



**The Corporation of the City of St. Catharines
CITY COUNCIL AGENDA
Regular, Monday, November 26, 2018
Council Chambers, City Hall, 6:30 PM**

His Worship Mayor Walter Sendzik takes the Chair and opens the meeting

- 1. Mayor's Report**
- 2. Adoption of the Agendas**
- 3. Adoption of the Minutes (Council and General Committee)**

- 3.1 Regular Meeting of Council, Minutes of [November 12, 2018](#)
- 3.2 General Committee, Minutes of [November 12, 2018](#)

- 4. Declarations of Interest**

- 5. Public Meetings Pursuant to Planning Act**

- 5.1 Planning and Building Services, Planning Services
Planning Act Continuation of Public Meeting - Recommendation Report
Applications for Official Plan Amendment and Zoning By-law Amendment
Subject Lands: 104 Maple Street, 97-99 Niagara Street and 101-103
Niagara Street; Owner: Global Travel Investment Group Ltd.; Agent: Exp
(Report contains links; copies available upon request)

- 6. Delegations**

- 6.1 Mark Brickell, CAO, Niagara Peninsula Conservation Authority
Re: Deferral from November 12, 2018 City Council Meeting -
Appointment of NPCA Supervisor
(see General Committee Agenda, November 26, 2018, Item 3.2)

- 7. Presentations**

- 7.1 Presentation from Mayor Sendzik to Isaac and Luke Tenyenhuus
Re: Recognition for Community Care fundraising
- 7.2 Steve Solski, Executive Director, FirstOntario Performing Arts Centre
Jeff McCormick, Acting Director of Fire and Emergency Management
Services
Re: Strategic Plan Quarterly Progress Report - Cultural Pillar
*(Presentation Will Be Made at a Future Meeting - See General
Committee Agenda, Item 3.1)*

8. Motions

8.1 Port Dalhousie Heritage Buildings

Councillor Garcia will present the following motion

WHEREAS at its meeting of December 15, 2014, Council unanimously passed the following motion by Councillor Kushner:

"Be It Therefore Resolved, that staff immediately re-inspect every closed or unoccupied building in Port's commercial core, ensure that the buildings are secure and protected from inclement weather and that all provisions of the new Property Standards By-law and the Ontario Heritage Act are strictly enforced; and That staff report back to Council by January 12, 2015; and That staff conduct a site condition assessment monthly thereafter until the start of the PanAm Games in 2015 and report to Council. Be It Further Resolved, that the owners of these properties once again be strongly encouraged to restore the buildings and make them fit for rental so they can be occupied before the start of the PanAm Games. FORTHWITH"; and

WHEREAS four years later most of the heritage buildings in Port's commercial core remain closed and unoccupied including: 11 Main (Jail), 14 Lakeport, 18 Lakeport, 52 Lakeport (Dalhousie House), the rear of 12 Lock (previously Spice of Life) and 16 Lock (Lakeside / Austin House Hotel) and, in addition, the Murphys building at 38 Lakeport has now been closed and unoccupied for two years and, like the others, has been severely damaged inside;

THEREFORE BE IT RESOLVED that, in accordance with the 2014 motion, staff immediately re-inspect every closed or unoccupied building in Port's commercial core, ensure that the buildings are secure and protected from inclement weather and that all provisions of the Property Standards By-law and the Ontario Heritage Act are strictly enforced, and report back to Council by the first Council meeting in January 2019; and BE IT FURTHER RESOLVED that staff conduct a site condition assessment quarterly thereafter for the next 12 months and report to Council; and

BE IT FURTHER RESOLVED that the owners of these properties once again be strongly encouraged to restore the buildings and make them fit for rental so they can be occupied as soon as possible.

8.2 Martindale Road Guardrail

Councillor Siscoe will present the following motion

WHEREAS the private wall at the Northwest Corner of Elderwood Drive and Martindale Road has been crashed into three times in the last 10 years by drivers turning off of Martindale Road; and

WHEREAS these crashes have caused great expense to be incurred by the residents whose property the wall is on;
THEREFORE BE IT RESOLVED that Council formally request to the Niagara Region that a metal guardrail be placed at this corner during the Martindale Road reconstruction project to prevent traffic from crashing into the wall.

9. Call for Notices of Motion

10. Resolve into General Committee

11. Motion Arising from In-Camera Session

12. Motion to Ratify Forthwith Recommendations

13. By-laws

13.1 Reading of By-Laws

14. Agencies, Boards, Committee Reports

14.1 Minutes to Receive:

- St. Catharines Heritage Permit Advisory Committee, [October 25, 2018](#) (Draft)

15. Adjournment



CITY OF
ST. CATHARINES

Corporate Report

Report from Planning and Building Services, Planning Services

Date of Report: November 16, 2018

Date of Meeting: November 26, 2018

Report Number: PBS-216-2018

File: 60.30.335 and 60.35.1035

Subject: *Planning Act Continuation of Public Meeting - Recommendation Report*
Applications for Official Plan Amendment and Zoning By-law Amendment
Subject Lands: 104 Maple Street, 97-99 Niagara Street and 101-103
Niagara Street; Owner: Global Travel Investment Group Ltd.; Agent: Exp.

Recommendation

Garden City Plan Amendment

That Council approve an amendment to the City of St. Catharines Official Plan (the Garden City Plan) for the lands described as Part Lot 7-8 BLK H CY PL 19 Grantham as in RO357144, St. Catharines, municipally known as 104 Maple Street, as follows:

- a) That Schedule D1 be amended by changing the land use designation of the lands from Neighbourhood Residential to Commercial as identified in Appendix 6 of this report; and
- b) That Schedule E5, Central Planning District, be amended by changing the land use designation of the lands from Medium Density Residential to Community Commercial as identified in Appendix 7 of this report; and

That approval of the Official Plan Amendment is granted on the basis that the application is consistent with the Provincial Policy Statement (2014), and conforms with and does not conflict with the Provincial Growth Plan for the Greater Golden Horseshoe (2017) and the Regional Official Plan; NS

That the Mayor and City Clerk be authorized to execute the necessary by-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That the Notice of Decision include a statement that public input has been received, considered, and has informed the decision of Council, and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeal Tribunal (LPAT) for consideration and final approval; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

Zoning By-law Amendment

That Council approve an amendment to the City of St. Catharines Zoning By-law 2013-283, for the lands described as Part Lot 7-8 BLK H CY PL 19 Grantham as in RO357144, St. Catharines, municipally known as 104 Maple Street, as follows:

- a) That Section 15.1, Schedule A (A14), Zoning Maps, be amended by changing the zoning of the subject lands from Medium Density Residential (R3) to Community Commercial with Special Provision and Holding Provision (C2-153-H21) as outlined in Appendix 9; and

That Council approve an amendment to the City of St. Catharines Zoning By-law 2013-283, for the lands municipally known as 97-99 and 101-103 Niagara Street, as follows:

- b) That Section 15.1, Schedule A(A14), Zoning Maps, be amended by changing the zoning of the subject lands from Community Commercial (C2) to Community Commercial with Special Provision and Holding Provision (C2-153-H21) as outlined in Appendix 9;
- c) That Section 13.1, List of Special Provisions, be amended to add an additional special provision, as follows:

Special Provision	Zone	Schedule A	Location	By-law
153	C2	14	104 Maple Street, 97-99 Niagara Street, 101-103 Niagara Street	2018-
For the purposes of zoning, the lands at 104 Maple Street, 97-99 Niagara Street and 101-103 Niagara Street shall be treated as one lot.				
1.	Minimum front yard setback			0 m
2.	Minimum exterior side yard setback			0 m
3.	Minimum landscape buffer abutting a residential zone			0.6 m
4.	Minimum landscape buffer from a parking area with 5 to 20 parking spaces to a lot line abutting a public road			0.6 m
5.	Minimum landscape buffer from a parking area with 5 to 20 parking spaces to a lot line abutting a residential zone			0.6 m
6.	Minimum parking spaces (including 1 accessible)			7

- d) That Section 14.1, List of Holding Provisions, be amended to add an additional holding provision, as follows:

Holding	Schedule A	Location	By-law
H21	14	104 Maple Street, 97-99 Niagara Street, 101-103 Niagara Street	2018-
An application for Development Agreement shall be submitted, received and prepared for registration prior to removal of the Holding (H) designation. Approval			

and Registration of the Development Agreement may be completed unencumbered once the Holding designation is removed.
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Note: Special Provision 153 also applies to the lands.
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That approval of the Zoning By-law Amendment is granted on the basis that the application is consistent with the Provincial Policy Statement (2014), conforms with and does not conflict with the Provincial Growth Plan for the Greater Golden Horseshoe (2017) and the Regional Official Plan and conforms with the City's Official Plan, as recommended for amendment in this report; and

That the Mayor and City Clerk be authorized to execute the necessary By-law to give effect to Council's decision; and

That the Notice of Decision required by the Planning Act, R.S.O. 1990, c.P. 13, as amended, be processed by staff; and

That the Notice of Decision include a statement that public input has been received, considered, and has informed the decision of Council, and

That upon expiration of the appeal period, staff be directed to forward any appeals to the Local Planning Appeal Tribunal (LPAT) for consideration and final approval; and

Further, that the Clerk be directed to make all necessary notifications. FORTHWITH

Development Agreement

That Council direct staff to enter into a development agreement to address site drainage, landscaping, the layout of parking spaces and drive aisles, paving, lighting and the provision of a bike rack and similar details that ensure an appropriate parking lot function and layout.

Summary

This Recommendation Report provides a planning analysis and recommendation to approve the Official Plan Amendment and Zoning By-law Amendment applications to:

- i) Designate the lands municipally known as 104 Maple Street from Medium Density Residential to Community Commercial in the Official Plan;
- ii) Change the zoning of the lands at 104 Maple Street from Medium Density Residential (R3) to Community Commercial with a Special Provision and Holding Provision (C2-153-H21); and
- iii) Change the zoning of the lands at 97-99 Niagara Street and 101-103 Niagara Street from Community Commercial (C2) to Community Commercial with a Special Provision and Holding Provision (C2-153-H21).

Background

The subject lands at 104 Maple Street, as identified in Appendix 1, previously contained a detached dwelling which was demolished and a parking lot was subsequently

established on the vacant site, without required planning approvals, to provide parking for commercial and residential uses on the adjacent lands to the east, also owned by the applicant. The lands at 104 Maple Street are designated and zoned for residential use only. The adjacent lands to the east known as 97-99 Niagara Street and 101-103 Niagara Street are currently zoned Community Commercial (C2) which permits the existing commercial and residential uses.

The applications request that the existing parking lot be permitted at 104 Maple Street to service the adjacent mixed use development consisting of commercial businesses and residential units to the east at 97-99 and 101-103 Niagara Street, lands also owned by the applicant.

This Recommendation Report is a follow up to the Information Report ([linked here](#) and copy available upon request) that was received by Council at the November 12, 2018, Public Meeting, in accordance with the requirements of the Planning Act, to receive input on the proposed Official Plan Amendment at 104 Maple Street and Zoning By-law Amendment at 104 Maple Street, 97-99 Niagara Street and 101-103 Niagara Street. Council adjourned the public meeting at that time.

Report Proposal

The applicant proposes to amend the City's Official Plan and Zoning By-law to permit and recognize a parking lot on the subject lands, which will be reconfigured to accommodate seven parking spaces, including 6 standard parking spaces, 1 accessible parking space and a drive aisle. The parking lot configuration extends beyond the lands at 104 Maple Street, onto adjacent lands owned by the applicant including 97-99 Niagara Street and 101-103 Niagara Street.

The applicant proposes to amend the Official Plan designation for 104 Maple Street from Medium Density Residential to Community Commercial and to re-zone the lands from Medium Density Residential (R3) to Community Commercial with a Special Provision (C2-153). A Holding Provision was not proposed by the applicant but is being recommended by staff. The proposed Official Plan and Zoning By-law Amendment are necessary to permit a parking lot on the lands known as 104 Maple Street. The existing parking lot is partially located on 97-99 and 101-103 Niagara Street and serves to provide parking for the existing mixed use development consisting of ground floor commercial businesses and upper level residential units on these properties. The Zoning By-law Amendment is proposed to implement a Site Specific provision for all three properties to address existing setback deficiencies on these sites and recognize newly proposed deficiencies to accommodate the parking lot. The Official Plan Amendment proposes to expand the Community Commercial designation by including one additional lot, being 104 Maple Street to the existing Community Commercial Centre land use designation, which includes 97-99 and 101-103 Niagara Street.

The proposed Site Plan is attached for Council's reference (Appendix 2).

Planning Policy Context

Provincial planning legislation requires Council's decision on a planning application to be consistent with the Provincial Policy Statement (2014), and must conform to and not conflict with Provincial plans, upper-tier official plans and lower-tier official plans. Accordingly, planning staff will evaluate this Application for Official Plan Amendment and Zoning By-law Amendment against the policies of the Provincial Policy Statement, the Provincial Growth Plan for the Greater Golden Horseshoe (2017), the Regional Official Plan, and the Garden City Plan, all of which apply to this application, and staff recommendations have been formulated accordingly.

For Council's reference, the land use planning framework in Ontario, as it relates to this application, is outlined in Appendix 3.

Provincial Policy Statement (2014)

The following provides an overview of the Provincial Policy Statement as it applies more specifically to this Application for Official Plan Amendment and Zoning By-law Amendment.

