

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. 10-2010

A BY-LAW TO PROVIDE FOR  
THE ADOPTION OF AMENDMENT 3-2009  
TO THE OFFICIAL PLAN  
FOR THE NIAGARA PLANNING AREA  
TO PROVIDE A SPECIAL POLICY AREA  
TO PERMIT THE CANADIAN MOTOR SPEEDWAY  
IN A GOOD GENERAL AGRICULTURAL AREA  
IN THE TOWN OF FORT ERIE

WHEREAS it is deemed expedient to further amend the Official Plan heretofore adopted by Regional Council for the Niagara Planning Area,

THEREFORE the Council of the Regional Municipality of Niagara enacts as follows:

1. That the text attached hereto and so designated is hereby approved as Amendment 3-2009 to the Official Plan for the Niagara Planning Area.
2. That the Regional Clerk is hereby authorized and directed to give notice of Council's adoption in accordance with Section 17(23) of the Planning Act.
3. That this By-law shall come into force and take effect on the day upon which it is passed.

THE REGIONAL MUNICIPALITY OF NIAGARA

*Original Signed By:*

\_\_\_\_\_  
(Peter Partington, Regional Chairman)

*Original Signed By:*

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(Kevin Bain, Regional Clerk)

Passed: February 11, 2010

**AMENDMENT 3-2009 TO THE  
OFFICIAL PLAN FOR THE  
NIAGARA PLANNING AREA**

The Official Plan for the Niagara Planning Area is amended by adding the following policies and Schedule A to Section 6 of the Official Plan:

Special Policy Area

Policy 6.A.19            A motor speedway complex with ancillary recreational, commercial and automotive research, technology and innovation uses is permitted on approximately 332 hectares (821 acres) of land generally illustrated on Schedule A and located to the west of the QEW between Bowen Road and Gilmore Road, east of Ridgemount Road, in the Town of Fort Erie. The following special policies shall apply to the development of these lands:

- (a) All ancillary uses shall be associated with the primary motor speedway use and shall not be established until the motor speedway is substantially completed.
- (b) Ancillary commercial uses shall occupy up to 7,000 square metres (75,000 square feet) of gross floor area and ancillary automotive research, technology and innovation uses shall occupy up to 12.6 hectares (31 acres) in total land area.
- (c) A municipal comprehensive review shall be required to be approved by the Region and the Town of Fort Erie for any proposed expansion to the limits set for ancillary uses in policy 6.A.19 (b).
- (d) Lot creation for ancillary uses may be permitted subsequent to the construction of the racetrack and grandstand, and subject to other policies of this Plan.
- (e) Development may be connected to municipal sewer and water systems subject to the submission of a detailed servicing study on the need for municipal services; impacts on existing systems and reserve capacity for the Urban Area; operational considerations associated with any on-site sewage storage including downstream odour impacts; costs and funding options to the satisfaction of the Region and the Town of Fort Erie.


- (f) Boundaries for natural heritage features shown on the Core Natural Heritage

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Map shall be confirmed to the satisfaction of the Ministry of Natural Resources and the Niagara Peninsula Conservation Authority without any further amendment to this Plan.

- (g) The Town of Fort Erie shall confirm priorities for staging development and servicing in the Urban Area as part of its Official Plan update in 2010 to conform to Provincial and Regional growth plans.
- (h) An amendment to the Town of Fort Erie Zoning By-law shall be approved when zoning limits for an Environmental Protection Area have been confirmed and appropriate setbacks or buffers have been determined related to natural heritage features, noise impacts and agricultural livestock separation to the satisfaction of the Region, Town and Niagara Peninsula Conservation Authority.
- (i) "Holding" provisions will be placed in the zoning by-law amendment for the completion of studies and submission of information on servicing requirements, road improvements, air quality (noise and odours), natural heritage, stormwater management, agricultural activities, traffic and operations management, environmental site conditions, and archaeological resources to be approved and implemented in a site plan agreement to be entered into with the Town to the satisfaction of the Region, Town and appropriate Provincial Ministry or the Niagara Peninsula Conservation Authority.

**Schedule "A" to Amendment # 3-2009  
for the Niagara Planning Area**

 Area Affected by the Amendment

