

CITY OF NIAGARA FALLS

By-law No. 2026-XXX

A by-law to provide for the adoption of Amendment No. 195 to the City of Niagara Falls Official Plan.

THE COUNCIL OF THE CORPORATION OF THE CITY OF NIAGARA FALLS IN ACCORDANCE WITH THE PLANNING ACT, 1990, AND THE REGIONAL MUNICIPALITY OF NIAGARA ACT, HEREBY ENACT AS FOLLOWS:

1. The attached text and mapping constituting Amendment No. 195 to the City of Niagara Falls Official Plan is hereby adopted.

Read a First, Second and Third time; passed, signed and sealed in open Council Passed this XX day of March, 2026.

.....
WILLIAM G. MATSON, CITY CLERK

.....
JAMES M. DIODATI, MAYOR

PART 1 – PREAMBLE

(i) Purpose of the Amendment

The purpose of the amendment is to update existing mapping to reflect the existing settlement area boundary as approved through the Niagara Region Official Plan and to update and introduce new policies within the City of Niagara Falls Official Plan respecting settlement area boundary expansions that reflect the Provincial Planning Statement, 2024 and provide requirements for local considerations.

(ii) Location of the Amendment

The amendment applies to all lands within the City of Niagara Falls.

(iii) Details of the Amendment

Map Change

- The amendment replaces SCHEDULE A to the Official Plan Future Land Use to reflect the settlement area boundary as approved through the Niagara Region Official Plan.

Text Change

- The amendment replaces PART 4 – SECTION 2 – Subsection 2.8 Urban Boundary Expansion with new Settlement Area Boundary Expansion policies.
- The following policies were also amended to align with updated provincial policy and new settlement area boundary expansion policy framework:
 - PART 1, SECTION 1 BASIS OF THE PLAN;
 - PART 1, SECTION 2 STRATEGIC POLICY DIRECTION, Policy 2.10; and,
 - PART 4, SECTION 2 OFFICIAL PLAN REVIEW AND AMENDMENTS, Policy 2.7.

Other Changes

- APPENDIX 1 – DEFINITIONS was amended to delete the definition of “Comprehensive Review” which is no longer applicable, add a definition for “Settlement Area” and modify the definition of “Urban Area” to include reference to settlement area.

(iv) Basis of the Amendment

The amendment provides an updated policy framework for the consideration of Settlement Area Boundary Expansion requests in a manner that is consistent with the Provincial Planning Statement, 2024 and to provide requirements for local considerations. Mapping changes are made to reflect previous approvals through the Niagara Region Official Plan.

The amendment responds to the need for strong growth management policies that support orderly, efficient, and sustainable development, protect agricultural lands and natural heritage systems, optimize existing infrastructure and servicing, and promote complete, compact, and climate-resilient communities. The policies are intended to provide clarity and certainty to applicants, the public, and decision-makers while supporting long-term planning objectives and Council's growth management direction.

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PART 2 – BODY OF THE AMENDMENT

All of this part of the document entitled PART 2 – BODY OF THE AMENDMENT consisting of the following text, constitute Amendment No. 195 to the Official Plan of the City of Niagara Falls.

DETAILS OF THE AMENDMENT

The Official Plan of the City of Niagara Falls is hereby amended as follows:

1. MAP CHANGES

SCHEDULE A to the Official Plan FUTURE LAND USE is updated to reflect the existing settlement area boundary as identified on the attached map entitled “Map 1 to Amendment No. 195”.

2. TEXT CHANGES

- i) PART 1, SECTION 1 BASIS OF THE PLAN is amended by replacing the words “may be defined with the Region's concurrence” with “shall be determined by the City” after “the precise Boundary”, so that it reads:

“Locations, boundaries or limits described in the text or indicated on Schedules "A", "B", "C", "D" or "E" are intended to be approximate only, except where they are bounded by roads, railway lines, or other clearly defined physical features. Where the general intent of the Plan is maintained, minor boundary adjustments will not require an amendment to this Plan. In any case, where the location of the Urban Boundary is in question, the precise Boundary shall be determined by the City.”

- ii) PART 1, SECTION 2 STRATEGIC POLICY DIRECTION is amended by deleting and replacing Policy 2.10 with the following:

“2.10 Settlement area boundary expansions shall only be considered in accordance with Policy 2.8 of this Plan. Any consideration of boundary expansions shall be guided by City-wide growth management objectives, the efficient provision of municipal infrastructure and services, the protection of agricultural, natural heritage, and cultural resources.”