- Accommodate an appropriate range and mix of residential, employment (industrial and commercial), institutional (including places of worship), recreation, park and open space, and other uses (including commercial) to meet long-term needs;
- Settlement areas are to be the focus of growth and development, and their vitality and regeneration is to be promoted;
- Establish a land use plan and pattern that supports financial sustainability and cost effective development and provision of services;
- New development should have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities;
- Promote the wise use and management of land and resources;
- Support an accessible, connected and complete community;
- Establish appropriate development standards to promote/facilitate intensification, redevelopment and compact built form;
- Improve accessibility for persons with disabilities and older persons by identifying, preventing and removing land use barriers which restrict their full participation in society; and,
- Ensure protection of natural features and areas for the long term.

Range and Mix of Uses

The policies of the PPS support and encourage the provision of a range and mix of uses. These applications serve to support existing mixed uses at the intersection of Niagara Street and Welland Avenue. The lands at 104 Maple Street are located within a neighbourhood consisting of both residential and commercial uses. The proposed amendments result in 0.02 hectares of land being designated and zoned from residential to commercial to be used in conjunction with existing commercially designated lands to the east.

Accessibility and Connectivity

The applications have been made to facilitate use of 104 Maple Street to provide a parking area for the adjacent commercial and residential units at 97-99 and 101-103 Niagara Street. Within the parking area, an accessible parking space and a bike rack will be provided to improve accessibility and accommodate additional modes of transportation. The addition of a formalized parking area, including six standard parking spaces, one accessible parking space and a bike rack improves accessibility to the mixed use development and provides infrastructure to improve the function of the site.

Development Standards

The lands at 97-99 and 101-103 Niagara Street contain existing buildings that consist of two apartment units and approximately 374 m² of gross leasable commercial space. The existing buildings take up a majority of the site with inadequate space available to provide parking for the mixed use development. The parking area proposed at 104 Maple Street provides an area for patrons of the businesses and tenants of the apartment units to park. The City's development standards outline parking requirements for commercial and residential units. The introduction of a parking area serves to achieve a more complete site.

Staff are of the opinion that the proposed Amendments are consistent with the PPS in that the policies related to providing services and supporting accessibility are upheld. The amended land use pattern supports improved provision of services for the existing commercial uses.

Provincial Growth Plan for the Greater Golden Horseshoe (2017)

Policies within the Growth Plan stress compact and well-designed development that prioritizes intensification. Section 2.2.1 4 e) of the Plan supports the achievement of complete communities that "ensure the development of high quality compact built form, an attractive and vibrant public realm, including public open spaces, through site design and urban design standards." Policies ensure that a range and mix of housing options are available including affordable housing.

The following provides an overview of the Provincial Growth Plan as it applies more specifically to these Applications for Official Plan and Zoning By-law Amendment.

- Promote compact built form and transit supportive development, a diversity and mix of uses and opportunities, and the efficient use of land, infrastructure and service capacities to support development, redevelopment and growth;
- Foster safe, interactive, active transportation and connected communities;
- Ensure viability for long term development and community investment;
- Maintain, enhance vitality of main streets, and conservation of neighbourhoods;
- Encourage sense of place by promoting well designed built form and cultural planning to conserve features that help define the character, built heritage resources and cultural heritage landscapes of the area;

- Adapt to climate change through compact and nodal development;
- Promote high quality built form, attractive/vibrant public realm through site design and urban design standards;
- Support complete communities by ensuring that lands are adequately zoned and that development is designed to meet this policy; and,
- Support multi modal transportation, including active transportation and transit.

The Growth Plan provides a policy framework that is intended to be achieved within the context of each individual community, while being sensitive to adjacent areas. The City's Official Plan and Zoning By-law implement this framework for St. Catharines. The parking area provides improved function of the site, locates an accessible parking space closest to Niagara Street to provide direct access to the municipal sidewalk and establishes a bike rack to encourage active transportation. The implementation of urban design parameters ensures an appropriate fit within the character of the street.

Staff are of the opinion that the proposed Amendments are consistent with the Growth Plan in that policies related to fostering connected, accessible and complete communities are upheld.

Regional Official Plan

According to the Regional Official Plan (ROP), the subject lands are located within the Urban Area for the City of St. Catharines and within a Built-up Area under Amendment 2-2009 (Niagara 2031/Conformity Amendment), which is the focus of both residential and employment intensification and redevelopment within the Region over the long term.

The ROP reiterates the land use pattern policies and objectives of the Provincial Policy Statement and Growth Plan for residential intensification and sustainable communities outlined above. The Region's policies direct developments within the Built-up area to make efficient use of available land and infrastructure and supports the creation of complete communities that provide a mix and range of land uses, local services and recreational and public open spaces.

The subject lands are located within the urban area and the applications propose designating and zoning 104 Maple Street consistent with the adjacent lands to the east, as the lands are intended to function together. The amendments result in a relatively minor expansion of the Community Commercial designation to facilitate use of the site as a parking area for existing mixed use development. The inclusion of the subject lands at 104 Maple Street with the existing mixed use development at 97-99 and 101-103 Niagara Street will assist in providing improved function of the site as a whole, introduce parking for existing businesses and improve accessibility through the provision of an accessible parking space and bike rack.

Given the site specific nature of the application, the Official Plan amendment is exempt from Regional approval in accordance with the Memorandum of Understanding with Area Municipalities, and Regional Official Plan Policy 14.E7.

Based on the above, staff consider the applications and proposed development concept to align with Regional policy.

It should be noted that the Region of Niagara is undertaking a comprehensive review (MCR) of their Official Plan to bring it into conformity with the PPS and the Provincial Growth Plan. Once completed, local area municipalities will be required to update their Official Plans accordingly.

Local Official Plan (Garden City Plan)

97-99 and 101-103 Niagara Street

The lands are designated Commercial (Appendix 4) by the City's Official Plan, The Garden City Plan (GCP). The Central Planning District (E5) further identifies the properties as Community Commercial (Appendix 5). The Community Commercial designation of the Plan (Section 9.2.2 (a)) provides for a range of commercial uses, excluding auto dealerships, adult oriented uses and hotels. Other uses permitted include institutional, civic, cultural, indoor recreation, entertainment and residential apartment dwellings units. The existing commercial and residential uses within the structures on site, as well as the existing parking located on the properties, are permitted by the GCP. As such, the Official Plan Amendment request does not apply to the properties fronting on Niagara Street.

104 Maple Street

The subject lands are designated as Neighbourhood Residential (Appendix 4) by the City's Official Plan, The Garden City Plan (GCP). The Central Planning District (E5) further designates 104 Maple Street as Medium Density Residential (Appendix 5). The Medium Density Residential Designation of the GCP provides for a range of residential uses including detached, semi-detached, duplex, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 and 99 units per hectare of land. Height of buildings will generally not exceed 20 metres. This designation does not permit a freestanding parking lot or the extent of commercial uses permitted in the Community Commercial designation.

The Official Plan Amendment application seeks to amend the designation from Neighbourhood Residential to Commercial (Appendix 6) and the Central Planning District designation from Medium Density Residential to Community Commercial (Appendix 7). The Official Plan Amendment requests one lot, being 104 Maple Street, to be added to the existing Community Commercial land use designation which applies to the lands on the north side of the intersection of Welland Avenue and Niagara Street.

The Plan (Section 9.2.2 (d)) provides that an application to establish a new centre or to expand an established centre beyond existing property limits will require an amendment to the Plan, and may be subject to studies as set out in Part F, Section 16.16 of the Plan including but not limited to, market analysis, land use compatibility, and traffic. The proposed expansion to include 104 Maple Street to the existing Community Commercial Centre would result in the addition of 0.02 hectares of land to an approximately 4 hectare centre. The GCP outlines that Community Commercial Centres are permitted to

range in size from 2 to 12 hectares (9.2.2(c)). 104 Maple Street previously contained a residential dwelling and is adjacent to lands currently designated Community Commercial. The proposed expansion of the existing Community Commercial Centre to include 104 Maple Street is compatible with existing land uses surrounding the site and is minor in scale. Given the minor nature of this application, there is no need for a market analysis or traffic study to justify the expansion of the Community Commercial land use designation.

Section 16.1 of the Garden City Plan outlines general policies to be considered in evaluating an Official Plan Amendment application. This application for amendment to the Plan has been evaluated on the basis of those prescribed considerations, as follows:

Garden City Plan Policy (16.1)	Planning Comment
i) The degree of conformity of the proposed amendment to the general intent, purpose and philosophy of this Plan, particularly the vision, planning principles and general policies of the Plan	Part B, 'Vision and Guiding Principles', describes the general intent of the Plan and the basis for which the land use policies of the Plan have been prepared. It establishes priorities including the accommodation of growth and change, housing, and achieving a sustainable community. Part D of the Plan, 'Land Use Policies', emphasizes more compact, innovative and alternative design to manage development. The proposed amendment would facilitate the addition of a parking area to service an existing, adjacent mixed use development. The parking area improves accessibility and function of an existing site, working within a compact urban setting.
ii) Consistency with Provincial and upper tier government plans, policies and legislation	As is required of the municipality, Provincial and Regional policies are entrenched in the Garden City Plan, as outlined above and throughout this report. The proposal complies with Provincial and Regional land use policies, as discussed in earlier sections of this report.
iii) The availability and suitability of land already designated for the proposed use, and the need for, and the feasibility of the proposed use	The lands adjacent to 104 Maple Street are designated Community Commercial, however they do not have sufficient area to meet the parking needs and requirements on site. The designation of the subject lands from Medium Density Residential to Community Commercial

	<p>enables the subject lands to be used as a parking area to service the existing commercial and residential uses located on the adjacent lands to the east.</p> <p>Use of the subject site in conjunction with the adjacent existing commercial uses serves to provide improved functionality, accessibility and service without compromising the residential uses on Maple Street.</p>
iv) The compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses	<p>The Community Commercial designation proposed is consistent with the adjacent lands to the east 97-99 Niagara Street and 101-103 Niagara Street, also owned by the applicant. The lands at 104 Maple Street are proposed to recognize, permit and formalize a parking area for the existing mixed use development that previously did not have any parking. The lands are adjacent to existing residential lands and propose to achieve compatibility with the adjacent lands with a vegetated landscape buffer.</p>
v) The potential of the proposal to cause instability within an area intended to remain stable	<p>The subject lands are surrounded by existing commercial and residential land uses and the proposed amendment is to permit a parking area to service existing development. Use of 104 Maple Street in conjunction with the adjacent development at 97-99 and 101-103 Niagara Street demonstrates a compatible fit within the neighbourhood as it services the existing mixed use development without contributing any additional units or structures. As well, landscaping adjacent to existing low density residential uses will be provided.</p>
vi) The ability of the City's infrastructure and public service facilities to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the City	<p>No additional capacity is required in the City's existing infrastructure and services.</p>

vii) The financial implications, both cost and revenues, to the City	The proposed development presents no cost implications to the City.
viii) The degree to which approval of the amendment would establish an undesirable precedent	The lands immediately to the south and east are designated Community Commercial. Designating the subject lands similarly will result in a minor expansion within an existing established mixed use neighbourhood. This site will provide a transition to the adjacent residential uses to the west, as no structures are proposed on site and the proposed parking area will be buffered at the property line with landscaping.

Approval of the proposed amendment will permit parking where no parking was previously permitted. The neighbourhood is comprised of a mix of uses, including commercial and residential and the subject application results in a small portion of land being converted from residential to commercial. The provision of a parking area, which includes the provision of 6 standard parking spaces, one barrier free parking space and a bike rack, will improve accessibility and active transportation within close proximity to a prominent intersection (Niagara Street and Welland Avenue). Based on the matters outlined above, staff are satisfied that the proposed Official Plan Amendment meets the intent of the Plan and all other policies contained in the Official Plan as well as improving the functionality of the permitted uses and recommend approval.

All relevant City Official Plan policies that apply to this application have been excerpted and included in Appendix 10 of this report.

Zoning By-law

Zoning By-law 2013-283 zones the lands at 104 Maple Street as Medium Density Residential (R3) (see Appendix 8). The R3 Zone permits a broad range of residential uses, but does not permit parking as a freestanding use on this lot. The proposal is to change the zoning to Community Commercial with a Site Specific Provision (C2-153) to permit a parking lot that serves the commercial uses and apartment dwellings on the adjacent lands to the east, also owned by the applicant and to recognize deficiencies through site specific provision (Appendix 9).

Through the reconfiguration of the parking lot to accommodate seven parking spaces, there are site specific setback deficiencies that are addressed through a Site Specific Provision which is to apply to all three properties. The proposed Special Provision 153 details site-specific provisions relating to landscape buffers, minimum yard setbacks and minimum parking requirements. The lands at 104 Maple Street are intended to function with the adjacent lands to the east. While all three properties are owned by the applicant, they are currently three individual parcels of land. Staff recognize that use of 104 Maple Street as a parking area is dependent on utilizing portions of the adjacent properties, and as such, staff recommend that through the proposed Special Provision,

all three properties be recognized as one site for zoning purposes. The proposed Special Provision is outlined below and attached (Appendix 10).

