

SECTION 5

Urban Areas

5. Urban Areas

The Regional Strategy for Development and Conservation recognizes the significant role of urban communities with people's identification, economic activity, and quality of life. Niagara's pattern of distinctive and identifiable urban communities appeals to people. These characteristics are partly due to the built form and partly due to the surroundings. While the initiative for the arrangement of land uses within the urban areas is left with the local municipalities, the Region has an overall interest in people's quality of life as influenced by the availability of housing, employment opportunities, and services. Also, the effective use of urban land through the mix of uses, density of development, and energy conservation contribute to the conservation of natural resources.

The Regional Strategy recognizes the need for a balance between urban development and the conservation of natural resources. The urban area boundaries which are established here are a prime means of implementing this balance, and other strategic objectives, by:

- establishing the location and the extent of city and town development, sufficient to provide for the housing, social and employment needs of residents,
- preventing urban development on inappropriate sites, thus contributing to the conservation of resources such as the Niagara Escarpment, aggregate areas, wetlands and the prime agricultural soils, and
- establishing the responsibility of governments to provide the necessary public services for the occupants of the urban areas.

The Urban Areas Boundaries were established after a lengthy OMB hearing between 1978 and 1980. The urban boundaries reflect objectives for the broader regional community. Efficient use of the land within the urban boundaries is financially and environmentally desirable. This efficient use involves development of higher densities than in the past, and using lands suitable for infilling, intensification and redevelopment to promote more compact urban forms. The Regional Strategic Objectives and the policies in this Plan provide the guidance for possible expansions to the urban boundaries. These expansions will require amendments to the Regional and local Official Plans.

When the need for more urban land is identified through comprehensive land utilization studies, opportunities will be provided mainly in, but not limited to, two development corridors in which there should be provision for both residential and employment areas. Development will proceed in stages and in an orderly fashion. Development in the corridors will not be continuous in order to retain open space, natural resources and protect environmental features. These development corridors are directly based on the existing QEW route from Niagara Falls to Fort Erie, and the Highway 406 route from Thorold to Port Colborne which is now being extended. These routes are shown schematically on the map in this Plan, entitled Regional Niagara Strategy for Development and Conservation.

The Regional Strategy together with the objectives and policies in this Policy Plan endeavour to guide change so as to contribute and build a better Niagara while maintaining those urban characteristics and natural resources which make Niagara special.

Objectives for Urban Areas

- Objective 5.1** To designate urban areas for serviced urban development sufficient to meet anticipated residential, business and other needs in a choice of locations.
- Objective 5.2** To designate urban areas for which suitable and efficient water treatment, water distribution, sewage collection, stormwater management controls and sewage treatment systems can be provided.
- Objective 5.3** To designate urban areas which meet the strategic objectives of this Plan such as economic development, conservation of resources, the protection of the environment, preserve agricultural lands with highest priority being given to the protection of the unique agricultural lands, the maintenance of distinct urban communities, and which provide a high quality of life for residents.
- Objective 5.4** To encourage urban development south of the Escarpment as a positive aid in reducing urban pressures on the unique agricultural lands.

Industrial

- Objective 5.5** To increase the number and type of employment opportunities throughout the Region.
- Objective 5.6** To assist and encourage the traditional existing businesses and industries in the Region.

Commercial

- Objective 5.7** To ensure that each municipality and the entire Region has an adequate supply of convenient, attractive and economically viable shopping facilities.
- Objective 5.8** To support a **dispersed** pattern of shopping facilities. Under this dispersed approach, shopping facilities must be related to the needs of the municipalities in which they are located, in terms of location, size, accessibility by auto or by public transit, and other relevant factors.
- Objective 5.9** To ensure that the overall supply of shopping facilities in each local municipality is sufficient to provide healthy competition **without** endangering the essential character and quality of existing shopping facilities.

Note: This objective requires a careful balance between the extremes of "no competition" and "unlimited competition". The significance of an oversupply of commercial space must be a continuing concern, and future decisions must be made on the amount of oversupply which is desirable or tolerable.

Objective 5.10 To assist local municipalities to determine appropriate policies for shopping facilities within their boundaries.

Residential

Objective 5.11 To contribute to the overall goal of providing a sufficient supply of housing which is affordable, accessible, adequate and suited to the needs of the full range of types of households and income groups in Niagara.

Objective 5.12 To ensure that the sites for a minimum of twenty five percent of all potential new housing units are suitable for affordable housing, in accordance with the Provincial Policy Statement on Land Use Planning for Housing.

Objective 5.13 To maximize the use of existing community and servicing resources in established communities for a variety of new residential units.

