**B1 URBAN AREA DESIGNATIONS**

**B1.1 Urban Living Area**

**B1.1.1 Purpose**

The purpose of the *Urban Living Area* designation is to recognize the existing residential areas of Fonthill and Fenwick and promote the efficient use of existing and planned infrastructure by creating the opportunity for various forms of residential intensification, where appropriate.

**B1.1.2 Permitted Uses**

Permitted uses in the *Urban Living Area* designation include:

1. Single-detached residential dwelling units;
2. Accessory apartments in single-detached dwellings subject to Policy B1.1.4;
3. Semi-detached, townhouse, multiple and apartment dwellings subject to Policy B1.1.5;
4. Home occupations subject to Policy B1.1.6;
5. Bed and breakfast establishments in dwellings, subject to Policy B1.1.7;
6. Private home daycare; and,
7. Complementary uses such as residential care facilities, daycare centres, institutional uses and convenience commercial uses subject to Policy B1.1.8.

**B1.1.7 Bed and Breakfast Establishments**

Bed and breakfast establishments are permitted in all dwellings, provided the bed and breakfast establishment:

1. Is located within the principal residence of the owner/operator;
2. Preserves the character of the dwelling as a private residence; and,
3. Can be accommodated in terms of parking and access.

The Implementing Zoning By-law shall define a bed and breakfast establishment and further detail the conditions under which a bed and breakfast establishment may be permitted.

**B1.2 Downtown**

**B1.2.1 Purpose**

The purpose of the *Downtown* designation is to maintain and promote Downtown Fonthill and Downtown Fenwick as the focal points for commerce and hospitality in the Town and establish a definitive boundary for the Downtowns, within which a pedestrian-oriented environment can be fostered.

**B1.2.2 Permitted Uses**

Permitted uses in the *Downtown* designation include:

1. Retail uses including farmers market;
2. Service uses;
3. Business offices;
4. Banks and financial institutions;
5. Hotels, inns and short term accomodations;
6. Entertainment uses;
7. Daycare centres;
8. Private and commercial schools;
9. Places of worship and public institutional uses;
10. Health care facilities;
11. Restaurants and take-out restaurants, but not including any restaurant with a drive-through component;
12. Micro-breweries and wineries;
13. Medium and high density residential uses on upper floors or as mixed uses;
14. Parks;
15. Funeral homes;
16. Galleries, museums and theatres, including open air pavilions; and,
17. Uses, buildings and structures accessory to the above.

**B1.3 Downtown Transitional Area**

**B1.3.1 Purpose**

The purpose of the *Downtown Transitional Area* designation is to reinforce the importance of the *Downtown* designation by identifying a complementary area for transitional commercial and higher density residential development that contributes to the character and identity of the Downtown.

**B1.3.2 Vision for the Downtown Transitional Area**

It is the intent of this Plan that the *Downtown Transitional Area* evolve as a mixed use incubator for new business and commerce adjacent to the *Downtown Area*. The intent is that this area be designated for small-scale business, commercial and residential uses that could utilize existing buildings and be complementary to the mixed-use, pedestrian oriented focus of the Downtown.

**B1.3.3 Permitted Uses**

Permitted uses in the *Downtown Transitional Area* designation include:

1. Residential uses;
2. Professional offices and clinics providing health services;
3. Inns and short term accomodations;
4. Studios and home occupations; and,
5. Small-scale restaurants, retail uses and personal service shops.

**B1.3.4.2 Residential Uses**

New street-level residential uses, including single detached and semi-detached units, townhouses and apartments as well as small-scale inns and short term accomodations are permitted in the *Downtown Transitional Area* designation both as a primary use and as an accessory use to a commercial business.

**B1.3.4.3 Development Criteria**

Policy B1.2.4 shall apply to the *Downtown Transitional Area* designation with the following exceptions and/or additional requirements:

1. Single detached and semi-detached dwelling types shall be permitted in the *Downtown Transitional Area* designation;
2. The maximum building height should be limited to 2 storeys;
3. Buildings are encouraged to be built within 1 metres of the front lot line, but may be setback up to 5 metres, provided amenities and landscaping are incorporated in the front yard;
4. The maximum floor area dedicated to retail uses should not exceed 100 m2;
5. Design features such as pitched roof lines, awning and front porches are encouraged; and,
6. Interior side yard setback should be maintained but may be reduced to accommodate redevelopment provided the reduction is appropriate for the location and maintains or instils good urban design.

