



Town of Fort Erie

Schedule H: Southend Secondary Plan

4.21. SOUTHEND SECONDARY PLAN

4.21.1. PURPOSE

The purpose of the Southend Secondary Plan is to set in place a policy framework to provide opportunities for new or renewed development in the Plan Area while remaining conscious and sensitive to the established community as a whole. The framework is intended to provide forward direction in achieving subsequent goals and objectives.

The Secondary Plan consists of a land use plan and related policies that serve to guide growth and renewal with the intent to ensure the Town's vision for this neighbourhood can be met. The Planning period being considered extends to, at a minimum, 2041 and may be subject to amendments from time to time, as well as being included the Town's five (5) year review of its Official Plan. Full "build out" or development permitted by this Plan may exceed the 2041 planning horizon timeline associated with Growth Plan objectives and municipal growth management targets as they are continually monitored and reviewed by local and regional municipalities.

4.21.2. VISION

The Secondary Plan is the result of corporate strategic direction and comprehensive consultation. This strategic planning exercise utilized a neighbourhood planning approach including input from senior municipal staff and ward council, together with a Council endorsed Community Focus Group, who all participated in SWOC (Strengths, Weakness, Opportunities & Constraints) sessions. The sessions resulted in the following Community Focus Group **Secondary Plan Vision**:

"Southend Neighbourhood is a place where people want to live, work, play, shop, eat, visit and worship in a safe environment, with a people-friendly waterfront, a vibrant, mixed residential commercial environment on Niagara Boulevard and where sensitive, selective, residential intensification and infilling in the balance of the neighbourhood are accommodated, all of which are supported by professional services."

4.21.3. GOALS

The goal of this Plan is to build off the "vision" established through the strategic planning exercises and information gathered through community consultation. Treating the vision statement as a benchmark has guided this Plan's land use and policy development at the local level, while also respecting the provincial and regional policy directives. Community expressed goals such as a rejuvenated waterfront commercial district and

sensible, selective infilling are primary in policy efforts to advance the neighbourhood aspirations. Increasing the overall population and residential density, even if modest in numbers, can only add to the viability of struggling commercial enterprise along the waterfront and in the transitional custom brokerage areas.

However, in doing so, a balance must be found that is sympathetic to the existing community character and cultural heritage assets that are present within the neighbourhood, particularly in the waterfront areas. Whenever feasible and practical, the Town should investigate funding partnership opportunities, together with the Niagara Parks Commission, for projects to enhance the public realm of Niagara Boulevard and its environs. Additionally, the Town may wish to seek unique status or consideration from the Ministry of Tourism, Culture and Sport (MTCS) with respect to regulation placed on an existing, built community and its ability to intensify. Through public consultation, there had been expressed desire from property owners to have the Province provide relief or financial assistance where uncertainty has led to investment decline, stagnating economic growth or urban renewal within their community due in part to Part 6 of the Ontario Heritage Act, R.S.O. 1990, c. O.18.

The Plan supports and maintains residential prominence within the Southend Neighbourhood. An estimated additional 400 residential units is a realistic outlook for a Plan that focuses primarily on in-fill intensification in select areas within the Plan Area. Opportunities will also focus on ensuring infilling is occurring at appropriately higher density than surrounding lands. Other forms of intensification such as additional height along Niagara Boulevard for residential apartment or condominium and mixed use commercial/residential development is afforded, subject to conformity and compliance with regulation and approval by respective authority. In this respect, archaeological matters must be addressed in accordance with provincial policy.

It is a goal of this Secondary Plan to provide opportunities for enhanced residential development potential in proximity of the waterfront, whether through additional height or redesignation, in combination with infilling and vacant land development in other areas of the Plan suitable for growth. Furthermore, rejuvenation of the waterfront core area commercial is also a prime candidate for Community Improvement Plan incentive programs.

The Town may explore opportunities for additional CIP or Development Charge incentive program(s) relating to cultural heritage as a means of assisting in both discovery and also clearance of sites where deemed appropriate. The Peace Bridge Zone of Sensitivity can be a community asset worthy of preservation, just as much as it

can be a burden to community growth in a highly desirable setting close to the River and international border. Property owners consistently seek answers and opportunities about development potential in and around the Peace Bridge Zone of Sensitivity. Constructive dialogue with partners as opposed to continued idle uncertainty is seen as a positive step to enabling growth in an area of the municipality that had long been repressed.

4.21.4. **OBJECTIVES**

The main objectives of the Southend Secondary Plan are to:

- a) Provide a variety of housing choice that supports “age-in-place” opportunities for all ages, not just senior residents, but rather housing and tenure that spans the full lifecycle and economic status;
- b) Encourage development forms which are more compact to utilize urban land and services more efficiently;
- c) Identify locations within the Plan Area which may best support intensifying residential form and reinforce support for these locations through zoning implementation;
- d) Increase population in a moderate manner through intensification efforts, recognizing the Southend neighbourhood is predominately built out. An increased population will better support existing community facilities and offer increased viability to commercial enterprise and transit feasibility;
- e) Reinforce vehicular access to the Southend waterfront and commercial district through wayfinding signage opportunities, particularly for the first/last exits off the QEW at Central Avenue.
- f) Provide supporting policy that recognizes active transportation with focus on connecting links to the Niagara River Recreational Trail, both existing and planned for construction. Promote tourism and cycle tourism in addition to making the waterfront a people focused destination;
- g) Clarify existing regulatory constraints in terms of flood elevation along the Niagara River and development impact resulting from any such regulation;
- h) Embrace and promote transit use and service to the community;
- i) Protect existing industrial designations for the long term, for their added diversity and employment opportunities within the existing neighbourhood.

- j) Leverage the existing “Riverwalk” amenity area and specialty parks along Niagara Boulevard, seeking new opportunities to add waterfront access and amenity to further enhance the River and commercial district as a destination for residents and visitors.

4.21.5. **GENERAL POLICIES FOR ALL DESIGNATIONS**

- a) The Southend Secondary Plan is largely characterized as being a “built-up” area with limited opportunity for infilling of vacant and/or underutilized lands. Those lands that are available for development or redevelopment will be the focus of growth and intensification and will assist the Town in meeting with its intensification target municipal-wide. However, areas of infilling and intensification are not to be viewed in isolation from the surrounding existing development and shall be sensitively planned, having considered such factors as setbacks, interface, height and access. In the interests of promoting new growth opportunity within the Secondary Plan Area, view shed protection and overlook concerns may be considered, but shall not be deterrents to intensification efforts.
- b) Sections of the Plan Area are identified as holding significant cultural heritage resource interest and potential. Regard for section 4.21.17 of this Plan and section 11.4 of the parent Official Plan must be addressed. The Town supports continued dialogue with provincial ministries or their representatives that may lead to solutions concerning economic viability of redevelopment or mitigation on sites that are proven to hold resources. The Town supports opportunities for incentive programs that enable property owners to maximize available development potential while also respecting the cultural resource value that potential sites have or may provide,
- c) Site specific zoning that is in force and effect on select sites within the Plan Area, including any sites with existing holding provisions, shall continue to apply to those sites and will be recognized through zoning implementation of this Plan, unless otherwise identified or modified by this Plan.
- d) Transition to more sensitive use of the properties may require Provincial Ministry clearances such as, but not limited to, Certificates of Approval or Record of Site Condition to be determined on a site by site basis, through pre-consultation with the Town and relevant authorities.
- e) New development shall be subject to Accessibility for Ontarians with Disabilities Act, 2005 and any relevant Regulations made thereunder concerning full accessibility and barrier free design where required.

4.21.6. RESIDENTIAL – GENERAL

- a) Section 4.7 of the Town's Official Plan contains policies for residential development within the Town and must be read in conjunction with the policies of this Secondary Plan and subsequent sections herein. More specifically, Section 4.7.4.1, sentence II & III provide the over-arching policy applicable to this Secondary Plan and its intensification efforts.
- b) Schedule "S-2" designates areas of residential land use within the Secondary Plan Area and the policies of the respective residential sections herein shall apply accordingly.
- c) The Plan sets out to provide for initial areas of low, medium and higher density residential designation, as well as adjustment to commercial designation or re-designation to mixed use in support of residential uses, recognizing existing community structure and limiting changes in designation to those which are both practical and those which have displayed neglect or diminishing prevalence of past land use.
- d) The Secondary Plan provides an opportunity for **approximately 400 additional units**, primarily through select infilling and general intensification of vacant or underutilized properties. While opportunity to intensify can be a consideration throughout the Plan Area on a site-by-site basis, the Plan focuses attention on providing the majority of the new residential units towards the westerly end of the Plan Area, where a number of larger, vacant parcels or assembled lands currently exist.

These larger parcels will be the primary focus for achieving higher density residential projects where access to collector / arterial road networks is often immediate or in close proximity and where adjacent land uses may represent suitable transitional use and form.