Policies for Urban Areas

Policy 5.1 "Urban Areas" are defined as the areas within the "Urban Areas Boundaries" defined on the Urban Areas Boundaries Map.

Policy 5.2 The Region intends to provide the Regional facilities needed for water supply, sewage treatment and transportation within the urban areas. The Region will continue to prepare servicing plans to serve development over at least a 20-year period. However, the Region cannot be committed to provide such services by any specific time because of financial limitations and possible physical limitations to the installation of services. Preference will be given to servicing projects which are compatible with other Objectives and Policies of this Plan, particularly the strategic objectives in Part Three.

Policy 5.3 "Urban Study Areas" are defined as existing small communities for which the Region expects to provide water supply and sewage treatment facilities to resolve existing health problems. They are shown on the attached Urban Areas Boundaries Map in a circular shape as a schematic indication only of the location and small size of such communities. When their locations and boundaries are described more precisely in the approved official plans of the area municipalities and servicing is available, these approved areas will be shown as urban on the Urban Area Boundaries Map.

Policy 5.4 Individual urban development proposals within urban areas will be dependent on the availability of adequate municipal water, sewer, stormwater and road services to meet the anticipated increased requirements resulting from the development. Individual development projects without the full range of urban services will only be permitted in special cases and under special circumstances where the lack of complete services will not be a detriment to the environment, the private development, the municipality or to the efficient use of land.

Policy 5.5 The primary responsibility for regulating the types, locations and densities of land uses within the defined urban areas rests with the local municipalities, through their official plans and zoning regulations. Each municipality is expected to prepare these plans with supporting information to regulate the development within their urban areas.

Despite the predominance given the local plans, several aspects of these local plans are considered to be of Regional significance and interest. Thus the Region expects these topics to be adequately covered in local documents, but the Region will maintain a continuing interest in them, and will review and comment on topics of Regional significance. These include:

- (a) the amount and distribution of low, medium and high density residential uses, and commercial and industrial uses;
- (b) policies supporting the provision of various forms of affordable housing within existing developed areas as well as in new subdivisions;
- (c) pedestrian as well as other transportation needs;
- (d) parks and recreation policies which consider demand, accessibility, and relationships to other land uses;
- (e) maps showing existing and proposed land uses, Regional and area municipal roads and community facilities (schools, parks, major institutions, etc.);
- (f) consideration of factors such as historic features, aesthetic values, adequate provision for public institutions, energy conservation, a distribution and density of buildings which contributes to a pleasing urban character, and the minimizing of conflicts between adjacent land uses.

In these respects, the Region considers that it shares an interest with the local municipalities in providing efficient, safe, attractive, and adequate facilities within the urban environment while recognizing that the detailed decisions will normally be the responsibility of the local municipality.

Policy 5.6

Expansions to the urban boundaries are a significant community undertaking requiring Amendments to the Regional and local Official Plans. The Region expects, and will encourage and assist, the efficient use of land within the existing urban boundaries through infilling, redevelopment, and increased densities. Expansions into the Niagara Escarpment Plan area are not encouraged and if proposed will require an Amendment to the Niagara Escarpment Plan.

An assessment of proposed urban boundary changes will be based on the Regional Strategy for Development and Conservation in Section 3. Proposed expansions should be considered within the context of an overall municipal review.

Particular criteria for the review of proposed urban boundary expansions are:

- the need for the proposed uses and the benefits and costs to the local and Regional community. The need assessment should consider the amount of developable land within existing urban areas, the demand for the type of development proposed in relation to the demographic forecasts for the local municipality and the Region, and opportunities for accommodating development within the existing urban areas;
- the availability of suitable alternative locations within the municipality for proposals only serving local residents. For all other applications involving prime agricultural lands, the availability of suitable alternative locations also shall be considered;
- compliance with the objectives and policies of this Plan including preference for poor quality agricultural lands for development, preservation of high quality agricultural land for agricultural uses, protection of natural resources, and support for physically separate urban communities;
- the location and effect of the new boundary on those lands and activities remaining outside the urban area;
- the availability and capability of servicing facilities; and
- the comments of local municipalities on the demonstrated need, the evaluation of local resources, and the opportunity for orderly, efficient and economic growth.

Policy 5.7

In implementing the strategic objectives of this Plan, the Region will develop municipal population and household estimates in consultation with each municipality. These will be used to develop appropriate

servicing systems to accommodate growth and to review development applications and planning documents of the local municipalities.

Industrial

Policy 5.8 The Region, in co-operation with the local municipalities, and subject to the necessary legislative authority, may establish industrial parks with necessary services and adequate transportation services in order to attract industry to the Region.