- iii) PART 4, SECTION 2 OFFICIAL PLAN REVIEW AND AMENDMENTS is amended by deleting Policy 2.7 and replacing it with the following:

“2.7 Expansions to the Settlement Area Boundary (as shown on Schedule A of this Plan and as identified on Schedule B of the Niagara Official Plan) may be considered as part of a City-initiated Official Plan review or study, or through a private application submitted in accordance with Policy 2.8 of this Plan.”

- iv) PART 4, SECTION 2 OFFICIAL PLAN REVIEW AND AMENDMENTS is amended by deleting Subsection 2.8 in its entirety and replacing with the following:

“SETTLEMENT AREA BOUNDARY EXPANSIONS

- 2.8 Settlement Area Boundary Expansions shall only occur where a Planning Justification Report and other required supporting studies provide a detailed analysis of the City-wide implications of the proposed expansion, meet the growth management objectives of this Plan and demonstrate consistency with the policies of this Plan as outlined in 2.8.1.

Settlement Area Boundary Expansion Applications

- 2.8.1 Applications for a settlement area boundary expansion shall be contiguous to the existing settlement area boundary as identified on Schedule A – Future Land Use, shall not be separated by any major physical or natural barriers, shall not be comprised of specialty crop land, and shall proceed in the following sequential steps, each of which shall require approval prior to proceeding to the next step:

Step 1 - Demonstration of Need:

1. The proponent shall demonstrate the need for the proposed settlement area boundary expansion to the satisfaction of the General Manager of Planning, Building and Development or a designate. The demonstration of need shall be based on the maximum projected land needs horizon of 30 years, and shall be supported by a comprehensive land needs study with an agreed upon terms of reference which shall include:
 - a. Current population and employment projections;
 - b. Current development trends;
 - c. Planned build out of existing secondary plan areas;
 - d. Opportunities for intensification throughout the City, including within underutilized, vacant brownfield and greyfield lands, and areas identified for growth and redevelopment; and,
 - e. Demonstration that the proposed expansion will not adversely affect the achievement of the

intensification target, density and employment targets or any other relevant policies of this Plan.

Step 2 - Infrastructure Capacity Assessment:

2. Where the proponent has successfully demonstrated Need (step 1), the proponent may proceed in demonstration of infrastructure capacity.

The proponent shall demonstrate that the proposed settlement area boundary expansion can be accommodated by existing or planned infrastructure and public service facilities in a manner that supports orderly, efficient, and financially sustainable growth. This shall include the following, to the satisfaction of the General Manager of Municipal Works/City Engineer or their designate:

- a. In consultation with the City and Niagara Region, an assessment of existing and planned capacity for municipal infrastructure and services, including but not limited to water, wastewater, and stormwater. The assessment shall include modelled analyses utilizing the City's infrastructure models, and shall be conducted by the City's engineering consultant upon payment of fees in accordance with the City's Schedule of Fees By-law (as amended);
- b. Where existing or planned infrastructure capacity is insufficient, identification of the required on-site and off-site infrastructure improvements, including preliminary cost estimates, phasing considerations, and responsibilities for implementation;
- c. Demonstration that the proposed expansion can be serviced and maintained in a financially sustainable manner and will not result in undue financial impacts on the City or Region over the long term, having regard for growth-related capital costs, operating costs, and infrastructure lifecycle considerations; and,
- d. Demonstration that the subject lands represent a logical extension of urban development and can

be serviced in a contiguous and efficient manner, without the creation of isolated or fragmented development or servicing patterns.

Step 3 - Application:

3. Where the proponent is successful in the Demonstration of Need (Step 1) and Infrastructure Capacity Assessment (Step 2), the proponent may proceed with an application to expand the settlement area boundary, which shall include the following:
 - a. A planning justification report that demonstrates why the subject lands are the most appropriate location for the proposed settlement area boundary expansion, including an evaluation of reasonable alternative locations, demonstrating consistency with the Planning Act, the Provincial Planning Statement, 2024, and the policies of this Plan;
 - b. A community facilities study based on an agreed upon terms of reference that demonstrates there is sufficient capacity in existing or planned public service facilities;
 - c. A subwatershed study or environmental impact study and/or hydrogeological study prepared in accordance with an agreed upon terms of reference, to ensure the protection of natural heritage features and hydrologic features and areas, including the quality and quantity of water, in accordance with the policies of this Plan;
 - d. A transportation study to identify and assess any negative impacts to the existing and planned transportation network and identify required mitigation measures;
 - e. A financial impact study and financial strategy to assess the long-term capital and operating financial implications of the proposed expansion for the City, including an analysis that extends beyond infrastructure lifecycle replacement costs;

