F2 and F3. Significant wildlife habitat will be identified through the planning and development review process, or through other studies and mapping.

Unless otherwise directed by the NPCA, development or site alteration within 50 metres of a significant wildlife habitat shall require an EIS to demonstrate that there will be no negative impact on the significant wildlife habitat features or functions.

10. Natural Corridors

Where development or site alteration is proposed in or near a regional natural heritage corridor, as generally illustrated on Schedule F2, the corridor shall be considered in the development review process. An EIS may be required to demonstrate that there will be no negative impact to the natural features and ecological functions within the corridor, and to the system and linkages within and between natural features and processes within the corridor.

11. Key Hydrologic Features

Key Hydrologic Features may include permanent and intermittent streams, lakes, and their littoral zones, seepage areas, springs, and wetlands. Where not already included within a natural area or feature as identified in Section 13.2, they may be identified through a future EIS or other studies and be shown on Schedules F2 and F3, and be subject to minimum buffer zone and other requirements.
14. **AGRICULTURE**

The Agriculture land use designation pertains to the agricultural lands located beyond the City’s Urban Area boundary, and as set out in Schedule D ‘General Land Use Plan’ and in Part E ‘District Plans’. Due to a combination of soils and climate, these lands are considered to be unique agricultural lands suitable for the production of tender fruit and grapes, and other crops, as shown on the Agricultural Land Base Map of the Regional Policy Plan.

It is the intent of this Plan to protect and promote the agricultural lands for long term sustainable agricultural production and practices, and in doing so, to support viable agriculture land economy and employment base and enhance the City’s Garden City identity and community sense of place.

Non-agriculture or non-agriculture related development shall not be permitted.

i) The Provincial Greenbelt Plan designates all of the agriculture lands shown on the Plan Schedules as Speciality Crop Area, and Protected Countryside (Tender Fruit and Grape Lands). Certain of the lands may also fall within the Greenbelt Plan Natural Heritage System. The policies of the Greenbelt Plan apply to all uses and activities within the municipality outside the Urban Area boundary.

Certain agriculture lands are also located within the Provincial Niagara Escarpment Plan (NEP) Area, as shown on Schedule F2 of this Plan, and subject to applicable policies of the NEP.

ii) Where in conflict with the policies of this Plan, the applicable policies of the Greenbelt Plan and the NEP shall apply.

The policies of the NEP generally prevail over Greenbelt Plan policies, subject to certain exceptions, where in conflict.

14.1. **Permitted Uses:**

A full range of agriculture uses are permitted, including vineyards, livestock, field crops, fruits, vegetables, greenhouses and horticultural specialities. Compatible uses such as forestry and natural area protection and conservation may also be permitted.

Permitted secondary uses, provided they are incidental and subordinate to the main agriculture operation, may include wineries, agri-tourism and market value added uses, seasonal local grown produce retail outlets, home occupations and home industries related to agricultural purpose.

Existing residential dwellings are permitted. New residential dwellings may be permitted on the same property as, and where related and secondary to, a main agricultural use, or on an existing vacant lot of record, subject to the applicable policies of this Plan.

Agriculture related small scale commercial and industrial uses intended to primarily serve the agricultural community may also be permitted.

Essential linear utilities other than administrative facilities are permitted subject to the Environmental Assessment Act, where required, and consistent with the policies of this Plan.
14.2. General Policies

1. Agri-tourism – means farm based business activity that caters to the travelling public and is clearly related to and subordinate to the principal agricultural use on the property, and may include seasonal farm markets, restaurants related to a winery, bed and breakfast, on farm tours, and the selling of value added agricultural products.

Agri-tourism uses shall only be permitted subject to the following:

i) on all farm parcels up to a maximum gross floor area of 93 square metres; and on farm parcels 6 hectares of land or greater in size, up to a maximum of 464.5 square metres of gross floor area.

ii) agri-tourism uses, with the exception of bed & breakfast accommodations, greater than 93 square metres in gross floor area shall be subject to site plan control.

iii) the display and retail sales area of off-farm products shall be permitted, up to a limit of one-third of total gross floor area devoted to commercial use of an agri-tourism use, to a maximum 93 square metres.

iv) bed and breakfast accommodations shall be permitted to a maximum of 6 bedrooms with the exception of lands within the NEP Area, where a maximum of 3 bedrooms are permitted.

v) agri-tourism activities shall be served by an on-site sewage disposal system. It must be demonstrated that the system will not negatively impact the agricultural viability of the subject property, surrounding area or the natural environment.

vi) agri-tourism uses that are not directly related to agriculture but benefit from a farm setting may be considered by way of zoning by-law amendment subject to the following criteria:

a) regulations established in Section i) to v) above.

b) ability to accommodate on-site services, including parking and sewage disposal. The activity must be a low water and low effluent producing activity.

c) compatibility with surrounding land uses.

d) the use will not negatively impact agricultural viability of the subject property, or natural areas, features and functions, and is compatible with the surrounding area.

vii) proposed variation to the regulations in Section i) and ii) above may be considered by way of zoning by-law amendment subject to the criteria in Section vi), b) to d) above.

2. Wineries

a) Wineries are permitted subject to zoning by-law regulation and site plan control, and where:

i) the farm parcel is adequately sized to provide an agricultural setting for the winery, land for the ponding of waste water, and associated vineyards.

ii) direct or convenient access to an improved roadway with sufficient capacity to accommodate anticipated traffic is provided.
iii) the gross floor area devoted to the winery operation is clearly subordinate and secondary to the main agricultural uses on the property.

iv) the total of all agri-tourism uses should not exceed 50% of the gross floor area of a winery on the same property, up to a maximum of 464.5 square metres.

v) the display and retail sales area of off-farm products shall be permitted, up to a limit of one-third of total gross floor area devoted to commercial use of agri-tourism uses, to a maximum 93 square metres.

vi) adequately served by an on-site sewage disposal system, and other on-site services such as parking and waste management.

vii) the use will not negatively impact the agricultural viability of the subject property, or natural areas, features and functions, and is compatible with the surrounding area.

3. Home Industries

Home industries are small scale uses providing services primarily to the farming community, or services promoting agri-tourism. Home industries may be conducted in whole or in part in an accessory building and may employ up to 3 non-residents. The scale of the industry and parking will be regulated in the zoning by-law.

Home industries may be permitted through a zoning by-law amendment on agricultural lands not being farmed where the owner can demonstrate that the impact on future agricultural viability of the lands will not be jeopardized and that there will be no negative impacts on adjacent properties.

4. Other uses which may be permitted through a zoning by-law amendment include:

a) uses that serve or are directly related to agriculture such as the storage and/or processing of agricultural products.

b) small scale commercial or industrial uses directly related to and serving the surrounding agricultural uses.

c) interim uses, in accordance with temporary use provisions with the expectation that the lands will revert back to an agricultural use.

i) These uses may be permitted where it is demonstrated that:

a) the use will predominantly serve the agricultural community or agri-tourism;

b) it is not practical to locate within the Urban Area;

b) negative impacts on surrounding uses and agricultural operations are minimized, and shall be compatible with existing and permitted future uses on adjacent lands;

d) the use will not negatively impact natural areas, features and functions;

e) adequate access to a publically maintained road, and on-site services, including private sewage disposal, waste management and parking are provided;

f) the lot size and location is appropriate for the intended use.
ii) The zoning by-law will limit the maximum floor space and establish site design criteria to ensure compliance with Section i) above, and larger scale operations shall be subject to site plan control.