Provision	Required	Proposed
Minimum front yard setback (Niagara Street)	3 m	0 m
Minimum exterior side yard setback (Maple Street)	3 m	0 m
Minimum landscape buffer abutting a residential zone	3 m	0.6 m
Minimum landscape buffer from a parking area with 5 to 20 parking spaces to a lot line abutting a public road	3 m	0.6 m
Minimum landscape buffer from a parking area with 5 to 20 parking spaces to a lot line abutting a residential zone	3 m	0.6 m
Minimum parking spaces (including 1 accessible)	19	7

The minimum front yard and exterior side yard setbacks are proposed to recognize the existing buildings along Niagara Street which are located at the property line. These buildings are well established and the recognition of the existing building setback condition has no impact.

The existing mixed use development within these properties previously had no parking provided. Based on the gross leasable floor area, the zoning by-law would require 19 parking spaces. With the addition of 104 Maple Street there is space to provide 6 standard parking spaces and 1 accessible parking space. The provision of parking is a benefit despite being below the required parking.

Landscape buffers are required adjacent to parking areas and adjacent to residential zones. As a result of the configuration of the property at 104 Maple Street, a reduced landscape buffer is being requested to allow for the provision of parking. The applicant proposes to provide a mix of vegetation within the landscape buffers to provide a partial visual buffer. The existing parking lot established on site without approvals provides no buffers or landscaping. The proposed landscape plan indicates the provision of 2 trees along the Maple Street frontage, and 30 shrubs adjacent to the residential zone and Maple Street frontage. The landscape buffers have been proposed to the maximum extent possible on the site while maintaining a functional parking area.

The requested reductions in required parking and related landscaping is a trade off in order to supply acceptable parking to the existing uses on this site.

The Zoning By-law Amendment is being recommended for approval with a Holding Provision (H21) for 104 Maple Street, 97-99 Niagara Street and 101-103 Niagara Street, which requires that a development agreement be submitted, reviewed and completed, save and except for the final approval and registration of the agreement, which can only occur once the zoning takes full effect (after the removal of the Holding (H) designation) (Appendix 11).

Development Agreement

In situations where development of buildings is proposed, a site plan agreement would apply to regulate the design and layout of a related parking lot. In this instance, since there is no “development” and only the construction of a parking lot, the proposal is not subject to site plan approval. Notwithstanding this situation, there is a need to regulate the design of the parking lot including but not limited to paving, grading and drainage, landscaping (including the reinstatement to sod in the City boulevard area), lighting and similar details necessary to achieve engineering and urban design standards. The tool to achieve this end is a Development Agreement.

The properties, 104 Maple Street, 97-99 Niagara Street and 101-103 Niagara Street, each exist as a separate lot, however the proposed parking area is to be a shared use across all three properties. Appendix 2 provides the proposed site design for reference. In the absence of the properties merging, City staff want to ensure that the lands will be tied together to secure the functionality of the proposed parking lot and its relation to the adjacent uses. A Development Agreement, registered on title ensures that the lots must function together, particularly as they relate to the proposed reconfigured parking lot.

The recommended zoning includes a Holding (H) provision which requires the Development Agreement be ready for approval and registration, including the submission of required securities, at which point an application to remove the Holding (H) may be submitted and approved by Council via separate application. Once the Holding (H) is removed, the zoning takes effect and the Development Agreement may be finally approved and registered. This condition ensures the owner pursue the Development Agreement which regulates how the parking lot is designed, prior to zoning taking effect.

Public Meeting

In addition to the Open House that was held on July 19, 2018, and summarized in the Information Report, a Public Meeting was held by Council on November 12, 2018, in accordance with the Planning Act. Staff from Planning and Building Services presented an Information Report. The applicant's agent was in attendance. No members of the public spoke to the application and there were no questions raised at the Public Meeting. The Public Meeting was adjourned.

Public Notice

In accordance with established procedures, notice for the public meeting has been circulated.

Second Planning Opinion Advisory

Should Council consider not supporting the Staff Recommendation, Council is advised to defer its decision until such time as a second planning opinion from an outside consultant can be obtained. In the event the second planning opinion is supported by Council, and Council makes a decision based on that second planning opinion, and if and when the matter should be heard before the Local Planning Appeals Tribunal, then

the planner who has provided the second opinion shall be retained for the purpose of a hearing.

Financial Implications

No direct financial impacts to the City are triggered should Council approve the subject applications. The applicant will be responsible for all costs associated with the proposed development.

Relationship to Strategic Plan

The approval of the subject applications will serve to support the goals of the Strategic Plan through the pillars of economic and social sustainability by facilitating private investment through development in the City.

Potential Appeals

Council should be aware that, effective April 3, 2018, certain land use appeals in Ontario are subject to new legislation. For official plan amendment and zoning by-law amendment applications, any appeals are submitted to the Local Planning Appeal Tribunal (LPAT) which replaces the former Ontario Municipal Board (OMB).

Conclusion

In summary, staff are recommending approval of the applications for Official Plan Amendment for 104 Maple Street and Zoning By-law Amendment for 104 Maple Street, 97-99 and 101-103 Niagara Street. This Recommendation Report provides the planning context and justification for staff's recommendation to support the Applications as well as adding the placement of a 'H' holding provision. Staff also recommend that the Special Provision and Holding Provision be applied to the lands to ensure the three parcels function together. The approval of these applications is consistent with the Provincial Policy Statement and conforms with and does not conflict with the Growth Plan, the Regional Official Plan and City Official Plan.

Prepared by:

Taya Devlin
Planner I

Submitted by:

Judy Pihach, MCIP, RPP
Manager, Planning Services

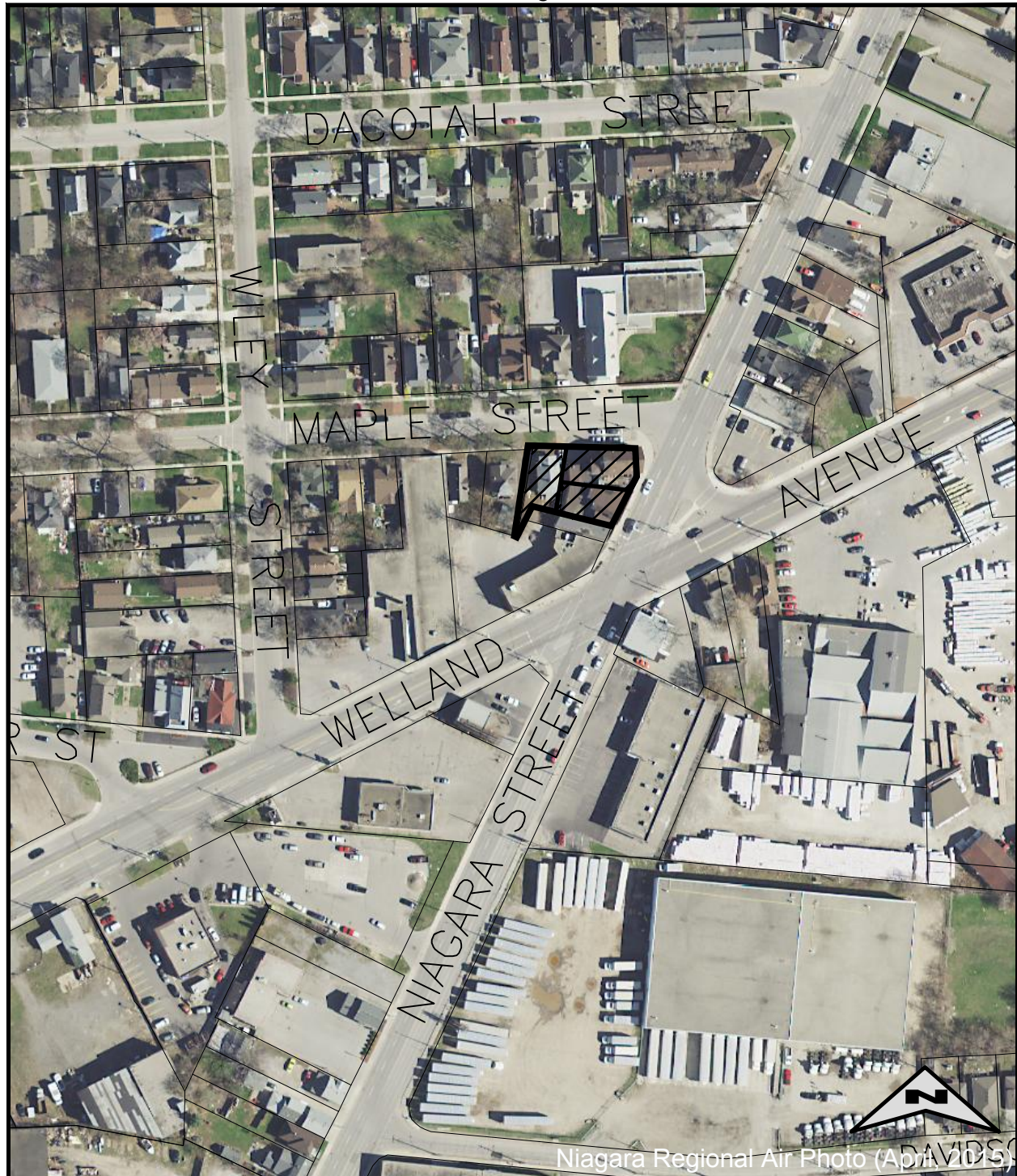
Approved by:

James N. Riddell, M.PL., MCIP, RPP
Director, Planning and Building Services

List of Appendices

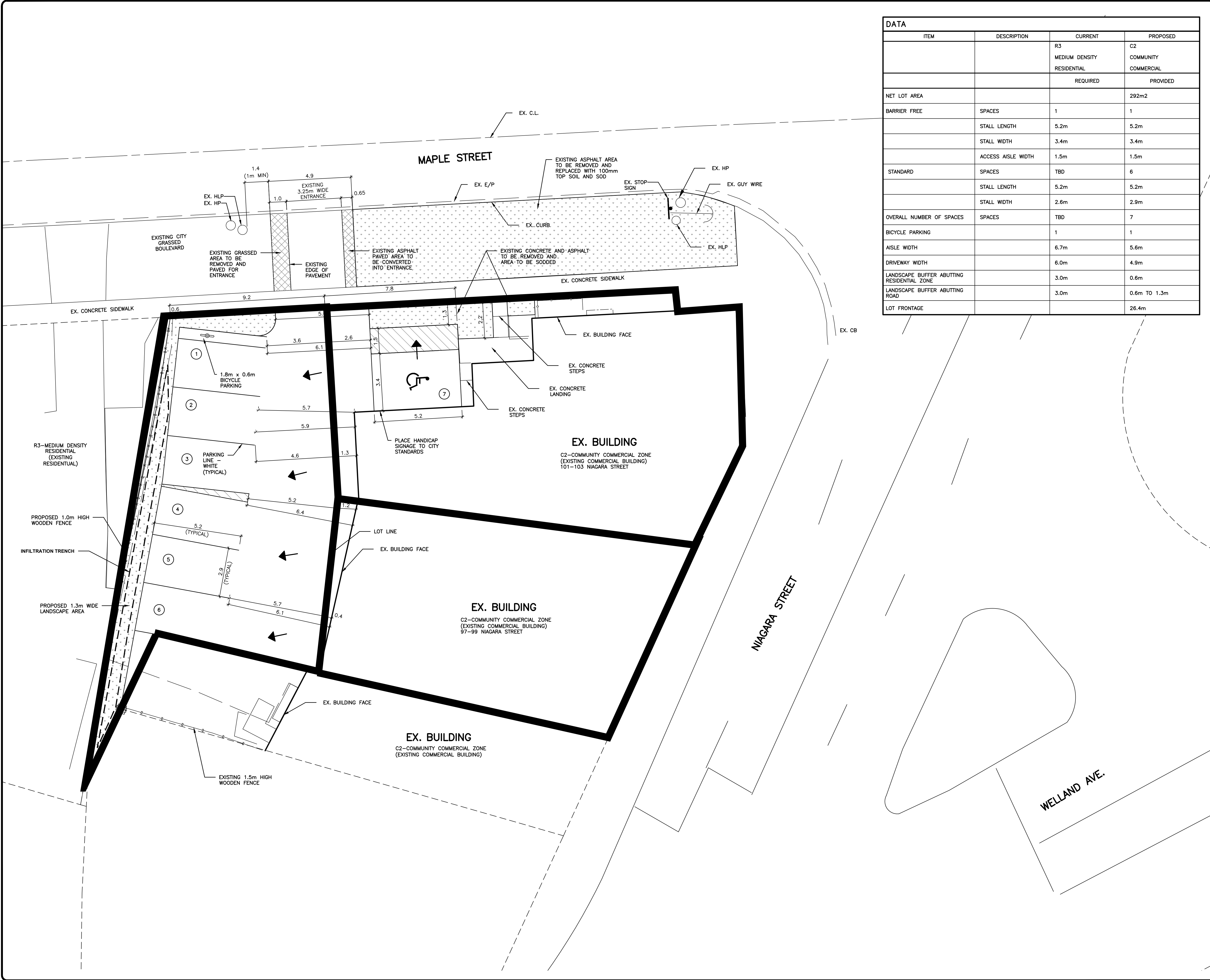
1. Location Map
2. Concept Site Plan
3. Ontario Land Use Planning Framework
4. Official Plan – Existing Schedule D1, General Land Use Plan Map
5. Official Plan – Existing Schedule E5, Central Planning District
6. Official Plan – Proposed Schedule D1, General Land Use Plan Map
7. Official Plan – Proposed Schedule E5, Central Planning District
8. Zoning By-law 2013-283, Existing Schedule A14
9. Zoning By-law 2013-283, Proposed Schedule A14
10. Proposed Special Provision 153
11. Proposed Holding Provision H21
12. Applicable Garden City Plan Policies

