

Official Plan Comments – Draft #1

No.	Date	Address	Company/Organization	Comment(s)	Action(s)
1			Riverbrink Art Museum	Cultural resources in community must be acknowledged and supported in the Official Pln. Need to make engagement with the arts an integral part of the plan.	A culture plan will be developed.
2	14-Jan-16		Queenston Resident's Association	Concerning the issue of cultural heritage and heritage preservation we believe it is vital to moderate the impact of municipal standards on heritage areas to prevent the destruction of cultural/heritage landscapes and streetscapes by the rigid application of such standards ( e.g. road reconstruction requirements). There has to be a recognition of the value inherent in preserving the historic ambience of our older areas and this must be built into the planning process. We also note that the draft contains Secondary Plans that are ( at least in the case of Queenston) largely outdated and increasingly irrelevant. There must be a public process to review and update such plans and we wonder when this will occur--or alternately if the Official Plan will be finalised with the outdated plans in place. We are in the process of reviewing the draft in more detail and hope to have more comments in future.	The revised Queen-Picton Heritage Conservation District Plan will have streetscape policies that include recommended road standards for the district. The Queenston Secondary Plan contains policies for maintaining historic streetscapes and roadway design. Secondary plans will not be revisited until the new Official Plan is approved.
3	15-Jan-16			Parking is long time issue for residents, business owners and visitors. Official Plan should reflect reality with a separate section on parking to present comprehensive overview of future of parking in the Town; Review of approved route for commercial group tours. Keep the current restrictions on bus drop off and parking.	These issues will be addressed through parking studies.
4	09-Sep-15			Comments after September 8th public meeting. No mention of artefacts and documents in culture section. Should be addressed. Critical to support designation of properties and continuity of the Town's stories. OP should address collection, preservation and display of significant historic artefacts as part of its Heritage and Culture Plan; What about maintaining heritage assets associated with commercial or institutional or commercial buildings? Are there initiatives to support them?; Statistics – what is included in workforce and resident numbers? Are temporary workers included in workforce and resident numbers? What about students? Part time workers who are residents and temporary foreign workers are significant to economy of NOTL; Challenges assumption that people that work in the Town live in the Town. People live here because they value the lifestyle not because they work here. Many who work in NOTL can't afford to live here. Suggests that housing demand is driven by retirees or commuters who value the lifestyle not by jobs; Work puts undue emphasis on growth that may change character of community through intensification. Need managed and restricted growth. Option to restrict growth should be presented to Council and community.	The issue of documents will be dealt with through the proposed culture plan. The Town supports designation through the Ontario Heritage Act and will continue to do so through enhanced heritage policies in the Official Plan. The Town provides grants to all designated properties to assist with maintenance, including commercial and institutional buldings. Temporary workers are not included in the statistics and there is no assumption that peopled that work in Town live in Town (see Watson's background report). Policies in the Growth Plan are directed to increased growth and intensification within urban boundaries. However, the character of the Town will be maintained through enhanced urban design guidelines and implementation of a Development Permit System that emphasizes good design and heritage conservation. Options to restrict growth are limited by our growth plan policies and the Growth Plan. Policies in the new OP encourage a complete community where peopled both live and work.
5	13-Jan-16		Niagara Historical Society & Museum	In the Ontario Ministry of Tourism, Culture and Sport discussion paper on developing a Culture Strategy for Ontario, Cultural Heritage resources include "heritage buildings or structures such as bridges, cultural heritage landscape, downtown main streets, natural areas, industrial sites, archaeological artifacts, collections held by museums, or stories, knowledge, and traditions ". The Official Plan recognizes some aspects of this broad definition of Cultural Heritage Resources in paragraph 6.2.1.1. Further the plan acknowledges the importance of the Cultural Heritage Resources to Niagara -on- the -Lake, as a centre for culture, heritage and recreation (2.1.3) and as an important economic driver that will be leveraged and promoted to attract a range of innovative and diverse businesses and attract and retain youth and families (2.3.7). Unfortunately the Official Plan then proceeds to ignore many aspects of Cultural Heritage resources beyond building and land considerations. Specifically there is a lack of attention to artifacts, documents and records as Cultural Heritage Resources, and associated plans with such resources. The Niagara Historical Society & Museum collection includes over 50,000 artifacts and archives, 30,000 of which are municipal documents. Our collection, in particular, consists of pieces specifically related to the history of Niagara -on- the -Lake and includes many rare and very significant artifacts, archaeological collections and many pre- history artifacts. In addition are the collections of RiverBrink, Willowbank and the Niagara Parks Commission. This deficiency should be addressed in the next draft of the Official Plan, and accordingly we recommend the following: In paragraph 2.3.11, a point should be added recognizing that the Town's unique Cultural Heritage resources will and should influence future employment, population and housing growth in the Town. 2. Paragraph 6.2.1.1 should specifically include artifacts, documents and records in the list of cultural heritage resources. A new paragraph 6.2.1.3 should be added outlining the Town's support for the collection, storage, interpretation and display of artifacts, documents and records that are cultural heritage resources. 4. Sections 6.2.2 (Identification and Documentation), 6.2.3 (Protecting Heritage Resources), and 6.2.4 (Management of Heritage Resources) deal largely or exclusively with properties and buildings. These sections should be expanded to include artifacts, documents and records. The Niagara Historical Museum should be consulted for the appropriate language to include these items in the plan. 5. Section 6.2.S (Enhancement and Education) should be expanded to cover the support of the work of the Niagara Historical Museum in their role of interpreting and educating the public about heritage resources through their web -site, walking tours, lectures, displays, search and study resources, and children's programming. Section 6.5 (Archeological Resources) deals largely or exclusively with land and does not adequately deal with the artifacts themselves. They should be conserved, studied and where appropriate, displayed. The Niagara Historical Museum should be consulted for the appropriate language to include these items in the plan. 7. Cultural Heritage is a cornerstone of the current Town, and should be the cornerstone in the future. It is an important dimension to life in this historic Town and our local Cultural Tourism industry, and therefore has a social and commercial value. Section 6.6 (Cultural Resources) while supporting the local arts and culture states that the development of a Culture & Cultural Tourism Strategy Plan is encouraged. We highly recommend that the Town set a definite timeline, ideally within the next year, for the development of a Culture & Cultural Tourism Strategy Plan with the input and assistance of the many cultural and cultural heritage organisations in the Town. This strategy plan should be referenced by the Official Plan and be a blueprint for further development and support of the arts and cultural heritage organisations in the Town of Niagara-on-the-Lake.	6.2.1.1 is a general statement regarding cultural heritage resources. The paragraph reflects definitions in the Provincial Policy Statement. This section of the Official Plan also deals specifically with policies in the Ontario Heritage Act. There is no similar Provincial legislation regarding other cultural heritage resources with the exception of archaeological resources. Policy 6.5.3.(n) deals with development of a policy regarding the curation of archaeological artefacts. Section 6.6 includes policies for developing a culture plan The Plan will include policies regarding the significance of documents, records and cultural artefacts and with education and access to documents. When the Official Plan is completed, the Town will begin the work on other documents outlined in the policies in the new Official Plan. However, timetables and funding for these studies have not been established.