The Plan recognizes the anticipated increase of residential provision is not restricted to lands only designated for residential use, but can be expected in commercial and core mixed use designations, accounting for 50% or more of the total new unit targets.

Infilling on smaller parcels and vacant lots will provide opportunities to augment or supplement unit creation within established neighbourhood areas. This does not preclude slight intensification.

Vacant or redeveloping lots in low density, detached neighbourhood areas may, through by-law amendment, be considered to intensify with semi or duplex dwellings. Site specific zoning may be applied to address any potential compatibility issues.

This lower impact, incremental form of intensification is of more interest on suitable lots east of Battery Street and Archange Street, down to the core mixed use and medium density designations associated with Niagara Boulevard, but is also suitable for lots found along transit routes, collector roads and arterial roads. As part of a required zoning by-law amendment seeking such “soft” intensification, these locations shall be considered and may be required to supply supporting information for use in assessing compatibility with existing buildings and surroundings.

Therefore, notwithstanding policy 13.4.II a) to the contrary, a change in zoning to permit a semi-detached or duplex dwelling on vacant lands, or lands previously zoned and/or occupied by a single detached dwelling in the areas outlined above, may be placed under Site Plan Control to ensure appropriate details are provided that can demonstrate compatibility is being achieved.

Other areas of focus include Niagara Boulevard and environs, where addition of residential dwellings to commercial / mixed use sites shall be encouraged. Redesignation of select peripheral commercial sites to provide for a range of residential density will also be accommodated in order to boost residential growth potential in the desirable waterfront district over the long term. Zoning implementation shall also be used in support of intensification and may detail regulations such as density and height, and may also recognize existing commercial uses being permitted in continuity, until such time as a transition to residential occurs.

- e) Collectively, with potential for intensification, small lot infilling and any potential consents for creation of new lots, **a population increase of approximately 1000 residents can be expected over the long term.** This combined with the estimated 3800 existing residents would bring the total population of the Southend Neighbourhood to approximately 4800 persons, representing just under a 25% increase in neighbourhood population.
- f) An appropriate level of affordable housing and senior citizen’s housing shall be considered by the Town when reviewing development applications proposed

within the Plan Area, in keeping with Provincial Policy. When considering seniors residences, location in proximity to community services such as transit, medical and commercial, will be a key factors in the effort to provide greater ease of access to such amenities.

- g) Residential that may be planned adjacent or in close proximity to the QEW Corridor and Central Avenue Interchange ramping shall comply with Ministry of Transportation (MTO) building setback and permit requirements, and may be required to demonstrate compliance with Ministry of Environment and Climate Change (MOECC) noise and vibration regulations in providing adequate mitigation to sensitive residential uses.
- h) Where the Niagara Parks Commission have jurisdiction over Niagara Boulevard, permit applications will be required.
- i) Storm water management shall be a function of engineering review for new or redeveloping sites within the Plan area. The community is predominantly built-out, which occurred prior to contemporary development and water quality standards and as a result, large open storm detention and sediment ponds are not generally feasible within this Plan context. Despite this being the situation, stormwater run-off and quality will be subject to review and approval of the pertinent authorities.
- j) All residential development shall be subject to the regulations and provisions of the Town Comprehensive Zoning By-law 129-90, as amended from time-to-time, or succession thereof. Site specific zoning may be used in certain situations or under special circumstance during implementation of this Plan.

4.21.7. **LOW DENSITY RESIDENTIAL**

- a) The lands designated on Schedule “S-2” as “Low Density Residential” shall be reserved for single detached, semi-detached and duplex dwellings and uses accessory thereto, and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) Schedule “S-2” illustrates the Low Density designation, which is predominant throughout the Secondary Plan Area, accounting for approximately 1450 existing units (approximately 77%). As the low density area is almost entirely built-out, any addition of low density built form will likely come from consent or limited vacant parcel infill. A Low Density range of up to 16 units per hectare will assist in providing opportunities for additional Low Density building stock while also making efficient use of existing and proposed infrastructure. Low Density built form through infilling can be expected to represent a more compact design with a

target of providing approximately 50 Low Density units over the long term, assisting in achieving a targeted mix of 70% Low and 30% Medium/High Density throughout the neighbourhood.

- c) Medium Density residential development on lands designated as Low Density Residential in this Plan shall only occur by zoning by-law amendment having considered matters such as size of the site and compatibility, proximity to arterial roads, parks or open space areas. In such cases, any additional units shall be considered a supplement and compliment to unit counts identified in Policy 4.21.6 d) and 4.21.8 c).

4.21.7.1. BERTIE STREET

- a) These lands display unique characteristics such as size of lot, topography, vegetation and through lot access. Despite underutilization, the site would not be conducive for intensification of residential without considerable site alteration likely compromising vegetation and slopes. These lands shall be designated low density, also permitting alternative land use in the form of small scale institutional use, such as a hospice or specialized elder care.

Any such use shall preserve the characteristics of the property. Proposed change to institutional use may occur without amendment to this Plan. Also, any such proposed change shall need to demonstrate site compatibility with adjacent residential uses as part of the zoning amendment process. Site Plan Control will be a requirement.

4.21.8. MEDIUM DENSITY RESIDENTIAL

- a) The lands designated on the Schedule "S-2" as "Medium Density Residential" shall be reserved for multiple-unit structures (such as townhomes, triplex, quads and apartment dwellings), their accessory uses and shall generally be governed by the Residential policies of Section 4.7 unless otherwise defined under this section.
- b) Medium Density shall generally be developed between a range of 17 to 50 un/ha. Increased density may be considered for key sites along Niagara Boulevard and other key locations with site specific policy and zoning aimed at compatibility or capability under site plan control.
- c) A minimum target of 25% Medium Density residential unit yield shall be anticipated within the overall Neighbourhood. In effort to achieve or exceed this target, the medium density designation and dwellings should comprise approximately 40% (150 units) of all new residential units constructed within the

Plan Area. A Medium Density range of 17 to 50 units per hectare will assist in this effort while also making efficient use of existing and proposed infrastructure, and providing opportunities to diversify medium density housing stock and form.

- d) The majority of new medium density residential development is anticipated in the form of townhome and low-rise apartment dwellings. Height shall not exceed three (3) storeys unless otherwise identified in site specific policy and defined in zoning by-law.
- e) The Plan anticipates underutilized land be the focus for medium density infilling using built form described in policy 4.21.8 a), b) and c). Select sites may be subject to site specific policy and zoning to limit or mitigate potential for compatibility concerns in certain contextual settings.
- f) All Medium Density designated lands within the Plan Area shall be subject to Site Plan Control.
- g) Additional studies (Section 13.15.IV) may be a requirement prior to development plans being processed or considered for approval. Preconsultation with the municipality and partner agencies will result in a determination on any relevant study work being required to support proposed development with approval authority resting with the relevant or requesting agency.
- h) An amendment to this Plan will be required to justify Low Density residential development on lands designated as Medium Density Residential in this Plan.
- i) Notwithstanding 4.21.8 a) to the contrary, a vacant lot of record may be used for a single detached residential dwelling if zoned for such use prior to approval of this Plan. Regulations for the single detached dwelling would need to meet with the minimum requirements of the previous zone.

4.21.8.1. SOUTHWEST CORNER OF CONCESSION ROAD AT GILMORE ROAD

- a) The lands identified as Medium Density on the southwest corner of Concession Road and Gilmore Road shall be used for multiple residential. Development should take the form of a low-rise three (3) storey apartment structure with a maximum site density of 34 un/ha (24 units). Alternative form such as townhomes may also be considered provided the site develops at a minimum of 17 un/ha.

- b) Efforts to retain existing vegetation along the southern limits to extent possible shall require a tree preservation plan be prepared as part of any site planning requirements.
- c) Site design must conform to the RAC-FCM Guidelines for new development in proximity to railway operations.
- d) Lands located on the northern side of Gilmore Road are designated industrial and residential development will need to consider MOECC D-6 Guidelines as part of any development proposal.

4.21.8.2. UNDERUTILIZED LANDS EAST OF DOUGLAS MEMORIAL/EAST END OF HAGEY AVENUE

- a) Existing properties located at the eastern end of Hagey Avenue hold significant potential for development of complimentary residential to that of existing institutional residential accommodation offered by Crescent Park Lodge and Maple Park Lodge. Independent and assisted living in this proximity would contribute to a continuum of care residential hub for retirement and senior aged demographics that may assist in alleviating housing needs for seniors with partners requiring differing levels of assistance and/or accommodation.
- b) Additional land assembly for this location shall be encouraged in effort to provide comprehensive site designs that maximize efficiency, capability and secondary access.
- c) The Town supports extension of Hagey Street to a point capable of providing suitable public road frontage to the identified lands. Extension of the public road allowance will require private ownership (Niagara Health System) be engaged in discussions with benefiting landowner(s). Costs associated with a Hagey Street extension shall be the responsibility of the benefiting private property owners. An alternative to public road allowance extension (private road or driveway) will need to satisfy municipal authorities that access will be held in perpetuity to any subsequent development.
- d) Site density shall be within the density range provided for under 4.21.8 b)
- e) Site designs may consider varied residential form as part of comprehensive development plan on the available vacant lands. Multiple residential zoning may identify permissive residential form that can be used in combination and may include small detached bungalow or small bungalow town homes when part of a seniors living development proposal. Regardless, overall site density must meet with density requirements of 4.21.8 b). The municipality may request/require

phasing of new development to include higher density form be constructed first, or together with other forms of residential dwellings.