- f. Enhanced consultation with First Nation Communities beyond the Planning Act requirements;
- g. Where the subject lands include prime agricultural areas, an evaluation of alternative locations that avoid prime agricultural areas, and where avoidance is not possible, consideration of reasonable alternatives on lower priority agricultural lands in prime agricultural areas;
- h. An agricultural impact assessment demonstrating that impacts on the agricultural system are avoided, or where avoidance is not possible, minimized and mitigated to the extent feasible, in accordance with City and Provincial guidance;
- i. Demonstration that the proposed expansion lands comply with the Minimum Distance Separation (MDS) formulae;
- j. A cultural heritage impact assessment that demonstrates how the proposed expansion would prevent or minimize impacts to cultural heritage resources, including designated properties and cultural heritage landscapes;
- k. An archaeological study;
- l. A land use compatibility study in accordance with relevant planning policy and Provincial regulations and guidelines;
- l. A park and trail needs assessment identifying required parkland and trail infrastructure; and,
- m. A phasing plan demonstrating the logical progression of development.

The General Manager of Planning, Building and Development, or a designate, may also require additional studies or information identified in Part 4, Section 14, Policy 14.2 of this Plan, as necessary.

- 2.8.2 The City may require additional studies or information, dependent upon the location, scale, and context of the proposed boundary expansion.

- 2.8.3 All of the relevant requirements of any other applicable agency must be met as part of a complete application.
- 2.8.4 Where there are multiple landowners within a proposed expansion area, all of the owners will be required to enter into a private landowners agreement to address matters such as the application and study preparation costs, phasing, and access among other considerations.
- 2.8.5 All studies required to support the policy requirements in 2.8.1 above will be subject to peer review, at the expense of the applicant.
- 2.8.6 Where a settlement area boundary expansion is approved by Council, the City may prepare a comprehensive development plan, which may take the form of a Neighbourhood Plan or Secondary Plan, depending on the scale and context of the expansion. The applicant shall be responsible for costs associated with the application, studies and peer reviews required to inform the preparation of the plan as required by the General Manager of Planning, Building and Development, or a designate.
- 2.8.7 Where the City has multiple settlement area boundary expansion applications that meet the policies of this Plan, the City shall determine the most appropriate location for growth, having regard for City-wide growth management objectives, infrastructure capacity, and the policies of this Plan.
- 2.8.8 The City shall consider the cumulative impacts of multiple settlement area boundary expansions when assessing settlement area boundary expansion applications.”

3. **OTHER CHANGES**

- i) APPENDIX 1 – DEFINITIONS is amended by:
- a. deleting the definition “Comprehensive Review”
 - b. adding the following statement to the definition “Urban Area”:
“The term “Urban Area” may also be referred to as “Settlement Area” throughout this Plan.”
 - c. adding the following definition alphabetically:
“ “Settlement Area” - The urban settlement area within the City. Settlement areas vary in terms of size, density, population, economic

activity, diversity and intensity of land uses, service levels, and types of infrastructure available. Settlement areas include:

- a) built-up areas where development is concentrated and which have a mix of land uses; and
- b) lands which have been designated in this Plan for development over the long term.