5. Help House - permanent or portable farm dwellings may be permitted provided the dwelling is for either a person or persons who are employed full-time in the farm operation where such additional dwelling does not have a significant effect on the tillable area of the farm or its viability.

Such dwellings shall not be permitted to be severed in the future. In the area designated "Escarpet Rural Area" in the NEP, accessory agricultural dwellings are to be mobile or portable dwellings only.

Farm dwellings must be capable of being served by adequate on-site private sewage disposal.

6. Enlargement of existing non-agricultural uses, other than those specifically permitted, may be permitted provided they are not in conflict with an active agricultural operation and that the expanded use can meet the criteria set out in Section 14.2.4 i) c) to f).

7. Intensive Animal Operations:

i) the establishment or expansion of intensive animal operations in the agricultural area shall be in conformity with the Minimum Distance Separation Formulae as established by Provincial standards.

ii) the establishment or expansion of non-agricultural uses in the agricultural area shall also be subject to the requirements of the Minimum Distance Separation Formulae to protect farm operations from unnecessary restrictions of their operations.

iii) known livestock operations are generally shown in Part G, Appendix 3.

8. Lot Creation

The creation of new lots for agricultural or agriculturally related purposes may be permitted subject to a number of criteria. The creation of new lots for non-agricultural uses shall be prohibited except as permitted in this Plan.

The following policies apply to lots created by consent, save and except lots proposed to be created within NEP Area which are subject to the applicable policies of the NEP.

1. In the Agriculture Area, consents to convey land may be permitted only in accordance with the following:

a) The parcel to be severed and the parcel to be retained are both large enough to support a viable agricultural operation. Both the parcel to be severed and the parcel to be retained must have sufficient size to maintain flexibility for future changes in type or size of agricultural operation. Both parcels must be of a size that is suitable for the type of agriculture in the area and for the type of agriculture proposed. The foregoing includes small lot severances for greenhouses and other intense forms of agriculture subject to the condition that any dwellings on the property are allowed only after the greenhouse and other farm buildings have been constructed or substantially completed. It is important that small lot severances for intensive agricultural uses such as greenhouse operations be of a sufficient size so that these uses have ample room for future expansion; or
i) The land for which consent is requested is to be added to adjoining lands on which there is an existing agricultural operation, and the parcel to be retained is large enough to support a viable agricultural operation; or

ii) The consent is a minor boundary adjustment or easements, complies with other policies of this Plan and does not create a separate lot for a residential dwelling, and there is not increased fragmentation of a key natural heritage feature or key hydrologic feature.

b) When two or more farms have been amalgamated to form one contiguous parcel under one ownership and consent is requested for conveyance of a lot on which there is a dwelling not including a help house that is surplus to the needs of the farm. Such consents will be subject to the following criteria:

i) That the remnant parcel of agricultural land be a size sufficient to function as a viable part of the overall agricultural operation;

ii) That the surplus dwelling be of sufficient quality and value to warrant its retention on the severed property and its use as a non-farm residence and that the residence also meet the standards contained in the Maintenance and Occupancy By-law, or successor;

iii) That the dwelling proposed for severance be surplus to the present and anticipated needs of the agricultural operation for farm residence and for farm help houses;

iv) That the surplus dwelling shall meet the Minimum Distance Separation Formulae as established by Provincial standards;

v) That the dwelling was an existing use as of December 16, 2004;

vi) That no severance of a surplus farm dwelling has been previously granted for the agricultural parcel concerned; or

c) The consent requested is for minor boundary adjustments or easements which complies with other policies of this Plan, and does not create a separate lot for a residential dwelling.

2. Proposed lots being considered for a consent under the policies in Section 14.2.8.1 must also meet the following criteria:

a) The consent is for agricultural purposes and where the severed and retained lots are intended for agricultural purposes and provided that the minimum lot size is 16.2 hectares of land in size, in accordance with the provisions of the Greenbelt Plan.

b) Any new lot must be of sufficient size and have suitable soil and site conditions for the installation of long-term operation of a private waste disposal system in compliance with the requirements of the Medical Officer of Health or such other person appointed for that purpose by the Ministry of the Environment and Energy.

c) Any new lot must have an adequate ground or other water supply, in compliance with the requirements of the Ministry of the Environment and Energy.
d) Where applicable, any new structure shall be set back a sufficient distance from the Lake Ontario shoreline to ensure adequate protection from shoreline erosion for the life expectancy of the dwelling. The minimum setback required, where protective work is satisfactorily completed, shall be determined by an acceptable engineering analysis. Setbacks shall be determined pursuant to Ontario Regulation 155/06 and in consultation with the NPCA. The NPCA may require that a permit for works in a regulated area be obtained prior to construction.

e) The size of any new lot created for residential purposes shall not exceed an area of 0.4 hectares of land except to the extent that additional area is required to support a private waste disposal and water supply system as determined by the Medical Officer of Health or such other person appointed for that person by the Ministry of the Environment and Energy.

f) Any new lot must have sufficient frontage on an existing publicly maintained road.

g) Road access to any new lot shall not create a traffic hazard because of limited sight lines on curves or grades or proximity to intersections.

h) Any new dwelling located on a new lot shall comply with the Minimum Distance Separation Formulae as established by Provincial standards or a distance separation of 300 metres, whichever is greater.

i) Any new lot will be evaluated based on the following:
   a) The impact of the location and configuration of the lot on existing agricultural operations;
   
   b) The impact on farm drainage;
   
   c) Compatibility with existing adjacent uses.

j) There is not increased fragmentation of a key natural heritage feature or key hydrologic feature.

3. Lot creation for any uses permitted by policies 14.2.1 to 14.2.6 shall not be permitted.

9. Infrastructure uses, such as essential linear public or private uses such as roads and transmission lines, communications infrastructure and linear water and sewer facilities, are permitted subject to the Environmental Assessment Act, where required, and where it is determined that such uses cannot be reasonably located within the urban boundaries. Such facilities will be located so as to minimize impacts on surrounding agricultural lands, farm operations, natural areas, features and functions.

10. The removal of topsoil from Agricultural Lands will be discouraged in accordance with provincial regulation.

11. Small scale on-farm alternative and/or renewable energy systems are encouraged in association with an agricultural operation.

12. Greenhouse structures and operations are encouraged to utilize representative and natural soil floor bases.

13. Part D, Section 7. m) ‘Contaminated Sites’ also applies to all lands outside the Urban Area boundary.
The Garden City Plan

General Land Use Plan

- Neighbourhood Residential
- Employment
- Commercial
- Mixed Use
- Natural Area
- Parkland & Open Space
- Agriculture
- Downtown

Urban Area Boundary

CITY OF ST. CATHARINES
PLANNING SERVICES DEPARTMENT
OFFICIAL PLAN AUGUST 2010
Primary Target Areas for Residential Growth

- Urban Growth Centre (As Established Through The GGHGP)
- Other Growth Areas (Represents Only Conceptual Boundaries)
- Limit of Built Boundary & Built Up Area (As Established Through The GGHGP)
PART E

DISTRICT PLANS
PART E : DISTRICT PLANS

15. The City is divided into 7 District Plans, the boundaries of which are identified on Schedule E “District Planning Areas – Index”.

