

Gateway Features Policy

MUNICIPAL WORKS	DATE EFFECTED	POLICY Decorative Gateway Features in Subdivision Entrances
	DATE May, 2021	
	DATE OF REVISION	
	N/A	

Section 300.XX

1. Definitions

- a. "City" means the Corporation of the City of Niagara Falls.
- b. "Gateway Feature" means,
 - i. A structure, resembling a wall, typically located along the longest line of a day-lighting triangle at the entrance of a plan of subdivision that features the name of the development and is typically made of durable material such as stone, brick or composite.
 - ii. Gateway Feature is further defined to include any piers or columns flanking the structure, but does not include any landscaping, irrigation, illumination, fences, piers or columns as part of a fence, walls (attached or detached to the Gateway Feature), noise walls, or any other perimeter-related structures.
 - iii. Where an identical pair of structures is present on both sides of the entrance of a plan of subdivision, however the name of the development is only present on one (1) of the two structures, the opposing unnamed structure shall also be considered a Gateway Feature.
- c. "Developer" means the person(s) or business which is proposing a New Gateway Feature.
- d. "Owner" means the person(s) who are the legal owner of the private property where a Gateway Feature is located.

2. Application of Policy

- a. This policy shall apply to all Gateway Features with in the City of Niagara Falls, excluding Gateway Features existing or proposed in commercial Site Plans or Plans of Condominium, as defined under the Planning Act. These Gateway Feature will remain a private and/ or common element and maintained in perpetuity by the applicable owner and/ or condominium corporation.
- b. All new proposed Gateway Features in Draft Plans and Plans of Subdivision approved or registered after June 2019 shall comply with Section 3, below.
- c. This policy shall not apply to fences, pillars, walls, perimeter structures beyond those necessary to stabilize a Gateway Feature nor does it apply to surrounding vegetation and landscaping.

3. Requirements and Standards for Proposed Gateway Features

- a. The City does not require nor promote the construction of Gateway Feature. Doing so is at the sole discretion of the Developer.
- b. Further to a. (above), any Gateway Feature proposed must be in conjunction to a plan of subdivision with a minimum of 250 lots. Proposals for smaller subdivisions may not be considered by the City, in its sole discretion.

- c. If a Gateway Feature is proposed in a Plan of Subdivision it shall be located on a Block, dedicated to the City, immediately adjacent to the municipal right of way. In some cases, additional maintenance easements will also be required which shall be defined by the City during the Subdivision approval process.
- d. A Gateway Feature shall not be placed in a daylighting triangle.
- e. A Gateway Feature shall be detailed on an individual drawing as part of the development application, and shall be sealed and signed by a licensed Professional Engineer registered to practice in Ontario.
- f. A Gateway Feature shall be constructed of durable materials such as stone, Severe Weathering grade brick, or composite, with a minimum life expectancy of twenty-five (25) years. The top coping of any wall or pillar shall be natural stone with drip grooves.
- g. All aspects of a Gateway Feature shall be subject to the acceptance of the Director of Municipal Works including, but not limited to, location, design, support structure, materials and aesthetics.
- h. A Gateway Feature shall comply with all applicable regulations and by-laws, including the City's Fence By-law 2005-70, as amended from time-to-time, and Sign By-law 2008-224, as amended from time-to-time.
- i. Gateway Feature illumination is discouraged. If illumination of a Gateway Feature is desired, power shall be provided through solar-powered means. No connections to municipal or electrical services shall be permitted. Lighting shall be directed down onto the feature, with a maximum of 50 Lumens per square metre (50 Lux).
- j. The proponent shall submit to the City a cost-estimate for supply and construction prepared by a third-party, including all supporting documentation. The design of the Gateway Feature shall be to the satisfaction of the Director of Municipal Works. The cost and installation of the gateway feature will be the sole responsibility of the Developer.
- k. Upon registration of a Plan of Subdivision, the proponent shall be required to submit a cash payment equal to 100% of the amount of the cost-estimate (in j. above) for supply and construction of the Gateway Feature, to be placed in a Special Purpose Reserve account and used at the City's discretion for future maintenance or replacement of the feature.