6	07-Dec-15	Charlotte Street		<u>Established Residential Designation on Charlotte St</u> - It appears there is a discrepancy between the Zoning Bylaw Schedule A2 and the Official Plan Land Use Schedule B2. Specifically the Zoning Bylaw has the entire NW side of Charlotte St from John to Paffard designated at Established Residential(ER) whereas the Official Plan has only three properties on Charlotte designated in that fashion. The Official Plan designation does not appear to make sense as the entire section of Charlotte St from John to Paffard has unique characteristics defined by the Rand Estate wall on the SE side and the row of established spruce trees on the NW side. The properties are characterized by deep setbacks from Charlotte, and large lots. The buildings are a combination of mid - century bungalows and more modern but tastefully designed 2 story buildings. Over the past 20 years the block has seen significant "evolutionary development" that has improved the street while maintaining the character consistent with and ER designation. The Official Plan should reflect Zoning Bylaw Schedule A -2 with respect to Charlotte St and all the properties between John and Paffard should be designated ER. <u>Demographics and Growth</u> - The Official Plan puts forward a vision of aggressive growth. However, NOTL is not a growth centre defined in the Niagara regional Plan or the Ontario Growth Plan. In the recent past it has been allowed grow faster than any community in Niagara including those identified as growth centers. The nature of the growth as pointed out in section 1.4.4 is seniors, not youth and the development of limited land resources is not aimed at youth, nor people employed in the Town. While in paragraph 2.4.3.3 it is asserted that there is a link between employment and housing requirements. I don't think that is supported in fact. Large portions of the population are retired, and large portions of the workforce commute into the community. So aggressive residential growth with the Towns limited land resource is not to support the local economy, and in fact it threatens the future economy to the extent it compromises the agricultural and cultural assets of the community. Growth should be tempered and expansion of urban boundaries, with the exception of the Welland Canal lands not in agricultural use, should be explicitly rejected in the foreseeable future. Cultural Heritage resources include heritage buildings or structure, cultural heritage landscape, archaeological artifacts, and collections held by museums. While the Official Plan recognizes some aspects of this broad definition of Cultural Heritage Resources in paragraph 6.2.1.1 the Official Plan then appears to ignore many aspects of Cultural Heritage resources beyond building and land considerations. Specifically there is a lack of attention to artifacts, documents and records as Cultural Heritage Resources, and associated plans with such resources. This deficiency should be addressed in the next draft of the Official Plan. Small Scale Tourist Accommodation - General - Secondary uses of properties in Establish Residential and Residential areas are set out in paragraphs 4.8.4.3 and 4.8.5.3 respectively. In both areas secondary uses include "vacation homes ". This is neither a defined nor a precise term as it could be interpreted to include "cottage rentals ", "Villas" or perhaps even "vacation apartments ". It is recommended that the term "vacation home" be replaced with "cottage rental" Country Inns and Villas. The language for Country Inns and Villas is very different and not always consistent. As both types of establishments are exceptions to the approved land use and both represent a form of tourist accommodation that may be appropriate where the increased level of activity can be readily accommodated on -site without disruption to the residential neighbourhood one would expect the language in section 9.13.3 and 9.13.4 to be almost identical except where the different nature of the establishments would dictate otherwise. For example a Country Inn is a hosted accommodation, and a primary residence, whereas a Villa is unhosted and strictly a commercial use of a property in a residential neighbourhood. It is recommended that Sections 9.13.3 and 9.13.4 be reviewed and redrafted to eliminate or minimize any discrepancies in the two sections that are not attributable to the different characteristics of the establishments (Country Inn vs Villa). Further it is recommended that these changes be reviewed with the appropriate stakeholders, like the Niagara-on- the -Lake Bed and Breakfast Association. Some,but not all, of the discrepancies include: 1. The inclusion of the phrase "Generally, this applies to large lots that exceed the minimum lot area requirement of the Zoning By -law, where existing dwellings are sufficiently distanced from their neighbours so that the increase in the number of rooms has no significant impact on the residential neighbourhood and streetscape." In paragraph 9.13.3.5(a) for Country Inn, but not in the Section on Villas.; 2. The lot requirements are specified in hectares in paragraph 9.13.3.5(b) for Country Inns whereas they are specified in square metres in paragraph9.13.4.7(b).; 3. The language for amenity area of 9.13.3.5 (g) for Country Inn at 165 words in length versus 9.13.4.7 (c) for Villa with 83 words.; 4. Paragraph 9.13.3.5 (h) prohibits applications for Country Inns that result from "a new home constructed, a building addition, or new construction, conversion and renovation of accessory buildings, after January 1, 1998." There is no such prohibition for Villas in section 9.13.4.  With regard to point 4 above, it would appear that this paragraph is inconsistent with the By-Law 4634 -13, Section 2, Paragraph 3, which states. "Only buildings that have been occupied as a single detached dwelling for a minimum of four (4) years shall be eligible for a license. Any 2 additions or extensions to the building that expand the number of rooms will not allow the Licensee to apply to increase the number of guest rooms available for rent until that portion of the addition or extension has been occupied for four (4) years." The reference to January 1, 1998 in a document that was drafted in the years 2002 and 2003, is consistent with the 4 year restriction in the By -Law and it does not appear to be any additional rationale for the 1998 restriction. It is recommended that the reference to January 1, 1998 be deleted and replaced with the language from the current By -Law 4634 -13, and consistent with the By-Law the language should be applied to all short term rental accommodations, not just Country Inns. Thank you for the opportunity to participate in the development of the Official Plan. I hope you can give full consideration to the issues discussed above.	The designations on Charlotte Street reflect the designations in the current Official Plan. Once the Official Plan is approved, the Zoning By-law will be brought into conformity with the Official Plan. In the meantime staff will look at the proposed designations along Charlotte Street to determine if they should be changed. The new Official Plan includes Growth Plan figures and Growth Plan policies established bu the Region of Niagara. These figures were established to 2031. The Region is currently working on growth figrues to 2041. While there is currently a preponderance of seniors in the Town, a well-balanced, complete community should attract and retain youth and young families. The Vision for the Town stated this as a goal along with affordable housing and jobs to retain people in the community. It is not the intent of the Official Plan to expand urban boundaries at the expense of agriculture. Cutlural resources such as artefacts, documents and records, will be addressed through a culture plan. V llas, cottage rentals and vacation apartments were the subject of both official plan and zoning by-law amendments and went through a lengthy public process . When the official plan is approved, staff will ensure that the zoning by-law conforms with the official plan policies regarding these establishments.
7	19-Aug-14	410 King Street	Royal Canadian Legion, General Nelles Branch #124	Change designation of the Legion to include it within the urban area boundary of Old Town	Refer to Schedule B2. The Legion is inside the urban area boundary of Old Town. This is a minor boundary adjustment.

8	15-Jan-16		Armstrong Strategy for MasonryWorx	Wants use of masonry in dwellings to be emphasized. Makes recommendations specific to use of brick, block and stone. Wants to strengthen OP language in this regard especially as it relates to site plan control with respect to new structures. Provides point-by-point list of strengthened policies as an attachment.	The majority of buildings in the Town are well-constructed and are clad in high quality materials. Brick and stone are not necessarily the predominant materials uses on buildings. Wood is historically popular. There is no need to enshrine the concept of using masonry in official plan policies. The issue can be dealt with through urban design guidelines.
9			Armstrong Strategy for MasonryWorx	Strategists and Association of Industry Professions who want to increase use of masonry in building. Want entire municipality subject to site plan control. Want to have policies regarding type of cladding for buildings – particularly masonry	See above.
10			Armstrong Strategy for MasonryWorx	various requests for additions in many sections	See above.
11	07-Jan-15		Chautauqua Residents Association	Recognize Chautauqua as a distinct planning area in the OP; Ensure new builds fit with surrounding homes; Protect, enhance tree canopy; Maintain existing streetscape & infrastructure – no curb & gutter; Keep as a residential neighbourhood with detached single dwellings; Protect DND lands.	Policy 4.14.10 states that a community plan will be developed for all or a portion of Old Town including Chautauqua,
12	28-May-15	319 Concession 3 Road	LANDx	Want to expand urban area boundary in St. Davids (Greenbelt Review). Consultants and Lobbyists for private land owner	This request was directed to the Provincial Comprehensive Review committee. The Town will not be extending the urban area boundaries of the municipality into the Greenbelt.
13	28-May-15	1873 Four Mile Creek Road	LANDx	Want to expand urban area boundary in Virgil (Greenbelt Review). Consultants and Lobbyists for private land owner	See above.
14	27-Feb-14			road and parking issues should be the first priority	These issues will be addressed through parking studies.
15			Dentons Canada LLP	Request to be kept informed particularly in relation to a possible private tree by-law under the Municipal Act	Policies in the OP speak to tree protection and a proposed tree by-law.
16	15-Jan-16			Airport lands – Owns property immediately abutting to the south fronting on Niagara Stone. Property is 40.4 acres. OP designates it as protected countryside. Airport was never in tender fruit or grape production & is important employment area. Doesn’t fit definition of specialty crop & Greenbelt Plan shouldn’t apply. 2009 municipal review of employment lands recognized airport as important employment area. 2009 – OMB recognized that Greenbelt Plan doesn’t apply to airport and back portion of this property (24.9 acres). Subject land was included in Airport Master Plan (1992) intended for airport related uses. Refers to 2013 request from airport to swap land. Feels that this is minor boundary adjustment because there is no net loss of Greenbelt lands. Wants boundary configuration proposed by Airport Master Plan. Wants written response to comments and notice of further public meetings.	The requested land swap was submitted as a private property owner request in the submission by the Region of Niagara on behalf of the local municipalities for the Provincial Comprehensive Review. .