Policy 5.9 The Region will continue to support an industrial development commission, Niagara Economic and Tourism Corporation, which may:

- (a) attract new business and industrial activities into the Region to help diversify the industrial base and provide regional employment opportunities;
- (b) support the continued operation of existing businesses and industries within Regional Niagara;
- (c) coordinate and complement local Business and Industrial Development Committees and their activities;
- (d) develop and manage, in co-operation with the local municipalities, Regional industrial parks.

Policy 5.10 Subject to the overall objectives of this Regional Plan, each local municipality may attract industries to provide local employment and for local convenience, in keeping with the character of the community.

Policy 5.11 The Region recognizes the importance of the tourist industry to the Region and will co-operate with agencies involved with the tourist industry to promote the tourist attractions and facilities in the Region.

Commercial

Policy 5.12 Each local municipality should encourage the provision of convenient, attractive and economically viable shopping facilities within its boundaries, compatible with the needs and desires of its residents.

Policy 5.13 The primary responsibility for determining a detailed commercial strategy guiding the size and location of new and expanded shopping facilities within any local municipality rests with that municipality.

The local official plan is the appropriate document for indicating the strategy for the provision of shopping facilities. The Region will encourage each local municipality to undertake planning and market studies to assist in establishing its commercial strategy and policy statements.

Policy 5.14

The Region will review all major proposals for new commercial development or expansion of existing facilities. In its review, the Region will be guided by the objectives and policies of the Regional Policy Plan.

The Region will be responsible primarily for regulating the overall supply of shopping facilities throughout the Region and in each local municipality.

Each major commercial proposal should be accompanied by sufficient background information such as site, access and servicing plans, timing or staging of development, the amount and types of retail facilities, market studies, etc., to permit proper evaluation by the Region. Based on their review, and recognizing the matters noted in Policy 5.15, the Region will not approve any new or expanded commercial development which, by its size or location:

- (a) produces an undesirable oversupply of shopping facilities within the Region, or
- (b) produces an inequitable distribution of shopping facilities within the Region, or
- (c) does not mainly serve the residents of that municipality.

The Region will also consider the following:

- (a) Impact on existing shopping facilities within the local municipality and throughout the Region.
- (b) Impact on, and adequacy of, local and Regional road networks to accommodate the proposed development.
- (c) Impact on, and adequacy of, local and Regional services to accommodate the proposed development.
- (d) Compatibility with adjacent existing and proposed land uses.

Policy 5.15

In evaluating commercial proposals, particularly with respect to estimated commercial "needs" and possible oversupply, the following factors will also be considered by the Region:

- (a) There may be imperfections in economic and population projections and in the resulting estimates of future "needs" for shopping facilities.
- (b) A degree of oversupply of shopping facilities may be desirable as a stimulus to competition and to provide desirable choice and variety for customers.

- (c) An allowance should be made to permit the construction of a large "increment" of commercial space (i.e., one new medium size shopping centre or one stage of a large centre) at one time, designed to meet estimated increasing needs over a period of a very few years.
- (d) An allowance for the early correction of serious inequities in the present distribution of commercial space is desirable.
- (e) A moderate amount of additional retail space may be justified in larger urban areas to serve the major shopping needs of residents of nearby rural areas and smaller urban areas.
- (f) Some additional sales space may be justified by actual and potential sales to travelers and tourists.
- (g) Some types of commercial space are not covered by the preceding policies, such as hotels and motels, automobiles sales and service, places of entertainment, restaurants, service establishments such as barber shops, and other uses such as libraries and offices, but will be regulated in the normal manner through local official plans and zoning by-laws.

Policy 5.15.1

A commercial centre is permitted for up to 400,000 square feet of commercial space located on 35 acres in the Town of Niagara-on-the-Lake on the South Service Road between Taylor and Coon Roads for non-shopping centre commercial uses intended to serve the Regional community, any other policies in this Plan notwithstanding, with the majority of the building area in the form of relatively large scale units, subject to:

- (1) the exclusion of a supermarket as a permitted use;
- (2) 70% of the 400,000 square feet to be in commercial units greater than 10,000 square feet (930 square metres);
- (3) a minimum of 2 anchor units to be in excess of 43,000 square feet (4,000 square metres), and a minimum of 2 anchor units to be in excess of 20,000 square feet (1,860 square metres); and
- (4) a minimum unit size of 5,000 square feet (465 square metres), save and except that 10% of the development may be ancillary non-retail uses and retail stores, and that the retail stores shall not be less than 3,000 square feet (280 square metres).

