

PART E – PLAN IMPLEMENTATION AND ADMINISTRATION

E1 PLAN IMPLEMENTATION AND ADMINISTRATION

E1.1 ZONING BY-LAWS

After this Official Plan is approved by the Region of Niagara, a review of the City's Comprehensive Zoning By-law shall be undertaken to ensure that it properly implements the policies of this Plan.

E1.2 TEMPORARY USE BY-LAWS

The City may pass temporary use by-laws that apply to private or public land. These temporary uses may be authorized for a time period of generally three (3) years with the exception of garden suites which may be authorized for twenty (20) years. Extensions to a temporary use by-law may be considered by Council, however once a temporary use by-law has lapsed, the use will be viewed as contravening the Implementing Zoning By-law.

Prior to the approval of a temporary use Zoning By-law, Council shall be satisfied that the following principles and criteria are met:

- a) The proposed use shall be of a temporary nature and shall not entail any major construction or investment on the part of the owner so that the owner will not experience undue hardship in reverting to the original use upon the termination of the temporary use;
- b) The proposed use shall be compatible with adjacent land uses and the character of the surrounding neighbourhood;
- c) The proposed use shall not require the extension or expansion of existing municipal services;
- d) The proposed use shall not create any traffic circulation problems within the area nor shall it adversely affect the volume and/or type of traffic serviced by the roads in the area;
- e) Parking facilities required by the proposed use shall be provided entirely on-site;
- f) The proposed use shall conform to Provincial, Regional and Local policies;
- g) The proposed use should be beneficial to the neighbourhood or the community as a whole; and,
- h) The owner has entered into an agreement with the City and/or posted securities, if necessary, to ensure that structures associated with a temporary use provision can be removed upon expiry of the by-law.

Note: As modified by the Ontario Land Tribunal, March 16, 2021 through OPA 06, By-law No. 60-2019

E1.3 HOLDING PROVISIONS

In accordance with the Planning Act, Council may use a Holding (H) symbol in conjunction with the zoning of land to prohibit development until specific conditions of the City have been met. These conditions may be set out in the policies applying to the land use designations in this Plan or

may be specified within the language of a Zoning By-law Amendment. The objective of utilizing a Holding Provision is to ensure that:

- a) The appropriate phasing of development or redevelopment occurs;
- b) The completion of any technical study or plan;
- c) Development does not proceed until services and utilities are available to service the development and all associated financial requirements are satisfied; and/or,
- d) Agreements respecting the proposed land use or development are entered into and any other specific conditions of approval have been fulfilled.

E1.3.1 Conditions under which Holding Provisions will be removed

The requirements for the lifting or removal of Holding Provisions will be specified in the By-law adopted by Council to establish the Holding Provision. However, the following are considered to be appropriate requirements for the establishment of a Holding Provision:

- a) The completion and execution of Site Plan, Development or other types of agreements;
- b) The payment of fees and charges owing to a public authority;
- c) The provision of adequate water and sewer servicing;
- d) Obtaining a license or permit required under a legislative authority other than the Planning Act; and/or,
- e) The fulfilment of requirements or recommendations of a technical report, such as an Environmental Impact Study (EIS).

E1.4 SITE PLAN CONTROL

All areas of the City are designated as proposed Site Plan Control areas under the provisions of the *Planning Act*. Specific uses subject to site plan control shall be identified in the City's Site Plan Control By-law passed under the provisions of the *Planning Act*.