17	15-Dec-15			Leave the Commons alone - only repair walking trails and bicycle path; Leave the property at the corner of Mary and Mississagua Street as a small parkette. She thinks it is intended to be a mall or apartment building which would detract from the beauty of Niagara-on-the-Lake and interfere with traffic patterns - already lots of commercial uses in the area. Don't cut down the trees; Parkette at Mary & Nassau Streets - Don't change it. Repair damage to the grass by the Works Dept. Put in additional flowers and bushes. No children's playground. There have been many accidents and near misses in the area; No more ugly winery buildings along Niagara Stone Road - Doesn't want the area to look like the entrance to Stratford.	The Commons is under the jurisdiction of Parks Canada and is a Federally owned property. Parks Canada does not intend to develop the land. The property at the corner of Mary and Mississagua was the subject of an OMB hearing and is zoned for commercial use. It is not intended for any residential use such as an apartment building. There are policies in the OP dealing with tree protection. The Mary Street Urban Design Guidelines do not form part of this OP and will be addressed at a later date.
18	18-Jan-16			Planning opinion (August 9, 2015) analyzing use of highschool property as a possible athletic centre. Suggests that OP recognize the Secondary School site for use as a public athletic centre.	Currently there is no intent to change the designation on the property.
19	29-Oct-13		Niagara Pumphouse Arts Centre	Town should have a cultural representative on staff to coordinate activities of all cultural organizations in Town. MOU between Pumphouse and Town regarding work of the Pumphouse; Town should encourage/develop a cultural trail with signage to identify cultural sites; Pumphouse as a resource for advice regarding public art. Consideration of a sculpture walk; Support from Town to subsidize cost of art programs for youth and seniors. Additional space for exhibits, classrooms and storage at the Pumphouse.	These issues will be addressed through a culture plan which will also deal with public art policy.
20	07-Apr-15		Harmony Group	In the section titled “Strong Environmental Stewardship” there is no mention of Lakefront Erosion and its importance as an environmental concern. How is Lakefront Erosion addressed as its own item, or how it fits into the process?	The Region, the Town, Parks Canada and the NPCA are aware of the problem and will be addressing the issue through infrastructure programs.
21	14-Jan-16			On reviewing the proposed Official Plan, I interpret that new developments and/or infilling projects will be controlled mainly by site plan agreements. If this is so, would you please explain to me why this done. If our Town's major regulations are contained in the Official Plan for all to see, it is fair to all the parties involved. It would also make sure each project is therefore governed by the same rules, thus making it fair to all. If, for example, requirements for lot size, parking, height restrictions, etc. are in the Plan, those involved, namely residents, developers, Town Staff and Councillors, will be able to treat each proposed development with the same rules thus making it a level playing field for all concerned parties. As we know, Town Council and Staff change and thus views also change which will affect projects in the future. Our Official Plan requires rules and regulations to insure that we maintain the rural and historic character of our Town. At present, some of our recent development projects have reduced road allowances which has and is making it difficult for Fire Equipment and/or ambulances to respond in a timely and safe manner, mainly due to the width of the road. This makes it not only difficult on first our First Responders but it is unsafe for the residents as well. There has to be in the Official Plan regulations that address this potentially dangerous situation. Road access has to be sufficient to allow our First Responders access to carry out their already challenging jobs. Developers should also be advised to provide accommodation for all segments of our society thus insuring the Town has the right demographics including young families. In closing, again would you please advise me why major rules and regulations are not in this draft Official Plan that would control future developments and insure fair treatment to all.	An answer has been provided.
22	14-Dec-15			(Sec. 1.1) state unequivocally that this is a 10-year Plan for the Town which should be replaced every decade this will ensure that future NOTL Town Councils are obligated to update the Official Plan in a timely manner. As a result, the following texts change: Sec. 1.1.3: change “20 to 30” to “10”. This brings the Official Plan in line with typical corporate plans of a similar nature, as. Sec. 1.2.3: Remove completely. It repeats what has already been stated and any changes in the Region or Sec. 1.5.4.5: change “2041” to “2035”. Provided the Regional Plan has a period exceeding the NOTL Plan period, then, with few exceptions, it is only the NOTL Town Plan that applies to this municipality during the lifetime of each NOTL Official Plan period. Sec. 9.1.1: Replace. “The Town will develop a new 10-year Official Plan at the end of the term of this current Plan, and will seek open public consultation for the purpose of determining the specific revisions. All changes to the Plan during each 10-year period will be handled with Amendments approved by Council. Sec. 9.1.3: change “2036” to “2025”. 2. Council and Staff not allow the regional and provincial plans to take precedence over the Town plan. The Town commit to working with these other government bodies where conflicts exist. If there's any part of the Plan that conflicts with other plans, it should be to the benefit of Niagara-on-the-Lake.” specifically... Sec. 1.2.2: Change last sentence to: “Where there is a conflict between this Plan and Federal or Provincial Policy, the Regional Official Plan, or the Niagara Escarpment Plan, the Council and Staff will actively negotiate the differences in the Town's Official Plan with the relevant government body, or bodies, in the best interest of Niagara-on-the-Lake residents and established businesses.” Currently unknown, anticipated or uncertain changes to future Federal or Provincial policies, the Regional plans, or the Niagara Escarpment Plan, that conflict with the policies, plans and/or by-laws of the Town of Niagara-on-the-Lake should be the subject of negotiation with the Town Council and Staff in an open and transparent manner with public consultation. 3. Investment in the current Regionally-managed roads and land in the Municipality of Niagara-on-the-Lake (e.g., Route 55 or expansion on land in Glendale) is of critical importance to residents and businesses in the municipality and impacts the prestige and image and tourism in, the municipality. Town Council should have to provide open and transparent consultation on the future of these attributes as tourism continues to increase sharply. 4. It is recommended that the Town Council and Staff reconsider the speed with which bicycle traffic has increased in NOTL municipality over the last few years and the continuing lack of adequate cycle paths along heavily-used roads. Sec. 4.13.8 is helpful in principal, but has no teeth with regard to the real implementation of “a bicycle network separate from the pedestrian system.” There is no tangible plan with the traction to improve the safety of our visitors who prefer to “reduce the need for the private automobile”. 5. It is recommended that the NOTL Official Plan state specifically its acceptable terms for the reuse of the NOTL Hospital site, This site is adjacent to the major tourist destinations of Queen-Picton Streets, the Shaw Festival Theatres, Fort George, Simcoe Park, two major hotels and two historic churches. The Council and Staff are urged to consider this site as a contiguous part of the NOTL tourist destination, and to establish acceptable terms in principle for its intended future use on behalf of the residents and tourists in NOTL.	Bill 73 has increased the time required to review a new official plans from five years to ten years. Local municipal official plans must conform with Provincial policy and Regional official plans must do the same. It is not possible to change Growth Plan figures or to plan for a different period of time. The Province has mandated planning to 2041. Regional and Provincial policies take precedence over local plans which must conform with upper tier policies. The issue of roads and maintenance will be addressed through the Town and Region's Transportation Master Plans. Council will address the future use of the hospital site. Communications issues will be addressed in Section 9.11 of the new Official Plan. With respect to cultural heritage - see previous actions re: culture plan.