The District Plans, and accompanying land use schedules are established in Part E, Section 15.1 to 15.7 of this Plan, as described below, and

- Set out the more refined land use designations established in Part D ‘Land Use Policies’ of this Plan.
- May also set out more specific or special policies that apply to individual properties or areas with respect to goals, objectives, policies and land use permissions, including ‘special study areas’ set out for future study.

Section 15.1 North District - Schedule E1, E2, E3

Section 15.2 Central District - Schedule E4, E5

Section 15.3 West District - Schedule E6, E7

Section 15.4 South District - Schedule E8

Section 15.5 East District - Schedule E9

Section 15.6 Downtown - Schedule E10

Section 15.7 Agricultural Lands - Schedule E11, E12
NORTH DISTRICT
15.1. NORTH DISTRICT

The following specific or special policies apply to lands located on the following schedules:

1. Schedule E1

a) Auto dealerships shall not be permitted on lands designated Business Commercial Employment fronting on Secord or Nihan Drive.

b) Notwithstanding Part D, Section 9.2.2 of the Plan, the following applies on the lands designated Community Commercial located to the west of Lakeport Road and north of Gertrude Street, and generally known as Port Dalhousie Commercial Core:

i) an appropriate range and mix of medium or higher density residential housing, commercial, employment, institutional and recreation uses are permitted, to support regional based tourist facilities to enhance the economic vitality of the area;

ii) In addition to Section 15.1.1 b) i) above, the following applies to the lands designated Community Commercial west of Lakeport Road, north of Lock Street, and specific to the lands described as Port Place lands and subject to the Ontario Municipal Board Final Orders issued on May 14, 2010, and August 3, 2010 with respect to Case No. PL060850:

a) a multi-use commercial/residential building is permitted having a 17 storey height limit to a maximum of 62 metres, provided that:

i) the residential component is part of a multi-use commercial redevelopment scheme including retail, office, restaurant, hotel and theatre uses, and

ii) appropriate development standards are established in the related zoning amendment, site plan agreement, heritage easement agreement and any other approval or applicable development agreement, and

iii) a Holding (H) designation shall be applied to the residential component; and buildings and structures may be erected on the subject lands prior to the removal of the specific Holding (H) designation, however, the residential component shall not be used for residential purposes until such time as the provisions of the zoning by-law are met, including all conditions related to the Holding (H) conditions.

c) Lands located on the east side of Lakeport Road, west of Port Dalhousie Harbour, the following applies:

i) Notwithstanding the Community Commercial land use designation, the development or redevelopment of these lands permit an appropriate range and mix of medium and higher density residential housing,
commercial, employment, institutional and recreation uses to support regional based tourist facilities to enhance the economic vitality of the area.

ii) the development or redevelopment of lands is not subject to Part D, Section 9.2.2 b) iii) of this Plan as it applies to “no one use shall occupy more than 35% of total ground floor area permitted”.

iii) harbour industrial marine uses, excepting boat slips and administrative office, shall not be permitted.

iv) prior to development or redevelopment of the subject lands, an urban design study shall be undertaken by the proponent(s), to the satisfaction and approval of the City, to ensure implementation of appropriate design standards to support a connected public realm, protection for public access, vistas and views to the waterfront, and protection of cultural heritage amenities.

d) Mixed Use Special Study Area
   - Lakeshore Road between Ontario Street and Geneva Street
   - primary basis/focus for study: to establish an appropriate range of medium and higher density housing opportunities with a mix of commercial, employment, institutional and recreation uses, pursuant to Part D, Section 12 of the Plan; and to establish urban design strategies to guide redevelopment and intensification.

e) Harbour industrial marine uses, excepting boat slips and administrative office, shall not be permitted on the west side of Port Dalhousie Harbour.

f) Port Dalhousie Residential Neighbourhood - Notwithstanding Part D, Section 8.1 of the Plan, for the applicable lands referred to in Zoning By-law 88-72, as amended by By-law No. 2004-187, height of buildings should not exceed 9 metres.

g) Port Dalhousie Residential Neighbourhood - Notwithstanding Part D, Section 8.1 of the Plan, on lands bounded by Lake Ontario, Bayview Drive, Christie Street, and the rear lot line of properties fronting Considine Avenue, height of buildings should not exceed 7.5 metres.

h) Notwithstanding the low density residential designation, business offices are permitted on lands known as 1-3 Lakeshore Road.

2. Schedule E2
   a) Notwithstanding the low density residential designation, a professional office is permitted on lands known as 237 Lakeshore Road.

3. Schedule E3
   a) Mixed Use Special Study Area
      - Welland Avenue (QEW to Bunting Road) – Lincoln Mall Node
      - primary basis/focus for study: to establish an appropriate range of medium and higher density housing opportunities with a mix of commercial, employment, institutional and recreation uses, pursuant to Part D, Section 12 of the Plan, except that building height established in Section 12.1 iv) may not apply; and to establish urban design strategies to guide redevelopment and intensification.

   b) Notwithstanding Part D, Section 12.1 iii) and 15.1.3 a) of the Plan above, on lands known municipally as 453-525 Welland Avenue (the Lincoln Mall Value Centre), a total commercial floor area of 37150 square metres is permitted, and the provisions of Section 12.1 iii) do not apply.
c) Notwithstanding Part D, Section 9.2.2 of the Plan, on lands known municipally as 185, 189, 191 Bunting Road and 189 Dieppe Road (St. Catharines East Development), a total commercial floor area of 32,500 square metres is permitted, and any one use may occupy up to 45% of total ground floor area permitted.

d) Notwithstanding Section 8.6 c) of the Plan, on lands known as 355, 357 and 359 Carlton Street, total gross leaseable commercial floor area for commercial uses is permitted to a maximum 1950 square metres.
The Garden City Plan
North Planning District  Schedule E3

Land Use Designations
- Low Density Residential (20 to 32 units / ha)
- Medium Density Residential (33 to 69 units / ha)
- High Density Residential (100 units / ha or greater)
- Major Commercial
- Community Commercial
- Arterial Commercial
- Mixed Use
- General Employment
- Business Commercial Employment
- Parkland & Open Space
- Natural Areas
- Special Study Area

LAND USE DESIGNATIONS - REFER TO PART D “LAND USE POLICIES.” REFERENCE SHOULD ALSO BE MADE TO SCHEDULE F4 FOR NATURAL AREA SCREENING MAPS AND POSSIBLE ADDITIONAL REGULATIONS.
CENTRAL DISTRICT
15.2. CENTRAL DISTRICT

The following specific or special policies apply to lands located on the following schedules:

1. Schedule E4

   a) Auto dealerships shall not be permitted on lands designated Business Commercial Employment.

   b) Mixed Use Special Study Area
      - Welland Avenue from Ontario Street to Geneva Street
      - primary basis/focus for study: to establish an appropriate range of medium and higher density housing opportunities with a mix of commercial, employment, institutional and recreation uses, pursuant to Part D, Section 12 of the Plan; and to establish urban design strategies to guide redevelopment and intensification.

   c) Mixed Use Special Study Area
      - lands on the north side of Carlton Street, between Lake Street and Geneva Street
      - primary basis/focus for study: to establish an appropriate range of medium and higher density housing opportunities with a mix of commercial, employment, institutional and recreation uses, pursuant to Part D, Section 12 of the Plan, except that building height established in Section 12.1 iv) may not apply; and to establish urban design strategies to guide redevelopment and intensification.