Redevelopment and intensification proposals may be subject to a Zoning By-law Amendment and shall be subject to Site Plan Control. Prior to approving application for new development, Council should be satisfied that:

* 1. The scale and appearance of the use is complementary to and does not detract from the residential character of the area;
  2. The building and/or the general appearance of the site will be improved through quality urban design;
  3. Adequate on-site or off-site parking is provided;
  4. The Site Plan and Site Plan Agreement will address appropriate urban design matters including accessibility provision, exterior design features, massing and relationship to adjacent buildings as well as sustainable design elements located on municipal road allowances and land; and,
  5. The sign identifying the use is limited in size in accordance with the municipal Sign By-law.

**B2 RURAL AREA DESIGNATIONS**

**B2.1 Good General Agricultural**

**B2.1.1 Purpose**

The purpose of the *Good General Agricultural* designation is to protect and maintain land suitable for agricultural production and permit uses which support and/or are compatible with agriculture.

**B2.1.2 Permitted Uses**

The principal use of land in the *Good General Agricultural* designation shall be agriculture.

However, in the interest of supporting agri-business through farm diversification, this Plan identifies other uses that are considered to be agricultural-related and/or secondary uses on the basis that such uses assist in retaining or adding value to agricultural products and commodities or promote agri-tourism. These additional permitted uses include:

* 1. Single detached dwellings accessory to a farm business or on a vacant lot of record;
  2. Accessory residential uses on farm properties subject to Policy B2.1.3.5 of this Plan;
  3. Short term accomodations subject to Policy B2.1.3.6 of this Plan;
  4. Home occupations and home industries subject to Policy B2.1.3.7 of this Plan;
  5. Forestry and other resource management uses;
  6. Retail commercial uses on farm properties subject to Policy B2.1.3.8 of this Plan;
  7. Passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;
  8. Agricultural-related exhibitions and tourism establishments subject to Policy B2.1.3.9 of this Plan;
  9. Wineries subject to Policy B2.1.3.11;
  10. Mineral aggregate operations in accordance with Policy B2.5.3.3; and,
  11. Wayside pits and quarries and portable asphalt plants for road works in the area in accordance with Policy B2.5.3.10.

All uses in the *Good General Agricultural* designation shall be designed, located and managed to not detract from the primary role of the agricultural area as set out in Policy B2.1.1 of this Plan.

The erection of a mobile home, as defined in the Implementing Zoning By-law, on a lot is not permitted, unless the mobile home is being used to accommodate farm help in accordance with Policy B2.1.3.5 of this Plan.

**B1.6.2.1 Townhouse Residential**

It is the intent of the Town to facilitate the development of a range of townhouse and small lot single detached dwellings in this location to ensure an efficient use of the lands and to provide a mixture of house forms within the Secondary Plan Area.

***Permitted Uses***

* 1. In areas designated *Townhouse Residential*, housing forms may include street, block, stacked townhouses, and small lot single detached dwellings;
  2. Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, bed and breakfast establishments, parks, open space linkages and public works may be permitted within the *Townhouse Residential* designation; and,
  3. Restrictions on the range and form of permitted uses shall be identified in the Implementing Zoning By-law.

**B1.6.2.2 Low Density Residential**

It is the intent of the Town to permit single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

***Permitted Uses***

* 1. *Low Density Residential* housing forms shall include single-detached dwelling units;
  2. Uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, bed and breakfast establishments, parks, open space linkages, places of worship and day nurseries may be permitted within the *Low Density Residential* designation; and,
  3. Restrictions on the range of permitted uses shall be identified in the Implementing Zoning By-law.

**B1.6.2.3 Low Density Residential – Special Policies**

It is the intent of the Town to permit large lot single-detached dwelling units in an environmentally sound manner, including the protection of the interpretive, educational and scientific value of the surrounding landscape.

***Permitted Uses***

* 1. *Low Density Residential – Special Policies* housing forms shall include only single-detached units on large lots;
  2. Within areas designated *Low Density Residential – Special Policies* uses compatible with, complementary to and serving the primary residential use of the land, such as home occupations, bed and breakfast establishments, pocket parks and open space linkages are permitted; and,
  3. Restrictions on the range of permitted uses shall be identified in the Implementing Zoning By-law.

**B1.7.7.3 EF-Low Density Residential**

*B1.7.7.3.1 Permitted Uses*

* 1. The following uses are permitted within the EF-Low Density Residential designation:
     1. Single detached and semi-detached dwelling units;
     2. Accessory apartments/secondary suites;
     3. Accessory buildings and structures related to the primary residential dwelling unit;
     4. Home occupations;
     5. Places of worship;
     6. Day nurseries;
     7. Convenience retail and service commercial uses;
     8. Parks, parkettes and open space linkages; and,
     9. Public uses and public and private utilities.
     10. Bed and breakfast establishments.
  2. In addition to the permitted uses identified above, townhouses may be permitted and may constitute up to a maximum of 60% of the total number of dwelling units within any individual draft plan of subdivision; and,
  3. The implementing Zoning By-law may further refine the list of permitted and/or prohibited land uses within the EF-Low Density Residential designation.