The intent of a Site Plan Agreement is to ensure that any proposed development is designed to be compatible with adjacent development, appropriately serviced and accessed and otherwise in conformity with the goals and strategic objectives of this Plan. Any required site plan agreement shall deal with the following, as appropriate:

- a) Road widenings;
- b) Location of vehicular access points;
- c) Loading, parking and driveway locations;
- d) The surface of loading, parking and driveway areas;

- e) The location and design of walkways and walkway ramps,
- f) The location, massing and conceptual design of any buildings and structures;
- g) The location and type of lighting and landscaping;
- h) The location and type of garbage storage;
- i) The location and nature of easements;
- j) The grade and elevation of the land;
- k) The type and location of storm, surface and wastewater disposal facilities;
- l) The location and type of snow removal facilities;
- m) Exterior design including character, scale, appearance, and design features of buildings and their sustainable design;
- n) Sustainable design elements on any adjoining highway including trees, shrubs, hedges, plantings or other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers and bicycle parking facilities; and,
- o) Facilities designed to have regard for accessibility for persons with disabilities.

In accordance with the provisions of the Planning Act, RSO 1990, items m, o and p shall apply only to residential buildings greater than 25 units. These provisions may also apply to residential buildings with less than 25 unit buildings, but only in the *Downtown*, *Downtown Transition* and *Urban Living Area* designations.

Site Plan Control may also be utilized to formalize and/or implement the recommendation(s) of an EIS prepared in support of site alteration or development within or adjacent to Natural Heritage Features identified in this Plan.

E1.5 MINOR VARIANCES

In accordance with the *Planning Act*, Council will appoint a Committee of Adjustment for the purpose of hearing applications for relief from a provision or provisions of the City's Zoning By-law.

In determining whether to approve an application for a minor variance, Committee will need to be satisfied that the application meets the four tests:

- a) That the requested variance conforms with the general intent of the Official Plan;
- b) That the requested variance is in keeping with the spirit and intent of the City's Zoning By-law;
- c) That the requested variance is appropriate for the desirable development of the lot; and,

- d) That the requested variance is minor.

In making a determination of whether a variance is minor as required in E1.5 (d), Committee will have more regard for the degree of impact which could result from the relief and less regard to the magnitude of numeric or absolute relief sought by the applicant. In addition, applicants who request a minor variance should be prepared to demonstrate a need for the requested relief on the basis that the subject zoning provision is not warranted in a particular circumstance, causes undue hardship, or is otherwise impossible to comply with.

E1.6 MAINTENANCE AND OCCUPANCY BY-LAWS (PROPERTY STANDARDS)

E1.6.1 Intent

Council may update or enact a Property Standards By-law in accordance with the *Municipal Act*, regarding minimum standards for the following:

- a) The physical condition of buildings and structures;
- b) The physical condition of lands;
- c) The adequacy of sanitation; and,
- d) The safety of buildings and structures for occupancy.

Such a by-law may require that substandard properties be repaired and maintained to comply with the standards, prohibit the use of substandard property, and require the demolition and clearing of such property which the owner does not intend to repair and maintain. Upon passing a Property Standards By-law, Council shall appoint a Property Standards Officer who will be responsible for administering and enforcing the by-law.

E1.6.2 Property Standards Committee

Council shall also appoint a Property Standards Committee, in accordance with the *Ontario Municipal Act*, for the purpose of hearing appeals against an order issued by the Property Standards Officer.

E1.7 COMMUNITY IMPROVEMENT

The following policies are intended to provide a basis and mechanism for Council or Council to utilize the provisions of Section 28 of the Planning Act to encourage the development, redevelopment revitalization and renewal of specific areas in the City.

Council may undertake Community Improvement Plans (CIP) in order to implement the policies of this Plan as municipal finances and other sources of funding permit. Wherever possible Council will seek funding from senior government sources and other partnerships to assist in community improvement programs after clarifying what components of improvement plans will be eligible for Community Improvement grants and loans as prescribed by Section 28(7) and Section 32 of the Planning Act. Through a Community Improvement Plan the municipality may also register agreements relating to grants and loans issued to fulfil CIP objectives.