Aerial Photo Surrounding Area

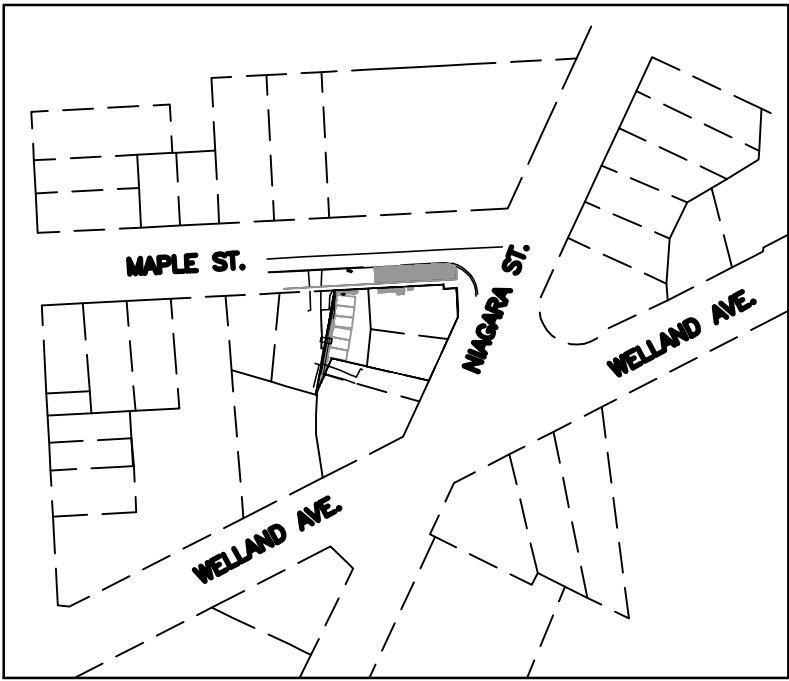


Subject Lands

104 Maple Street, 97-99 Niagara Street and 101-103 Niagara Street
File: 60.30.335 & 60.35.1035



DATA			
ITEM	DESCRIPTION	CURRENT	PROPOSED
		R3 MEDIUM DENSITY RESIDENTIAL	C2 COMMUNITY COMMERCIAL
		REQUIRED	PROVIDED
NET LOT AREA			292m2
BARRIER FREE	SPACES	1	1
	STALL LENGTH	5.2m	5.2m
	STALL WIDTH	3.4m	3.4m
	ACCESS AISLE WIDTH	1.5m	1.5m
STANDARD	SPACES	TBD	6
	STALL LENGTH	5.2m	5.2m
	STALL WIDTH	2.6m	2.9m
OVERALL NUMBER OF SPACES	SPACES	TBD	7
BICYCLE PARKING		1	1
AISLE WIDTH		6.7m	5.6m
DRIVEWAY WIDTH		6.0m	4.9m
LANDSCAPE BUFFER ABUTTING RESIDENTIAL ZONE		3.0m	0.6m
LANDSCAPE BUFFER ABUTTING ROAD		3.0m	0.6m TO 1.3m
LOT FRONTAGE			26.4m



LEGAL DESCRIPTION:

PT LT 7-8 BLK H CY PL 19 GRANTHAM AS IN R0357144; T/W R0357144;
ST. CATHARINES

D	ISSUED FOR SUBMISSION	MAR 14 2018	D.L.	B.M.
C	ISSUED FOR REVIEW	FEB 21 2018	M.M.	B.M.
B	ISSUED FOR SUBMISSION	2017 11-08	Y.X.	B.M.
A	ISSUED FOR REVIEW	2017 10-27	B.M.	B.M.
No.	REVISIONS	Date	By	App.



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- BUILDINGS • EARTH & ENVIRONMENT • ENERGY •
- INDUSTRIAL • INFRASTRUCTURE • SUSTAINABILITY •

Owner/Client:

MATHURA P. RAVINDRAN MEDICINE
PROFFESIONAL CORPORATION
96 NIAGARA STREET
CITY OF ST. CATHARINES

Location:

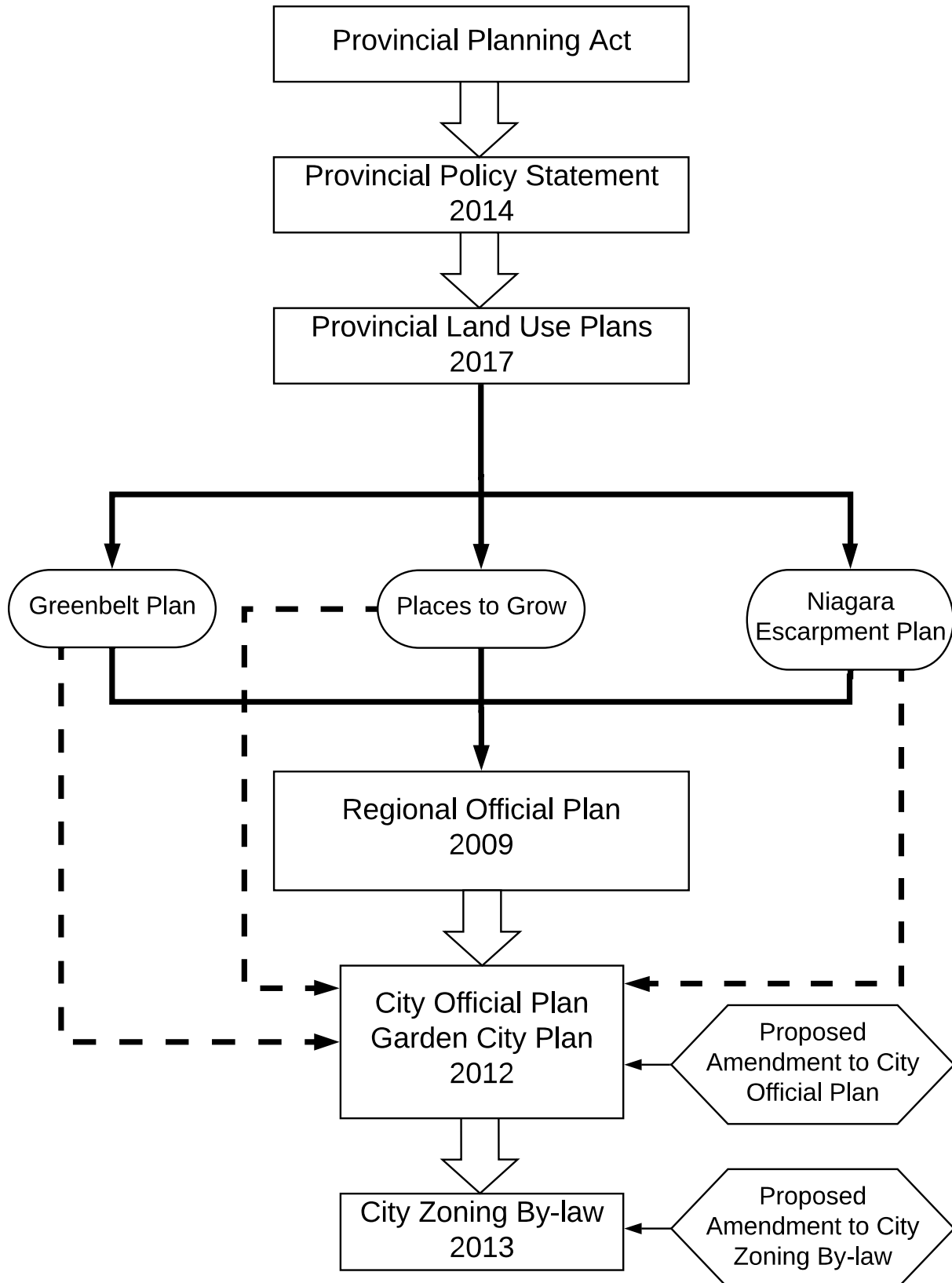
104 MAPLE STREET
ST. CATHARINES

Title:

SITE PLAN

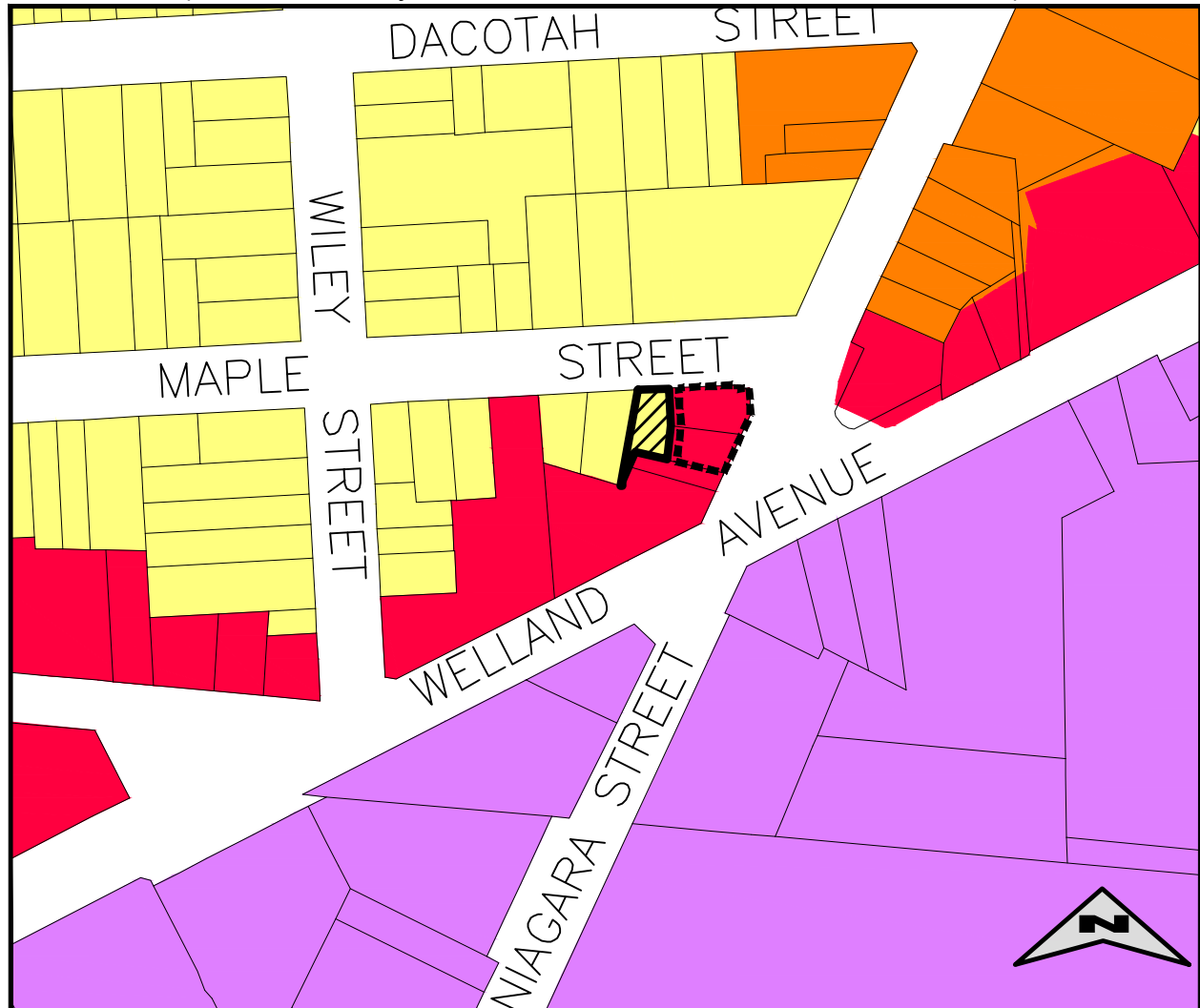
Designed By: B.M.	Drawn By: B.M.	Checked By: M.H.B.M.
Scale: 1:100	Date: SEPT, 2017	Drawing No.: SP-02
Project No.: BRM00605804a		


Ontario Land Use Planning Framework



Existing Land Use Designation

(The Garden City Plan - General Land Use Plan, Schedule D1)



 Subject Lands (104 Maple Street)

 Adjacent Lands Owned by Applicant

(97-99 Niagara Street & 101-103 Niagara Street)