2. Schedule E5

   a) Auto dealerships shall not be permitted on lands designated Business Commercial Employment on Welland Avenue.

   b) For the lands bounded by Queenston Street, Eastchester Avenue and Oakdale Avenue, and which includes the General Hospital site at 142 Queenston Street, the following applies:

      The development or redevelopment of the lands for Medium Density residential uses shall also permit a limited amount of commercial space along the Queenston Street road frontage for medical services only, and which directly service the local neighbourhood; and further

      Notwithstanding Part D, Section 8.1 of the Plan, additional height and density may be permitted in relation to the provision of underground parking and supportive greening opportunities pursuant to Part F, Section 16.7 of the Plan.

   c) Notwithstanding the high density residential designation, medical and business offices are permitted on land known as 23-23 ½ Vine Street.

   d) Mixed Use Special Study Area
      - Welland Avenue from Geneva Street to the QEW
      - primary basis/focus for study: to establish an appropriate range of medium and higher density housing opportunities with a mix of commercial, employment, institutional and recreation uses, pursuant to Part D, Section 12 of the Plan; and to establish urban design strategies to guide redevelopment and intensification.
Land Use Designations

- Low Density Residential (20 to 32 units/ha)
- Medium Density Residential (33 to 99 units/ha)
- High Density Residential (100 units/ha or greater)
- Major Commercial
- Community Commercial
- Arterial Commercial
- Mixed Use
- General Employment
- Business Commercial Employment
- Parkland & Open Space
- Natural Areas
- Special Study Area

Land Use Designations - Refer to Part D "Land Use Policies". Reference should also be made to Schedule F4 for Natural Area Screening, Mapping and Possible Additional Regulations.
WEST DISTRICT
15.3. **WEST DISTRICT**

The following specific or special policies apply to lands located on the following schedules:

1. **Schedule E6**

   a) Auto dealerships shall not be permitted on lands designated Business Commercial Employment.

   b) Development or redevelopment of lands immediately to the north and south of the St. Catharines rail station property will be evaluated having regard for provision of parking to support the Transit Terminus.

   c) Mixed Use Special Study Area
      - lands at the northeast corner of St. Paul Street West and Louth Street, and known municipally as 230 Louth Street and 190 St. Paul Street West
      - primary bases/focus for study: to establish an appropriate range of medium and higher density housing opportunities with a mix of commercial, employment, institutional and recreation uses, pursuant to Part D, Section 12 of the Plan, except that building height established in Section 12.1 iv) may not apply; to establish urban design strategies to guide development or redevelopment; and to ensure that any development or redevelopment of the lands have regard for future provision of Go Transit service and facilities.

   d) Notwithstanding the Mixed Use designation on lands known as 230 Louth Street and 190 St. Paul Street West, the continuation of existing General Employment uses are permitted subject to the applicable policies of the Plan.

   e) Notwithstanding the low density residential designation, a medical office is permitted on lands known as 111 Martindale Road.

2. **Schedule E7**

   a) Notwithstanding the low density residential designation, a medical office complex is permitted on lands located at the corner of Glendale Avenue and Pelham Road, and known municipally as 245 Pelham Road.
SOUTH DISTRICT
15.4. SOUTH DISTRICT

The following specific or special policies apply to lands located on the following schedules.

1. Schedule E8

   a) Lands designated Business Commercial Employment shall not permit uses defined in Section 10.3.1 a) i) of this Plan, or auto dealerships.
EAST DISTRICT
15.5. EAST DISTRICT

The following specific or special policies apply to lands located on the following schedules.

1. Schedule E9

a) Lands designated Medium Density west of Hartzel Road, south of Lincoln Avenue, and east of Oakdale Avenue are permitted residential density up to 199 units per hectare.

b) Notwithstanding the Mixed Use designation on lands known as 45 Merritt Street, the continuation of existing General Employment uses are permitted subject to the applicable policies of the Plan.

c) Notwithstanding Section 8.6 c) of this Plan, a convenience commercial centre may be permitted on up to 0.8 hectares of land at the northwest corner of Glendale Avenue and Welland Canals Parkway, and subject to the following:

i) total gross leasable floor area for commercial use does not exceed 25% of total site size;

ii) total gross leasable floor area per individual commercial use does not exceed 370 square meters;

iii) where total gross leasable commercial floor area on the site exceeds 930 square metres, residential dwelling units will be provided and in a manner not to detract from the primary convenience commercial function of the centre;

iv) zoning by-law amendment to ensure enhanced landscaping/greening and provision for tourism and gateway related facilities and amenities are provided as part of the development.

d) Notwithstanding Part D, Section 8.1 of the Plan, the lands designated Medium Density on the west side of Welland Canals Parkway, south of Howland Drive, and known municipally as 54 Mackenzie King Drive (Lock III Estates, Block 33 and 34, Registered Plan 30M-346) are permitted a range of housing density between 23 and 99 units/hectare.

e) On lands designated Mixed Use adjacent to Merritt Street from the extent of Ker Street and extending west and north to the CN Railway, and on lands designated Mixed Use adjacent to Glendale Avenue, the following applies:

i) Notwithstanding Section 12.1 of the Plan:

a) no ground floor residential dwelling units are permitted;

b) office uses which do not generate a significant amount of pedestrian traffic or require a ground floor location are encouraged to locate on upper floors;

c) retail functions are permitted on upper floors only where in conjunction with a ground floor commercial use.
The Garden City Plan

East Planning District  Schedule E9

Land Use Designations

- Low Density Residential (20 to 32 units / ha)
- Medium Density Residential (33 to 99 units / ha or greater)
- High Density Residential (100 units / ha or greater)
- Major Commercial
- Community Commercial
- Arterial Commercial
- Mixed Use
- General Employment
- Business Commercial Employment
- Parkland & Open Space
- Natural Areas

LAND USE DESIGNATIONS - REFER TO PART 3 "LAND USE POLICIES". REFERENCE SHOULD ALSO BE MADE TO SCHEDULE F4 FOR NATURAL AREA SCREENING MAPPING AND POSSIBLE ADDITIONAL REGULATIONS.

CITY OF ST. CATHARINES
PLANNING SERVICES DEPARTMENT
OFFICIAL PLAN AUGUST 2010
DOWNTOWN DISTRICT
15.6. DOWNTOWN DISTRICT

1. Schedule E10

Schedule E10 sets out the general land use plan for the Downtown Planning District and is to be read in conjunction with the applicable policies for the Downtown District as set out in Part D, Section 11 of the Plan.
Land Use Designations

- **Low Density Residential** (20 to 32 units / ha)
- **Low Medium Density Residential** (up to 99 units / ha)
- **Medium High Density Residential** (33 to 196 units / ha)
- **Mixed Medium High Density Residential / Commercial** (33 to 196 units / ha)
- **Mixed High Density Residential / Commercial** (100 units / ha or greater)
- **Commercial Core**
- **Parkland & Open Space**
- **Natural Areas**
- **Civic Square Area**

Downtown Transit Terminus

LAND USE DESIGNATIONS - REFER TO PART D "LAND USE POLICIES". REFERENCE SHOULD ALSO BE MADE TO SCHEDULE F4 FOR NATURAL AREA SCREENING MAPPING AND POSSIBLE ADDITIONAL REGULATIONS.
AGRICULTURAL LANDS DISTRICT
15.7. AGRICULTURAL LANDS DISTRICT

The following specific or special policies apply to lands located on the following schedules.