**B1.7.7.4 EF-Medium Density Residential**

*B1.7.7.4.1 Permitted Uses*

1. The following uses are permitted within the EF-Medium Density Residential designation:
   * 1. All forms of townhouse units;
     2. Small scale apartment buildings;
     3. Accessory apartments/secondary suites;
     4. Live-work units;
     5. Housing for seniors and/or special needs housing;
     6. Accessory buildings and structures related to the primary residential dwelling unit;
     7. Home occupations;
     8. Places of worship;
     9. Day nurseries;
     10. Convenience retail and service commercial uses;
     11. Parks, parkettes and open space linkages; and
     12. Public uses and public and private utilities;
     13. Bed and breakfast establishments.
2. In addition to the permitted uses identified above, single and semi-detached dwellings may be permitted but may not constitute more than 15% of the total number of dwelling units within any individual draft plan of subdivision; and,
3. The Implementing Zoning By-law may further refine the list of permitted and/or prohibited land uses within the EF-Medium Density Residential designation.

**B1.7.7.5 EF-High/Medium Density Residential**

*B1.7.7.5.1 Permitted Uses*

* 1. The following uses are permitted within the EF-High/Medium Density Residential designation:
     1. Apartment buildings and Townhouses;
     2. Housing for seniors and/or special needs housing;
     3. Accessory buildings and structures related to the primary residential dwelling unit;
     4. Live-work units;
     5. Places of worship;
     6. Day nurseries;
     7. Convenience retail and service commercial uses;
     8. Parks, parkettes and open space linkages; and,
     9. Public uses and public and private utilities;
     10. Bed and breakfast establishments.
  2. The Implementing Zoning By-law may further refine the list of permitted and/or prohibited land uses within the EF-High/Medium Density Residential designation.

# B2 RURAL AREA DESIGNATIONS

## B2.1 Good General Agricultural

### B2.1.1 Purpose

The purpose of the *Good General Agricultural* designation is to protect and maintain land suitable for agricultural production and permit uses which support and/or are compatible with agriculture.

### B2.1.2 Permitted Uses

The principal use of land in the *Good General Agricultural* designation shall be agriculture.

However, in the interest of supporting agri-business through farm diversification, this Plan identifies other uses that are considered to be agricultural-related and/or secondary uses on the basis that such uses assist in retaining or adding value to agricultural products and commodities or promote agri-tourism. These additional permitted uses include:

1. Single detached dwellings accessory to a farm business or on a vacant lot of record;
2. Accessory residential uses on farm properties subject to Policy B2.1.3.5 of this Plan;
3. Short term accomodations subject to Policy B2.1.3.6 of this Plan;
4. Home occupations and home industries subject to Policy B2.1.3.7 of this Plan;
5. Forestry and other resource management uses;
6. Retail commercial uses on farm properties subject to Policy B2.1.3.8 of this Plan;
7. Passive recreational uses, such as walking trails and nature interpretation centres on lands owned by a public authority;
8. Agricultural-related exhibitions and tourism establishments subject to Policy B2.1.3.9 of this Plan;
9. Wineries subject to Policy B2.1.3.11;
10. Mineral aggregate operations in accordance with Policy B2.5.3.3; and,
11. Wayside pits and quarries and portable asphalt plants for road works in the area in accordance with Policy B2.5.3.10.

All uses in the *Good General Agricultural* designation shall be designed, located and managed to not detract from the primary role of the agricultural area as set out in Policy B2.1.1 of this Plan.

The erection of a mobile home, as defined in the Implementing Zoning By-law, on a lot is not permitted, unless the mobile home is being used to accommodate farm help in accordance with Policy B2.1.3.5 of this Plan.

**B2.1.3.4 Secondary Dwelling on Heritage Properties**

The establishment of one additional dwelling unit on a property with a designated heritage building is permitted, provided that the lands are appropriately zoned to permit a second dwelling.

Prior to considering an application for re-zoning, Council shall be satisfied that:

* 1. The existing dwelling is designated under Part IV of the *Ontario Heritage Act*;
  2. The designated heritage building will be used as a Dwelling Unit, either as the Primary Dwelling, a Secondary Dwelling or Short term accomodation;
  3. The new dwelling unit may be used as the primary residence, but shall be visually subordinate to the retained heritage home through appropriate setbacks, height control, landscaping and/or other techniques deemed suitable by the Town; and,
  4. The new dwelling unit will be provided with appropriate sewage and water services as required by the Regional Niagara Public Works Department.