- f) Residential development of these lands will need to consider MOECC D-6 Guidelines as part of any development proposal respecting the existing industrial use in the vicinity (Rich's).

4.21.8.3. VACANT LANDS SOUTH OF LAVINIA STREET BETWEEN ABERDEEN STREET AND DOUGLAS STREET

- a) Vacant lands are encouraged to consolidate for optimal development efficiency. Should any remaining lands with frontage on the un-improved portion of Lavinia Street be consolidated, the Town's Land Committee may be requested to consider the remaining un-improved road allowance surplus.
- b) Medium density development should be in the form of townhomes or lowrise apartment dwellings meeting with the density range identified under 4.21.8 b)
- c) Height of any development on these lands shall not exceed three (3) storeys.

4.21.8.4. LANDS MUNICIPALLY KNOWN AS 215-219, 221-229, 237, 253 AND 263 NIAGARA BOULEVARD

- a) The identified properties are designated as medium density residential to permit new construction and/or renovation of existing structures in support of residential intensification.
- b) It can be anticipated that new residential development shall take the form of residential apartments seeking to optimize views and amenity of the Niagara River. Site specific zoning provisions shall be applied to the lands subject of this policy.
- c) Building height shall be permitted up to 5 storeys with increased density, where it can be demonstrated through site plan control, that site design and zoning requirements are being achieved. The increase in height will have regard for building placement and orientation, so as to minimize impacts on any adjacent lower density residential.
- d) Vehicular access should be planned and provided from adjacent municipal roadways, keeping the frontage of Niagara Boulevard free of driveways where ever possible, in effort to create a pedestrian friendly streetscape

- e) Property consolidation and/or shared access between adjacent properties are encouraged.
- f) Off-site parking to meet minimum requirements may be permitted, subject to location being situated immediately adjacent to the subject lands or directly across the road allowance from the subject site. Agreements must be registered on title to provide the required parking in perpetuity. Zoning shall provide permissions and the Site Plan process shall be used to ensure enhanced landscape and aesthetic treatment to adjacent properties and roadways, particularly when exposed to Niagara Boulevard.

4.21.8.5. LANDS MUNICIPALLY KNOWN AS 22 LAVINIA STREET

- a) Notwithstanding the policies of 4.21.8 a) to the contrary, should the nonconforming use of the site continue, shared access between adjacent properties shall be prohibited. The site shall otherwise be subject to policy 4.21.8.4.

4.21.8.6. LANDS MUNICIPALLY KNOWN AS 213 NIAGARA BOULEVARD

- a) Notwithstanding policy 4.21.8 b), this site is permitted to have a maximum density of 75 un/ha., representing the existing site conditions. Site specific zoning shall be used to restricted and describe existing conditions.

4.21.8.7. VACANT LANDS ON THE NORTHWEST CORNER OF QUEEN STREET AND GODERICH STREET (0 QUEEN STREET)

- a) The identified property is designated Medium Density residential and shall be developed as a multi-unit apartment building with a maximum height of three (3) storeys.
- b) Notwithstanding policy 4.21.8 b), this site may be developed to a maximum of 70 un/ha without amendment to this plan, subject to the site plan demonstrating required parking can be accommodated on site. Site specific zoning may also reduce front and exterior setbacks on this site to assist in achieving higher density at this location.
- c) Site design shall direct parking to the rear or side yards only.

4.21.8.8. LANDS MUNICIPALLY KNOWN AS 223 STANTON STREET

- a) Maximum height for multi-unit residential shall be two (2) storeys. Site specific zoning may be used to define the range of permitted built form that may include ground-based multi-unit dwellings to two (2) storey apartment buildings.

4.21.8.9. LANDS ON THE SOUTH SIDE OF PRINCESS STREET, BETWEEN WATERLOO AND ARCHANGEL STREETS AND 15 QUEEN STREET

- a) These lands are transitional from diminished commercial and are designated medium density residential.
- b) Property owners are encouraged to fully transition these lands to residential use over the short to mid-term of this Plan's 25 year planning horizon.

4.21.8.10. LANDS MUNICIPALLY KNOWN AS 70 PRINCESS STREET

- a) Notwithstanding the residential designation, office commercial use may be permitted to continue with up to 25% of the main floor area. Site specific zoning will be used to identify and recognize such permissions.
- b) Property owner is encouraged to fully transition these lands to residential use over the short to mid-term of this Plan's 25 year planning horizon.

4.21.8.11. LANDS MUNICIPALLY KNOWN AS 61 QUEEN STREET

- a) Notwithstanding the residential designation, take-out restaurant use of the front portion of main building ground floor may be used for a take-out restaurant use to a maximum of 17% (300 sq.ft.) of the floor space. Use shall be limited to providing concession offerings such as coffee, ice cream and other small scale consumable products produced off-site such as muffins, cookies, sandwiches, or similar, for consumption off-site. Floorspace devoted to the permitted use shall meet with all code requirements (building, fire, health, etc;) and acquire / maintain appropriate business licensing.
- b) Property owner is encouraged to fully transition these lands to residential use over the short to mid-term of this Plan's 25 year planning horizon.

4.21.9. CORE MIXED USE

The Core Mixed Use designation is intended to recognize and delineate properties that shall be the focus of combined commercial / residential buildings and uses with a

purpose of generating an identifiable and intensified area of resident, pedestrian and commercial activity. The designation serves as a focal point or destination for visitors and residents in a highly unique and picturesque setting next to the Niagara River.

The Core Mixed Use designation represents the traditional commercial core area and its associated residential components. Buildings existing in the core area are generally characterized as having been one of two distinct built forms. Firstly, “purpose built” commercial or institutional uses in the core area’s early years of urbanization and secondly, residential buildings that have been modified / adapted for office or commercial use as the need for community commercial and a burgeoning customs brokerage industry grew, expanding into the residential areas.

As a result, there is an eclectic mix of remaining built-form being used residentially and commercially. The building stock ranges from turn of the century to post-war and post-modern eras with limited continuity of contemporary cultural significance.

The Town will consider developing Urban Design Guidelines in conjunction with the Niagara Parks Commission in the future. However, until such time, focus on development and redevelopment, particularly along the Niagara Boulevard, shall be encouraged to reinstate a consistent street wall through site design and building placement. Zoning for the core mixed use area shall provide flexibility through minimal setback requirements, recognizing site constraints may dictate building placement. Every feasible effort to reinstate the street wall shall be encouraged. Latitude on architectural designs shall be afforded, however architectural details and features should be employed, adding visual interest and identity to the vernacular of the streetscape.

Policies of this section promote intensification of the commercial activity in a concentrated area and seeks opportunities for additional residential through modest, increased height of the existing building stock and properties suitable for development or redevelopment as the case may be, having addressed known constraints to the satisfaction of the relevant approval authorities.

- a) The lands designated as “Core Mixed-Use” on Schedule “S-2” shall be reserved for a variety of retail, restaurant and office uses, as well as residential uses. The Core Mixed Use areas are shown on Schedule “S-2” and shall generally be governed by the policies of Section 4.8 unless otherwise defined under this section.

- b) Section 4.8.1.III provides that Core Mixed Use areas will be identified through the Secondary Planning Process.
- c) The Town recognizes the unique cultural and historical significance of Niagara Boulevard and its environs. The Southend commercial area is also recognized as being fundamentally and characteristically different than other commercial designations within the Plan Area. As a result, a Core Mixed Use designation better reflects the direction the Town seeks to establish over the long term with increased resident population, viable and more compact commercial enterprise in a favoured riverside destination for residents and visitors alike.
- d) Existing stand-alone dwellings shall be permitted to remain while new residential stand-alone dwellings will not be permitted, with limited exceptions, such as replacement due to fire.
- e) The maximum height for buildings within the Core Mixed Use designations shall be established in the implementing zoning by-law and may be varied depending on proximity to Niagara Boulevard, site area and frontage.
- f) The Town shall implement the appropriate zoning to reflect the Core Mixed Use designation, providing detail on permitted uses, regulation and applicable provisions. Site specific zoning may also be implemented where certain or existing circumstances dictate.
- g) New development in the Core Mixed Use designation shall provide at-grade commercial with a residential requirement typically on upper floors. The zoning may also provide for limited at-grade residential permissions through its regulations.
- h) Owners of existing buildings with suitable upper levels that can be converted for residential use shall be encouraged to do so, subject to applicable zoning provisions for such residential use (eg. – parking) and any other regulatory authority clearance requirements.
- i) Bed and Breakfast establishments, as a Home Occupation, shall be permitted in existing detached residential dwellings within the Core Mixed Use designation, provided applicable zoning provisions can be met, including provision of adequate on-site parking and licensing.
- j) The Town shall seek to implement and administer funding programs to assist eligible commercial properties within the Core Mixed Use designation. Boundaries of a Community Improvement Project Area will be established under

separate amendment and may or may not include all Core Mixed Use designations, with criteria defined at the time of the Project Area being established.