				<p>6. Include the intentions of Council and Staff with regard to Communications with residents and businesses in the municipality. The first draft omits this element of planning in the document. Possible innovations such as a web blog on the Town's website may also serve as an opportunity to pick up suggestions and opinions from the public, without having to conduct formal surveys.</p> <p>7. The "cultural heritage" language in this Official Plan extend beyond Built Heritage to the true cultural conservation being practiced on behalf of the Town by the 125-year old Niagara Historical Society &amp; Museum, in a way that mirrors the commitments made by other Councils in the Niagara Region and elsewhere in Ontario.</p> <p>The Town's Municipal Heritage Committee deals primarily with Built Heritage recommendations to Council and the Niagara Historical Society &amp; Museum deals primarily with the broader Cultural Heritage – using the above definitions of "cultural". Under the Ontario Heritage Act, it is only real property and all the buildings and structures thereon that are subject to designation for their cultural heritage value. Real property excludes chattels. However, in a special place such as Niagara-on-the-Lake, the identification, protection and promotion of community heritage is paramount – and Town archives are an important part of this need for preservation and transparency. The Town and Staff is urged to include the full expectation of cultural heritage work in this municipality that should, by the definitions stated above, include a healthy and well-managed Historical Society and Museum as an integral part of the Town's public services, and to satisfy the Town's tourism strategies.</p> <p>8. Exceptions, Sec. 4.8.6:</p> <p>EX-RES-2: Is there a typo here? The second "EX-RES-2" should be "EX-RES-3"?</p> <p>EX-RES-7: It is our understanding from a Councillor that this description is no longer valid. The "84 unit retirement residence" may have now been changed to a north-south road and townhouses?</p> <p>EX-RES-8: There is no textual description included in Draft 1 of the Official Plan. Will it be in Draft 2?</p> <p>9. Some typographical errors:</p> <p>Sec. 1.4.2: add period to end of paragraph.</p> <p>Sec. 1.5.4.1: add period to end of paragraph.</p> <p>Sec. 1.5.4.2: change "Provinces' " to "Province's".</p> <p>Sec. 1.5.6.1: change "After passage pf" to "After passage of".</p> <p>10. The "Old Town" used to be a subset of the village of Niagara-on-the-Lake. This document uses "Old Town" to include all residences outside and to the northeast of Virgil. Has the definition of Old Town now changed in Staff's documentation? Or perhaps this was just nomenclature for convenience and ease of general description of the villages in the municipality in the Official Plan?</p> <p>11. I look forward to your submission in Draft 2 regarding Mary Street and Niagara Stone Road.</p> <p>I have prepared a small summary of heritage properties adjacent to Mary Street in the Black Heritage area. Strengthening the Town's control over the Mary Street area, a gateway to our National Heritage sites, should reduce the creep of development in the Old Town.</p>	
23	14-Jan-16		Bed and Breakfast Association	<p>General</p> <p>Secondary uses of properties in Establish Residential and Residential areas are set out in paragraphs 4.8.4.3 and 4.8.5.3 respectively. In both areas secondary uses include "vacation homes ". This is neither a defined nor a precise term as it has to be interpreted to include "cottage rentals ", Villas or perhaps even vacation apartments. It is recommended that the term "vacation home" be replaced with "cottage rental" Country Inns and Villas. The language for Country Inns and Villas is very different and not always consistent. As both types of establishments are exceptions to the approved land use and both represent a form of tourist accommodation that may be appropriate where the increased level of activity can be readily accommodated on -site without disruption to the residential neighbourhood one would expect the language in section 9.13.3 and 9.13.4 to be almost identical except where the different nature of the establishments would dictate otherwise. For example a Country Inn is a hosted accommodation, and a primary residence, whereas a Villa is unhosted and strictly a commercial use of a property in a residential neighbourhood. It is recommended that Sections 9.13.3 and 9.13.4 be reviewed and redrafted to eliminate or minimize any discrepancies in the two sections that are not attributable to the different characteristics of the establishments (Country Inn vs Villa). For the record, some (but not all) of the discrepancies include: (510)</p> <p>1. The inclusion of the phrase "Generally, this applies to large lots that exceed the minimum lot area requirement of the Zoning By -law, where existing dwellings are sufficiently distanced from their neighbours so that the increase in the number of rooms has no significant impact on the residential neighbourhood and streetscape." In paragraph 9.13.3.5(a) for Country Inn, but not in the Section on Villas. 2. The lot requirements are specified in hectares in paragraph 9.13.3.5(b) for Country Inns whereas they are specified in square metres in paragraph 9.13.4.7(b)</p> <p>3. The language for amenity area of 9.13.3.5 (g) for Country Inn at 165 words versus 9.13.4.7 (c) for Villa at 83 words.]</p> <p>4. Paragraph 9.13.3.5 (h) prohibits applications for Country Inns that result from "a new home constructed, a building addition, or new construction, conversion and renovation of accessory buildings, after January 1, 1998." There is no such prohibition for Villas in section 9.13.4. With regard to point 4 above, it would appear that this paragraph is inconsistent with the By -Law 4634 -13, Section 2, Paragraph 3, which states. "Only buildings that have been occupied as a single detached dwelling for a minimum of four (4) years shall be eligible for a license. Any additions or extensions to the building that expand the number of rooms will not allow the Licensee to apply to increase the number of guest rooms available for rent until that portion of the addition or extension has been occupied for four (4) years." The reference to January 1, 1998 in a document that was drafted in the years 2002 and 2003, is consistent with the 4 year restriction in the By -Law and there does not appear to be any additional rationale for the 1998 restriction. It is recommended that the reference to January 1, 1998 be deleted and replaced with the language from the current By law 4634 -13, and consistent with the By -Law the language be applied to all short term rental accommodations, not just Country Inns.</p>	This issue was recently dealt with through an Official Plan and Zoning By-law Amendment process with public input.
24	12-Sep-14			A number of specific heritage issues including the use of 292 Regent Street, the old Lawn Bowling Club property & Estate Lot policies	The ultimate use of the old Lawn Bowling Club is under consideration. Estate Lot policies are being strengthened.
25	12-Sep-14		Niagara Foundation	<p>Complete by-law for Estate Lot conservation.</p> <p>Implement 2.6.3 of the PPS; Adopt boundaries of National District as expansion area for Queen-Picton district</p> <p>Require Heritage Impact Assessments within HCD's and adjacent to heritage properties; Develop a heritage overlay for districts and properties that would trigger a HIA; Use site planning to protect views and view corridors. Use form-based zoning; Develop a heritage design manual to educate developers and the public; Tree preservation in HCD's; No curb and gutter in HCD's; Lawn bowling club lands should remain as public park space. More detail around policies and procedures for obtaining the views of the public and incorporate Bill 73 amendments. Want a community plan for Old Town within one year of finalization of OP. Use prescriptive, definitive language. Create a Planning Advisory Committee. Wants extension of "triggers" for permitting frontage and lot depth changes including demolition, new construction, variances. Wants more robust "contextual zoning" design guidelines. Extend radius for public notice to 2000 ft. No increase in height and density for community benefit. Limit use of cash-in-lieu. Support institutions, venues that characterize Town's tourism industry. Future tourism venues should be compatible in size, scale, function. Old Town is a residential community first. Residents should have quiet enjoyment. Define character and conservation of character is important.</p>	A district study is underway. New heritage policies include requirements for heritage impact assessments. The development permit system and urban design guidelines will assist with design as with revised heritage district policies and guidelines. Tree preservation policies have been included in the new plan. Lawn Bowling Club - see above.
26	18-Jan-16	Mary Street & Niagara Stone Road Guidelines	Niagara Foundation		Policies enabling a development permit system have been included in the new Official Plan. The development permit system for these areas will be developed with public input and will assist with urban design.
27	18-Jan-16		Niagara Foundation	Various recommendations for structural components of the OP; ensuring the effective ongoing interpretation, implementation and relevance of the OP; preserving and enhancing the cultural heritage landscape;; impact of tourism on the community; wording changes etc.	<p>Requirements to include descriptions of measures and procedures for informing and obtaining the views of the public have been included per Bill 73. Updates to existing community plans and new community plans will be undertaken as time and budget permit, including plans and urban design guidelines for Virgil and Old Town.</p> <p>Creation of a Planning Advisory Committee is a decision of Council</p> <p>Preserving and enhancing our cultural heritage landscape – The plan includes cultural heritage landscape policies. Design guidelines will be developed and incorporated, along with heritage permit requirements, into a development permit system. Public notification requirements are defined in the Planning Act regulations. The decision to permit cash-in-lieu is a Council decision. Policies in the OP do not deal with specific cash-in-lieu requests.</p> <p>A cultural plan will be developed as time and budget permits. Policies have been included in the OP that provide for development of a culture plan.</p> <p>Estate lot policies have been strengthened. Additional criteria for division of Estate Lots may be added to the OP to further strengthen these policies.</p> <p>The Municipal Heritage Committee is the appropriate body to advise and assist Council with respect to determining which heritage assets are sensitive.</p> <p>Designations under the Ontario Heritage Act are registered on title. There is no legislative mechanism for registering non-designated properties and sites.</p> <p>Enhanced tree protection policies have been included in the new OP&gt;.</p> <p>Compatibility is an essential pillar of the OP with respect to Old Town and other historic areas in the Town. Will consider policies enabling the development of a tourism strategy.</p>

					Expansion of the existing heritage conservation district is being studied. The study will assist in determining an appropriate boundary for the district. Reference to Section 4.8.11 (Character) will be considered. Policies 4.8.4.5. and 4.8.4.7 anticipate that excellence in urban design will provide for some flexibility with respect to alternate forms of development. All applications will be veted through the Urban Design Committee. Density limits are determined by the overall density targets per hectare and the acceptable built form for the area. The existing Queen-Picton permitting system will be dealt with in the Queen-Picton Heritage District Plan. Conservation of character is a town-wide goal. Will take the proposed wording changes under advisement.