4. Condition Assessments of Gateway Features (Municipal And Private)

- a. The City will perform periodic visual assessments of City owned Gateway Features, approximately once every five years.
- b. Upon receipt of express written request, privately owned Gateway Features shall be assessed by the City under the same criteria as City-owned Gateway Features.
- c. Gateway Features will be visually assessed from vantage points located on the Municipal road allowance only, unless expressly requested and consented by the property owner for Municipal employees to enter private property for the purpose of a more detailed visual assessment.
- d. Gateway Features will be assigned a relative condition rating generally indicative of the following:
 - i. Very Poor: Severe deterioration where restoration requires full re-building of the structure
 - ii. Poor: Moderate observable deterioration where restoration requires up to 50% re-building of the structure

- iii. Fair: Minor observable deterioration, primarily of the surface course layers. Restoration generally requires re-building of the upper courses of the structure and/or capping the structure
- iv. Good: Minor visible defects only
- v. Very Good: No visible defects

5. Gateway Features on City Property

- a. Gateway Features found in need of repair or replacement shall be eligible for consideration restoration at the City's expense. This process shall proceed as follows:

Upon receipt of results of the inspection with a recommendation of repairs.

- i. If part of a pair, both will be considered.
 - ii. Municipal Works will obtain three quotations for the restoration of the pair of Gateway Features. Restoration options (brick type, colour, size, scope) will be at the discretion of the City.
 - iii. Municipal Works will advise City Council of the required restoration and the applicable costs. No work shall proceed without budgetary authorization by City Council.
 - iv. Prior to the restoration works being carried out, the city will advise the adjacent property owner of the works and that access to the block notify if use of the access easement as required, if applicable.
- b. The City does not provide routine, seasonal or yearly maintenance of Gateway Features on City Property. Condition assessments as outlined in Section 4 will be carried out.
 - c. The City, where required will cut the municipal boulevard grass at the location. The frequency of cutting is based on the municipally adopted level-of-service. Landscaping and vegetation (trees, bushes, shrubs, flowers or any other decorative plantings or landscaping elements) adjacent to any Gateway Feature will not be maintained by the City, unless the location has been identified in the City's Beautification Program.

Generally speaking, beautification locations exist only at pre-defined streetscaping locations, major intersections, or tourism gateways.

6. Gateway Features on Private Property

- a. In response to the request for inspections described in section 4.b., Gateway Features found in fair to very poor condition shall be eligible for consideration for repairs at the City's expense. This process shall proceed as follows:
 - i. The City will forward a letter to the property owner with the results of the inspection with a recommendation for repairs.
 - ii. Municipal Works will obtain three quotations for the restoration of the pair of Gateway Features. Restoration options (brick type, colour, size, scope) will be at the discretion of the City.
 - iii. Municipal Works will advise City Council of the request and the costs associated with the restoration. No work shall proceed without budgetary authorization by City Council. Typically, requests for work in one year will result in work being performed the following year.

- iv. At the time of the owner's request for work, the Owners shall provide written consent for the City to perform the work on their property, through an agreement acceptable to the City Solicitor. (or the owners agree to carry out the work and submit all invoices to the City for reimbursement)

7. Removal of Gateway Features

- a. Gateway Features found to require maintenance and be redundant (older than 50 yrs), unwanted, or unnecessary shall be eligible for removal at the City's expense. This process shall proceed as follows:
 - i. Owners of Gateway Features whom are of the opinion that the structure requires maintenance or are notified by the City that it requires maintenance and is in the Owner's opinion redundant, unwanted, or unnecessary shall contact Municipal Works with a written request for assistance to remove the structure or

Municipal Works staff identify a Gateway Feature on Municipal property that requires maintenance but is redundant or unnecessary and wish to remove it.
 - ii. Owners shall provide written consent for the City to perform the work on their property, through an agreement acceptable to the City Solicitor.
 - iii. Subject to Council Approval, Municipal Works (or its contractors) will perform removal of the structure up to approximately 30cm below ground level. Reinstatement of the disturbed area will be the responsibility of the property owner.
 - iv. The structure will be removed from the City's GIS/ CADD data set.

8. Schedule of Locations and Condition Assessments

- a. Municipal Works/ GIS/ CADD shall keep record of the schedule of locations and condition assessments.
- b. The Schedule of Locations and Condition Assessments is maintained as a separate document as it will continuously change due to the addition of new Gateway Features and as maintenance works are carried out.