1. Schedule E11

2. Schedule E12
PART F
IMPLEMENTATION
AND
INTERPRETATION
PART F : IMPLEMENTATION AND INTERPRETATION

16. IMPLEMENTATION

The Implementation Section of the Plan outlines the tools that the City can use to implement the policies of the Plan. Basic planning tools include zoning by-laws, subdivision control, severances, as well as more specialized planning tools and mechanisms, such as holding by-laws and community improvement plans.

16.1. Zoning

Zoning by-laws shall be used to implement the policies of the Plan by regulating the use of land, buildings or structures in accordance with the Planning Act, and may be more restrictive than the provisions of the Plan. By-laws will establish the following criteria:

a) Land use zones which will permit the type of development specified in the Plan
b) Development and performance standards appropriate to each type of use
c) Any regulations needed to implement the intent of the Plan

Notwithstanding, in the area of the Niagara Escarpment Plan, certain lands are subject to Niagara Escarpment Development Control, as identified in Part F, Schedule F4. In these areas of Development Control, City zoning by-laws have no force or effect. Subject to Niagara Escarpment Regulations, permits are required from the Niagara Escarpment Commission for all new development in the Development Control Area.

16.2. Holding By-Laws

1. The City may, in a zoning by-law, affix an “H” in conjunction with any zoning category in order to limit or prevent the use of certain lands which are considered inappropriate or premature for immediate development.

2. Where a holding designation is in effect, the lands shall generally be limited to existing uses or uses which will not prejudice the future development of these lands. In addition, no building or structure may be erected on the site until such time as an application has been approved by Council to remove the “H” symbol. The holding symbol shall not apply to minor accessory buildings and structures such as sheds, garages, or pools.

3. Prior to enacting a by-law to remove the holding provision in accordance with the Planning Act, Council shall be satisfied that:

a) Adequate servicing, such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and disposal, and roads can be provided;

b) All necessary requirements of the city have been satisfied;

c) All necessary development agreements have been entered into, and that the conditions of these agreements have been, or will be met;

d) Development satisfies all other relevant policies of the Plan.

16.3. Conditional Zoning By-Laws

1. The City may, in a zoning by-law, permit a use of land or the erection, location or use of buildings or structures subject to one or more prescribed conditions on the use, erection or location.
2. Where a condition is imposed under Section 16.3.1, the City may require the owner of the land to which the by-law applies to enter into an agreement with the City relating to the condition. The agreement may be registered against the land to which it applies and the City may enforce the agreement against the owner and, subject to the Registry Act and Land Titles Act, any and all subsequent owners of the land.

16.4. Interim Control By-Laws

1. The City may enact interim control by-laws pursuant to the Planning Act, in order to limit or prevent the use of certain lands until such time as a review or study of the land use planning policies of the lands has been undertaken. The interim control by-laws will specify the use and any additional regulations applicable thereto which will be permitted while the by-law is in effect. The interim uses should not conflict with the ultimate intended land uses. The interim control by-law, however, shall not prohibit the use of lands for any purpose for which a building permit has been issued under the Building Code Act, on the date of passing of the interim control by-law.

2. The interim control by-laws shall define the specific area affected and establish an expiry date in accordance with provincial regulations.

16.5. Temporary Use By-Laws

1. The City may enact temporary by-laws pursuant to the Planning Act, in order to allow lands to be zoned for uses otherwise prohibited in the zoning by-law, on a temporary basis. The temporary by-laws shall define the specific area affected, establish all necessary regulations, and establish an expiry date, in the case of by-laws authorizing a temporary garden suite of not more than 10 years from the date of passing of the by-law, and in all other cases, of not more than 3 years from the date of passing of the by-law. The City may pass further temporary by-laws to grant an extension of the temporary by-law.

2. In considering temporary by-laws, the City shall be satisfied that:
   a) The proposed development/redevelopment is consistent with the temporary nature of the use;
   b) The proposed use is compatible with adjacent uses and where necessary, buffering is provided to ensure visual separation;
   c) Adequate services are available;

3. Subsequent to the expiration of the temporary use by-laws, the use permitted by the by-law shall cease. If such use continues, it will be considered illegal with respect to the zoning by-law.

16.6. Site Plan Control

1. All lands within the limits of the City shall be designated a proposed Site Plan Control Area.

2. The City shall, by by-law, identify specific types of development subject to site plan control. It may also deem certain types of development exempt from site plan control.

3. Unless an exemption is granted under Part F, Section 16.6.2, site plan approval shall be required for all of the following:
   a) All lands used, zoned or to be zoned for residential purposes within any restricted area zoning by-law, save and except lands used, zoned or to be zoned for residential buildings having less than 5 dwelling units, and street townhouses
b) All lands used, zoned or to be zoned for commercial, employment, institutional, or recreational purposes within any restricted area zoning by-law

c) All lands used, zoned or to be zoned for mixed-use purposes

d) All lands within the “Agricultural Area” which are used, zoned or to be zoned for:

i. Existing non-agricultural uses except residences.
ii. Both permanent and seasonal help houses.
iii. Those uses that serve or are directly related to agriculture, such as the commercial storage and/or processing of agricultural products.
iv. Small scale commercial and industrial uses directly related to and serving the surrounding agricultural uses.
v. Agri-tourism and value-added activities.

e) All lands used for the purpose of public service by the Corporation of the City of St. Catharines and any Local Board or commission thereof, as defined by the Municipal Affairs Act, and the Regional Municipality of Niagara and any Local Board or Commission thereof as defined by the Municipal Affairs Act

4. No development shall be undertaken within a site plan control area designated in accordance with Section 16.6.3, until the City has approved drawings and/or agreements sufficient to ensure the matters set out Subsections 41(4) and 41(5) of the Planning Act as amended, including but not limited to:

a) Matters relating to exterior design, including without limitation, the character, scale, appearance and design features of buildings and their sustainable design.
b) Sustainable design elements within and adjoining a City right-of-way, including, without limitation, trees, landscaping, permeable paving materials, street furniture, curb ramps, waste and recycling containers, and bicycle facilities.

5. As a condition of approval of the plans and/or drawings required in this section, the City may require the owner of the land to:

a) Provide and maintain, to the satisfaction of and at no expense or risk to the City, the facilities, works, or matters set out in Section 41(7) of the Planning Act as amended.
b) Enter into one or more agreements with respect to the provision and maintenance of such facilities, works, or matters.
c) Enter into one or more agreements to ensure that the development proceeds in accordance with the approved plans and drawings as required by this Section.

16.7. Preferred or Beneficial By-Laws

1. The City may consider the requirement to provide community benefits pursuant to Section 37 of the Planning Act as amended in exchange for increases in height and/or density of development/redevelopment above and beyond those permitted in the zoning by-law.

2. The community benefits may include but are not limited to:

a) Provision of public access, pedestrian and vehicular, to public facilities and sites.
b) Protection and/or enhancement of natural features and functions.
c) Affordable housing for low and moderate income groups, or special needs groups.

d) Provision of public parking; underground parking.

e) Conservation of buildings and sites of architectural, archeological, or historic importance.

f) Provision of community and open space facilities, such as community and recreational facilities.

g) Parkland beyond the minimum requirements of this Plan.

h) Walkways and public space, and connections to external walkways and trail systems.

i) Sustainable, energy efficient building and site design; LEED certification or equivalent.