28	21-Aug-14	2203 Niagara Stone Road	St. Davids Investments Ltd	Change designation from Residential to commercial	Will consider mix used designation.A1
29	22-Oct-15	Niagara Stone Road	Hummel Properties Inc.	Purchase of properties along Niagara Stone Rd. in Virgil. Wants industrial designation changed to residential.	These lands could be suitable for mixed use development. Policies for mixed use will be included in the Plan. The owner is encouraged to apply for an official plan amendment.
30	08-Jun-15	615 Concession 5 Road	Farm & Farm Winery Owner	Changes to farm winery official plan policies to relax requirements for where fruit is grown & size of secondary use space such as retail area	The new official plan contains policies (Section 3.2.8.3) addressing these issues. The implementing zonign by-law will address the size of retail space.
31	29-Jul-13		The Conservancy	Public use of Melville Street Dock (Dock Area) should be spelled out in the OP; Spell out open space and conservation area uses, especially around public docks; Doesn't like the Vision Statement & feels it shouldn't be in OP; Protect the Town's non-commercial values such as heritage, natural heritage, estate lots, tender fruit lands.	Refer to the Dock Area Secondary Plan for public use of the Melville Street dock. The new plan also addresses heritage, natural heritage and estate lots and is in conformity with the Greenbelt Plan.
32	18-Jan-16		NOTL Conservancy	Assumption that Town must meet same intensification targets as other larger municipalities. Region is redirecting growth to southern tier. Don't leave emphasis in OP. Gives leeway for intensification of ER designation & division of Estate Lots. Weakness in some language of OP – non proactive. Populations projections based on old data. Permissive language for destructive development in key parts of OP – eg. Potential for lot creation on Estate Lots, apartment in Queenston (Laura Secord site). Melville dock has no specific wording indicating it is a public dock with public access in the future. Growth strategy - projected figures are from 2009 – Region's GCR not finalized – bulk of growth doesn't have to be in Niagara-on-the-Lake but to St. Catharines. No airport boundary expansions – traffic, noise, loss of farmland Upper tier targets for greenfield areas don't have to be applied locally. Objectives of intensification policies should be to protect heritage and cultural landscapes and low density nature of ER designation. Shouldn't be an intensification target of Built Up areas – makes lot division too easy. No need for 4.8.4.5 – if kept would be used to justify an application that can't meet other tests of the Plan Queen-Picton Plan guidelines should be used as community design guidelines in areas that have potential to become HCD's. Develop model heritage protective guidelines. Use varied street patterns in new development i.e. Chautauqua. No medium density development adjacent to parks. Height – 11 metres or less is not accurate – should not as of right be mofe than 27.89 (8.5 metres). Take out this statement. Need a private property tree by-law. Expand Queen-Picton further than proposed in schedule including areas outside urban boundary and including Dock Area and south to Mary St. Name other potential HCD's. Pay attention to human scale historic street lighting no LED lights, lights too close together. Language for Estate Lots too permissive. OP should not promote intensification of Estate Lots. No subdivision. Mary St. Design Guidelines – don't break Mary St. into 4 parts – allows for spot zoned commercial intruding into residential. Lot sizes requirements for Country Inns should be firm otherwise require an OPA	The Town will continue to work with the Region on its growth strategy. We are required to intensify - but with the character of the Town in mind. Urban design guidelines will assist with this. See previous comments regarding tree protection policies and expansion of the heritage conservation district. It is not possible to name other potential HCD's at this time. Staff will continue to work on both the Mary Street and Niagara Stone Road urban design guidelines. They will not form part of the new official plan.
33	10-Dec-15			Mary Street West park concepts. This is a dangerous area for traffic. Drivers go through the stop sign. Favours park concept that shuts down Mary Street from Nassau to Mary/Lakeshore. Wants expanded park area. More trees, feature plantings & pedestrian walkway marked in pavement.	See comment above.
34	15-Jan-16	Queenston Dock	Whirpool Jet Boat Tours	On behalf of both Mr. Kinney and D.G. Bawtinheimer Ltd. owners of the Queenston Dock. Limiting submission to Queenston and Dock Area plans. Plan must recognize past decisions of the OMB, the NEC and Ontario courts relating to legal non-conforming status of the Jet Boat operations. Ontario Court recognized legal non-conforming use of Melville Dock for Jet Boat. Upheld by Court of Appeal. Queenston Dock is private. Town has no waterfront property in Queenston. Only accessible over lands owned by NPC. Also bring in Homeland Security and Transport Canada's marine security program. Plan needs to recognize significant changes in border security since the plan was last updated – should be considered in all policies relating to public access to the waterfront.; Recognize Queenston Dock as private and access is at prerogative of property owner, Dock Area – Jet Boat maintains and owns commercial facility at 61 Melville St. for sale of tickets, car parking, administration. Leases the dock from the Town. Doesn't like the idea of "districts" in the Secondary Plan. His property at 61 Melville Street would be restricted for development while Anchorage Property (Shaw Festival) would have no such restrictions. Unacceptable. Will take legal action to opreserve existing commercial rights and opportunities at 61 Melville St.; Wants to review and make comment on additional drafts prior to OP submission for approval.; Provided specific list of changes to Queenston Community Plan and Dock Area Plan.	There is no intention to amend the secondary plans at this time.
35	18-Jan-16			Lack of information that identifies uniqueness of agricultural industry in specialty crop area of NOTL. Doesn't include best management practices by farmers including protection of watercourse. No information about uniqueness of specialty crops and impacts of naturalized areas on crops. Title on Schedule 1 – not just natural heritage features but also constructed features. Other info attached.	The consultant will consider the comments and take a look at the Protected Countryside policies.
36			Knizat Farm Inc.	Wants to build a scond house on the farm and 1075 Airport Road and also have a permanent help house on the site rather than a seasonal help house (the farmhouse currently on the site).	Not possible under the Greenbelt Plan. However, non-seasonal help houses are permitted.
38	15-Jan-16	1981 Niagara Stone Road	Oast House	Purchased 7 acre block (1981 Niagara Stone Rd) on south side of brewery. Land not farmed for at least 30 years Empty house in poor repair on property. Not large enough to be viable farm. Needs to be flexibility in plan for tourism/commercial/agriculturally related uses (for this property?) Important that Town recognize the corridor for its economic potential. Integrate economic growth into rural area. Need flexible range of uses for corridor.	Policy 3.2.14 speaks to Niagara Stone Road as a special policy area. The Town is looking for some flexibility within the Greenbelt Plan.
39	04-Jan-16	Palatine Place		Wants to maintain residential designation from old OP; Wants conservation designation removed from treed area of property or at least not apply to the entire property. Trees on the property were planted by him over the years; PSW Section 7.5.1 – One Mile Creek passing through urban area of Old Town has only a small drainage area that does not support definition of a PSW. Feels that PSW should only apply to rural lands or specific lands owned by the Tow, Region or Province. Residential properties should be excluded and the OP should be amended to reflect this; Landsdowne Pond is a significant cultural heritage resource and should be added to the Heritage Resource Register with re-establishment of original condition (has provided documentation). Community wants to establish pond and surrounding area to its original function for heritage value to community; Storm Water Management & Control – Sections 4.12, 7.13, 8.3 and 8.6 – Flood storage capacity of OMC will be significantly reduced through replacement program of 5-culvert sections in Old Town. Significant flood storage volume is currently lost to flood control under high flow conditions causing property damage, soil erosion, high sediment transport. Not identified for long-term study. Exposure to legal risks by Town not identified. Need a comprehensive cost/damage assessment before replacing culverts.	These are issues that should be brought to the Niagara Peninsula Conservation Authority for consideration.
40	14-Dec-15		St. Davids Ratepayers Association	Wants Town to move quickly to work on community plans, transportation master plan and zoning by-law after OP is approved. Wants control over zoning by-law amendments (not allowed) until OP is approved; Take population density metrics, percentage of resident types should be taken out of schedules and put in the main body of the plan – use 2015 density and resident type percentages as base line to compare with end-of-plan estimates; Use Canadian spelling.	Work on community plans and other plans will be initiated as time and funds permit.