Land Use Designations

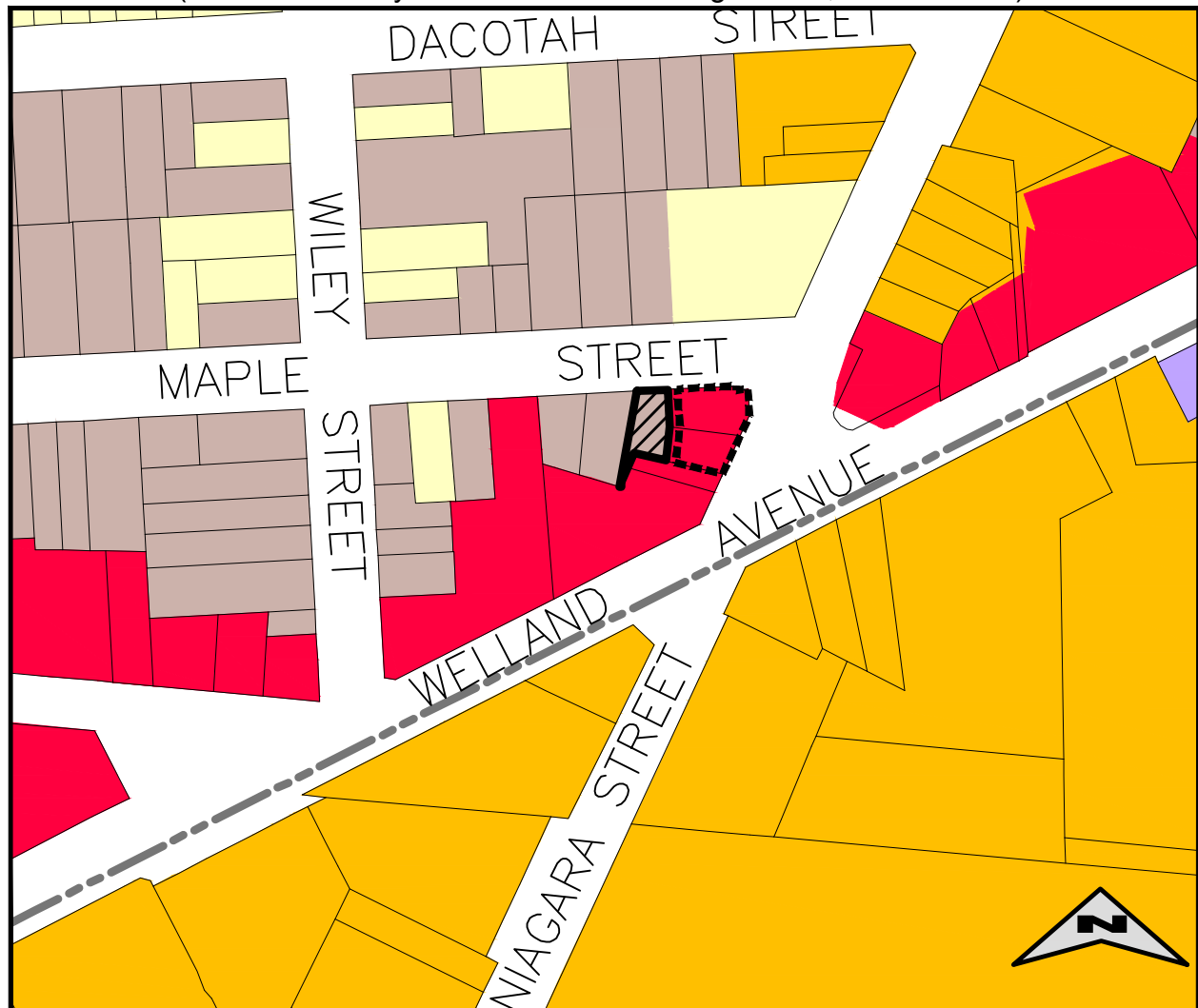
 Neighbourhood Residential
 Commercial


 Mixed Use
 Downtown


Files: 60.30.335 & 60.35.1035

Existing Land Use Designation

(The Garden City Plan - Central Planning District, Schedule E5)



 Subject Lands (104 Maple Street)

 Adjacent Lands Owned by Applicant
(97-99 Niagara Street & 101-103 Niagara Street)

Land Use Designations

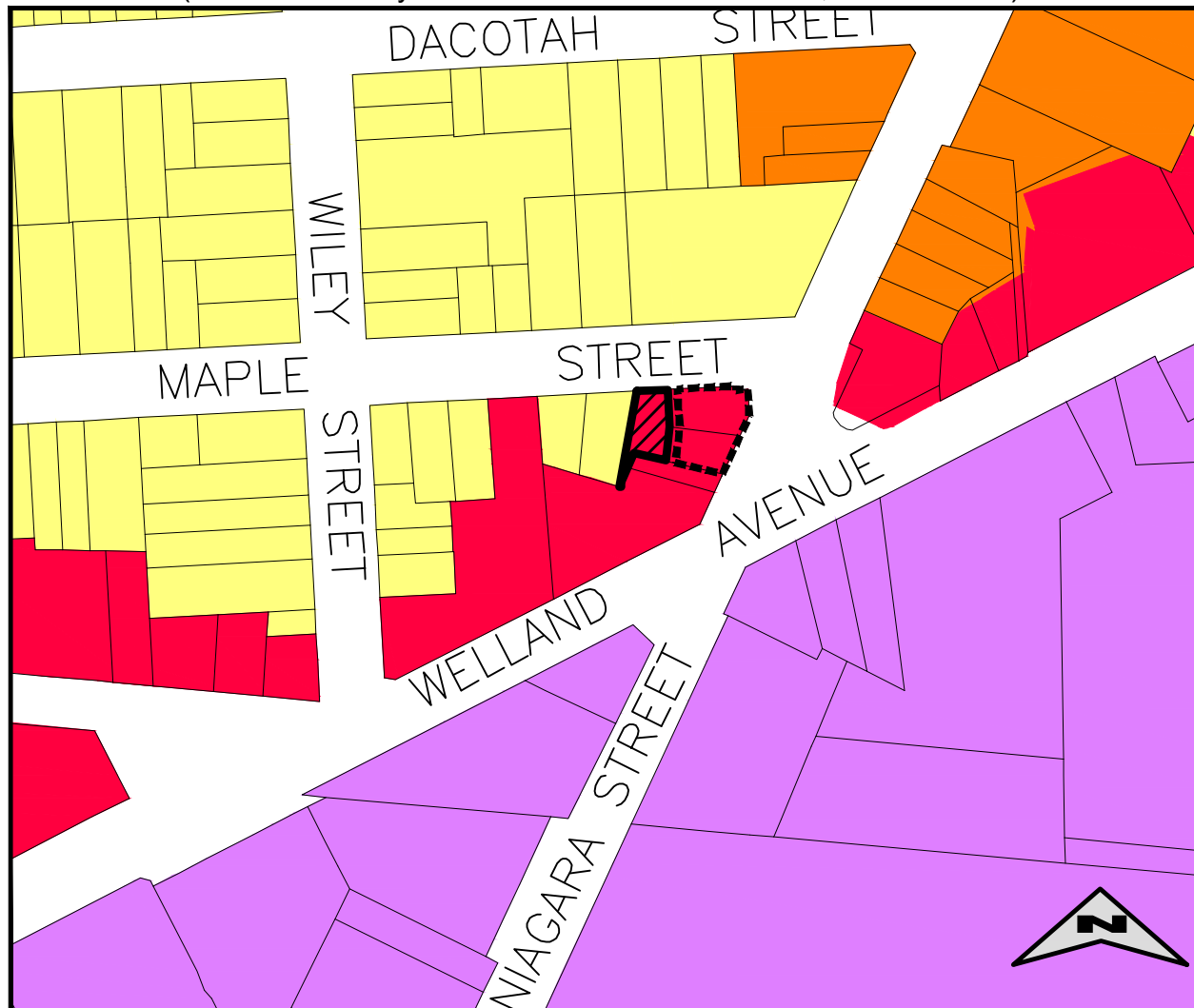
- | | |
|--|--|
|  Low Density Residential |  Mixed Use |
|  Medium Density Residential |  Planning District Boundary |
|  Community Commercial | |


Specific to Downtown Planning District

- | |
|--|
|  Mixed Medium High Density Residential / Commercial |
|  Mixed High Density Residential / Commercial |


Files: 60.30.335 & 60.35.1035

Proposed Official Plan Amendment (The Garden City Plan - General Land Use Plan, Schedule D1)







 Subject Lands (104 Maple Street)

Lands to be re-designated from Neighbourhood Residential
to Commercial

 Adjacent Lands Owned by Applicant
(97-99 Niagara Street & 101-103 Niagara Street)

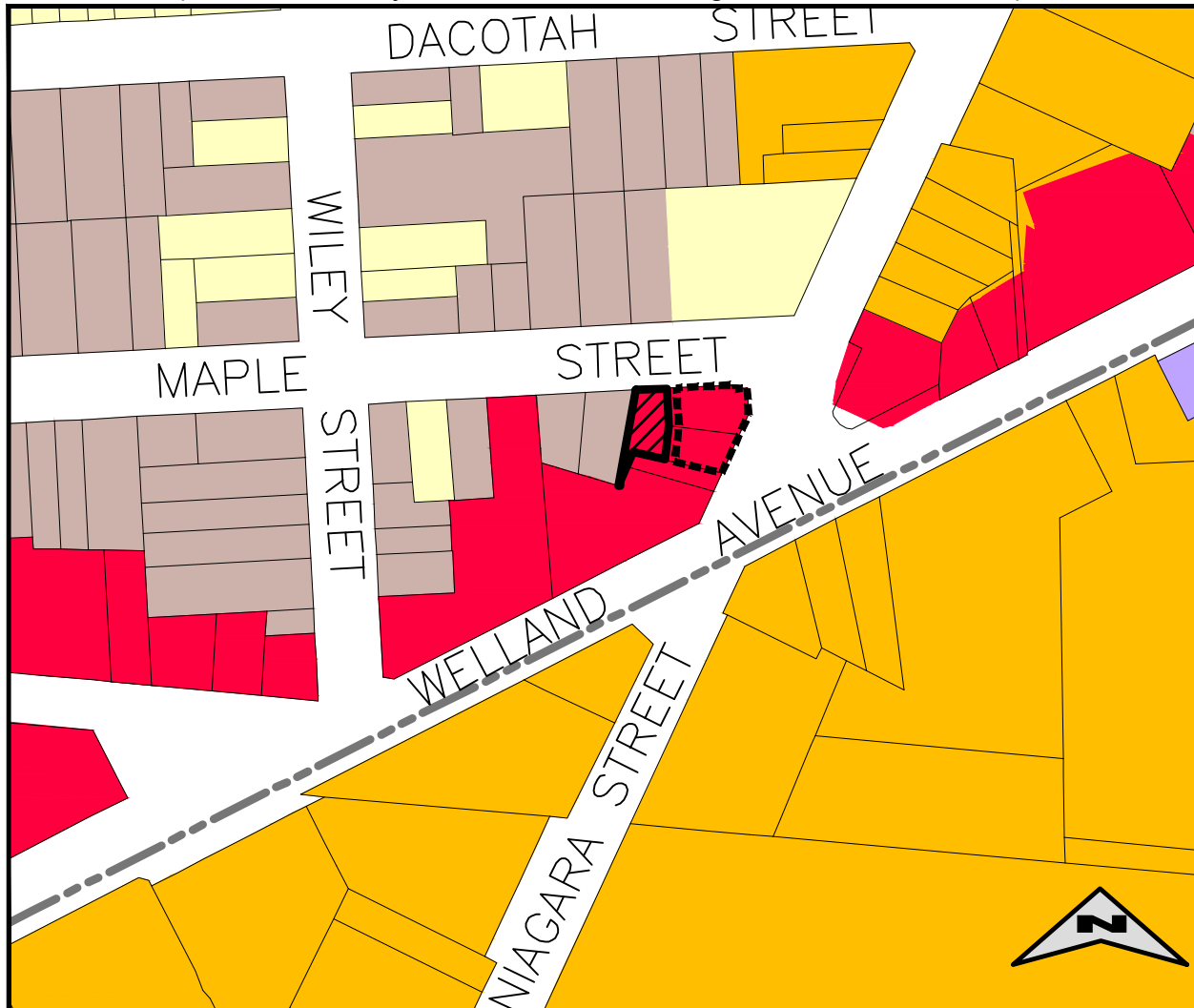
Land Use Designations


 Neighbourhood Residential	 Mixed Use
 Commercial	 Downtown

Files: 60.30.335 & 60.35.1035


Proposed Official Plan Amendment

(The Garden City Plan - Central Planning District, Schedule E5)



 Subject Lands (104 Maple Street)



Lands to be re-designated from Medium Density Residential
to Community Commercial

 Adjacent Lands Owned by Applicant
(97-99 Niagara Street & 101-103 Niagara Street)

Land Use Designations

- | | |
|--|--|
|  Low Density Residential |  Mixed Use |
|  Medium Density Residential |  Planning District Boundary |
|  Community Commercial | |