Residential**Policy 5.16**

The following types of group homes administered under Provincial legislation shall be permitted to establish in any residential zone or

residence in the Niagara Region, subject to criteria (i), (ii) and (iii) below.

The types of group homes to be permitted are:

- Approved Homes
- Homes for Special Care
- Supportive Housing Programs, Adult Community Mental Health Program
- Children's Residences
- Accommodation Services for the Developmentally Handicapped
- Satellite Residences for Seniors

In addition to the above, Homes for Physically Disabled Adults are also permitted when the Province licenses, funds or approves a group home program for physically disabled adults. Halfway Houses for the Socially Disadvantaged, Halfway Houses for Alcoholics, Halfway Houses for Ex-offenders, and Community Resource Centres will require a rezoning unless a local municipality decides that such a rezoning is not necessary.

The criteria referred to in the first paragraph of this policy are:

- (i) a group home is defined as a housekeeping unit or units in a residential building in which:
 - (a) in a single family residence or single family residential zone, up to six (6) residents (excluding the staff or the receiving family) live as a family under responsible supervision;
 - (b) in a multiple family residence or multiple family residential zone, up to eight (8) residents (excluding the staff or the receiving family) live as a family under responsible supervision.

The home is licensed or approved under Provincial statute and is in compliance with municipal by-laws. Local municipalities may permit more residents than indicated above, up to a maximum of 10 residents.

- (ii) the local municipalities may have a distance separation between group homes but in no instance should this exceed 460 metres (1,500 feet) within the urban area boundaries. Beyond the urban area boundaries, the local municipalities may establish greater setback distances to prevent concentrations of group homes.

- (iii) consultation is held with the local municipality and other agencies by the applicant and the appropriate Provincial agency considering the establishment of a group home and furthermore, this consultation would occur preferably through a locally based review and ongoing monitoring body with formal membership. Items for consideration should include the provision of adequate funding by the Province for quality care and the availability of appropriate support services. Such a procedure would not preclude Provincial consultation with other appropriate individuals or agencies not represented on the review body.

- Policy 5.17** The Region, in consultation with local municipalities, will continue to designate at least a ten year supply of land for residential and other uses at all times in its Policy Plan.
- Policy 5.18** The Region expects local municipalities to designate at least a ten year supply of residential land at all times in their Official Plans in accordance with Policy 5.19.
- Policy 5.19** The Region will prepare projections of future housing needs and their distribution among the local municipalities. This distribution will be developed in accordance with Regionally approved development/conservation strategies, to assist the municipalities in meeting Policy 5.18. The local municipalities, in cooperation with the Region, may use somewhat different projections based on local circumstances and provided that all Regional policies are met.
- Policy 5.20** The Region, in consultation with local municipalities, will continue to prepare plans for water supply and sewage treatment facilities to serve the residential development needs of the Region over at least a twenty year period in accordance with Policy 5.19.
- Policy 5.21** When the servicing capacity for new residential development is limited, preference will be given to affordable housing.
- Policy 5.22** When the servicing capacity for new development is limited, the status of draft approved subdivision plans which are inactive after two years should be reconsidered.
- Policy 5.23** The Region, in cooperation with local municipalities, will seek to maintain a continuous three-year supply of a combination of draft approved and/or registered vacant residential lots and blocks in an appropriate range of types and sizes.
- Policy 5.24** The Region, in cooperation with the municipalities, will review the status of all draft approved subdivision plans and, where considered necessary to provide a supply of sites suitable for affordable housing, may require modifications to the plans.

- Policy 5.25** The Region, in cooperation with the local municipalities and other key review agencies, will endeavour to make a decision on all residential subdivisions which are compatible with housing, servicing and other applicable planning policies within a target approval time of five months from the circulation of a complete application. If this time period cannot be met, then the applicant and Regional Council will be advised of the reason for the postponement of a decision. In responding to matters such as condominium applications, local official plan amendments, and zoning by-law amendments which are under the jurisdiction of other agencies, the Region will continue to comment as promptly as possible and will attempt to meet the timetable of the appropriate agency.
- Policy 5.26** The Region will establish an interdepartmental committee and identify a coordinator to assist proponents in obtaining preliminary planning and servicing information on any types of residential development applications.
- Policy 5.27** The Region will aim to decide on a minimum of eighty percent of all residential Policy Plan amendments within nine months after receipt of completed applications.
- Policy 5.28** The Region expects that each local municipality will, in its own official plan and zoning regulations:
- designate and zone for a range of housing types, including sites for a minimum of twenty five percent of all potential units to be suitable for affordable types and tenure of housing,
 - distribute the range of housing types,
 - provide direction on the timing of development areas so that the sites for affordable types of housing are approved concurrently or in advance of others.
- Policy 5.29** The Region will, in its review process for any planning documents, take into account the Province's Policy Statement on Land Use Planning for Housing. The Region will encourage the provision of sites for a minimum of twenty five percent of potential new housing units to be suitable for affordable housing.
- The sites provided for affordable housing should attempt to:
- provide a variety of housing types which could create new affordable units for a reasonable proportion of household types,
 - meet the housing needs of people with a range of income levels below the 60th percentile,
 - provide sites suitable for assisted housing.