41	02-Jul-14		Music Niagara	Encourage adaptive reuse of older buildings for cultural industries. Music Niagara is seeking a permanent home. Concert hall site should reflect the heritage and character of Niagara-on-the-Lake.	Adaptive re-use is recognized as central to the conservation of built heritage resources.
42	19-Oct-14	1644 Niagara Stone Road & West Side of Concession 7 south of Queenston Road		Will it be included in the urban boundary after the current OP review?	The lot will not be included in the urban boundary. It is located in the Niagara Stone Road special policy area.
43	15-Jan-16	Concession 7		Owner has an interest in lands hatched in red on the attached schedule to the Draft Official Plan. We note that the lands to the north are shown as a possible urban area expansion. That area consists primarily of single detached dwellings which would be abutting by future industrial uses. It would seem appropriate to consider the future use of the subject lands outlined in red as a potential residential area. The lands are separated from other employment lands by a large creek and as such should be considered for other uses. We note that this is the first Draft of the Official Plan and that there will be revisions. We would appreciate an opportunity to discuss the future of these lands in detail with Planning Staff before a second draft of the Official Plan is prepared. We would also appreciate being given notice of any future deliberations regarding the Draft Official Plan or actions by Town Council in this regard.	See Employment Lands policies in Glendale.

44	18-Jan-16	Glendale		<p>Lands in Glendale currently designated Employment (see schedule - on northeast side of the creek north of York Rd, west side of Con 7 south of Queenston Rd) – wants consideration to change to residential designation. Also wants confirmation in writing that the urban boundary along the north portion of the property follows the top of bank. Contends that the urban boundary should follow the centreline of the creek to allow flexibility in interpretation of location of land within urban area boundary.</p> <p>Further to my email below I have further clarification from my client. His issue is that the urban boundary should follow the centreline of the creek. The top of bank is flexible and subject to interpretation. As such land that may be developable may be outside of the urban boundary based on the originally plotted top of the bank. In addition the NPCA does allow for cut and fill operations subject to their regulations and again lands that may be developable may be outside of the urban boundary based on the revised top of bank. This then suggests that if a cut and fill operation were approved it may result in the need for an urban boundary adjustment which in turn may require a costly amendment to the Official Plan. This situation would not happen if the urban boundary were to follow the centreline of the creek as opposed to the top of the bank. Our request is that the urban boundary as it affects my clients property be drawn to clearly follow the centreline of the creek. We would be pleased to meet with the Planning Staff or Planning Consultant to discuss this issue and we request a written response to our request.</p>	These lands are proposed to be included in the Glendale Study Area. See above.
45	18-Jan-16	1664 Niagara Stone			see above
46	07-Mar-16	223-227 Mary Street Mary Street Design Guidelines		Mary Street Urban Design Guidelines - Height limits of 2-3 storeys not sufficient. Should be a 4 storey height limit in the transition area since it abuts Mary Street commercial node. Residential densities too low. Should be 30-40 units per acre for an apartment building. Notes conflicts in policies dealing with height and character.	The Mary Street Urban Design Guidelines are not included in the current draft of the Official Plan. The guidelines will be finalized at a later date.
47	15-Jan-16			<p>Need to recognize that Region has reduced intensification targets in the Town from the overall regional targets. Important for role of natural environment and maintaining character of the Town.</p> <p>Potential conflicts between strategic pillars when it comes to environment &amp; heritage vs. the economy. Need mechanism to maintain balance and resolve conflicts. In order to develop active transportation inclusion of new sidewalks and bike lanes may result in loss of mature trees. No recognition that Growth Plan should complement the character of surrounding neighbourhood. Healthy neighbourhoods need to ensure growth enhances scenic beauty and character of the Town not just maintain it. Acquisition of Parks Canada &amp; NPC lands should be for public purposes not development. Doesn't like the grid pattern of streets. Wants views from dock on Melville accessible to public. Town Dock accessible to public. No telecommunications towers in residential neighbourhoods. Private tree by-law. Jet Boat area should be improved as was promised. Don't shift parking lot on Nelson St. closer to residences.</p>	Enhanced urban design guidelines and a development permit system will address many of the concerns regarding character and healthy neighbourhoods. Sustainability is a pillar of the plan. There is no intention to acquire lands under the jurisdiction of Parks Canada or the NPC and both have indicated that they will not develop these lands or sell them. There is a Telecommunications policy and protocol. The Dock Area Secondary Plan will not be amended as part of the official plan review. There are tree protection policies in the new official plan.
48	07-Dec-15			Use AODA approved colours on maps; Heritage policies appear to apply only to Old Town More specific protection for entire community please;! Sections 6.1.1.9 & 6.1.1.10 should apply to more than just Virgil and Old Town – should apply to all urban areas; Estate Lots only mapped and protected in Old Town. There are other similar lots in other communities – deserve similar protection; Active Transportation – gaps in network, particularly in St. Davids – should be addressed; Trails should be tied better with Communities in Bloom projects and important trails like Laura Secord Trail to make integrated network; Complete new St. Davids Community Plan before new OP is finalized otherwise there may be conflicts in plans. Growth planning for St. Davids (2.4.2) is unrealistic – puts too heavy burden on community; Drainage aspects of plan don't take climate change or new Intensity Duration Frequency curves into consideration. Climate change should be considered in the OP.	The heritage policies apply to the entire municipality including outside urban areas. Active transportation policies are in the new OP. Community plans will be completed and/or updated when time and funds permit. The Province expects local government to consider climate change in their documents.
49	29-Dec-15	1391 Four Mile Creek Road		Property shown on Schedule B3 as being designated Commercial. Client had OPA and ZBA to have property designated residential (EX-RES-9). Please amend schedule; Strip of land abutting Mr. Poursandis' property to the south was part of Virgil Industrial Park. Constructed as a landscaped berm to provide protection from industrial uses for existing residential uses on Niagara Stone Road. Strip is shown as Commercial. Not planned as such. Asks that it be designated Open Space to reflect its existing function.	This will be addressed in the second draft.
50	06-Jan-16	217 Concession 5 Road		Consideration to amend land use designation on property at 217 Concession 5 Road which currently contains a house. Wants permission for residential infill.; Property is in the Niagara Escarpment Plan Development Control Area and outside the urban area boundary of St. Davids.	Not possible under the Greenbelt and NEC Plans.
51	09-Feb-16	1665 Four Mile Creek Road		Wants residential designation not community facilities	Will be addressed in the second draft.
52		254 Queen Street		<p>Remove Section 1.4.4 reference to steady population growth and shift in demographics from youth to seniors unless it can be verified; Section 2.3.11b) mentions broad range of demographic groups including working age population and baby boomers. Doesn't understand why Plan is being structured for baby boomers. Don't centre a long-term plan around them. Structure plan around multiple generations. Plan for and attract younger generations; Section 2.6 – misplaced generational focus. Reality does not reflect sustainable, healthy, walkable community. Address these issues specifically based on community needs and support with data based on population growth forecasts by age groups and demographics. Outline potential steps that could be taken to hold groups responsible for maintaining levels of service. Hold other agencies accountable.</p> <p>Section 3 – Agriculture – changing minimum of 20 acres for Estate Wineries to 10 acres is detrimental. Questions motivation for this; OP is lacking in details, short sighted and focuses on baby boomers. Does not address need for regaining lost services and wouldn't meet its own intent of sustainable, complete communities without addressing issues; No formulae, no metrics, no specific population density limits, no traffic density limits, no mention of current infrastructure capacity to sustain growth; Amounts to large document of intent. No details of execution; Need specificity and accountability.</p>	The Plan is not intended to centre around baby boomers but the population figures verify the number of retirees vs. youth. The plan will address ways to attract a younger demographic. The minimum size of Estate Wineries will be addressed in the second draft based on comments received. The OP is a policy document. Implementation will be through in the Zoning By-law and in other municipal by-laws.
53	22-Jul-13		Trinity Lutheran Church	Permission to develop housing at the church which is outside the urban area boundary	The church is located in the Niagara Stone Road special policy area. The Town is seeking some flexibility when considering existing uses in this area.