E1.7.1 Definition and Identification

- a) Community improvement is generally defined as encompassing all those activities, both public and private, which maintain, rehabilitate and redevelop the existing physical environment to accommodate the social and economic priorities of the City of Thorold, within the context of the requirements of the *Planning Act*.
- b) Community improvement project areas are designated in compliance with the provisions of the *Planning Act* and are intended to identify areas in which Community Improvement Plans may be undertaken.
- c) The following areas are designated as community improvement project areas.
 - *The Thorold Urban Areas as shown in Schedules A1, A2, and A3; and,*
 - *The Rural Settlement Area as shown on Schedule A4.*

Specific Community Improvement Areas may be defined by by-law and Community Improvement Plans may be prepared for all or a portion of the defined areas.

E1.7.2 Community Improvement Goals

Individual CIP's will contain goals specific to the improvement area, but in a general sense, the following goals will apply:

- a) To encourage the conservation and restoration of buildings with cultural heritage significance;
- b) To encourage private investment;
- c) To develop a more attractive, safe and efficient community for existing and future residents;
- d) To provide for the continued social and economic development of the City of Thorold;
- e) To provide an environment that is attractive to new investment in the City of Thorold; and,
- f) To encourage the ongoing maintenance, rehabilitation, redevelopment, upgrading and improvement of external public and private space.

E1.7.3 Criteria for Delineating Community Improvement Project Areas

Areas identified as Community Improvement Project Areas shall be determined according to the following criteria:

- a) Areas that show deficiencies in public services including:
 - i) Deficiencies in sewer and water services;
 - ii) Deficiencies in storm drainage;
 - iii) Deficiencies in roads, sidewalks, street-lighting, and fire hydrants;
 - iv) Desired streetscape improvements – boulevard conditions;
 - v) Streetscape definition; and,
 - vi) Impediments to pedestrian movement.
- b)..... A
reas that are deficient in social or recreational services including:
 - i) Lack of recreational facilities, including parks, open space and public facilities, playgrounds;
 - ii) Under-utilized public recreational facilities;
 - iii) Architectural or historical significance of sites/areas;

- iv) Lack of a range of housing types; and,
- v) Opportunities for identifying a character of the community.
- c) Contaminated lands or brownfield sites which remain undeveloped but which could provide significant opportunity for infill and intensification;
- d) Areas that may be characterized as inefficient or underutilized from an urban development perspective and may be suited to intensification or redevelopment in accordance with the policies of this Plan;
- e) Land, building and structures which possess barriers to accessibility and active forms of transportation;
- f) Areas that exhibit any of the following features:
 - i) Presence of conflicting/encroaching land use;
 - ii) General aesthetics of the use/area;
 - iii) Availability and suitability of parking facilities;
 - iv) Under-utilization of land, blocks; and,
 - v) Building condition; need for upgrading to meet current standards – availability of land and areas for reasonable expansion of uses in the area.

E1.7.4 Potential Incentives and Implementation Methods

E1.7.4.1 Participation in Government or Agency Funding Programs

There are many programs which have been established by upper levels of Government which can assist in achieving the City's Community Improvement goals. These include grant or loan programs, geared both to the private and public sectors. Where recommended through a CIP process, Council supports the use of local grant or loan programs to support CIP objectives, provided such funding is available.

While some programs are tailored to specific types of improvements, others are of general application or apply to a specific type of use. While these programs generally reflect the Provincial or Federal Governments' perception of priorities, they can still be used to the advantage of the City when its priorities match those of the program.

E1.7.4.2 Use of Full Range of Legislative Authority

The Municipality may be able to take advantage of powers given to it through a multitude of Provincial statutes. The full use of the Planning Act, Municipal Act, Heritage Act, Ontario Water Resources Act, and many others can all be used to further the City's objectives.

E1.7.4.3 Acquisition

In designated Community Improvement Areas, the City may acquire, assemble, clear and dispose of lands for purposes which conform to the intent of the Community Improvement Plan. This is a very powerful tool which permits the City to become involved and assist in encouraging redevelopment where private investment may not initially have been interested. This tool is also beneficial in acquiring lands that are incompatible with surrounding land uses, and that may be better located elsewhere in the community.