Policy 5.30 The Region will require that for each subdivision application information will be provided on how the minimum of twenty five percent affordable requirement will be met within the municipality involved.

Policy 5.31 The Region will require that the sites for at least twenty five per cent of all potential new housing units proceeding through the subdivision approval process in each municipality are suitable for and intended for affordable housing in accordance with the Province's financial guidelines. These sites for affordable housing must include as full a range of types and prices of affordable housing as practicable, such as family type housing with direct ground access as well as apartments, with the lot sizes, types of units, and prices varying amongst local municipalities. This requirement can be satisfactorily met by:

- (a) a subdivision plan which meets the minimum of twenty five per cent affordable requirement by itself, or
- (b) a group of development applications submitted jointly by one or more applicants and which meet the requirements on an overall basis. The affordable component must obtain final approval at least concurrently, or
- (c) a satisfactory statement and plan from the municipality, if available, explaining how the requirements are being met through current development applications on an overall municipal basis. This would mean that the affordable sites in various locations throughout the municipality must obtain final approval in advance of the others or at least concurrently.

This policy does not apply to the Township of Wainfleet because it has no serviced urban areas.

Policy 5.32 The Region expects, and will encourage and assist, each local municipality to identify means to increase the supply of housing within existing communities by such means as:

- designating areas in the Official Plan for various forms of increased density,
- providing for infilling, redevelopment, and increased densities in existing residential areas,
- providing zoned areas for a broad variety of multiple units, including rooming, boarding and lodging houses,
- providing zones areas to permit added units within existing dwellings.

In reviewing proposed zoning by-laws, the following criteria will be considered with respect to facilitating the provision of affordable housing:

- minimum lot and building sizes, and heights,
- types of housing permitted,
- the potential to create accessory apartments, rooming/boarded houses, mobile homes, and granny flats,
- the potential for infilling,
- parking standards,
- adequate municipal services and parks.

Policy 5.33

The Region, in cooperation with the local municipalities, will conduct an annual review of the housing situation to examine the extent to which lots are being created upon which affordable housing can be expected to be built, and whether or not affordable housing is being built. To these ends, information on the following topics will assess the effectiveness of the policies and the possible need for adjustments to them:

- annual housing production by type of unit,
- annual production of affordable units on subdivision lots approved for these types of housing,
- annual production of non-profit and rent geared-to-income units,
- apartment vacancy rates,
- inventory of vacant housing sites, by type and location, and
- information on current dwelling costs and rents.

Policy 5.34

The Region, together with local municipalities, will support the non-profit housing agencies as well as the private sector in building dwelling units for lower and modest income households, physically challenged individuals, and other special needs groups.

Policy 5.34.1

Up to 25 units of seniors' housing and/or a youth centre for sports and recreation on existing services are permitted in association with and just south of Club Italia east of Kalar Road in the City of Niagara Falls. Any further development, or, any further extension or addition of municipal services, will require amendments to the Regional Niagara Policy Plan and the City of Niagara Falls Official Plan and be based on a comprehensive planning and servicing study of the broader area east

of Kalar Road, north of the Hydro Corridor, south of Mountain Road and west of the Queen Elizabeth Way.

- Policy 5.35** To assist the non-profit housing sector and to further streamline the approvals process for applications submitted by this sector, the Region will provide information and, where appropriate, technical advice. Furthermore, the Region and the local municipalities, in conjunction with appropriate agencies, will prepare an inventory identifying acceptable zones / locations for sponsored housing and non-profit housing projects.
- Policy 5.36** The Region will support efforts by local municipalities to maintain and improve their existing housing through full use of Federal and Provincial funding programs developed for these purposes.
- Policy 5.37** Regional Council will not support the conversion of rental accommodation to condominium ownership where, in its opinion, the proposal will adversely affect the supply of affordable rental housing. A vacancy rate of three per cent or more in rental accommodation is considered desirable.
- Policy 5.38** Regional Council will support the continued operation of the Advisory Housing Committee with representatives from interested organizations. A major role for that Committee will be to contribute information for, and to review, the annual monitoring report and to suggest any policy changes which they think are appropriate.