- k) Any existing buildings subject of conversion, expansion or addition for the purpose of mixed use shall require Site Plan Control. Details of which, shall provide clear indication on key site design requirements related to parking (on-site or off, where permitted), outdoor amenity space for residents and waste management solutions.
- l) Drive-thru facilities associated with restaurants, banks or any other type of commercial dispensary shall be prohibited within the Core Mixed Use designation.
- m) Residential associated with Core Mixed Use shall not be subject to minimum or maximum density range. Residential components will, however, be subject to minimum standards for dwelling unit sizes and any other applicable zoning regulations or requirements identified in the implementing zoning by-law, including being within a mixed use building that has a maximum height defined within said by-law.
- n) Commercial floor space within the Core Mixed Use designation shall be exempt from parking requirements; however residential components shall be subject to the general provisions of the Town's Comprehensive Zoning Bylaw as amended from time to time.
- o) Residential units will be subject to the regulations of the implementing bylaw with limited exceptions such as retirement homes and existing standalone residential.
- p) The Town supports cultural festival activities within the Core Area as a means of stimulating commercial activity and community vitality of this picturesque riverside downtown environment. Artistic contributions may be suitable for consideration in the downtown area such as public art display or sculpture.
- q) New automotive related uses are not permitted in Core Mixed Use areas.
- r) New at-grade commercial shall provide for full accessibility and barrier free design.

4.21.10. **COMMERCIAL**

- a) The “Commercial” areas are shown on Schedule “S-2” and shall generally be governed by the policies of Section 4.9 unless otherwise defined under this section.
- b) Lands designated Commercial shall be zoned for their intended commercial uses and may include site specific zoning provisions and regulation to assist in implementation.

4.21.10.1.LANDS MUNICIPALLY KNOWN AS 256 BERTIE STREET

The property represents one of the neighbourhood’s highest potential residential yielding sites despite its commercial designation. Suitability for development at a higher residential mixed use density of these lands is of interest to the Town for the following reasons:

- a. The location at the intersection of major roads (Bertie Street and Concession Road) represents a transitional land use between the future uses permitted under the Urban Entertainment Centre designation and zoning to the west and those remaining medium density residential uses to the east with lower density situated north;
- b. Proximity and access to the QEW;
- c. Proximity to major commercial and institutional uses;
- d. Transit exposure;
- e. Minimal impact to adjacent properties with respect to height and design flexibility;
- f. Pending Hagey Avenue access addition improves site access opportunity and options;
- g. Potential for underground parking with available overburden depth.
- h. High neighbourhood and highway exposure for commercial uses.
- i. Nothing shall prevent these lands from developing commercially under the regulations and provisions as set out in the Town’s Comprehensive Zoning By-law.

- ii. Ownership are encouraged to include a residential component into site design and building mass with at-grade retail, restaurant and office commercial uses occupying the ground floor in its entirety. Residential dwellings above may develop with an additional 8 storeys to a maximum of 115 dwelling units.
- iii. If at the time of development, the commercial uses are not viable components of the overall site design, the site may develop in a fully residential capacity up to 125 dwelling units in total with a maximum of 10 storeys in height. Should the site develop wholly residential, a minimum of 50 un/ha shall be achieved.
- iv. Permitted uses with mixed residential/commercial will be identified in the implementing zoning.
- v. Outdoor amenity area for residential shall be defined in the implementing zoning. A rooftop common amenity space and use is also permitted and encouraged.
- vi. Smaller scale stand-alone corner commercial of not more than 25% of the site area may be permitted via the consent process; however this shall require a site specific zoning by-law amendment for remaining lands for medium density residential with a net minimum density of 50 un/ha.
- vii. Supporting studies (Section 13.15.IV) for any development scenario shall be determined as part of the pre-consultation with approval authorities, including the Ministry of Transportation.
- viii. Residential development of these lands will need to consider MOECC D-6 Guidelines as part of any development proposal respecting the existing industrial use in the vicinity (Rich's).

4.21.11. **EMPLOYMENT LANDS (INDUSTRIAL)**

The Secondary Plan has limited lands currently in use as industrial. This plan shall preserve the industrial designations for these lands and any adjacent lands presently designated, for the potential future expansion of their operations (Rich's).

- a) The Policies of Section 4.10 shall apply to all Industrial lands within the Southend Secondary Plan Area. Section 4.10 provides general comprehensive policy coverage for Industrial lands within the Plan Area and shall be relied upon for guidance when development is being considered.

4.21.12. **INSTITUTIONAL**

- a) The lands designated on Schedule “S-2” as “Institutional” recognize the existing institutional uses established within the Secondary Plan Area. The designation within the Plan Area shall be reserved for a variety of public and institutional uses and be generally governed by the parent Official Plan policies of Section 4.12.
- b) Should any Institutional lands be considered for sale or divestment, current ownership is encouraged to consult the Town on such plans to discuss alternate site uses when redesignation or rezoning is anticipated. The Town may also seek to pursue acquisition in select circumstances to either carry but not limited to such uses as park space or municipal parking, depending on location and size.
- c) Transition from Institutional to residential may occur through a site specific zoning by-law amendment, subject to the residential policies of this plan and general provisions of the Town’s Comprehensive Zoning By-law. Determination on residential density will be assessed at such time that any sites may transition, having considered such matters as neighbourhood character and the growth objectives of this Plan and the Town in general.

4.21.13. **PEACE BRIDGE**

- a) The lands designated on Schedule “S-2” as “Peace Bridge” recognize the existing land holdings of the Peace Bridge Authority and the uses shall be generally governed by the parent Official Plan policies of Section 4.12 and more specifically, Section 4.14.2.

4.21.14. **OPEN SPACE**

- a) The lands designated as “Open Space” on Schedule “S-2” shall be reserved for a variety of active and passive recreational uses. The policies of Section 4.13 shall generally apply to lands designated as Open Space and may be amended from time to time, where new Parks and Open Space Master Planning has identified or modified objectives.
- b) The Plan contains both public and private Open Space. Lands shown as Open Space are intended for long term use as such, regardless of public or private ownership.
- c) The Plan Area contains several instances where Private Open Space is identified. Designation and zoning of these private lands does not imply municipal acquisition. The lands identified as Private Open Space are either currently designated as such, or have been designated to reflect constraints that

would otherwise limit the use of the land for anything other than existing uses or passive, non-invasive, surface oriented activity.

The Town shall encourage ownership to seek out partnerships that may lead to beautification and landscaping efforts to enhance the aesthetic of the Private Open Space and by extension, the public realm in general. Any development on lands designated Private Open Space shall be required to undertake a site plan process prior to any work being undertaken. The use of holding provisions may be applied through zoning to ensure compliance. Lands identified under an “Open Space” designation within the Southend Secondary Plan Area are further defined as provided for below.

4.21.14.1.OPEN SPACE – PARKS (NEIGHBOURHOOD AND SPECIALIZED)

- a) Town owned parks fall within three classifications as currently stated in the 2006 Parks and Open Space Master Plan. These are known as Community Parks, Neighbourhood Parks and Specialized Parks. While a “Community Park” does not fall within the Secondary Plan Area, Sugarbowl and Oakes Parks are immediately adjacent on the northern boundary of this Plan. These are substantive parks and serve both as a Community and Neighbourhood Park spaces serving the northern portion of the Secondary Plan population. The remaining Neighbourhood Parks are that of Douglas Park in the southwest adjacent to Peace Bridge Public School and the Goderich Street Park along the west side of Goderich Street. Combined and geographically positioned, these parks service almost the entire Plan Area residents.

The following policies are intended to identify objectives of the Town as it relates to:

Neighbourhood Parks

- a) **Douglas Park** will be a focus for physical improvements and addition of park features and fixtures as a result of review and recommendation through the Parks and Open Space Master Plan (2017). The park is sizable enough and hosts team sports field activities and may also hold potential for additional uses such as a playground facility. The Town shall also explore opportunity for shared use with the District School Board for the Peace Bridge Public School to capitalize on the amenity potential that can be offered to students and residents.
- b) **Goderich Street Park** is generally reserved for passive recreational pursuit and casual activities not requiring large open field areas. The location and topography are limiting factors to the long term development of the park space. Any

additional park development will be as recommended in the Parks and Open Space Master Plan.