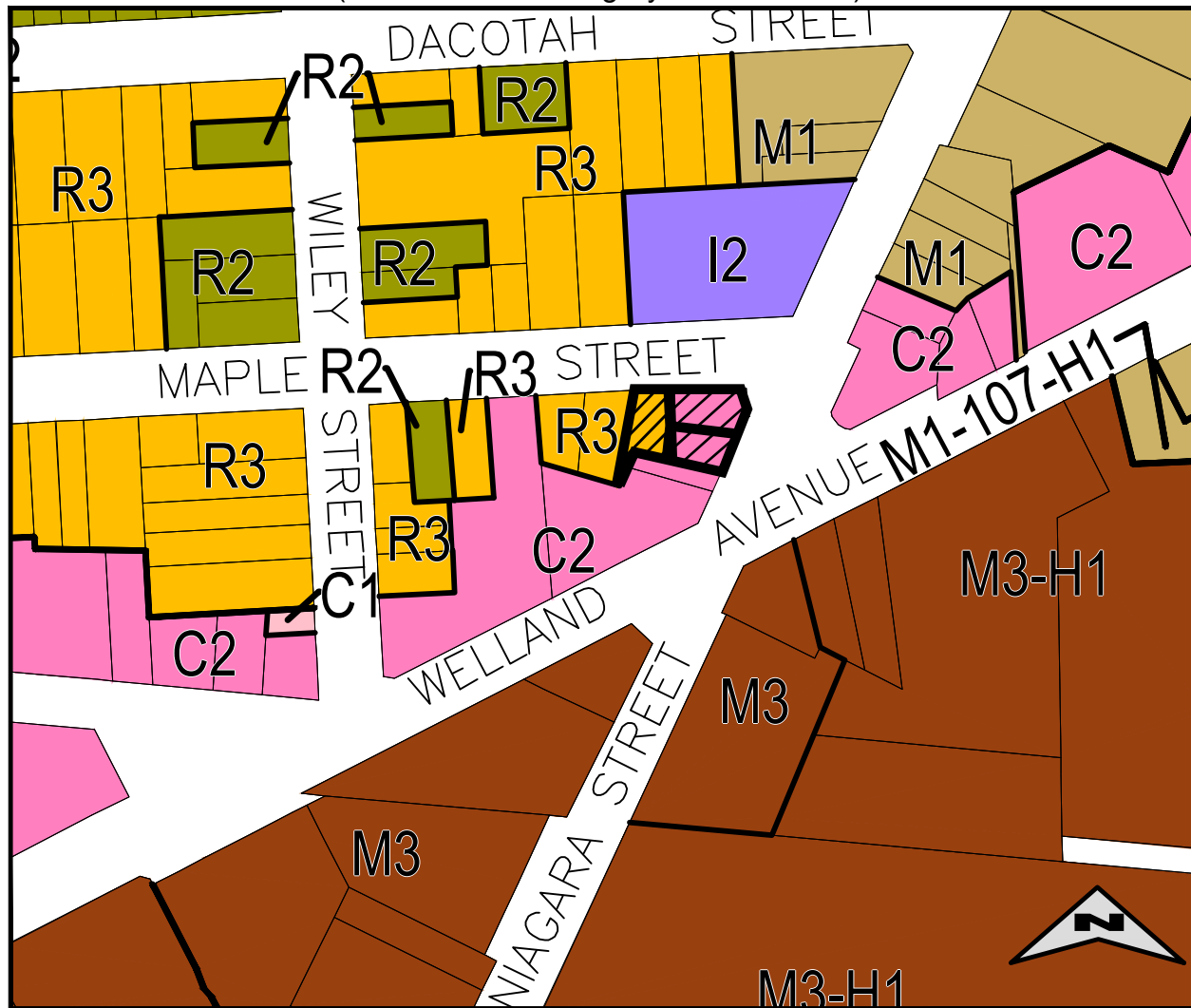
Specific to Downtown Planning District

- | |
|--|
|  Mixed Medium High Density Residential / Commercial |
|  Mixed High Density Residential / Commercial |

Files: 60.30.335 & 60.35.1035

Existing Zoning

(Schedule A - Zoning By-law 2013-283)



Subject Lands

104 Maple Street, 97-99 Niagara Street & 101-103 Niagara Street

Zones

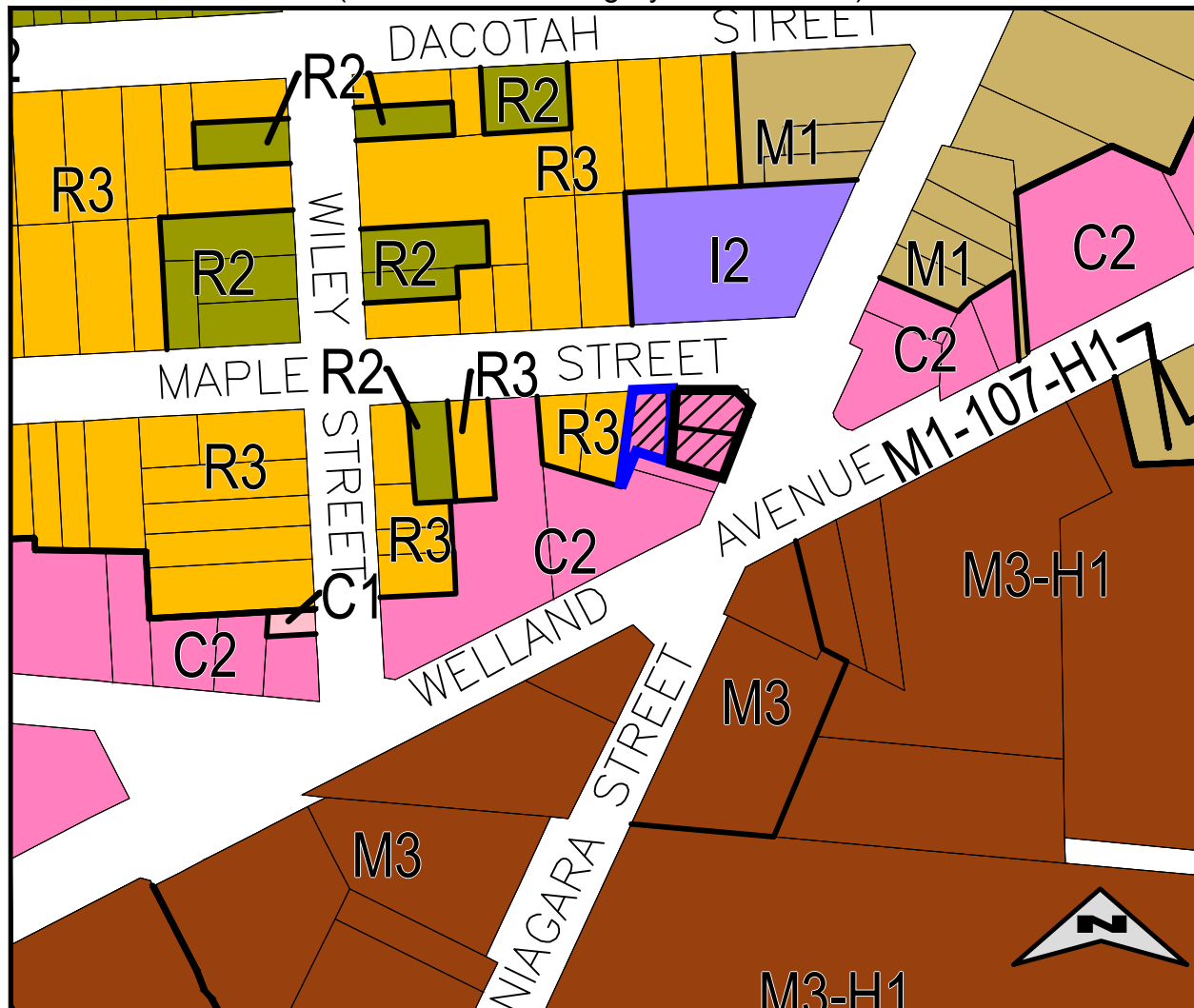
R2 Low Density Residential
- Traditional Neighbourhood
 R3 Medium Density Residential
 C1 Local Convenience Commercial


C2 Community Commercial
 M1 Medium Density Mixed Use
 M3 High Density Mixed Use
 I2 Community Institutional

Files: 60.30.335 & 60.35.1035

Proposed Amendment to Zoning By-Law 2013-283


(Schedule A - Zoning By-law 2013-283)



 Subject Lands (104 Maple Street)

Zoning Amendment from Medium Density Residential (R3) to
Community Commercial with Special Provision (C2-153-H21)

Subject Lands (97-99 & 101-103 Niagara Street)

 Zoning Amendment from Community Commercial (C2) to
Community Commercial with Special Provision (C2-153-H21)

Zones

 R2 Low Density Residential
- Traditional Neighbourhood
 R3 Medium Density Residential
 C1 Local Convenience Commercial

 C2 Community Commercial
 M1 Medium Density Mixed Use
 M3 High Density Mixed Use
 I2 Community Institutional

Special Provision	Zone	Schedule A	Location	By-law
153	C2	14	104 Maple Street, 97-99 Niagara Street, 101-103 Niagara Street	
For the purposes of zoning, the lands at 104 Maple Street, 97-99 Niagara Street and 101-103 Niagara Street shall be treated as one lot.				
1.	Minimum front yard setback			0 m
2.	Minimum exterior side yard setback			0 m
3.	Minimum landscape buffer abutting a residential zone			0.6 m
4.	Minimum landscape buffer from a parking area with 5 to 20 parking spaces to a lot line abutting a public road			0.6 m
5.	Minimum landscape buffer from a parking area with 5 to 20 parking spaces to a lot line abutting a residential zone			0.6 m
6.	Minimum parking spaces (including 1 accessible)			7
Note: Holding Provision H21 also applies to the lands.				

Holding	Schedule A	Location	By-law
H21	14	104 Maple Street, 97-99 Niagara Street, 101-103 Niagara Street	2018-
An application for Development Agreement shall be submitted, received and prepared for registration prior to removal of the Holding (H) designation. Approval and Registration of the Development Agreement may be completed unencumbered once the Holding designation is removed.			
Note: Special Provision 153 also applies to the lands.			

Applicable Official Plan Policies
City of St. Catharines Garden City Plan

Policies
PART B: VISION AND GUIDING PRINCIPLES
2.3. Managing Growth and Change
2.3.1 Municipal Planning Structure
3. Planning Areas
The City is divided into two primary planning areas – the Urban Area and the Agriculture Area.
<div>i) Urban Area</div> <p>The Urban Area is established by the Region of Niagara Policy Plan and is set out on Schedule D ‘Municipal Structure’ of this Plan. This area is intended to provide urban development opportunities on full municipal services to accommodate the majority of the City’s projected future population and employment growth.</p>
2.3.3. Accommodation of Growth
1. Projected population, housing and employment will primarily be accommodated within the Urban Area as defined on Schedule D ‘Municipal Structure’.
2. The Plan recognizes a finite Urban Area, and within it, a diminishing vacant land supply and a finite occupied land base to accommodate projected population and employment growth.
3. Growth will be accommodated by:
<div><div><div>i) the efficient usability of vacant and occupied lands;</div><div>ii) more compact built form and density of development;</div><div>iii) the reuse, rehabilitation, regeneration, intensification and enhancement of the built environment;</div><div>iv) redevelopment and build out of underutilized properties</div><div>v) a more integrated, interactive mix of uses, activity and functions;</div><div>vi) service, infrastructure, energy, transportation sustainable, accessible, efficient and supportive development;</div><div>vii) design initiatives to support:</div><div><div><div>• compatible, innovative, efficient and sustainable building and site design;</div><div>• enhanced natural and cultural heritage protection, preservation and conservation;</div><div>• greening;</div><div>• an accessible, integrated, interactive, usable and connected public realm within and between different use and activity areas, functions, landscapes and identities;</div></div></div><div>viii) 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;</div><div>ix) the upgrading of existing infrastructure and public service facilities, and where required, the provision of new infrastructure and public service facilities to ensure adequate service capacity to support development, redevelopment and intensification.</div><div>x) providing a balance of housing and employment opportunities to maximize the opportunities for people to live and work in St. Catharines, and to maintain a sustainable healthy tax base to support a balanced and complete community, and sustainable long term growth and development opportunities.</div></div></div>
4. This Plan establishes a land use planning framework consistent with and supporting the growth and intensification strategy and the achievement of minimum density targets set out in the Provincial Growth Plan for the Greater Golden Horseshoe, 2006, (referenced as the Provincial Growth Plan) as follows:
<div>i) Built Boundary – the Provincial Growth Plan establishes a Built Boundary which represents the limits of the developed Urban Area of the municipality, as defined by the Ministry of Infrastructure Renewal. The Built Boundary for St. Catharines is defined on Schedule D ‘Municipal Structure’ of this Plan.</div>
Intensification Areas are set out on Schedule D ‘Municipal Structure’, and are to be planned to support:
<div>i) minimum housing densities that are generally higher than surrounding areas together with a range and mix of commercial, employment, institutional, recreational and cultural uses primarily intended to serve the local area neighbourhood;</div>

- ii) context sensitive building, site and streetscape design to support an accessible, connected, interactive and vibrant public realm, and compatible and appropriate transition of built form with adjacent areas;
 - iii) public transit service and active transportation networks and opportunities.
- Specific parameters for development and redevelopment within Intensification Areas are set out in Part E ‘District Plans’.
- vii) General Intensification – notwithstanding Intensification Areas set out in Part B, Section 2.3.3.4 vi) above, this Plan also recognizes and provides opportunities for housing intensification within the Urban Area, as follows:
- on all Local Neighbourhood Convenience Commercial, Major Commercial and Community Commercial Centres in a manner not to detract from the intended primary commercial use of such Centres as set out in Part D, Sections 8.3.3, 9.2.1 and 9.2.2 of this Plan.
 - on all designated Residential and Mixed Use properties subject to the policies and density standards set out in Part D, Section 8 and 12 of this Plan.

5. 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 use 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, including brownfield and greyfield sites.
- iii) All types of new housing will be provided 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, special needs, incomes and ages to promote social inclusion, reduce isolation, and promote affordable housing opportunities.
- v) This Plan establishes higher housing density standards and opportunities for a greater mix of housing types than has traditionally been directed by the municipality. While it is recognized that new housing development and intensification may occur in all residential neighbourhoods, the primary emphasis for housing intensification is directed towards the Urban Growth Centre and Intensification Areas as set out on Schedule D ‘Municipal Structure’, along major road corridors, at commercial centres and mixed use areas. The range and scale of housing permitted is further defined in Part D ‘Land Use Policies’ and in Part E ‘District Plans’.