E1.7.4.4 Capital Budgets

The ten-year capital budget allows the City to forecast its needs and priorities over a ten year period. This provides an opportunity to co-ordinate projects and to allocate funds to projects that can provide for optimum improvement of the Community. It provides as well the opportunity for more efficient use of public funds in the urban environment.

E1.7.4.5 Modification of Zoning Regulations

In particular areas, zoning provisions can be used to develop a character, to encourage private infill development that would add to the tax base of the community while protecting and improving the existing development. Temporary Use By-laws, provisions for Holding By-laws and bonusing provisions can all be used to achieve stated objectives.

E1.7.4.6 Site Plan Control/Development Permits

Site plan control and/or Development Permits can be an effective tool in encouraging and requiring private development to meet certain municipal objectives (e.g. streetscape improvements, better property access, naturalization, etc.).

E1.7.4.7 Community Groups

Working with community groups may provide a variety of means of expanding and maintaining a range of public facilities, such as affordable housing or housing geared to seniors.

E1.7.4.8 Heritage Committee

The local Heritage Committee can play an active role in defining a character in which redevelopment activities occur. With the advice of the Committee, Council may identify sites and areas that may be redeveloped with a particular emphasis on heritage conservation in the Community.

E1.7.5 The Gateway Economic Centre Community Improvement Plan (GCIP)

E1.7.5.1 Authority and Lands Subject to the GCIP

The Growth Plan for the Greater Golden Horseshoe identified the Gateway Economic Centre in Niagara Region as a Provincially significant corridor of employment land and transportation infrastructure focussed on Highway 406 and the Welland Canal. In light of this Provincial designation, the Region adopted Regional Official Plan Amendment RPPA 1-2012. The purpose of this Amendment is to establish community improvement policies to encourage investment focused on employment lands. The GCIP applies to all designated employment lands in the City of Thorold.

E1.7.5.2 Incentive Programs

The following incentive programs have been established in conjunction with the GCIP:

- a) Tax Increment Based Grant Program; and,

- b) Development Charge Grant Program.

The City may at its discretion, establish a site-specific CIP for any employment area for the purpose of establishing grant or incentive programs.

E1.7.5.3 Administration

The City of Thorold will partner with the Region to administer the GCIP in accordance with RPPA 1-2012 and its related program requirements. Where funding and/or resources are available, the City will support and promote the GCIP through strategic investment in infrastructure as well as marketing monitoring and stakeholder consultation.

E1.8 DEVELOPMENT PERMIT SYSTEM

The City may, through a By-law passed pursuant to Section 70.2 of the Planning Act, and Regulation 608/06 establish a Development Permit System for one or more specific areas of the City. The Niagara Escarpment Commission employs its own Development Permit System under the Niagara Escarpment Planning and Development Act.

E1.8.1 Lands Subject to Development Permit System

The following area(s) are described as proposed development permit area(s) and may be designated as such by a Development Permit By-law passed by Council pursuant to the provisions of the Planning Act and its associated regulations:

Note: As modified by the Ontario Land Tribunal, March 16, 2021 through OPA 06, By-law No. 60-2019

- a) The adjacent lands to any natural heritage feature or hydrologic feature for which the policies of this Plan require some level of impact assessment as a pre-condition to site alteration or development; and,
- b) The Urban Living Area designation for which the policies of this Plan allow second dwelling units or bed and breakfast uses within detached or semi-detached dwellings.

E1.8.2 Intent

The intent of the Development Permit System is to establish a more efficient technical and administrative procedure to implement the policies of this Plan as they relate to the regulation of future development in sensitive environmental areas and to accommodate the provision of affordable housing within existing built-up areas of the City.