Specialized Parks

- c) Specialized parks in context of the secondary plan include such features as Riverwalk and Freedom Park. These park spaces are adjacent to the Niagara River and are owned by the Niagara Parks Commission (NPC) Agreements in place with the Town for their use as specialized parks and offer unique passive and active recreational opportunity.
- d) The Town's Waterfront Strategy shall assist in guiding the long term use and preservation of the waterfront park spaces and the Town shall work cooperatively with NPC in seeking opportunities to enhance the pedestrian and cycling activity with facilities that provide areas of respite and comfort for the prolonged enjoyment and use of the waterfront open spaces.

4.21.14.2.OPEN SPACE – TRAIL AND LINKAGE

- a) The Town supports linkage opportunities that assist in providing improved pedestrian connection and access to points of interest such as Community and Neighbourhood parks, Trans-Canada Trail, Niagara Circle Route and the Niagara River Recreational Trail, including Riverwalk and the Core Mixed Use area of Niagara Boulevard.
- b) The Town shall make every effort to ensure publicly accessible linkage opportunities are identified, protected and accessible when new development or re-development is proposed within the Plan Area. This includes retention of an Open Space designation along the Niagara River regardless of ownership. Some linkage shall remain privately held and until such time that the lands may become available, access remains in private ownership control. Recommendations of the Town's Waterfront Strategy shall provide guidance on matters relating to waterfront within the Plan Area.
- c) Although not within, an abandon rail corridor truncates at the northwestern edge of the Plan Area that holds potential for a trail linkage reaching south, down to the Friendship Trail. The Town shall investigate future opportunity of this potential linkage as it currently provides available underpass access of the QEW, which is a rare occurrence. It is anticipated the Parks and Open Space Master Plan shall review potential for long term potential and development of this link.
- d) Linkage opportunities are represented on Schedules S-3 and S-4 of this Plan and illustrate existing, proposed and conceptual forms of pedestrian linkage intended

to connect the community by way of walking or cycling. Pedestrian linkage for the purposes of this Secondary Plan can be comprised of sidewalks, multi-class paved and on-road cycling routes.

4.21.14.3.OPEN SPACE – NIAGARA PARKS COMMISSION

- a) The majority of lands along the Niagara River between Niagara Boulevard and the River are those within Niagara Parks Commission control and jurisdiction. Public amenity and use of these lands for passive recreational pursuit is encouraged and the Town will continue to work cooperatively with Niagara Parks Commission where improvements or provision of infrastructure will enhance the public experience and enjoyment of the waterfront. The Town encourages active dialogue and consultation between the Niagara Parks Commission, with the Town and public, on these matters.
- b) The Niagara Parks Commission, in consultation with the Town, is encouraged to identify important views and viewpoints along the Niagara River Parkway (Niagara Boulevard) and Niagara River shoreline and to implement environmentally sustainable land management best practices to ensure protection of natural heritage of the Niagara River shoreline and the identified important views and viewpoints.

4.21.15. NATURAL HERITAGE

4.21.15.1.GENERAL

- a) Policies of Section 8 shall apply to all Natural Heritage resources within the Southend Secondary Plan Area. Section 8 provides comprehensive policy coverage for all relevant environmental features within the Plan Area and shall be relied upon for guidance when development is being considered in, or within defined proximity to the limited environmental features or sensitive areas.

Confirmation on the absence of any natural feature boundaries or requirements for environmental study will be identified/confirmed during mandatory pre-consultation for Planning Act applications, or on permit application review for site or building expansions.

- b) Determination of any potential EIS requirements shall be based on Regional EIS Guidelines with administration and approval authority having been set out as per the Memorandum of Understanding (MOU) between local and regional governments and the Niagara Peninsula Conservation Authority.

- c) The Southend Secondary Plan Area is essentially void of natural feature constraints with those represented relating to shoreline corridor potential and a small portion representative of a significant Natural Area, again shoreline related. This is largely due to the Plan Area being almost completely built out.

Despite their absence the Town shall remain diligent in review of any potential development or re-development applications in promoting good stewardship and shall work cooperatively with NPC in seeking opportunities to enhance the environment along the Niagara River.

- d) The Plan Area does not contain any lands being designated as Environmental Protection and as a result, Schedule S-2 of the Secondary Plan is shown as being void of any such designation. Where previous Secondary Plans contain separate schedules for use in illustrating Natural Heritage Features, Natural Hazards, Open Space and Fish Habitat, a single schedule shall be used with this Secondary Plan. Schedule S-3 shall illustrate the limited Natural Heritage Features identified.

4.21.15.2. ENVIRONMENTAL CORRIDORS

- a) The policies of Section 8.3.4.IV of the Official Plan shall generally apply to Environmental Corridors shown on the Secondary Plan Schedule S-3.
- b) Schedule “C” of the Official Plan illustrates conceptual Corridors throughout the municipality. These corridors represent a higher level linkage or linkage potential and are intended to demonstrate where provision of wildlife and avian routes may be considered for enhancement. The feasibility of enhancement should be examined as part of a development application process. The Southend Secondary Plan Area contains one such corridor, which is directly associated with the shoreline of the Niagara River.

The Town shall work cooperatively with NPC when opportunities for enhancement are presented.

4.21.16. TRANSPORTATION SYSTEMS (ROAD NETWORKS, ACTIVE TRANSPORTATION AND PUBLIC TRANSIT POTENTIAL)

- a) “Transportation Systems” is in reference to the various modes of transportation infrastructure that exist, or may be planned to be made available to service the Southend Secondary Plan Area. These include, but are not limited to, existing and future road networks, active transportation infrastructure (either planned or existing sidewalks & trails) and local transit service. Transportation systems are shown on Schedule S-4 of this Plan.

- b) Council supports all modes of transportation and in order to address or provide for better means of implementing infrastructure requirements to support the Transportation System over the long term, review of current standards, or development of new standards may be required. Prioritizing maintenance, construction/improvements will be considered annually through capital budgeting and through development application activity.
- c) It is recognized that major infrastructure projects can take time to coordinate and finance. The Town will seek opportunities for funding program assistance from other levels of government when made available; to assist in expediting transportation related capital projects and work cooperatively when jurisdiction over transportation infrastructure is not solely with control of the Town.

4.21.16.1.ROAD NETWORKS

- a) Any further development of the road network within the Southend Secondary Plan Area shall generally be in accordance with Section 12.7 of the Town Official Plan.
- b) Council will strongly consider the existing character and needs of the neighbourhood when making road improvement decisions.
- c) There is very limited opportunity for development of new roads with planned public right-of-way access. If in the event a public road is planned for construction, the road shall be constructed to full municipal standard using an urban cross section unless otherwise approved by the Town. Private development, including plans of condominium, may use alternate right-of-way designs for private roads internal to their site, however; such roads will still require approval from the municipality, typically as part of the condominium or site plan approval process.
- d) There are generally seven (7) categories of roadway hierarchy in, permitted or bounding the Plan Area. These would be defined as:
 - Queen Elizabeth Way (QEW) and by extension, the federal interests of the Peace Bridge Plaza
 - Regional Arterial Road (Central Avenue contained within and Gilmore Road as a northern Plan Area boundary road)
 - Niagara Boulevard – (NPC and/or public authority having jurisdiction)
 - Town Collector Roads (Bertie Street and Concession Road);
 - Local Roads (all remaining public roads);
 - Municipal Laneway (John Street); and

- Private Roads (permitted)
- e) Schedule S-4 illustrates the road network within the Plan Area and any new development application shall have regard for ultimate road allowance widths (as identified in Section 12.7.4 of this Plan and any regional requirements as conveyed in the Region's Official Plan) in design and zoning setback regulation.
- f) The Region of Niagara determines ultimate road allowance width for roads under its jurisdiction. The Region will be circulated with respect to any Planning Act application adjacent to Central Avenue and Gilmore Road, at which time final determination on provision of any widening requirements will be identified.
- g) Town collector roads seek to establish an ultimate width of 23m and local roads are to seek a 20m road allowance. It is recognized these desired widths may not always be obtainable. Determination of municipal road widening will be reviewed by the Town at the time of application submission or during road reconstruction/improvement projects.
- h) The Town shall remain sensitive to increased interest and movement towards "complete streets" policies and support Active Transportation efforts where feasible. Amendments to this section may be required from time to time as a result of increased and ongoing provincial and regional policy implementation.
- i) Private roads or driveways from sizable development proposals should be aligned with opposing roads or major driveways whenever possible.
- j) Any newly planned private road or driveways connections to Central Avenue, Gilmore Road or Niagara Boulevard shall require approval of the respective authority.