3. The community benefits should generally be provided and be directed to the areas surrounding the area in which the preferred or beneficial zoning is provided.

4. The City shall require one or more agreements for development/redevelopment which include increased height and/or density in exchange for community benefits. The agreement(s) shall be registered against the land to which it applies.

16.8. Development Permits

1. The City may, in a by-law, designate one or more development permit areas pursuant to the provisions of the Planning Act.

2. Upon authorization of a development permit system, the City may implement this Plan, as it applies to the designated development permit area(s) by the use of a development permit regime independent or supplemental to its powers of implementation described in this Plan.

16.9. Subdivision Control

1. All lands within the City shall be subject to subdivision control pursuant to the Planning Act. The provisions of the Planning Act, including subdivision agreements, will be used to ensure that the land use designations and policies of the Official Plan are complied with, and that a high standard of design is maintained in all development.

2. Only those plans of subdivision which conform to the following criteria will be recommended for approval.

   a) The plan of subdivision conforms with the policies of this Plan.

   b) Adequate servicing, such as water supply, sewage disposal facilities, storm water drainage, solid waste collection and communications/telecommunications infrastructure, and access can be provided.

   c) The City is able to provide necessary community services without imposing undue increases in taxation on all residents.
16.10. Non-Conforming Uses

1. A land use that does not conform to the zoning by-law, but which lawfully existed prior to the approval of the zoning by-law, is a non-conforming use. If such non-conforming uses ceases, then the rights derived from the non-conforming use shall terminate.

2. Non-conforming uses that are deemed to comply with the intent of the Plan may be zoned in accordance with their present use provided:
   a) The zoning does not permit any significant change of use or performance standards that will result in or aggravate any situation detrimental to adjoining land uses.
   b) It does not interfere with desirable development in adjacent areas that are in conformity with the Plan.

3. It is the intention and expectation that non-conforming uses shall eventually cease to exist and be replaced by uses that conform with the intent of the Plan and the zoning by-law.

4. In special circumstances, it may be appropriate to consider the extension or enlargement of non-conforming uses provided:
   a) The expansion or enlargement will not jeopardize the possibility of future development/redevelopment in their vicinity that may comply more closely with the intent of this Plan.
   b) Special efforts are made to enhance the compatibility of the uses and to improve the amenity and design, more particularly buffering, landscaping, parking, and vehicular circulation.

5. Notwithstanding the provisions on extensions or enlargements of non-conforming uses, nothing will prevent the rebuilding or repair of any building or structure that is damaged or destroyed by fire or natural disaster subsequent to the adoption of this Plan provided:
   a) The dimensions of the building or structure that was destroyed are not increased.
   b) The use of the building is not altered.
   c) The building or structure is not located in a flood plain, unstable slope or erosion area.

6. However, where the area of the lot is sufficient, the new buildings or structures shall be located in conformity with the requirements of the zoning by-law. Further, nothing shall prevent the upgrading to a safe condition any such building or structure provided such repair or alteration does not increase the size or height of the building or structure.

16.11. Lot Creation

1. Creation of lots shall only be affected through plans of subdivision.

2. Consents to sever parts of lots as an alternative to a registered plan of subdivision will be discouraged and will only be permitted when such a plan would clearly not be needed to ensure the intent of applicable policies in this Plan are followed.
3. Consents to sever individual parcels of land will only be given where:
   a) It is clearly apparent that no development could take place which would lead to significant expense by the City for public works or which would lead to further development leading to such expenses.
   b) They contribute to the infilling of areas that are already substantially developed.
   c) The size and shape of the parcel is appropriate for the use proposed and in terms of the optimum development of the surrounding area.

4. Provisions for severing individual parcels of land within the Agricultural areas are found in the Agricultural policy section of the Plan.

5. It is the general intent of this Plan to provide for the severance of land or the creation of easements for public parks, open space and trails, where such consents do not result in the creation of additional building lots.

16.12. Property Standards

1. The City shall prescribe maintenance standards and conditions of occupancy for all private property and particularly in areas of special concern through a property standards by-law enacted in accordance with the provisions of the Building Code Act. In addition, the City will appoint a Property Standards Officer who will be responsible for administering and enforcing the maintenance and occupancy by-law.

16.13. Community Improvement

The definition of ‘Community Improvement’ according to Section 28 of the Planning Act as amended is, ‘the planning or re-planning, design or redesign, re-subdivision, clearance, development or redevelopment, reconstruction and rehabilitation, or any of them, of a community improvement project area, and the provision of such residential, commercial, industrial, public recreational, institutional, religious, charitable or other uses, buildings, works, improvements or facilities, or spaces, therefore, as may be appropriate or necessary.’

In order to revitalize and encourage re-investment throughout the City it is acknowledged that some of the established areas in the City require more than the normal level of maintenance provided for in the City’s annual operating budget. To this end, these established areas are recognized as having special needs, and a framework for action to meet these needs has been formulated through the following policies. Areas identified as requiring revitalization and sites of strategic importance to the achievement of municipal goals may be considered for Community Improvements.

The Community Improvement Policies guide municipal and private sector investments for the revitalization of the developed areas of the City within the approved Urban Area Boundary as shown on Schedule ‘D’ of the Official Plan.

1. Community Improvement Goals

1. In order to co-ordinate community improvement on an overall City basis in compliance with needs, wants and Provincial guidelines, the City will strive to achieve the following goals:

   a) To co-ordinate and guide public and private improvement activities in designated community improvement areas for revitalization and re-investment;
b) To phase the implementation of improvement projects in accordance with local needs, established priorities and financial resources;

c) To enable the Municipality to participate in Federal, Provincial and Regional funding programs;

d) To actively pursue private/public partnerships for community improvement projects.

2. Community Improvement Objectives

2. The objectives of these policies are:

a) To upgrade inadequate municipal services and facilities in developed communities to an acceptable standard;

b) To resolve issues of incompatible land use;

c) To encourage the renewal, rehabilitation or redevelopment of private properties in order to maintain a safe and pleasant built environment within the community;

d) To encourage the renewal, rehabilitation or redevelopment of public properties in order to maintain a safe and pleasant built environment within the community;

e) To aid in fulfilling the potential of commercial and industrial districts in the City;

f) To improve parking, access and traffic circulation;

g) To ensure that residents of developed communities are served by an adequate supply of open space, recreation and community facilities;

h) To guide and prioritize the expenditure of public funds on community improvement.

3. Criteria for Designating Community Improvement Areas

1. Council will consider the following criteria in the designation of “Community Improvement Areas”:

a) Inadequacy of some or all hard services, including water, sanitary sewers, storm sewers, roads, lighting and sidewalks;

b) A significant portion of the housing stock and other buildings are in need of maintenance, rehabilitation or redevelopment;

c) The presence of non-compatible land uses;

d) Inadequacy of social, recreational, open space and cultural facilities and services;

e) Within commercial areas, there is deterioration in the appearance of building facades, inappropriate signage, inadequate parking facilities or inadequate pedestrian accessibility;
f) Within industrial areas, the inefficiency of industrial sites, access to, from and within the industrial areas, inadequacies of parking, loading and outside storage areas, conflicts with neighbouring uses or the presence of obsolete buildings;

g) Areas where there is significant environmental contamination and areas of potential environmental contamination;

h) Areas exhibiting environmental, social or community economic development problems.

