

DELEGATION BRIEF

# Committee of the Whole – Planning

Town of Niagara-on-the-Lake

April 14, 2026 | 6:00 p.m.

Town Hall Council Chambers – 1593 Four Mile Creek Road, Virgil

**Submitted by:** Residents' Association Advisory Committee – Community Planning Permit System Working Group

**Re:** Official Plan Adoption – Final Draft | Strengthening CPPS Policy Language

**Agenda Item:** Final Draft Official Plan for Council Adoption

## 1. Position Statement

The Residents' Association Advisory Committee appears before Council today in full support of adopting the new Official Plan. We recognize the significant work undertaken by Town Planning Staff and Council to bring this document to its current state, and we commend that effort.

Our delegation focuses on a single, specific request: that the CPPS policy language included in the Final Draft Official Plan be strengthened before adoption to ensure it provides a clear, time-bound mandate — not merely an enabling provision.

### Our Request in One Sentence

Amend the Final Draft Official Plan to designate NOTL's five urban communities as priority areas for Community Planning Permit System (CPPS) implementation, and include a defined timeline for that implementation following OP adoption.

## 2. Background: The Two Official Plans Compared

The Town currently operates under an Official Plan last amended to July 17, 2017. The Final Draft OP represents a fundamental generational shift in planning philosophy — from a document focused on protecting existing character, to one that must actively manage significant growth to 2051 while preserving what makes NOTL unique.

Current Official Plan (2017)	Final Draft Official Plan (2025)
Planning horizon: 2031	Planning horizon: 2051

No formal population targets	Population target: 28,900 by 2051 (+8,212 units)
No affordable housing targets	Affordable housing targets: 20% rental / 10% ownership
No climate change chapter	Standalone climate resilience chapter
No Indigenous engagement chapter	Formal Indigenous engagement policies
No intensification strategy required	Local Intensification Strategy required
Heritage views/vistas: detailed policies in main OP	Heritage views/vistas: delegated to Secondary Plans
ADUs: not permitted as-of-right	ADUs permitted as-of-right in urban zones (up to 3 units/lot)
No employment density minimums	Glendale: 60 jobs/ha   Virgil Business Park: 35 jobs/ha
CPPS: not referenced	CPPS: enabling language included (per community feedback)

This table makes clear that the 2025 OP shifts significant discretionary authority — especially for heritage views, design standards, and neighbourhood-level growth — down to Secondary Plans and site-specific tools. A CPPS is precisely the mechanism designed to operate at that level. Without it being mandated in the OP, it may never be implemented.

### 3. What Is a CPPS and Why Does NOTL Need It?

A Community Planning Permit System (CPPS) is a statutory planning tool enabled under Section 70.2 of the Planning Act. It replaces the conventional zoning amendment / site plan / minor variance approval process with a single Community Planning Permit, issued when a proposal conforms to pre-established design standards and permitted uses for a defined area.

Conventional Process (Status Quo)	With CPPS in Place
Rules are set project-by-project via ZBA, site plan, and minor variances. Expensive, slow, unpredictable.	Rules are set upfront for a defined area. Developers know exactly what's permitted. One permit replaces three.
Heritage and design standards applied inconsistently. Outcomes vary with each application.	Design conditions are embedded in the permit framework. Every project in the area meets the same built-form standards.
Residents can't anticipate outcomes. Community opposition is reactive and after-the-fact.	Community input happens at the policy stage — before development begins. Residents shape the rules, not the projects.
90-day ZBA timeline; appeals to Ontario Land Tribunal common, costly, and slow.	45-day permit decision timeline. Appeals significantly reduced because rules are already established.

## 4. The Gap: Enabling vs. Mandating

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The Final Draft OP includes CPPS policy language as a result of community feedback received during the public consultation process. We are grateful that Staff incorporated this request. However, based on how the CPPS was introduced — via a single comment at a public information centre — we are concerned the current language is enabling rather than directive.

### The Critical Distinction

**Enabling language** says: “The Town may implement a Community Planning Permit System.” This means a future Council could ignore it entirely.

**Directive language** says: “The Town shall implement a Community Planning Permit System for the five urban communities within [X] years of OP adoption.” This creates an enforceable commitment.

The Chatauqua Residents Association raised an analogous issue in their written submission to the Town: the weakening of a Secondary Plan commitment to “or other appropriate studies” was described as “the difference between a binding and defensible planning framework, and one that offers little practical protection.” We adopt the same reasoning here. A CPPS that is merely permitted, but not required, is unlikely to be implemented — particularly given the staff resources and political will required to develop one.