4.21.16.2.ACTIVE TRANSPORTATION

- a) Active Transportation shall be a consideration of Council as identified under Section 12.7.2 iv).
- b) Schedule "S-4" illustrates all components of the Active Transportation Network for the Southend Secondary Plan.
- c) Portions of the various networks under separate jurisdiction are collectively integrated and recognized as part of larger networks such as the Niagara Circle Route and Trans Canada Trail. Protection and enhancement of these assets is of interest to Council to ensure promotion of inter-municipal, interregional and to the fullest extent, National and International connectivity of Active Transportation

opportunities in reaching the neighbourhoods of Fort Erie, including the Southend Secondary Plan Area.

- d) Components of active transportation in the context of the Southend Secondary Plan Area serve both utilitarian and recreational need and purpose. There is limited southerly connection opportunity for active transportation use due to the Peace Bridge Plaza and the QEW. Active transportation access and crossings shall be protected and enhanced where feasible.
- e) The Town will take a leadership role in promotion of active transportation infrastructure when reviewing development applications and undertaking road improvements / reconstruction. Where applicable, applications for development will be required to address and demonstrate how plans may integrate and provide for the necessary infrastructure to facilitate active transportation in relation to the overall network illustrated on Schedule "S-4".
- f) Collector roads within the Plan Area shall be planned to provide for sidewalks on both sides, or in the case of Niagara Boulevard, a combination of sidewalk and trail, depending on location of available riverfront open space. Council may consider single side locations in part or in whole, following departmental review and recommendation having considered such matters as open ditches or other infrastructure constraints.
- g) Existing sidewalk locations shall remain and older sections will be subject to review and reconstruction to current standards, wherever feasible, and remain subject to annual repair and maintenance schedules in terms of priority and budget allocation municipal-wide.
- h) Regional Roads within the Plan Area have been identified as Regional Bikeways in the Niagara Region's Transportation Master Plan (Here We Go). The roadways are identified for bike lanes and the Town supports their location and identification. Secondary bicycle routes are identified on Schedule S-4 and would be envisioned to have sharrow road markings in lieu of formal bike lanes.
- i) Wherever possible or practical, street lighting shall be provided on the same side of the roadway as the sidewalk and/or as described in the Town Street Lighting Policy.
- j) Wherever possible, the Town, Region and NPC, as the case may be, will work cooperatively in establishing linkage to broader regional active transportation infrastructure to further promote and extend the range and reach accessible by active transportation users.

- k) Active Transportation and Public Transit use are complimentary modes of transportation and can be co-dependent for some residents. Capital projects, planned developments should have due consideration for Active Transportation connection to established or planned transit stops.

4.21.16.3.PUBLIC TRANSIT

Conventional and specialized transit service presently serves the Plan Area and may be subject to routing modifications from time to time. Transit service has recently been enhanced by way of established formal routing where bus-stop infrastructure is being planned, with incremental improvements contributing to a more formal and structured transit schedule. This serves as an indication that improved transit measures and service are being implemented as a specific goal of the Town's Strategic Plan, to be secured and promoted for the long term benefit of the resident, business and visiting populations.

- a) New development along transit routes shall have regard for access to transit and may be requested to demonstrate how their proposed development is transit supportive.
- b) The Southend Secondary Plan Area shall also remain fully serviced by Fort Erie Accessible Specialized Transit presently operating throughout the Town, or until such time that an alternate is established that meets our community's accessible needs.
- c) The Town supports Region of Niagara inter-municipal transit service and shall work cooperatively in review and support provision of regional connecting routes. The Town remains cooperative on any endeavour to establish a fully integrated, or full regionally operated transit system that maintains and enhances existing local municipal service.
- d) Approved transit routing and fixed stop locations are illustrated on Schedule "S-4". Routing and stop locations are subject to review over time and as data driven results on ridership inform transit planning for efficiency and effectiveness. Modifications to transit routing do not require amendment to this Plan.
- e) Long term local transit planning shall have regard for locating potential transit stops using a typical 400m radius (or better) service area catchment model. Distances may vary depending on location of populations throughout the local and rural areas, as well as the class roadway which is being used as part of the route.

4.21.17. **PARKING**

- a) The majority of the Secondary Plan Area is largely established residential, low density in character with most residences providing adequate on-site parking. On street parking in the majority of the residential areas has not been considered problematic. The Town shall monitor on-street parking throughout the community and may recommend restrictions to alleviate any safety issues if deemed appropriate.
- b) Lighting of commercial area parking lots shall be of adequate levels to ensure pedestrian safety while having regard for any adjacent or upper level residential uses. Spillover lighting from parking lot lighting onto adjacent properties shall be avoided unless otherwise planned and approved to do so.
- c) When other jurisdictions have interest in parking provisions, the Town shall seek opportunities to work cooperatively with these jurisdictions when capital projects are being designed and undertaken within the Plan Area. With respect to Niagara Boulevard specifically, the Town seeks to create a pedestrian friendly environment that would include “on-street” parking within the core mixed use area and additional opportunities for parking associated with the Niagara River as an amenity area for residents and visitors, where feasible. The Town will work cooperatively with Niagara Parks Commission to establish appropriate locations for parking. The provision of parking, particularly on-street parking, will need to have consideration for active transportation linkage/connections to the waterfront area and the Niagara Parks Recreational Trail System.
- d) Any new municipal or private parking areas shall be designed and constructed in a way that provides adequate screening and landscape buffering where abutting residential zones.
- e) Parking in the Core Mixed Use designated lands are encouraged to provide on-site parking for commercial uses. Parking requirements for the residential components associated with the Core Mixed Use designation are preferred to be situated on-site, however the implementing by-law may provide for alternate solutions in meeting parking requirements.
- f) Landscaped areas may be requested for large parking lots. Landscaping requirements shall be focused along the road frontages and shall provide for appropriate landscaped buffering and planting strips between the roadway and parking areas, using high quality materials and plant stock.

4.21.18. **CULTURAL HERITAGE**

- a) All matters of Cultural Heritage shall be consistent with Section 11 of this Plan.
- b) The Town recognizes the setting and cultural heritage of the Southend as being that of archaeological interest associated with pre-contact native peoples occupation of the lands, but also that of early European settlement leading to today's urban form and occupation of the properties in the Plan Area, particularly those lands close to the waterfront.

The following policies are aimed at bringing awareness to municipal partners, general public and the regulatory agencies in effort to seek a balance for current and future ownership that may wish to develop or redevelop lands within the Plan Area.

Built Heritage

- a. The Fort Erie Museum and Cultural Heritage Committee shall continue to advise Council on matters of the Southend's built heritage and from time to time, may recommend for Council's consideration, properties for addition to the Municipal Registry following the Committee's more detailed review of community building stock. Schedule "S-2" identifies the location of properties that are either designated or listed on the Municipal Registry. New designated and listed properties in the Southend Secondary Plan Area may be referenced on Schedule S-2 without amendment to the this Plan.
- b. The Town has relied on voluntary designation of heritage properties and shall continue to act in this manner. The Town encourages designation of such properties and will work cooperatively with ownership in effort to facilitate designation.

Archaeological

- c. The Town's Archaeological Master Plan informed and formed the background on the policies contain in Section 11 in the Town's Official Plan. It also introduced identification of Archaeological Zones of Sensitivity, which are reflected on the mapping schedules of the Official Plan. The Peace Bridge Zone of Sensitivity represents the single most challenging constraint to new or redevelopment efforts of the downtown waterfront area.

There are additional identified areas of archaeological interest within the Plan Area being lands in the vicinity of the Rich's facilities next to the QEW and also the lands identified as Douglas Park. Schedule 'D' of the Official

Plan can be consulted for extents of these identified lands.

Applications for development or redevelopment shall first be screened through pre-consultation and then assessed by the appropriate review authority with respect to the nature of the proposal and whether the proposal will present new disturbance requiring Stage 1 and/or Stage 2 Archaeological Study work be undertaken. The results of which, shall determine if further study is required.

- d. The Town encourages cooperation of the MTCS and its licensed archaeologists in seeking/providing flexibility and feasible solutions to proponents of development that may result in scoping of stage study work. There is a considerable amount of disturbed and vacant, previously developed lands within the Peace Bridge Zone of Sensitivity that can contribute to the intensification and rejuvenation efforts of this downtown environment and its desirable waterfront residential potential.

Conversely, should a property be found, or known to contain, immovable archaeological artifacts, property owners are encouraged to seek designation or place lands in an amenable land trust that may have the resources to improve and maintain the site(s) over the long term. The Town does not promote the development of lands containing immovable artifacts and shall maintain a preservation position under such circumstances.

- e. The Town shall explore any potential for incentive programs aimed at offsetting costs of archaeological study work and remediation, within the Peace Bridge Zone of Sensitivity.

4.21.19. **MUNICIPAL SERVICES**

- a) Municipal servicing shall be consistent with the policies of Section 12 of this Plan.
- b) Municipal services such as sanitary and storm sewers, stormwater management and municipal drainage will be provided, where feasible, and maintained / upgraded as necessary to accommodate the needs of existing and future development in the Southend Secondary Plan Area.
- c) Based on findings of the 2010 Waste Water / Stormwater Master Plan study (*XCG Consultants Ltd.*), no immediate servicing concerns respecting sanitary capacity of the Anger Avenue Waste Water Treatment Plant have been identified.