6. 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.
- To accommodate projected employment growth forecasts, and support long term sustainable employment opportunities, economic development and competitiveness, this Plan promotes and 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.
- iv) Population serving commercial, institutional, recreation, and cultural uses generate significant employment opportunities outside the Urban Growth Centre and Employment Lands.
- ii) This Plan will ensure opportunities for commercial, institutional, recreational and cultural activities to help build complete communities adequately serve and support local resident needs and employment opportunities, and to support and attract tourist related activity and employment.

v) Work Live accommodation and home based business are encouraged to enhance accessible and transit supportive business and employment opportunities.
Work Live accommodation will generally be directed to the Urban Growth Centre, Intensification Areas and mixed use areas, and is most desirable to be developed on a larger scale to support business or research clusters with shared support services.

PART C: GENERAL POLICIES

4. URBAN DESIGN

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, bikeable and well connected community;
- i) a range of choices for housing and transportation ;
- j) mixed-use nodes and corridors;
- k) complete streets for all users;
- l) building design to support street life.

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 and areas will be enhanced through a thoughtful approach to their conservation, visibility, and accessibility.

1. The natural features and areas of the City will be connected to the surrounding environment by improving physical and visual access from adjacent public spaces and by designing these to create connectivity and enhance a comprehensive, interconnected and safe 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 protect for views and vistas.

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

4. Site design and planning will consider the existing topography and the preservation and enhancement of vegetation, natural features and areas, open space, and naturalized areas. 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 and areas;

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, with specific emphasis given to the Urban Growth Centre and Intensification Areas, as set out on Schedule D ‘Municipal Structure’, at the time of infrastructure renewal and reinvestment.

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.

8. Where development or redevelopment may necessitate the loss of existing trees or vegetative planting on a public right-of-way, they will be replaced and relocated on the public right-of-way in the immediate vicinity of the affected lands, to the satisfaction of the City or the Region of Niagara, and at the cost of the proponent.

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, bicycle facilities, street furniture, signage, landscaping, and enhanced active transportation 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 and the development of complete streets;
- f) the protection and enhancement of major vistas, gateways, and scenic routes;
- g) measures to mitigate light trespass and glare to minimize the effects of sky glow.

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. Where feasible, major public and private development projects will 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’s Urban Design Guidelines 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 and the Urban Growth Centre
- b) Intensification Areas as set on Schedule D ‘Municipal Structure’.
- c) City and neighbourhood nodes, gateways, and traditional main streets as identified in the City’s Urban Design Guidelines.
- d) major activity centres and mixed use areas.
- e) major vistas, landscapes

6. Design features for the design priority areas identified in Part C, Section 4.4.5 above will be established through the City’s Urban Design Guidelines and 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 to support the achievement of complete streets.

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 reflects the principles established in Part C, Section 4.1 of this Plan and that maximizes compatibility with the surrounding area in terms of the following matters:
- a) Building scale, height, gradation of 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.
 - 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.
 - k) Mitigating light trespass and glare and to minimize the effects of sky glow.
 - l) Mitigating wind, sun shadow impacts.
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.
 - h) Ensuring safety for active transportation.
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, including but not limited to:
- i) ensuring appropriate driveway and sidewalk height to length ratios to support safe accessibility and travel for all;
 - ii) requiring sidewalk curb cuts at all intersections;
 - iii) requiring paving changes be incorporated at grade changes and intersections;
 - iv) requirements for accessibility parking spaces;

v) encouraging other features appropriate to ensure that barrier free design is provided.

The City may prepare specific design guidelines for accessibility to ensure that accessible design initiatives are considered in the evaluation of development and redevelopment proposals.

4.7. Personal Safety

Design, through sensitive site layout, location of public spaces and road design, 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.

6. ACHIEVING A SUSTAINABLE CITY

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, and which directs development, redevelopment and intensification primarily to the Downtown Urban Growth Centre and Intensification Areas as set out on Schedule D ‘Municipal Structure’.
 - b) Promote the use of public transit and other alternative transportation modes among residential, employment and commercial areas, and other activity centres;
 - c) Promote development/redevelopment throughout the City’s Urban Area on sites that are or will be well served by public transit, with particular emphasis on the Downtown Urban Growth Centre and Intensification Areas as set on Schedule D ‘Municipal Structure’.
 - 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 of the City’s sustainable development principles shall be considered when reviewing applications for development, public works, and capital expenditures.
- 6. In making decisions about planning, development, and conservation, within the sustainability framework, the City shall employ an ecosystem approach

<p>addressing:</p> <ul style="list-style-type: none">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. <p>7. Development should maintain, enhance, or restore ecosystem health and integrity.</p> <p>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.</p> <p>6.2. Corporate Policies</p> <p>1. The City shall require all new major municipal buildings to achieve a LEED silver rating or equivalent, where feasible.</p> <p>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.</p> <p>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.</p> <p>4. The City shall consider the installation of green or light reflecting roofs in the feasibility and design phase of all new municipal buildings.</p> <p>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.</p> <p>6.3. Energy Efficiency/Generation</p> <p>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.</p> <p>6.5. Water Resources</p> <p>1. Development and site alteration shall only be permitted if it will not have negative impacts, including cross-jurisdictional and cross-watershed impacts on:</p> <ul style="list-style-type: none">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;f) Surface or ground water resources adversely impacting on the ecological function of natural hazards and heritage as set on Schedule F2 'Natural Hazard Lands' and Schedules F3 and F4 'Natural Heritage' of this Plan. <p>2. Development and site alteration shall be restricted in the vicinity of vulnerable surface and ground water features of importance to water supplies so that the safety and quality of drinking water will be protected and improved.</p> <p>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 development, redevelopment or site alteration depending on:</p> <ul style="list-style-type: none">a) The scale and nature of the proposal.b) Site specific environmental conditions. <p>The City, in conjunction with the Region, the Niagara Peninsula Conservation Authority (NPCA) and other authorities will determine the need for such a plan as part of the complete application process. Stormwater Management Plans will be required to consider alternative approaches to traditional stormwater management such as Low Impact Development practices as noted in Part D, Section 7.1 g) of this Plan.</p> <p>6.6. The Urban Forest</p> <p>4. Planning applications shall integrate natural features and natural vegetation,</p>

<p>including the planting of native species, into development plans.</p> <p>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.</p>
<p>PART D: LAND USE POLICIES</p> <p>7. GENERAL POLICIES</p> <p>7.1 Development / Redevelopment Development and redevelopment within the Urban Area shall be evaluated having regard for the following:</p> <p>a) Support for safe, accessible and connected active transportation linkages within and between residential neighbourhoods, other activity centres, uses, and the City's public realm and open space network.</p> <p>b) Opportunities to create or enhance public places, active transportation linkages, facilities and gateways.</p> <p>c) Building, site and streetscape context sensitive design to ensure:</p> <p>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;</p> <p>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.</p> <p>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;</p> <p>iv) Adequacy of lot size, access, on-site facilities and outdoor amenity areas to accommodate use;</p> <p>v) Provision of parking areas that do not dominate the site physically or visually, and maximize opportunities for perimeter and internal landscaping.</p> <p>d) The preservation, conservation, enhancement and integration of natural and cultural heritage features, landscapes and identities.</p> <p>e) Opportunities to support and improve connectivity and accessibility to public transit and active transportation, including carpooling and carsharing.</p> <p>f) Treatment of existing topographic and vegetative features, and greening and landscaping opportunities.</p> <p>g) The best use of existing resources, infrastructure and service capacity. Development/redevelopment will only be permitted where there is adequate municipal water and wastewater service, waste management, and public service facilities. Compatible and practical on-site renewable water, waste and energy management techniques and design are encouraged, including Low Impact Development (LID) practices.</p> <p>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 friendly active transportation circulation.</p> <p>i) Development will only be permitted where the sustainable transportation system is adequate to accommodate anticipated traffic volumes, generation, circulation and use.</p> <p>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.</p> <p>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.</p> <p>l) Direct vehicular access from individual properties to the Welland Canals Parkway is not permitted.</p> <p>7.2 Contaminated Sites</p> <p>ii) 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. A record of site condition may be required.</p>

- iii) On all 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. A record of site condition may be required.
Where hazards are identified, they shall be subject to appropriate studies, and protective or mitigating measures may be applied.
- iv) The City may, in accordance with City procedure, require for all lands conveyed or dedicated to the City, or purchased by the City, the submission of documentation from a qualified professional indicating the lands have been investigated for contaminants and are in accordance with Provisional standards for the intended use. A record of site condition may be required.
- v) 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.

7.6 Special Study Areas – Notwithstanding the general land use policies of this Plan, certain lands may be set out as a ‘Special Study Area’ in accordance with Part F, Section 16.20. A ‘Special Study Area’ is subject to future study by the City or by development proponents to determine and implement appropriate land use designations and/or policies to guide future development, redevelopment or intensification in the affected area(s). Special Study Areas are set out in Part E, District Plans. District Plans may also set out the general vision and parameters as 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.

8. NEIGHBOURHOOD RESIDENTIAL

8.1. Residential Use Designations

1. Low Density

The Low Density residential designation permits detached, semi-detached, duplex, triplex, quadruplex, fourplex and townhouse dwellings at a density range generally 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, triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density range generally between 25 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 triplex, quadruplex, fourplex, townhouse and apartment dwellings at a density generally 85 units per hectare of land or greater.

8.2. General Policies

1. Residential development, redevelopment and intensification will be integrated within Low, Medium and High Density residential designations having regard for Part D, Section 7 and all other policies of this Plan.

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

- a) the permission represents only a change from low to medium density residential, or medium to high density residential, as defined in Part D, Section 8.1 above;
- b) the subject lands are located on arterial or collector roads, in close walkable proximity and accessibility to commercial centres, community facilities and parks, are well served by public transit and should most appropriately be located adjacent to or in close proximity to existing medium or high density residential sites;

Any proposal for new medium or high density residential development will be evaluated having regard for urban design principles and policies set out in this Plan to ensure building, site and streetscape design will support compatible and context sensitive development with adjacent properties and those in close proximity to the subject lands; and, may be subject to studies as set out in Part F, Section 16.16 of this Plan.

Through regular monitoring of this Plan, the subject lands will be appropriately designated in Part E 'District Plans', and subject to the applicable policies established for that designation.

3. 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. Any such proposal will be evaluated having regard for urban design principles and policies set out in this Plan to ensure building, site and streetscape design will support compatible and context sensitive development with adjacent properties and those in close proximity to the subject lands, and may be subject to studies as set out in Part F, Section 16.16 of this Plan.

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

8.3 Ancillary Uses

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

1. Parkland and open space uses are permitted by way of zoning by-law amendment where they are compatible with the residential environment.

2. Elementary and Secondary Schools, places of worship and other local public serving institutional uses are permitted subject to zoning by-law amendment where:

- a. 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;
- b. Located in areas appropriate and accessible for the intended level of service; In close walkable and bikeable proximity to public transit service;
- c. The transportation system is adequate to accommodate anticipated traffic volumes and circulation.

- i) Low, medium or high density residential standards are set out in Part E 'District Plans' to establish residential development parameters on existing school and place of worship sites where redevelopment for residential purposes may be proposed. Medium density residential standards will generally apply to those properties located on arterial or collector roads.
- ii) Policy 8.3.2 i) above should not be construed as the City supporting the redevelopment or relocation of existing elementary and secondary school sites. This Plan supports the retention of existing elementary and secondary school sites recognizing the integral role of these schools in providing essential and accessible community and neighbourhood facilities and resource, and in providing neighbourhood focus and identity.

3. a) Local Neighbourhood Convenience Commercial Centres cater to the day to day convenience needs of nearby local residents and may include small scale retail and service commercial, office, institutional and indoor recreation uses, and residential dwelling units. New Local Neighbourhood Convenience Commercial Centres, or the expansion of existing Centres onto adjacent properties 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 should not exceed 930 square metres;
- iv) total gross leaseable floor area per individual commercial use should 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, have an intended service radius of not more than 0.8 kilometres and should not be located within this distance from a Commercial land use designation.
- vi) residential units should 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.

b) Residential intensification of local neighbourhood 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 and/or 930 square metres in gross leaseable floor area will only be considered where such application includes development of residential dwelling units.