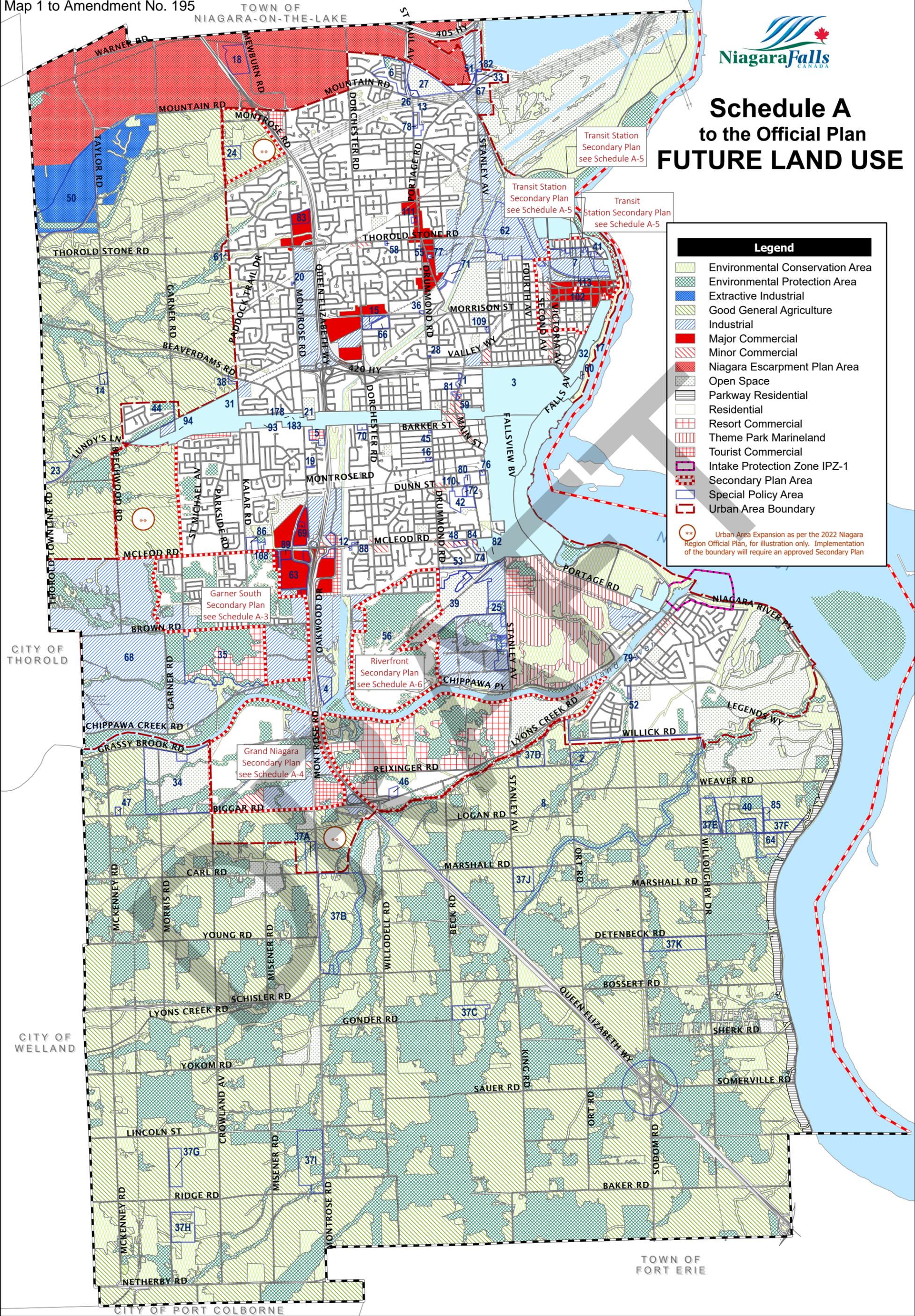
For the purposes of this Plan, the settlement area boundary as shown on Schedule A and identified in the Niagara Official Plan represent the areas where urban development is to take place in a manner that promotes a sense of community identity, directs growth to appropriate locations, and minimizes impacts on agricultural lands and other rural areas.

The term “Settlement Area” may also be referred to as “Urban Area” throughout this Plan.”

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Schedule A to the Official Plan FUTURE LAND USE



Legend

- Environmental Conservation Area
- Environmental Protection Area
- Extractive Industrial
- Good General Agriculture
- Industrial
- Major Commercial
- Minor Commercial
- Niagara Escarpment Plan Area
- Open Space
- Parkway Residential
- Residential
- Resort Commercial
- Theme Park Marineland
- Tourist Commercial
- Intake Protection Zone IPZ-1
- Secondary Plan Area
- Special Policy Area
- Urban Area Boundary

****** Urban Area Expansion as per the 2022 Niagara Region Official Plan, for illustration only. Implementation of the boundary will require an approved Secondary Plan

NOTE: THIS MAP MUST BE READ IN CONJUNCTION WITH THE WRITTEN TEXT OF THE OFFICIAL PLAN APPROVED OCTOBER 1993 UPDATED TO FEBRUARY 2026