The development of any new dwelling unit under the provisions of this policy shall be subject to Site Plan Control in accordance with Section E1.4 of this Plan and Section 41 of the *Planning Act*. Council may apply all elements of Site Plan Control to the development of any Secondary Suite on a Heritage Property, including those related to landscaping, as well as exterior design and sustainable design (as set out in Section E1.4 m and o).

Further, in no case, and at no time in the future, shall any residential use established in accordance with this policy be subdivided or severed from the original parcel on which it was constructed. This policy may be further implemented through a restrictive covenant registered on title.

**B2.1.3.6 Short Term Accomodations**

New short term accomodations are permitted in a dwelling in the *Good General Agricultural* designation, subject to the following guidelines which may be implemented in the Comprehensive Zoning By-law:

* 1. Bed and breakfast establishmentsuses are clearly secondary to the primary use of the dwelling as a residence;
  2. Bed and breakfast establishments must be the principal residence of the owner and operator;
  3. The character of the dwelling as a private residence is preserved;
  4. Adequate parking facilities are available on the lot for the proposed use;
  5. Bed and breakfast establishments have no more than three bedrooms available for guests;
  6. The proposed use will not cause a traffic hazard as a result of its location on a curve or a hill;
  7. The proposed use can be serviced with an appropriate water supply and an appropriate means of sewage disposal as required by the Regional Niagara Public Works Department; and,
  8. The signage advertising the use is to be designed and located in accordance with the Town's Sign By-law.

**B2.2 Specialty Agricultural**

**B2.2.1 Purposes**

The purpose of the *Specialty Agricultural* designation is to implement the Province of Ontario’s Greenbelt Plan and recognize the importance of specialty croplands in the Provincial and Regional economies.

**B2.2.2 Permitted Uses**

The principle use of land in the *Specialty Agricultural* designation shall be for the production of the full range of specialty crops identified in the Greenbelt Plan. Permitted uses in the *Specialty Agricultural* designation include:

* 1. Agricultural uses;
  2. Farm wineries in accordance with Policy B2.1.3.11;
  3. Single detached dwellings;
  4. Accessory residential uses on farm properties in accordance with Policy B2.1.3.5;
  5. Short Term Accomodations in accordance with Policy B2.1.3.6;
  6. Home occupations and home industries in accordance with Policy B 2.1.3.7;
  7. Mineral aggregate operations in accordance with Policy B2.5.3.5;
  8. Forestry and other resource management uses;
  9. Retail commercial uses in accordance with Policy B2.1.3.8; and,
  10. Agricultural related exhibitions and tourism establishments in accordance with Policy B2.1.3.9.

**B3.3 Environmental Protection Two – Regional Environmental Conservation Area (ECA)**

**B3.3.1 Purpose**

The purpose of the *Environmental Protection Two* designation is to recognize and maintain other natural heritage features not included in the *Environmental Protection One* designation. Features within the *Environmental Protection Two* designationrepresent Environmental Conservation Areas under the “Core Natural Areas (ECA)” of the Regional Policy Plan.

**B3.3.2 Components of the Environmental Protection Two Designation**

The following is a listing of those natural heritage features that comprise the *Environmental Protection Two* designation:

* Locally significant wetlands located outside of the Greenbelt Plan;
* Significant habitat of special concern species;
* Significant woodlands;
* Significant valleylands;
* Regionally significant Life Science Areas of Natural and Scientific Interest (ANSI);
* Savannahs and tall grass prairies;
* Alvars;
* Significant wildlife habitat; and,
* Publicly owned conservation lands.

**B3.3.3 Permitted Uses**

**B3.3.3.1 Principal Land Uses**

The principal uses of land in the *Environmental Protection Two* designation shall be:

1. Forest, fish and wildlife management uses;
2. Conservation and flood control projects where it has been demonstrated that they are necessary, in the public interest and other alternatives are not available; and,
3. Small-scale, passive recreational uses such as trails, fences, docks and picnic facilities that will have no negative impact on the natural heritage features or on the ecological functions of such features.

Nothing in this Section is intended to limit the ability of existing agricultural uses to continue on lands that are designated *Environmental Protection Two*.

**B3.3.3.2 Additional Uses**

The following additional uses may be permitted in the *Environmental Protection Two* designation in accordance with the provisions of Policy B3.3.4. These uses include:

* 1. Accessory residential uses on farm properties;
  2. Agricultural-related uses;
  3. Agricultural uses;
  4. Short term accommodations;
  5. Home occupations; and,
  6. Single detached dwellings on existing lot of record.