<p>c) Notwithstanding Section 8.3.3 b) above, minor boundary adjustments to a local neighbourhood convenience commercial centre may be permitted where deemed to be consistent with, and not contrary to the intent of Section 8.3.3 a) and b) above.</p> <p>4. Small scale local convenience commercial uses are permitted in higher density residential apartment and long term care complexes where sized, designed and intended to primarily serve the residents of the complex. The combined size of all convenience commercial uses should not exceed 5% of the total residential gross floor area of the complex, and shall not include auto related uses.</p>
<p>9. COMMERCIAL</p> <p>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 studies as set out in Part F, Section 16.16 of this Plan in consideration to expand or establish new commercial designations.</p> <p>9.2. Commercial Use Designations</p> <p>1. Major Commercial</p> <p>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.</p> <p>a) Permitted Uses A range of commercial uses are permitted, excluding auto dealerships and adult oriented uses. Other uses permitted include institutional, civic, cultural, indoor recreation, entertainment, and residential apartment dwelling units.</p> <p>b) Major Commercial Centres:</p> <ul style="list-style-type: none">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:<ul style="list-style-type: none">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, siting, 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. <p>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.</p> <p>c) To support the primary function for city wide and regional population based shopping opportunities, the following applies:</p> <ul style="list-style-type: none">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) non-retail uses should be limited in size and scale to protect the primary function of the Centre for shopping purposes;
- 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) local office uses should 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 as set out in Part F, Section 16.16 of this Plan 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 may be subject to studies as set out in Part F, Section 16.16 of this Plan 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, adult oriented uses and hotels. Other uses permitted include institutional, civic, cultural, indoor recreation, entertainment 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 gross leaseable floor area of 30,000 square metres for all uses except residential, and non retail/service commercial uses should be limited in size and scale to protect the primary function of the Centre for the provision of shopping and service commercial facilities;
- iv) shall limit the size of individual uses in a manner to support a diversity and mix of uses within the Centre;
- v) 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 studies as set out in Part F, Section 16.16 of this Plan 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 studies as set out in Part F, Section 16.16 of this Plan 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 retail and service commercial uses, excluding large scale retail food stores and adult oriented uses. Other uses permitted include institutional, office, civic, cultural, and indoor recreation uses.

i) Office uses shall generally not exceed a maximum 10 % of permitted total gross leaeable floor area on the property.
ii) 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 studies as set out in Part F, Section 16.16 of this Plan including, but not limited to, use compatibility, traffic, parking, market analysis, and building and site design.

Any application to expand an existing, or establish a new Arterial Commercial designation will require an amendment to this Plan, and may be subject to studies as set out in Part F, Section 16.16 of this Plan including but not limited to use compatibility, traffic, parking, market analysis, and building and site design.

12. MIXED USE

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 jobs per hectare of land;
ii) Work Live Accommodation is permitted, and encouraged to locate in campus format to support integrated and shared support services and business incubation opportunities.
iii) Retail and service commercial uses will only be permitted on the ground floor;
iv) The development or redevelopment for commercial, institutional and recreational buildings generally 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;
v) 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;
vi) 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;
vii) 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;
viii) Prohibited uses in the mixed use designation include vehicle sales and auto related service facilities. Gas bars and car washes may be permitted subject to zoning bylaw amendment;
ix) 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

13.1. PARKLAND AND OPEN SPACE

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) The municipality will generally not accept the conveyance of lands for parkland dedication that are designated Natural Area or zoned for environmental protection, or that are to be designated Natural Area or zoned for environmental protection as part of the development approval process.
- g) 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 and active transportation routes.
- h) 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.
- i) 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.
- j) 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 dedication of land 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.

PART E: DISTRICT PLANS
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) a) an appropriate range and mix of medium or higher density residential housing, commercial, employment, institutional and indoor recreation uses are permitted, to support regional based tourist facilities to enhance the economic vitality of the area;
 - b) no ground floor residential dwelling units are permitted;
 - c) 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;
 - d) retail functions are permitted on upper floors only where in conjunction with a ground floor commercial use.
- 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 indoor recreation uses to support regional based tourist facilities to enhance the economic vitality of the area.
 - ii) 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 Intensification ‘Special Study Area’ as set out in Part F, Section 16.20
 - Lakeshore Road between Ontario Street and Geneva Street.
 - primary basis/focus for study: to establish an appropriate range of transit supportive 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 subject to Special Provision 7 in Zoning By-law No. 2013 -283, 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.
 - i) Notwithstanding the Low Density Residential designation, a medium density residential development consisting of one single detached dwelling and a 15 unit apartment building, for a maximum of 16 dwelling units, is permitted on lands known municipally as 6 and 10 Dalhousie Avenue.
 - j) Rowing facilities and associated uses are permitted on lands known municipally as 72 Henley Island Drive, and 60 Lakeport Road, subject to the policies in Part D, Section 13 of the Plan.
 - k) Notwithstanding Section 9.2.3 b) of this Plan, on lands known municipally as 300/302 Lake Street, office uses are permitted to a maximum 50 % of total gross leaseable floor area, and residential apartment units are permitted on the upper floor of the two storey building.

PART F: IMPLEMENTATION AND INTERPRETATION

16: IMPLEMENTATION

16.1 Official Plan

Every application for amendment to this Plan will be evaluated on the basis of the following general considerations and any others that are pertinent to the particular

application:

- i) the degree of conformity of the proposed amendment to the general intent, purpose and philosophy of this Plan, particularly the vision, planning principles and general policies of the Plan;
- ii) consistency with Provincial and upper tier government plans, policies and legislation;
- iii) the availability and suitability of land already designated for the proposed use, and the need for, and the feasibility of the proposed use;
- iv) the compatibility of the proposal, or the adequacy of proposed mechanisms for achieving compatibility, with adjacent and planned uses;
- v) the potential of the proposal to cause instability within an area intended to remain stable;
- vi) the ability of the City's infrastructure and public service facilities to accommodate the proposal without costly expansion, upgrading, or required deferral of other planned infrastructure and public service facility improvements in other areas of the City;
- vii) the financial implications, both costs and revenues, to the City;
- viii) the degree to which approval of the amendment would establish an undesirable precedent.

16.2. Zoning

1. 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

2. Notwithstanding, in the area of the Niagara Escarpment Plan, certain lands are subject to Niagara Escarpment Development Control, as identified in Part F, Schedule F5. 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.

16.3. 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.

16.7. 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 16.7.2, site plan approval shall be required for all of the following:

- a) All lands used, zoned or to be zoned for residential purposes, save and except lands used, zoned or to be zoned for residential buildings having less than 4 dwelling units.
- b) All lands used, zoned or to be zoned for commercial, employment, institutional, public or recreational purposes.

- c) All lands used, zoned or to be zoned for mixed-use purposes.
- d) All lands within the “Agriculture Area” which are used, zoned or to be zoned for:
 - i. Existing and expanded non-agricultural uses, except residences, where there is an enlargement of existing uses, as set out in Part D, Section 14.2.10.
 - ii. Wineries as set out in Part D, Section 14.2.2.
 - iii. Agriculture farm related commercial and industrial uses directly related to and serving the surrounding agricultural uses as set out in Part D, Section 14.2.4.
 - iv. Agri-tourism and value-added uses and activities greater than 93 square metres, as set out in Part D, Section 14.2.1, with the exception of bed and breakfast accommodation and uses set out in Part D, 14.2.1.b).
- 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 16.7.3, 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.
- c) Matters relating to the protection and continued function of natural areas, features and hazard lands.

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.

16.10. 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.

16.11. Lot Creation

1. Creation of lots shall only be effected through consent or 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 Agriculture Area are found in the Agriculture 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. 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 nonconforming 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 active transportation and vehicular circulation.
- c) the expansion or enlargement is directed to areas outside natural heritage and natural hazard lands.

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.

- 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) An inadequate mix of housing types; inadequate affordable housing;
- d) The presence of non-compatible land uses;
- e) Inadequacy of social, recreational, open space and cultural facilities and services;
- f) Within commercial areas, there is deterioration in the appearance of building facades, inappropriate signage, inadequate parking facilities or inadequate pedestrian accessibility;
- g) Within employment areas, the inefficiency of employment sites, access to, from and within the employment areas, inadequacies of parking, loading and outside storage areas, conflicts with neighbouring uses or the presence of obsolete buildings;
- h) Areas where there is significant environmental contamination and areas of potential environmental contamination;
- i) Areas exhibiting environmental, social or community economic development problems

- j) Areas exhibiting natural hazard land or natural heritage deterioration or degradation;
- l) Improvement of housing and/or employment opportunities to support density targets established in this Plan for residential neighbourhoods, employment areas, mixed use areas, intensification areas and the Urban Growth Centre.

16.15. 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.

16.16. 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 the Planning and Development Services Department or designate determines that preconsultation is not necessary based on the scale of the development or the complexity of planning issues associated with the proposed application.
2. Pre-consultation will determine what is required to be submitted for a complete application and will provide the opportunity to discuss the nature of the application, development and planning issues, the need for additional information and/or report(s) to be submitted with the application, and the planning and approval process including the appropriateness of concurrent applications, where applicable.
3. Pre-consultation may also involve the Region of Niagara, the Niagara Peninsula Conservation Authority, or other agencies and adjacent municipalities that may have an interest in the application as determined by the City.
4. Pre-consultation shall be considered a requirement for the submission of a complete application.
5. 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 of Niagara, Niagara Peninsula Conservation Authority, other appropriate agencies, adjacent municipalities, and the applicant, prior to the submission of the application as part of the pre-consultation process.
6. 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 identified in Section 16.16.5 may be required to consider a planning application complete.
7. The additional information will be required as part of a complete application and shall be provided along with the prescribed information required 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.
8. 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 study
 - market study
 - green space/trail needs assessment
 - financial impact 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
 - agriculture impact assessment
 - minimum distance separation
 - health impact assessment
 - hazard lands 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
- active transportation circulation plan
- transportation impact study
- transportation demand management plan

e) Urban Design/Culture

- archaeological impact assessment
- streetscape design study
- building elevations
- built form/site design
- cultural heritage study
- cultural heritage impact assessment
- landscape plan

9. The information and material submitted shall be in an electronic format along with a hard copy to the City to make this information readily available to the public and commenting agencies, and 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.

10. The Director of Planning and Development Services or their designate shall be responsible for determining whether a planning application is complete. If an application is submitted without pre-consultation, adequate supporting information and/or reports, and any application review fees required by the local municipality, the Region of Niagara, Niagara Peninsula Conservation Authority or any other public agency, the application may be deemed to be incomplete.

16.17. 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, 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.

16.20. Special Study Areas

1. Certain lands or areas in the City may be set out as a 'Special Study Area'.

2. A 'Special Study Area' is subject to future study by the City or by development proponents to determine and implement appropriate land use designations and/or policies to guide future development, redevelopment or intensification in the affected area(s).

3. 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 general vision and parameters for study of the 'Special Study Area' will also be set out in Part E 'District Plans' of this Plan.

4. The Special Study will commence subject to an approved municipal works program or at such time as a major Official Plan Amendment, Zoning By-law Amendment or development application is brought forward affecting any lands within the Special Study Area.

The municipal works program will set out a priority phasing schedule for undertaking study of the Special Study Areas, to be reviewed on an annual basis. The priority phasing schedule will be based, in part, on the need to assess infrastructure and public service facility requirements and improvements necessary to support the general study vision and parameters set out for the specific study areas, and the overall growth strategy established in this Plan.

<p>5. Terms of Reference for the study of the Special Study Area will be prepared and are subject to the approval of City Council.</p> <p>6. The findings of the Special Study shall be implemented by Amendment to this Plan considered in relation to Part F, Section 16.1.</p> <p>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.</p> <p>16.21. Exemption Status</p> <p>i) 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 final adoption of this Plan, such approval is exempt from the policies of this Plan only insofar as to the policies of this Plan that are directly applicable to the plan or draft plan approval, and where those applicable policies for approval are more restrictive in this Official Plan than policies in effect at time of approval.</p> <p>This policy does not apply to draft plan approvals granted prior to the final adoption of this Plan that have lapsed.</p> <p>ii) Where draft plan of subdivision or condominium approval has been granted prior to final adoption of this Plan, the City will generally not grant an extension of lapsing draft plan approval beyond 6 years from the date of final adoption of this Plan, unless it can be demonstrated that such draft plan meets the growth management strategy and policies of this Plan.</p>
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By-laws to be considered Monday, November 26, 2018

- (a) A By-law to amend By-law No. 89-2000 entitled "A By-law regulating traffic and parking on City Roads." (One reading - with respect to Parking Prohibitions on Queenston Street. Delegation By-law No. 2004-277, as amended.)
- (b) A By-law to authorize an Amending Agreement with Her Majesty the Queen in Right of Ontario as represented by the Minister of Economic Development, Job Creation and Trade. (One reading - with respect to 2018-2019 Summer Company Program. Delegation By-law No. 2004-277, as amended.)
- (c) A By-law to authorize the acceptance of a conveyance of certain lands from Phase 2 Capital Management Inc. (One reading – with respect to 52 Merigold St. Delegation By-law No. 2004-277, as amended.)
- (d) A By-law to authorize a conveyance of certain lands to Dawn Dodge and Michael Dodge. (One reading – with respect to lands adjacent to 86 Arthur Street. Council, July 9, 2018, Item No.11.3.)
- (e) A By-law to provide for the adoption of an amendment to the Official Plan of St. Catharines. (One reading – with respect to 104 Maple Street, 97-99 Niagara Street and 101-103 Niagara Street. To be considered by Council, November 26, 2018.)
- (f) A By-law to amend By-law No. 2013-283 entitled "A By-law to regulate the use of land, the bulk, height, location, erection and use of buildings and structures, the provision of parking spaces and other associated matters in the City of St. Catharines." (One reading – with respect to 104 Maple Street, 97-99 Niagara Street and 101-103 Niagara Street. To be considered by Council, November 26, 2018.)
- (g) A By-law to authorize an Agreement with Links for Greener Learning Inc. (One reading – with respect to the construction of an outdoor classroom at the lands and premises municipally known as 352 and 360 Niagara Street. To be considered by General Committee, November 26, 2018.)
- (h) A By-law to appoint a Municipal Emergency Control Group. (One reading - with respect to Emergency Management Program requirements under *Emergency Management and Civil Protection Act*. To be considered by General Committee, November 26, 2018.)
- (i) A By-law to confirm the proceedings of council at its meeting held on the 26th day of November, 2018. (One reading - with respect to confirming the proceedings of the meeting held on November 26, 2018.)