Regional capital upgrade to the Catherine Street Sanitary Pumping Station is identified under the Region's 2016 Master Servicing Update, with an anticipated implementation date at the outer reach of the 2041 planning horizon.

- d) New development may be requested to provide a servicing study that includes analysis of the downstream sanitary sizing and the network's capacity capabilities in relation to proposed development flows.
- e) The Town shall continue to make improvements to its storm, sanitary and water networks and any planned improvement projects shall be identified in the 10 year capital projects budget. Reduction in wet weather impacts on existing infrastructure shall remain a priority of the municipality.
- f) All new development shall require approval of storm water management plans and/or drainage plans from the relevant approval authority to ensure storm water is effectively and properly managed to mitigate or alleviate flooding of adjacent and downstream properties during storm events. Additionally, engineering solutions for storm water management that improve infiltration and assist in improving groundwater quality and recharge will be considered relative to the feasibility and practicality of their implementation.
- g) Existing municipal water supply is currently available to service the majority of the Plan Area. Sizeable infilling projects may be required to loop watermains wherever opportunity exists to do so.
- h) There are currently no identified restrictions to development within the Southend Secondary Plan Area under current water supply conditions, however functional servicing studies that may be requested for new or re-developing properties and sizable infill, shall address water supply demand on the existing network.

4.21.20. UTILITIES

- a) Utility providers are required to consult with the Town when new plant locations or infrastructure is required, or existing infrastructure is identified for upgrade. The Town will work cooperatively with utility providers in effort to facilitate their needs while balancing the interests of the area residents or businesses.
- b) Utility companies are encouraged to work cooperatively with the Town and regulatory authorities in determining suitable locations that are both compatible reduce or eliminate potential conflicts.

- c) Utility providers shall ensure their respective utility has been planned and located in accordance with any relevant safety regulations, separation requirements and/or municipal standards, either through individual utility plant location or as part of a combined installation.

4.21.21. **NEIGHBOURHOOD GATEWAYS & LANDMARKS**

- a) Schedule S-4 illustrates a Gateway symbols at the primary entry points to the Neighbourhood. The Town shall seek voluntary participation and effort on the part of development interests at these locations to promote the sense of gateway when new or redevelopment is planned.
- b) Gateway features act to provide both physical and psychological cues on demarcation of community boundary. Features or landmarks act as visual benchmarks or visual points of reference to indicate location and reinforce arrival or departure.

Intensity of the gateway feature makes an intended statement and projects an image the community can become associated with. This can be done in many ways such as signature buildings or architectural features, or through landscaping treatment and lighting. Combining any or all of these types of treatments provides opportunities to make a very bold statement or a much more modest approach to signal a threshold or specific location.

- c) Any Gateway or Landmark Feature planned along a regional road or NPC roadway will require consultation with relevant authority and approval accordingly.
- d) The Southend Neighbourhood is unique in its geography within the Town wherein the downtown is located along the waterfront. While many local road connections are able to access the downtown area, there is an expressed desire by the community to promote international travellers to be alerted to the first available exit via a wayfinding initiative to help drive increased tourism to the Downtown and Riverwalk area. This is a challenging endeavour when considering the limitation on access from points beyond the Customs and toll booth operations. Lane selection ahead of the toll station is an important determining factor as to whether an exit can be made safely and conveniently at the Central Avenue ramp. Control over these factors are simply not within the Town authority to modify.

The Town shall work cooperatively with MTO and The Peace Bridge Authority in seeking opportunities to have advanced knowledge/awareness of the Central

Avenue exit made available in advance of the toll booth station to assist potential destination traffic. Competition for signage is challenging under such circumstances; however, important to assist in tourism efforts and commercial viability of the Downtown Core and Riverwalk area.

4.21.22. **INTERPRETATION OF THE PLAN**

The Southend Secondary Plan (Official Plan Amendment No.37) consists of Sections 4.21.1 through 4.21.21, and Schedules “S-1”, “S-2”, “S-3”, and “S-4”.

The text and Schedules of the Official Plan for the Town of Fort Erie continue to apply except where they are in conflict with, or are less restrictive than this Secondary Plan, in which case the text and maps of this Secondary Plan shall prevail.

(Section 4.21 was introduced by By-law 2018-001, OPA #37)

TOWN OF FORT ERIE
OFFICIAL PLAN

PROVINCIAL COMPLIANCE
WITHIN THE URBAN AREA

LEGEND

- Secondary Plan Limit
(Urban Area Boundary)
- Built-Up Area (Growth Plan Designation)
- Under Utilized / Infilling
- Residential Intensification
- Core Mixed Use Intensification
- Retention of Industrial
- Niagara Parks Commission Lands

SOUTHEAST SECONDARY PLAN

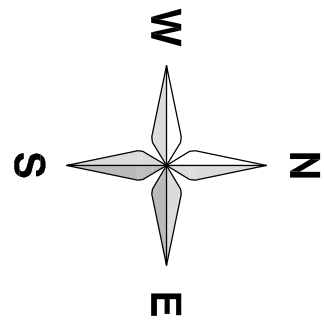


COMMUNITY & DEVELOPMENT SERVICES

DATE: As Adopted
JAN. 22, 2018

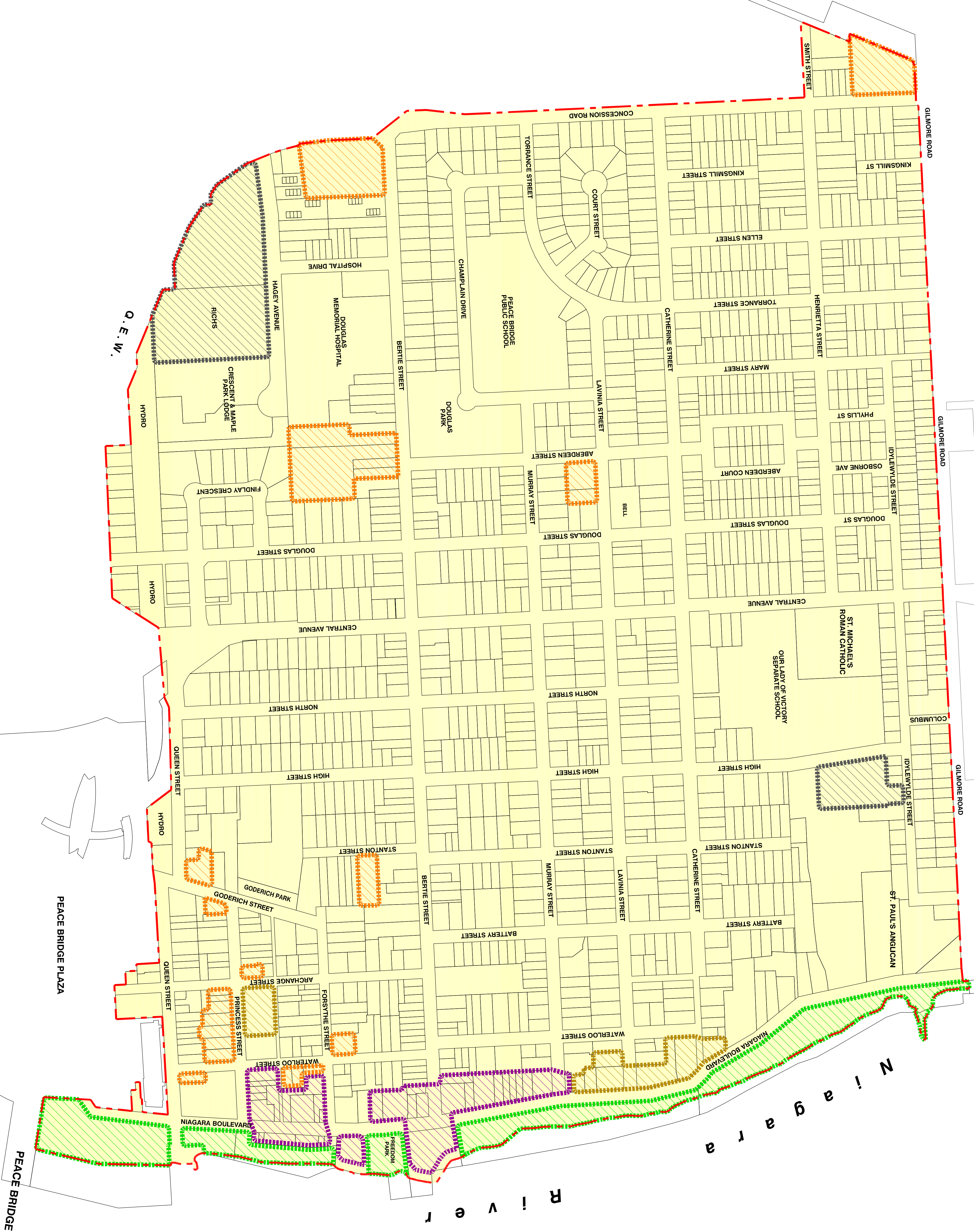
SCALE:
N.T.S

DRAWN:
CSM



SCHEDULE

S-1



TOWN OF FORT ERIE OFFICIAL PLAN

LAND USE PLAN

LEGEND

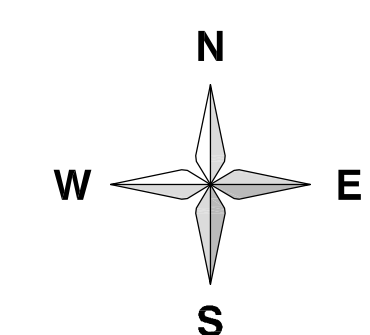
- Secondary Plan Limit (Urban Area Boundary)
- Low Density
- Medium Density
- Core Mixed Use
- Commercial
- Open Space (Public)
- Open Space (Private)
- Institutional
- Peace Bridge
- Industrial
- Heritage Designation
- Listed on Municipal Registry
- Peace Bridge Zone of Sensitivity