## 5. Why the New OP Creates the Right Conditions for CPPS

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The 2025 OP’s own structure makes the case for a CPPS more compellingly than any prior planning document. Three specific changes in the new OP create a planning gap that only a CPPS can fill:

### 5.1 Heritage View Policies Delegated Downward

Under the 2017 OP, specific heritage view and vista policies — including views to Fort George, the Niagara River, and the Escarpment — were embedded in the main OP text and thus binding on all development. The Final Draft OP removes this detail from the main document, delegating it to Secondary Plans. This was contested during consultation by at least two submitters, and Staff confirmed the shift is intentional. Without a CPPS or Secondary Plan that has legal force, these views lose their most effective protection.

### 5.2 Intensification Now Required at the Neighbourhood Level

The 2025 OP mandates a local Intensification Strategy and sets the Town’s minimum target at 25% of Niagara Region’s total growth — translating to 1,150 new units by 2051. This intensification will occur primarily within the five urban communities. Managing how that density arrives — its scale,

massing, materials, and relationship to the street — requires design tools that the OP alone cannot provide. A CPPS is the appropriate mechanism.

### **5.3 ADUs Are Now Permitted As-of-Right**

The new OP allows up to 3 dwelling units per lot in urban residential zones, as-of-right. This is a significant policy shift. In Old Town, Virgil, St. Davids, Queenston, and Glendale, this change will generate substantial new built form pressure. A CPPS for each community would allow the Town to set design conditions — height, setbacks, materials, heritage compatibility — without requiring a ZBA for every project.

## **6. Specific Requests to Council**

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The Committee respectfully requests that Council direct Staff to incorporate the following language amendments into the Final Draft Official Plan prior to adoption:

### **Request 1 — Name the Five Urban Communities as Priority CPPS Areas**

The OP should explicitly designate Old Town, Virgil, St. Davids, Queenston, and Glendale as priority areas for CPPS implementation. This aligns with the Town’s existing Community Vision, which describes NOTL as having “a rich tapestry of historical, cultural, and educational opportunities” that must be preserved through “responsible stewardship.”

### **Request 2 — Establish a Defined Implementation Timeline**

The OP should require that a CPPS feasibility study and community engagement process for at least one of the five urban communities be initiated within 24 months of OP adoption. This is consistent with how other Ontario municipalities — including Gananoque, whose planning approach NOTL has previously studied — have operationalized their CPPS commitments.

### **Request 3 — Confirm Design Conditions as CPPS Scope**

The OP policy language should confirm that CPPS permits will include conditions related to built form, heritage compatibility, massing, scale, setbacks, and materials. This would make explicit that the CPPS is a heritage and character protection tool, not merely a process efficiency tool.

### **Request 4 — Coordinate CPPS with Ongoing Secondary Plan Work**

Where the Town has already committed to Secondary Plans — including for Chautauqua, the Dock Area, and Old Town — the OP should confirm that CPPS policies may be developed in conjunction with or as an alternative to a Secondary Plan, giving Staff flexibility to select the most appropriate statutory tool for each area.

## **7. Alignment with Council’s Strategic Pillars**

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Our requests are consistent with all eight Strategic Pillars embedded in the 2025 OP:

Strategic Pillar	How CPPS Advances It
<b>A centre for culture, heritage &amp; recreation</b>	CPPS embeds heritage compatibility conditions at the permit stage, ensuring every new build respects NOTL’s built heritage.
<b>A well-planned built environment</b>	CPPS replaces ad hoc ZBA decisions with a coherent, community-designed built form framework.
<b>A prosperous and diverse economy</b>	Faster, more certain approvals benefit both local businesses and responsible developers.
<b>An inclusive, integrated, healthy town</b>	CPPS allows affordable housing design requirements to be embedded in permit conditions.
<b>Strong environmental leadership</b>	CPPS can include green infrastructure and climate-resilient design conditions.
<b>Mobility choices</b>	Streetscape and active transportation conditions can be built into the CPPS framework.

## 8. Conclusion

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The Final Draft Official Plan represents an historic opportunity to set NOTL on a sound planning path for the next 25 years. The Committee stands firmly behind its adoption. We are asking only that Council take one additional step: ensure that the CPPS — already acknowledged in the draft — is given the policy teeth it needs to actually be implemented.

NOTL faces real growth pressure. The new OP directs that growth into our five urban communities. A CPPS is the tool that ensures that growth respects the character, heritage, and built-form qualities that make those communities worth protecting.

We urge Council to adopt the Official Plan with the four policy amendments described in Section 6 of this brief, and to direct Staff to initiate the CPPS feasibility process within the first year of the new OP’s life.

We thank Council and Town Staff for their dedication to this process, and we are pleased to answer any questions.

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### Delegation Contact

Residents’ Association Advisory Committee  
Community Planning Permit System Working Group

Town of Niagara-on-the-Lake, Ontario

*Note: Persons wishing to delegate at the April 14, 2026 meeting must submit a request via the Town's Delegation Request Form by 12:00 p.m. on Monday, April 13, 2026.*

*Prepared with reference to the Final Draft Official Plan for Council Adoption (2025) and the Town's Official Plan Comment Matrix (Updated December 2025)*