E1.8.3 Goals

In developing and implementing a Development Permit System for site alteration and development within adjacent lands, the goals are to:

- a) Protect natural heritage features and hydrologic features;
- b) Minimize disruption to the local and Regional natural heritage system through management and regulation of development and site alteration;
- c) Enact a system that facilitates discussion and collaboration with a collective goal of protecting or enhancing the health and quality of the lake eco-system; and,
- d) Create an efficient approval process that provides for informed decision-making and the execution of binding agreements.

E1.8.4 Scope of Authority

The Development Permit By-law is intended to be restricted to site alteration and development in the adjacent land to natural heritage features and hydrologic features. The By-law will also establish minimum standards and requirements to allow for the establishment of second

dwelling units and bed and breakfast use, all of which will be more specifically defined in the Development Permit By-law.

Within the areas for which a Development Permit By-law has been enacted, the Zoning By-law will continue to apply, however zoning regulations relating to building construction may be modified, without the need for a zoning amendment.

E1.8.5 Criteria

The modification of zoning regulations will be dependent on the extent to which criteria established through the Development Permit By-law have been met. Examples of such criteria may include:

- a) The submission of environmental assessment reports and site plans;
- b) Protection, enhancement and/or restoration of natural vegetation;
- c) Protection, enhancement and/or restoration of critical areas of fish habitat;
- d) In the case of redevelopment or expansion, siting new buildings and structures in such a manner as to minimize impacts on features and functions;
- e) Stormwater management designs that restrict or intercept stormwater from flowing directly to the lake;
- f) The submission of elevation and floor plans;
- g) The submission of site plans to identify compliance with parking requirements and the provision of outdoor amenity space; and,
- h) The submission of technical drawings to confirm compliance with the Ontario Build Code.

Note: As modified by the Ontario Land Tribunal, March 16, 2021 through OPA 06, By-law No. 60-2019

E1.8.6 Conditions

The modification of zoning regulations may require the landowner to fulfil certain conditions established through the Development Permit By-law. Examples of such criteria and conditions may include:

- a) Agreeing to conserve certain lands in a natural state;
- b) Agreeing to enhance and/or restore of critical areas of fish habitat;
- c) Agreeing to enhance and/or restore vegetative buffers or protection zones;
- d) Designing on-site stormwater management systems to restrict or intercept stormwater from flowing directly to the lake; or,
- e) Agreeing to fence or landscaping all or a portion of the lot.

E1.8.7 Administration

The Development Permit System in the City of Thorold will be administered in accordance with O. Reg 608/06 with the further requirement that a Notice of Complete Application for a Development Permit shall be forwarded to all abutting landowners of the applicant's land at least 10 days prior to Council's consideration of the permit.

E1.9 CONDITIONAL ZONING

Section 34 of the Planning Act R.S.O 1990 provides municipalities with the authority to implement Conditional Zoning. This policy shall enable Council to implement Conditional Zoning in all areas of the City where Planning Act authority applies.

E1.10 HEIGHT AND DENSITY BONUS PROVISIONS

Note: As modified by the Ontario Land Tribunal, March 16, 2021 through OPA 06, By-law No. 60-2019

Pursuant to Section 37 of the Planning Act R.S.O 1990, Council may through a Zoning By-law Amendment approve increases to the height of buildings and/or the density of development in cases where the City will secure such facilities, services or other matters that would benefit the social and economic development of the City. Where the proposed height and/or density of a development proposal exceeds a policy standard established in this Plan an Amendment shall not be required unless the increase is greater than 25% of the maximum standard established by this Plan.

E2 NON-CONFORMING USES

E2.1 INTENT OF THE OFFICIAL PLAN

As a general rule, existing uses that do not conform with the policies of this Plan should gradually be phased out so that the affected land use may change to a use which is in conformity with or more compatible with the goals of the Official Plan and the intent of the Implementing Zoning By-law. In some instances, it may be necessary and practical to allow the replacement, extension or enlargement of non-conforming uses through the granting of a minor variance. In such instances, Council shall have regard for the following principles:

- a) The feasibility of acquiring the property for holding, sale, lease or development by the City for a more appropriate permitted use; and,
- b) The possibility of relocating the non-conforming use to another site.