MODIFICATION 1

SOUTHEND SECONDARY PLAN



COMMUNITY & DEVELOPMENT SERVICES



DATE: As Adopted
JAN. 22, 2018

SCALE:
N.T.S

DRAWN:
CSM

SCHEDULE

S-2

See Policy
4.21.8.1

See Policy 4.21.8.4

See Policy 4.21.8.5

See Policy 4.21.8.4

See Policy 4.21.8.6

See Policy 4.21.7.2

See Policy
4.21.8.7

See Policy
4.21.8.10

See Policy
4.21.8.11

See Policy
4.21.8.9

See Policy
4.21.10.1

OAKES PARK

SUGARBOWL PARK

LIBRARY

ST. MICHAEL'S
ROMAN CATHOLIC

OUR LADY OF VICTORY
SEPARATE SCHOOL

ST. PAUL'S ANGLICAN

PEACE BRIDGE
PUBLIC SCHOOL

DOUGLAS
MEMORIAL HOSPITAL

CRESCENT & MAPLE
PARK LODGE

Q.E.W.

PEACE BRIDGE PLAZA

PEACE BRIDGE

TOWN OF FORT ERIE
OFFICIAL PLAN

NATURAL FEATURES,
NATURAL HAZARDS, FISH
HABITAT
& OPEN SPACE PLAN

LEGEND

Secondary Plan Limit
(Urban Area Boundary)

Natural Features, Natural Hazards & Fish Habitat

Significant Natural Area

Niagara River Fish Habitat

Environmental Corridors

Drainage Feature

Open Space

Public Open Space

Pv Private Open Space

600m Neighbourhood Park Service Radius

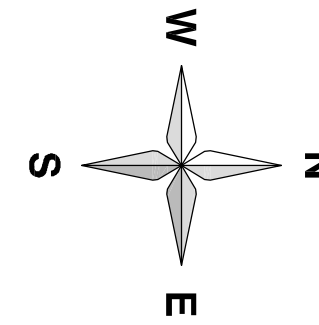


COMMUNITY & DEVELOPMENT SERVICES

DATE: As Adopted
JAN. 22, 2018

SCALE:
N.T.S

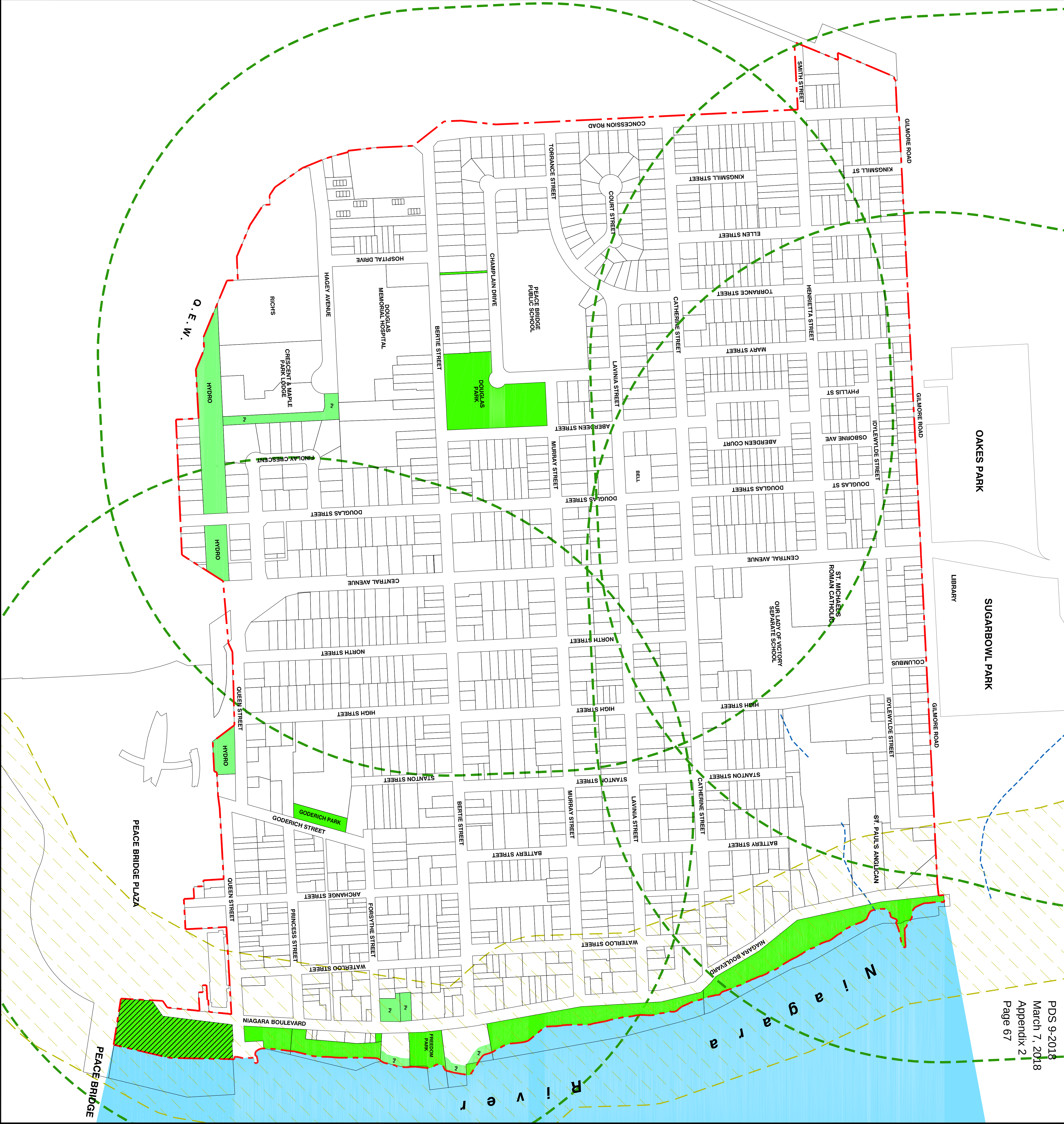
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SCHEDULE

S-3

PDS 9-2018
March 7, 2018
Appendix 2
Page 67



TOWN OF FORT ERIE OFFICIAL PLAN

TRANSPORTATION SYSTEMS

LEGEND

Secondary Plan Limit
(Urban Area Boundary)

Roads

- Existing Regional Arterial Roads
- Existing Municipal Collector Roads
- Existing Municipal Local Roads
- Planned Municipal Roads
- Existing Public Laneway
- MTO (Ramping)

Transit Routes and Stops

- Approved Transit Route (schematic)
- Approved Transit Stop (approx.)

Active Transportation

- Proposed On-Road Bike Lane
(Regional Niagara Bicycling Network)
- Proposed On-Road Bike Route
(Local Municipal)
- Conceptual Off-Road Multi-Use Trail
- Existing Off-Road Multi-Use Trail
- Existing Sidewalk
- Desired Sidewalk Network Completion

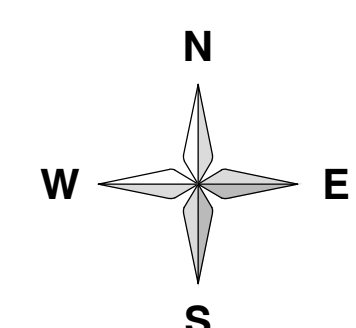
Open Space

- Open Space
- Private Open Space
- Conceptual Gateway Feature
- Existing Gateway Feature

SOUTHEND SECONDARY PLAN



COMMUNITY & DEVELOPMENT SERVICES



DATE: As Adopted
JAN. 22, 2018

SCALE:
N.T.S

DRAWN:
CSM

SCHEDULE

S-4