54	12-Sep-15			Development Permits – good idea for minor variances but need enforceable safeguards in the OP; Be aware of cumulative impact of change such as wineries requesting special events and entertainment venues. What is the impact of many wineries receiving permission? Effect on residents? Should be a set time to complete a project once permission is received. Forfeiting development rights could limit the concept of “flipping” property.	The Development Permit Systems contain a number of safeguards. Special events policy in the plan. Other issues can be dealt with outside of the OP policies.
55	26-Mar-14			Need a Virgil by-pass to alleviate congestion; Encourage a better mix of merchants on Queen St for local residents.	There is a Virgil by-pass.
56	19-Jan-16	Niagara Stone Road Design Guidelines		Three main concepts require further discussion in report: 1. Protection of connections to agricultural landscape.; 2. Treatment of urban areas as tight nodes, clearly differentiated from connecting links.; 3. Appropriate scale, style of development to create new centre core for Virgil. Study area should also include section from Con 6 to Homer; Clear conceptual diagram is lacking. Planning controls to ensure that road is not over run by wineries, breweries, farm markets etc. – they are interruptive to connections to land and traffic. Old Town, Virgil, Homer should be clearly defined nodes. Development should be limited within these nodes. East-West Line/Niagara Stone has become a secondary node – but should not be further developed as one. Draft design guidelines don't address this.- connection to agricultural land being lost. – if development proceeds it should be clearly different from agri-commerce. Report doesn't provide picture of what Virgil is intended to look like. What is intended attitude to the road itself? Needs an overall image. Is it a village? What is process to achieve high standard of building design and landscape? Will outside professionals be able to provide input? Landscaping should be part of both the developer's and the town's responsibility. Encourage screening for parking. Signage – ground related or incorporated into building design? Shared parking is positive approach – reduces number of outlets on to Stone Road. Continue use of combined use trails. Likes 2 storey height limit.	The Niagara Stone Road Urban Design Guidelines will be dealt with at a later date. They will not form part of the new Official Plan at this time.
57	21-Oct-14		Pillitteri Winery	Changes to Alcohol and Gaming Commission rules allowing wines with only 25% Ontario grape content to be sold in storefront wineries & at retail stores on estate wineries. Need to maintain minimum amount of planted grapes on estate wineries and limit size of retail space on farm wineries.	We are doing all we can within the policy framework to address protected countryside issues.
58	16-Dec-16	1287 Niagara Stone Road		The urban property cuts off a small wedge shape in the SW corner of her property. She would like to request a minor variance of the urban boundary line to include this piece. It would then also be designated as R1 in the new Official Plan. It is our understanding that according to Section 9.2.4.3 minor variances of the urban area boundaries to follow existing property lines can be made at this time.	This will be addressed in the second draft.
59	11-Jan-16	N/S Queenston Road		<p>The configuration of these lots is shown on the Property Index Maps enclosed herewith as Exhibit No. 1 A and 1 B. The former road allowance which divided the two lots was recently acquired by Ms. Yerich from the Town to form part of the southerly lot. Exhibit No. 2 is Schedule B4, the Land Use map for St. Davids and area, showing the subject lots in the upper left hand corner highlighted in red. The map did not distinguish between the two lots as they currently exist. As can be seen in Exhibit No. 2, a substantial portion of both lots is proposed to be designated Conservation. Our clients object to this designation as it does not reflect the reality on the ground. Enclosed herewith as Exhibit No. 3 is a booklet containing a series of photographs indicating the current status of both lots. There formerly existed on these properties a vineyard which had been allowed to become wild and overgrown. We suspect that aerial photographs showing the vineyard in this decrepit state have caused the Conservation designation to be proposed. As can be seen in the photographs, the lots have been cleared and readied for agricultural use. It is the intention of both of our clients to use the lots for agricultural purposes, not for conservation purposes. There is only a small area of trees on the northerly parcel adjacent to Concession Road.</p> <p>The Official Plan, in its present form, states in Policy 7.2.2 that lands designated on Schedules BI to B6 as Conservation are a part of the Natural Heritage System. There are no policies specific to the Conservation designation. Policy 7.2.3 provides that the natural heritage system, referenced in Policy 7.2.2, is generally composed of Key Natural Heritage Features and Key Hydrologic Features, as identified in the Greenbelt Plan. Policy 7.2.4 states that Key Natural Heritage Features include a number of types of features. None of those features, so far as we are aware, apply to the subject lands. Certainly there is no significant woodland on the subject property nor is there significant wildlife habitat as can be seen from the photographs. Similarly, we are not aware of any Life Science Areas of Natural and Scientific Interest (ANSI). An examination of Schedule 4 to the Greenbelt Plan, 2005 fails to reveal any Natural Heritage System Features on the subject lands. We note that the existing Official Plan designates the subject lots Agriculture with the frontage of the Yerich lot on Queenston Road designated for Non -Farm Rural. There is a Conservation designation lying to the east of the subject properties but none save for a very small sliver on the subject properties themselves. A copy of Schedule D to the current Official Plan is enclosed herewith as Exhibit 4. In summary, we can find no evidence to support the proposed Conservation designation on the lots described in Exhibits 1A and 1B. In the circumstances, we request that the Conservation designation be removed from the lots described in Exhibits 1A and 1B in Schedule B 4 and returned to a designation of Specialty Agriculture. We also request that Schedule C to the draft Official Plan, entitled "Natural Heritage Features ", be amended to delete the woodlots designation which appears to be placed on the subject property.</p>	This will be sorted out in the next draft. We will continue to work with the Owner and the NPCA.

60	14-Jan-16		NOTL Writer's Circle	Cultural planning is a crucial role for local government. Develop a culture plan that addresses administration, investment, art in public space, facilities, special events, marketing, cultural tourism, economic development, programs & education. Create a Town cross-department culture team to ensure the culture plan is consistently applied to all Town planning and development activities. Create a cultural council or committee to develop joint branding and marketing program for cultural activities. Create a staff position (arts, heritage or cultural coordinator) – or do so on fee for service basis. Establish a cultural fund in addition to securing grants and other means of support.	There are policies in the new OP speaking to development of a culture plan.
61	14-Jan-16		Niagara Pumphouse Art Centre	We look forward to participating in the development of the Town's Official Plan and are encouraged by the Town's recognition of the importance and relevance of the Arts to sustaining and growing our community in a manner that will not only ensure a high quality of life for its residents but allow it to play an integral role in the development of the Niagara Region. We are also incredibly pleased to learn that the Plan appears to be in direct alignment with the Mission, Goals, and Values of the Strategic Plan we are developing and will be officially released in March of this year. As an established Art Gallery and Art School in the community, and given the historical nature of the building as well as its extraordinary location on the Niagara River, The Niagara Pumphouse Arts Centre is totally unique and is in the exceptional position to make a significant contribution to the achievement of many of the Town's goals. In addition, the Niagara Pumphouse Arts Centre has the skills, knowledge, and experience necessary to work in partnership with the Town in fulfilling critical elements of the Plan as it relates to Heritage and Culture. To that end, please accept our following comments and recommendations which have been developed to address specific elements of the Official Town Plan. Much research has been devoted to determining the benefits of culture-led economies and as a result the Ontario government has stated that one of its key priorities in strengthening the economy is to encourage and support municipalities in developing cultural plans in which economic development is driven by the cultural sector. According to the Conference Board of Canada (2007), for every dollar a municipality spends in the creative sector results in \$7 to \$13 in economic activity. And according to the United Nations report The Creative Economy Report that was built on a 3-year international study of growth in cultural goods and services, the creative goods and services sector has grown at an average annual rate of 14% over the past 6 years, with the potential to become one of the most dynamic sectors of the world economy. Therefore, investing in the development and coordination of our cultural/historical/heritage assets and resources is critical to our sustainable growth and development. It is the major driver that will attract people to live, work, play, and invest in our community. Niagara-on-the-Lake is well positioned to implement such a strategy due to its strong reputation as a center for culture and heritage. To effectively take advantage of this established reputation, and fully exploit the potential of the growing "Enrichment Tourism" (an even more inclusive term that broadly groups learning travel, cultural travel, ecological travel and cuisine experiences) market. Niagara-on-the-Lake must strengthen and support its cultural and heritage sector by creating a municipal Cultural Plan that effectively creates greater capacity and coordination between all its cultural/historical/heritage assets and create a 'brand' that is place based rather than driven by individual attractions or events. It is clear that the following goals should be incorporated into the Official Plan: Strengthening the management and capacity of our cultural resources, and integrating those cultural resources across all facets of local government planning and decision-making. Municipal Cultural Planning must be part of an integrated, place-based approach to planning and development that takes into account the four pillars of sustainability: economic prosperity, social equity, environmental responsibility and cultural vitality. Our history and rich cultural heritage is the bedrock and source of a shared identity that will not only provide social cohesion as the Town continues to grow but be recognized as the foundation of our 'brand' and place-based marketing efforts. Our natural heritage and rural landscapes are critical as defining characteristics of Niagara-on-the-Lake and to be celebrated and preserved. Cultural resources and activities become the base upon creating the social, economic and cultural hubs across Niagara-on-the-Lake. Our growing diversity is established as a cultural value and a source of strength and vitality that will underpin our sustainability and growth. Ensuring cultural programs and activities are accessible to all community members and visitors throughout their lifetime will enhance our quality of life and appeal to a broader market. To accomplish these goals, it is essential that the following strategies be clearly enunciated in the Official Plan. 1. Developing a Cultural Plan is a priority action; 2. Developing and supporting a Public Art Policy must be a vital element of the Cultural Plan; 3. A Cultural Committee or Council must be established to create the Cultural Plan and strengthen the coordination and collaboration among all its cultural organizations and assets. Key organizations representing Cultural Heritage, Arts & Culture and Built Heritage should be permanent members of the Council and play leadership roles. This could include the Niagara Pumphouse Arts Centre, the Niagara Historical Society and Museum, The NOTL Public Library, The NOTL Writers' Circle, The Horticultural Society, and the Community Center. The Town must create a funding mechanism that can adequately support the implementation of the Cultural Plan on a reliable and ongoing basis and support the continued growth of its key cultural/heritage organizations; 4. The Cultural Plan must be incorporated in and made consistent with all economic strategies and policies of the Town; 5. The Town must create the role of a Cultural Coordinator or appoint an existing group/organization to fulfill that role and provide the necessary resources to ensure that the mandate is implemented in a highly effective manner; 6. In keeping with these goals, The Pumphouse Art Gallery and Art School should be recognized as the Community's official 'Art Centre' that has been and will continue to be supported by the town. Due to its connections to the art community and in-house expertise, it should be appointed as the Town's agent to oversee the research, development, and implementation of a public art policy (through a community engagement process and reporting to the Cultural Committee), providing it with the necessary resources.	Many of these issues will be dealt with through the municipal culture plan. Proposed staffing will be dealt with through the culture plan based on Council direction.