E2.2 ROLE OF THE COMMITTEE OF THE ADJUSTMENT

If a property occupied by a non-conforming use cannot be acquired or the building(s) relocated, the Committee of Adjustment may, without an amendment to this Plan, allow similar or more compatible extensions or changes to a non-conforming use. Prior to such approval, the Committee shall consider the following:

- a) The size of the extension in relation to the existing operation;
- b) Whether the proposed extension is compatible with the character of the surrounding area;
- c) The characteristics of the existing use in relation to noise, vibration, fumes, dust, smoke, odours, lighting and traffic generation and the degree to which any of these factors may be increased or decreased by the extension; and,
- d) The possibilities of reducing these nuisances through buffering, building setbacks, landscaping, Site Plan Control and other means to improve the existing situation, as well as minimize the problems from extension.

Note: As modified by the Ontario Land Tribunal, March 16, 2021 through OPA 06, By-law No. 60-2019

E3 COMPLETE APPLICATION REQUIREMENTS

Council and/or its delegate shall not declare any application made under the *Planning Act* to be complete until Council is provided with information, studies or drawings specified in this Plan that are necessary to inform the public and make a decision on the application. Until an application is submitted that addresses pre-consultation and complete application requirements as specified below, Council will deem such applications to be incomplete.

E3.1 PRE-CONSULTATION AND COMPLETE APPLICATIONS

In order to ensure that all the relevant and required supporting information pertaining to a planning application is provided at the time of submission, Council may, by By-law, require a proponent to attend a pre-consultation meeting with City and/or Region and NPCA or any other applicable

agency prior to the submission of a planning application. Prior to attending any pre-consultation meeting, it is expected that the proponent will have reviewed and be aware of policies in this Plan that may be applicable to the proponent's objective. Subsequent to a pre-consultation meeting, the City will determine what supporting information (i.e. reports and studies) is required as part of the complete application submission and inform the proponent of these requirements.

The following information, at a minimum, shall be required as part of a complete application:

- a) Prescribed application fee;
- b) Completed application form together with requisite authorizations, if necessary;
- c) Prescribed information and material as required by Planning Act Regulations;
- d) Covering letter, which outlines the nature of the application and details of the pre-consultation meeting (if applicable);
- e) Concept plans and/or drawings; and,
- f) Any studies as identified as necessary through pre-consultation.

The following supporting information may be required as part of a complete application, to be determined through pre-application consultation with staff:

- a) Transportation Impact Study;
- b) Municipal Servicing Study;
- c) Stormwater Management Plan;
- d) Tree Preservation Report and Plan;
- e) Functional Servicing Report
- f) Hydrogeological Assessment;
- g) Watershed or Subwatershed Study;
- h) Floodline Delineation Report;
- i) Architectural/Urban Design Study;
- j) Environmental Site Assessment;
- k) Planning Justification Report;
- l) Ministry of Environment, Conservation and Parks (MECP) Record of Site Condition (RSC);
- m) Contaminant Management Plan;

Note: As modified by the City of Thorold, September 1, 2020, through OPA 10, By-law No. 118-2020

- n) Environmental Impact Study;
- o) Agricultural Impact Assessment;
- p) Archaeological Assessment;
- q) Heritage Impact Assessment;
- r) Wind Study;
- s) Noise Study;
- t) Vibration Study;
- u) Geotechnical Study;
- v) Slope Stability Study;
- w) Market/Retail Impact Study or Analysis;
- x) Conceptual Site Plan and Building Elevations;
- y) Erosion and Sediment Control Plans; or,
- z) Any other study, report or assessment considered relevant to the proposal.