4. Upon the designation of a “Community Improvement Area”, the City will prepare and implement community improvement plans, which outline the specific projects and programs that are designed to bring about community improvement.

5. Community Improvement Implementation

1. The City will continue to participate in senior government programs that meet the goals and objectives of Community Improvement programs. In addition the City will promote partnerships between private individuals and groups to improve any and all deficiencies that may occur within the community.

2. The City’s Property Standards By-law and Zoning By-law can be used to minimize any detrimental effect that may occur to surrounding properties within the community.

3. The City may develop financial incentive programs, such as tax increment financing, waiving of fees and the creation of loan and grant programs to assist in achieving community improvement goals.

4. The City may acquire, lease or dispose of lands, construct or rehabilitate buildings or enter into agreements to complete studies to achieve the goals of a community improvement plan.

5. The City will encourage the relocation of incompatible uses to more appropriate locations, through the use of financial incentives, if necessary, to achieve community renewal goals.

6. The City will encourage owners to make incompatible uses more compatible by such means as the installation of landscape screening, adhering to provincial requirements for noise and emissions and improved site access.

16.14. Committee of Adjustment

The Committee of Adjustment for the City of St. Catharines shall be guided by the general intent and purpose of this Plan and the implementing zoning by-law in making decisions on applications for minor variances.

16.15. Pre-Consultation and Complete Application Submission Requirements

1. Consultation with the City is required prior to the submission of an application for an Official Plan amendment, zoning by-law amendment, draft plan of subdivision, draft plan of condominium, consent or site plan control, unless the director of Planning Services Department or designate determines that pre-consultation is not necessary based on the scale of the development or the complexity of planning issues associated with the proposed application.

2. Mapping, drawings, reports and technical studies shall be required to support any application requiring a Planning Act approval. The supporting information and materials required shall be determined by the City in consultation with the
Region, other appropriate agencies, and the applicant prior to the submission of the application as part of the pre-consultation process.

3. In addition to the information and materials required under the Planning Act and any other legislation or regulation, additional information in the form of studies or assessments listed in Section 16.15.5 may be required to consider a planning application complete.

4. The additional information will be required as part of a complete application under the Planning Act in order to ensure that all the relevant and required information pertaining to a development application is available at the time of submission to enable the City to make informed decisions within the prescribed time periods. It also ensures that the public and other stakeholders have access to all relevant information early in the planning process.

5. The additional information or material that may be required includes, but is not limited to the following:

   a) Planning
      - justification report
      - land use needs assessment
      - economic impact study
      - market study
      - green space/trail needs assessment

   b) Environmental Assessment
      - environmental assessment
      - environmental impact statement/study
      - soil, environmental audit, record of site condition
      - slope stability study
      - tree inventory and preservation study
      - energy assessment report
      - air quality report
      - natural features restoration plan
      - noise vibration, shadow, wind study

   c) Servicing/Infrastructure
      - servicing study
      - grading and drainage plan
      - stormwater management study
      - hydrology, soils and/or geotechnical study
      - sub-watershed study

   d) Transportation
      - traffic impact study
      - parking demand analysis
      - pedestrian circulation plan
      - transportation impact study

   e) Urban Design/Culture
      - archaeological impact assessment
      - streetscape design study
      - building elevations
      - cultural heritage study
6. The information and material submitted shall be prepared by a qualified professional to the satisfaction of the City, retained by and at the expense of the applicant. The City shall review all reports and studies and may also require a peer review by an appropriate public agency or by a professional consultant retained by the City at the applicant’s expense.

16.16. Processing Times

1. The City endeavors to process all development applications as expeditiously as possible. However, it is recognized that certain development proposals are complex and may require considerable time to fully review. As such, it is difficult to predict a consistent time frame for all proposals. Notwithstanding this, the City of St. Catharines will attempt to process applications within the time frames provided for in the Planning Act as amended from time to time, provided all the necessary information has been provided by the applicant.

2. The City shall establish target timeframes for processing other types of planning applications for which the Province has not established time frames.

16.17. Monitoring

The Official Plan establishes policies to guide decision-making over the long term. However, changing circumstances are inevitable and policy changes may be warranted from time to time. Monitoring facilitates our ability to respond to changes and can improve the quality of decision-making.

1. The City shall establish targets and key indicators as a basis for assessing progress toward achieving the Plan’s policies.

2. The City shall regularly monitor the targets and key indicators to determine:
   a) The effectiveness and relevance of the Plan’s policies.
   b) New trends and changing circumstances.
   c) The need to undertake more research and studies.

3. The City shall prepare an bi-annual report on the results of the monitoring exercise recommending changes to the implementation strategies and/or the Plan if necessary.

4. The need to review and revise the Plan shall be considered every 5 years, in accordance with the Planning Act, to ensure that the principles and policies remain valid and responsive to changing circumstances.

5. The City shall monitor processing times for planning applications and recommend changes as required to meet the established targets.

16.18. Acquisition of Lands

Pursuant to Section 25 of the Planning Act as amended, the municipality may acquire and hold land within the municipality for the purpose of developing and/or implementing features of the Official Plan, and any land so acquired or held may be sold, leased or otherwise disposed of when no longer required.

16.19 Special Study Area

Certain lands or areas in the City may be set out as Special Study Area. Notwithstanding the underlying land use designation, these lands or areas are to be studied for future development or redevelopment opportunities, the parameters for such study to be established in Part E ‘District Plans’ of this Plan.
The general boundaries of a Special Study Area will be identified on District Plans in Part E of this Plan, and may be more specifically identified at the commencement of the study process.

The special study will commence subject to an approved municipal works program or at such time as a major Official Plan Amendment and/or Zoning By-law Amendment or development application is brought forward affecting any lands within the Special Study Area.

16.20 Exemption Status

Where site plan approval, plan of subdivision or plan of condominium final approval, or draft plan of subdivision or condominium approval has been granted by the City prior to the adoption of this Plan, such approval is exempt from the policies of this Plan where the applicable Official Plan policies for approval are more restrictive in this Official Plan than the Official Plan policies in effect at time of approval. This policy does not apply to draft plan approvals granted prior to the adoption of this Plan that have lapsed.
17. **INTERPRETATION**

This Plan must be read in its entirety. The policies in this section provide guidance for the interpretation of the text and schedules of this Plan.

17.1. In the case of a conflict between this Plan and a Provincial Plan, the applicable Provincial Plan shall prevail.

17.2. In the event of a conflict between this Plan and the Region of Niagara Policy Plan, the more restrictive provision shall apply.

17.3. In the case of a conflict between a general policy and District Plan policy, the District Plan policy shall prevail.

17.4. Changes to the text or schedules of this Plan to correct grammatical or reference errors, punctuation, or to alter formatting, numbering or sequencing may be made without a Plan amendment, provided the general intent of this Plan is maintained.

17.5. The auxiliary verbs “may”, “should” and “shall” are used throughout this Plan in the following context:

   a) “may” implies that the policy is permissive and not mandatory or obligatory;
   b) “should” implies that the policy is directive and requires compliance unless proven otherwise on good planning grounds; and,
   c) “shall” implies that the policy is mandatory and requires full compliance.