62	14-Jun-14			Wonders what the plans are for landscaping streets and installing tasteful signage especially at the gateways to the Town; in parks such as Simcoe Park and boulevard along King Street from Queen-Picton to Mary Street; Aesthetics is important in the preservation of and the heritage of this precious town.	The Town is developing urban design guidelines for the municipality.
63		721 Line 1 Road		Change residential portion of property to all commercial	
64	08-Sep-15		Communities in Bloom St. Davids Subcommittee	Preserve community; Pedestrian safety; Environmental protection; Enhancement of St. Davids public realm Bicycle & walking trails; Tree replacement; Traffic management; Commercial development; Will be submitting a report.	New policies in the OP will address complete streets, active transportation and tree protection. A new community plan will be developed after the OP is approved and when funds are available.
65	03-Feb-14			Prescribed setbacks noted on pesticide labels by pesticide companies could be problematic. For example 7 m from water course, natural area. It is easy to see that if there is a 15 m setback from a feature that government one day will label as 35m wide(15 m (setback) + 5 m (water feature) + 15 m(set back)). Growers will then add the 7m setback by the pesticide company to the 35m wide feature. The solution is to never include the setback in the feature width and stipulate that the setbacks are for buildings only (and agricultural buffer strips are needed for maintenance only); Discussion around drainage ditches vs creeks etc. If drainage ditches were in 100% top notch maintained condition then by definition they would never hold a cup of water. We must never call our drainage ditches anything but what they are- drainage ditches. If the NOTL did not pump water into the top of the drainage ditch system then they would be bone dry. The solution is to be honest about base flow and these water courses must be classified separately. The grower community is really ticked when man made drainage ditches are called fish habitats. They are deeper road ditches by use of moving water away; Discussion around secondary housing etc. Agree that seasonal worker housing is paramount but this is where it stops. If a grower's son wants to slowly take over then either he buys a house in town and commutes 2km or kick the parents into town and they can commute 2km or don't sell off that surplus farm dwelling on the farm down the street that you just bought. Farm land is needed as well as support buildings but houses belong in the subdivisions. It makes no sense to allow a grower to chop out a surplus farm dwelling and then build a secondary residence; The solution is to permit the severing of surplus farm dwellings by the buying farmer and which is not necessarily a contiguous land parcel.	Staff at the Region, Town and NPCA are dealing with the natural heritage features issues and setbacks. We appreciate the input on pesticides and surplus farm dwellings.
66	24-Apr-15	Line 2 @ Four Mile Creek Road	McMahon Consulting	Wants land with frontage on Line 2 and Four Mile Creek Road included inside urban area boundary	If any portion of the land is located inside the urban area boundary, the land can be included in the urban area boundary. If it is entirely outside the boundary, it will remain outside.
67	07-Dec-15	Plan M1, Pt. Lot 105 Parcel 105-1		Concerned about the approximately 10 acre woodlot on the property which is now identified on Schedule B-1 as Conservation. Not designated in existing OP. Want it removed and returned to Specialty Agriculture.	Natural area identified by the NPCA. The NPCA should be contacted.
68	07-Dec-15		Association of Lakefront Owners of Niagara	Draft 1 doesn't clearly recognize that farm operators are residents along with non-farm residents who live in Protected Countryside (PC). Recognize their lifestyle more clearly in policies to protect them for changing activities in Protected Countryside; Concerned that plan encourages visitors in PC but doesn't provide guidance for farm operators or visitors to protect residents from many aspects of operating agricultural industrial area; Eg. Noise – ag. Industries can be noisy. Normal things such as anti-frost wind machines and bird bangers are operated responsibly – but weddings, special events encourage to improve economic viability – results in loud music and noise that continues well into the night – intrudes on life of farm and non-farm residents; Existing OP policies and site specific by-laws haven't succeeded in creating compatibility required for co-existence with farm and non-farm residents; Policies in existing OP such as Planning Impact Analysis and Special Events policies should be more clearly enunciated and added to new OP and also potential operating criteria such as hours of operation, decibels etc; Reduction in size of Estate Wineries from 8 to 4 hectares – not sufficient to provide buffers necessary for uses that may not be compatible. No objections to smaller properties being considered as estate wineries – but required more specific criteria regarding compatibility; Concern that OP encourages visitors into the PC to add value to agriculture but provides no guidance to protect visitors from aspects of an operating agricultural industry; Significant concerns with required setbacks from hydrologic features in Section 7.	There are policies in the OP dealing with special events and estate wineries. Staff will look at the policies to see if they can be strengthened. However, the OP is a policy document. Issues around hours of operation, decibels etc. will be dealt with through other planning documents and by-laws. The minimum size of estate wineries has been increased in answer to concerns expressed during the public input process.
69	15-Jan-16	721 Line 1 Road	DTZ Niagara - Hamilton Corridor	Subject property has been purchased by his client. Currently has a split designation – residential/commercial. Wants commercial for entire property with suitable buffer adjacent to residential properties. John's comment – concern for residences – perhaps better to have mixed use.	It is possible to change the designation. Mixed Use designation may be the best option.
70	07-Dec-15	Lakeshore Road, Pt Lot 105, M-1		10 acre woodlot located on property is identified on Schedule B-1 - Land Use Plan as Conservation. Not previously designated as such in the existing OP. Requesting it be changed to Specialty Agriculture as previously designated.	See above. Needs to work with the NPCA.
71	21-Dec-15			How high (number of stories or meters) are low rise apartments to be under the proposed intensification?; Is the wording concerning new servicing of rural and near rural properties (ie requirement to connect to municipal water and sewers upon availability of services) new or changed? Would it or is it only to apply to new development, or for all affected properties?; I have already heard negative rumblings about this possibility from fellow residents who believe it may be applied forcibly to all properties that have wells and septic systems, for instance. But the connection requirement has not been the case historically as far as I have been aware.	The number of storeys or height of low rise apartments are determined by the height limitations in each of the land use designations. There is no intent to extend services beyond the urban area boundaries and there is no intent to force those in the protected countryside to force homeowners to connect to municipal services.