E3.2 TECHNICAL STUDIES AND PEER REVIEWS

Where a policy in this Plan requires the submission of technical studies, such as an Environmental Impact Study, such studies must be prepared at the applicant's expense by a qualified professional. When technical studies are submitted in support of any application, the City, Region and/or the NPCA and any other relevant agency may authorize a qualified professional to peer review such studies and provide advice to the approval authority at the applicant's expense.

E4 PUBLIC NOTIFICATION

The *Planning Act* contains provisions that allow municipalities to establish alternative measures for informing and obtaining the views of the public for official plan amendments, zoning by-law amendments, consents, minor variances and draft plans of subdivision/ condominium in a different manner than those prescribed in the Act and its regulations, provided that an alternative method is prescribed in the municipality's Official Plan.

The following alternative measures will be used for informing and obtaining the views of the public:

Consent, Minor Variance, Site Specific Zoning Bylaw and Official Plan Amendment, Draft Plan of Subdivision/ Condominium	Comprehensive Zoning By-law and Official Plan Amendments that are not technical changes as per Policy E5 in the Official Plan
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E4 TECHNICAL AMENDMENTS TO THE PLAN

Council shall not issue public notification under the *Planning Act* for changes to the Official Plan which facilitate the following:

- Change the numbers of sections or the order of sections in the Plan, but does not add or delete sections;
- Consolidate previously approved Official Plan Amendments in a new document without altering any approved policies or maps;
- Correct grammatical or typographical errors in the Plan which do not affect the intent or affect the policies or maps;
- Reword policies or re-illustrates mapping to clarify the intent and purpose of the Plan or make it easier to understand without affecting the intent or purpose of the policies or maps; and,
- Translate measurements to different units of measure or changes reference to legislation or changes to legislation where the legislation has changed.

Note: As modified by the Ontario Land Tribunal, March 16, 2021 through OPA 06, By-law No. 60-2019

In all other instances, notification to the residents of the City of public meetings held by Council shall be given in accordance with the requirements of the *Planning Act*.

E5 INTERPRETATION OF LAND USE DESIGNATION BOUNDARIES

The boundaries between land uses designated on the Schedules to this Plan are approximate except where they meet with roads, railway lines, rivers, pipeline routes, transmission lines, lot lines or other clearly defined physical features and in these cases are not open to flexible interpretation. Where the general intent of the document is maintained, minor adjustments to boundaries will not require amendment to this Plan.

It is recognized that the boundaries of the *Environmental Protection* designations may be imprecise and subject to change, given the dynamic and or seasonal nature of some natural heritage features. The City shall determine the extent of the environmental areas on a site-by-site basis when considering development proposals, in consultation with the appropriate agencies. Any minor refinement to the *Environmental Protection* designation shall not require an Amendment to this Plan.

Where a lot is within more than one (1) designation on the Schedules to this Plan, each portion of the lot shall be used in accordance with the applicable policies of that designation.

E6 OFFICIAL PLAN REVIEW PROCESS

The assumptions, objectives and policies of this Plan shall be reviewed at least once every five (5) years at a meeting of Council, which shall be advertised in accordance with the *Planning Act*, as amended.

The five-year review shall consist of an assessment of:

- a) Regional growth allocations and the degree to which such allocations are being achieved;
- b) The effectiveness of the Plan in protecting water quality, heritage resources, natural resources and habitat and the general environment within the City;
- c) The continuing relevance of the vision that forms the basis of all policies found in this Plan;
- d) The degree to which the objectives of this Plan have been met;
- e) The amount and location of lands available for urban development;
- f) Whether the City has realized a desirable balance of commercial and industrial assessment in relation to residential assessment;
- g) The City's role within the Region and its relationship with other municipalities;
- h) Development trends in the Region and their effect on development in Thorold; and,
- i) Matters which are necessary to address to ensure consistency with Regional and Provincial Plans and policy documents.