17.6. Minor boundary adjustments to land use designations may be permitted without amendment to this Plan where deemed to not be contrary to the established land use designations and applicable policies established in this Plan, and consistent with the intent of the land use designations and policies established in this Plan.

17.7. In cases where a parcel of land contains more than one land use designation, the policies of each designation shall apply to the portion of the property so designated.

17.8. An amendment to this Plan shall not be required for the minor realignment of roads provided the general purpose and intent of this Plan are maintained. The precise routes for new roads shall be determined by future studies.

17.9. Where lists or examples of permitted uses are provided in this Plan, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses that are not listed, but are considered 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.

17.10. **Glossary**

   **Accessory Dwelling Unit**: means a secondary apartment unit within a primary dwelling unit, and may under special circumstance, include a detached apartment unit as a secondary use to a single detached or semi-detached dwelling unit.

   **Adaptive Reuse**: means the adaptation of an existing building for another land use.

   **Affordable**: means
   
   a) in the case of ownership housing, the least expensive of:

   1. housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
   2. housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;
b) in the case of rental housing, the least expensive of:

1. a unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or
2. a unit for which the rent is at or below the average market rent of a unit in the regional market area.

Agri-tourism: means any farm-based business activity that caters to the travelling public and is clearly related and subordinate to the existing principal agricultural use of the farm property. Agri-tourism activities include seasonal farm markets, restaurant (outside the Niagara Escarpment Plan Area) related to a winery, bed and breakfast facilities tours and the selling of value-added agricultural products.

Area of Natural and Scientific Interest (ANSI): means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study or education (PPS, 2005).

Brownfield sites: means underdeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built-up area: means all land within the built boundary.

Built boundary: means the limits of the developed urban area as identified in Provincial Places to Grow Plan.

Business Activity: means the selling and provision of goods and services, produced primarily on the property, directly to the public (relates to the definition of agri-tourism only).

Compact urban form: means a land use pattern that encourages efficient use of land, walkable neighbourhoods, mixed land uses (residential, retail, workplace and institutional all within one neighbourhood), proximity to transit and reduced need for infrastructure. Compact urban form can include detached and semi-detached houses on small lots as well as townhouses and walk-up apartments, multi-storey commercial developments, and apartments or offices above retail.

Compatible: means the development or redevelopment of uses which may not necessarily be the same as, or similar to, the existing development, but can coexist with the surrounding area without adverse impact.

Contaminated: refers to property, lands or soils that have not been rehabilitated and for reasons of public health and safety or environmental quality, are unsafe for use as a result of human activities, particularly those activities that have left a chemical or radioactive residue. Such sites may include industrial lands, transportation facilities, and electrical facilities.

Cultural heritage resources: include buildings, structures and properties designated or listed under the Ontario Heritage Act, significant built heritage resources, and significant cultural heritage landscapes as defined and interpreted by the applicable Provincial Policy Statement.

Development: means the subdivision or severance of land, the erection of buildings or structures and includes any improvement that can be made on land. Development shall include redevelopment in all cases.

Endangered species: means a species that is listed or categorized as an “Endangered Species” on the ‘Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time.
Fish habitat: as defined in the Fisheries Act, c. F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flood plain: for river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to flooding hazards.

Floor area ratio: means the gross floor area of all buildings on a lot divided by the lot area.

Great Golden Horseshoe: means the geographic area designed as the Greater Golden Horseshoe growth plan area in Ontario regulation 416/05.

Greenbelt area: means the geographic area of the Greenbelt as defined by Ontario Regulation 59/05 as provided by the Greenbelt Act, 2005.

Home Industry: means a small scale use providing a service primarily to the farming community or services promoting agri-tourism.

Home Based Business: means an occupation, business, enterprise or service, conducted entirely within a dwelling unit, and is generally undertaken only by residents of such dwelling units.

Intensification: means the development of a property, site or area at a higher density than currently exists through:
   a) redevelopment
   b) the development of vacant and/or underutilized lots within previously developed areas;
   c) infill development; and
   d) the expansion or conversion of existing buildings.

Multi-modal: means the availability or use of more than one form of transportation, such as automobiles, walking, cycling, buses, rapid transit, rail (such as commuter and freight), trucks, air and marine.

Natural heritage corridors: means natural and open space linkages between Core Natural Areas. They include naturally vegetated stream corridors, valleylands, shorelines, woodlands; wetlands; and other natural vegetation communities.

Threatened species: means a species that is listed or categorized as a “Threatened Species” on the ‘Ontario Ministry of Natural Resources’ official species at risk list, as updated and amended from time to time.

Transit-supportive:
   a) Makes transit viable and improves the quality of the experience of using transit.
   b) When used in reference to development, it often refers to compact, mixed use development that has a high level of employment and residential densities to support frequent transit service.
   c) When used in reference to urban design, it often refers to:
      i) design principles that make development more accessible for transit users, such as roads laid out in a grid network rather than a discontinuous network.
      ii) pedestrian-friendly built environment along roads to encourage walking to transit
      iii) reduced setbacks and placing parking at the sides/rear of buildings
      iv) improved access between arterial road and interior blocks in residential areas.
Utility: a water supply, storm or sanitary sewage, gas or oil pipeline, the generation, transmission and distribution of electric power, steam or hot water, towers, telecommunications infrastructure and other cabled services, a public transportation system, licensed broadcasting receiving and transmitting facilities, or any other similar works or systems necessary to the public interest.

Valleylands: means a natural area that occurs in a valley or other landform depression that has water flowing through or standing for some period of the year.

Wetlands: means lands that are seasonally or permanently covered by shallow water, as well as lands where the water is close to or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically soaked or wet lands being used for agricultural purposes which no longer exhibit wetland characteristics are not considered to be wetlands for the purposes of this definition.

Wildlife habitat: means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.

Woodlands: means treed areas that provide environmental and economic benefits to both the private landowner and the general public, such as erosion prevention, hydrological and nutrient cycling, provision of clean air and the long-term storage of carbon, provision of wildlife habitat, outdoor recreational opportunities, and the sustainable harvest of a wide range of woodland products. Woodlands include treed areas, woodlots or forested areas and vary in their level of significance at the local, regional and provincial levels.
Natural Areas

- Fish Habitat
- Woodlands
- ANSI's (Areas of Natural Scientific Interest)
Natural Areas

- Niagara Peninsula Conservation Authority (NPCA) - Screening Area
- Region of Niagara Natural Areas - Screening Area

ANY LANDS SHOWN WITHIN THE NPCA SCREENING AREA ARE ALSO INCLUDED IN THE REGION OF NIAGARA SCREENING AREA

NEP Development Control Area
- NEP Plan Boundary
PART G

APPENDICES
PART G : APPENDICES

Appendix 1:  Welland Canals System
Appendix 2:  Airport Zoning Regulations
Appendix 3:  Potential Development Constraints
Appendix 4:  Community Improvement Areas
Airport Zoning Regulations

- Approach Surface
- Outer Surface
- Transitional Surface

Development May Be Subject to Department of Transport "Airport Zoning Regulations" In Areas Identified on This Appendix
Potential Development Constraints

- **FORMER LANDFILL SITES**
  - Dash indicates 500m radius from site

- **KNOWN LIVESTOCK OPERATIONS 2002**
  - Dash indicates 50m radius of potential influence

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CITY OF ST. CATHARINES
PLANNING SERVICES DEPARTMENT
OFFICIAL PLAN AUGUST 2010