

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. <>

A BY-LAW TO PROVIDE FOR THE ADOPTION OF
AMENDMENT 18 TO THE OFFICIAL PLAN FOR THE
NIAGARA PLANNING AREA TO IMPLEMENT THE
URBAN BOUNDARY EXPANSION FOR THE
NORTHWEST AREA OF THE CITY OF WELLAND

WHEREAS subsection 22 of the *Planning Act, 1990* states when the requirements of subsections (15) to (21), as appropriate, have been met and Council is satisfied that the plan as prepared is suitable for adoption, and

WHEREAS it is deemed appropriate to further amend the Official Plan as adopted by Regional Council for the Niagara Planning Area.

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

1. That the text attached hereto is hereby approved as Amendment 18 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, 1990*.
3. That this By-law shall come into force and take effect on the day after the last day of appeal provided no appeals have been received.

THE REGIONAL MUNICIPALITY OF NIAGARA

James Bradley, Regional Chair

Ann-Marie Norio, Regional Clerk

Passed: January 21, 2021

**Amendment No. 18
To The Official Plan
for the Niagara Planning Area**

PART “A” – THE PREAMBLE

The preamble provides an explanation of the Amendment including the purpose, location, background, and basis of the policies and implementation, but does not form part of this Amendment.

- Title and Components
- Purpose of the Amendment
- Location of the Amendment
- Background
- Basis for the Amendment
- Implementation

PART “B” – THE AMENDMENT

The Amendment describes the modifications to the mapping of Official Plan for the Niagara Planning Area, which constitute Official Plan Amendment No. 18.

PART “C” – THE APPENDICES

The Appendices provide information regarding public participation and agency comments relevant to the Amendment, but do not form part of this Amendment.

PART "A" - THE PREAMBLE

TITLE AND COMPONENTS:

This document, when approved in accordance with Section 17 of the *Planning Act, 1990*, shall be known as Amendment 18 to the Official Plan of the Niagara Planning Area.

Part "A" - The Preamble, contains background information and does not constitute part of this Amendment.

Part "B" - The Amendment constitutes Amendment 18 to the Official Plan of the Niagara Planning Area.

Part "C" - The Appendices, does not constitute part of the Amendment. These Appendices contain information related to public involvement and agency comments associated with the Amendment.

PURPOSE OF THE AMENDMENT:

The purpose of this Amendment is to amend the urban boundary of the City of Welland to add approximately 190.3 hectares of lands known as the Northwest Welland and designate these lands as Designated Greenfield Area and Built-Up Area, as applicable.

LOCATION OF THE AMENDMENT:

The amendment affects land within the City of Welland, generally running along Quaker Road and bounded by the Town of Pelham and City of Thorold to the north, the rear lot lines of properties along Niagara Street to the east, Niagara College Welland Campus to the south and Line Avenue and Clare Avenue on the west.

BACKGROUND:

Welland's urban settlement area boundary expansion process commenced in 2017, a two phase process involving justifying the boundary expansion and the creation of a Secondary Plan.

When the work plan started in 2017, the Growth Plan for the Greater Golden Horseshoe (Growth Plan) only permitted municipalities to consider urban boundary expansions as part of the Region's municipal comprehensive review (MCR). In Niagara's case, the MCR is the new Regional Official Plan (ROP) which is targeting a 2021 completion. The Region agreed to the City's work program on the basis that the required supporting information to justify a boundary expansion would feed into the Region's new ROP in 2021.

The Growth Plan was amended in May, 2019 to include new policies which allow for consideration of urban boundary expansions of 40ha in advance of a municipal comprehensive review, subject to specific criteria. The Province later clarified through a November 12, 2019 letter that an upper-tier municipality may consider multiple 40 ha expansions so long as the proposal meets the applicable policies of the Growth Plan. The Province also confirmed that 40 ha boundary expansion applications would be considered by the Region as the approval authority in accordance with Section 17 of the Planning Act, 1990.

The City of Welland submitted an application for a Regional Official Plan Amendment (ROPA) to consider the urban settlement area boundary expansion for the entire Northwest study area via multiple, concurrent 40 ha expansions, as set out in the Growth Plan and the above-mentioned Provincial letter.

The ROPA application is supported by the following technical reports:

- Planning Justification Report and Scoped Planning Justification Report
- Transportation Impact Study
- Functional Servicing Study
- Stormwater Management Report
- Natural Heritage Study/Environmental Impact Study
- Cultural Heritage Assessment
- Agricultural Impact Assessment
- Financial Impact Assessment

The technical information has been used to evaluate the boundary expansion based on the preferred land use concept for the associated Secondary Plan.

In total, the amendment area comprises approximately 190.3 hectares, of which approximately 31 hectares are protected environmental features within Natural Heritage System and approximately 58 hectares of the area is currently occupied by existing uses and designated as Built-Up Area on Schedule A of the City's Official Plan and the Province's Built Boundary Mapping. Therefore, approximately 102 hectares of the amendment area will contribute to future designated greenfield development.

BASIS FOR THE AMENDMENT:

- a) The Amendment was the subject of a Public Meeting held in accordance with the *Planning Act, 1990* on October 14, 2020.
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- b) The amendment has been supported by numerous required technical studies to justify the expansion in accordance with policies 2.2.8.3, 2.2.8.5 and 2.2.8.6 of the Growth Plan.

- c) Based on the Region's review of the *Planning Act, 1990*, the Provincial Policy Statement, applicable Provincial plans, the Regional Official Plan, and public and agency comments, Regional staff is of the opinion that the Amendment is consistent and conforms with provincial policy and represents good planning.

IMPLEMENTATION:

Section 14, Implementation of the Official Plan for the Niagara Planning Area, shall continue to apply where applicable.

PART "B" – THE AMENDMENT

**Amendment 18
To The Official Plan for the
Niagara Planning Area**

The Official Plan for the Niagara Planning area is amended as follows:

Map Changes (attached)

1. The following Regional Official Plan schedules are hereby amended to modify Niagara Region's Urban Area Boundary for the City of Welland and redesignate the subject lands as shown on Schedule A to this amendment (attached) as follows:
 - a. Schedule A: Regional Structure is amended to extend the Urban Area Boundary to include the amendment area and to redesignate the Good General Agriculture Area and Rural Area to Built-Up Area and Designated Greenfield Area;
 - b. Schedule B: Agricultural Land Base is amended to redesignate the amendment area from Good General Agriculture Area and Rural Area to Urban Area;
 - c. Schedule C: Core Natural Heritage is amended to identify the amendment area as Urban Area;
 - d. Schedule E1: Transportation Infrastructure is amended to identify the amendment area as Urban Area;
 - e. Schedule E2: Strategic Cycle Network is amendment to identify the amendment area as Urban Area;
 - f. Schedule G1: Niagara Economic Gateway is amended to identify the amendment area as Gateway Economic Centre;
 - g. Schedule G2: Niagara Economic Gateway Employment Lands is amended to identify the amendment area as Urban Area; and
 - h. Schedule H: Source Water Protection is amended to identify the amendment area as Urban Area.

A key map of the subject lands will be provided for reference purposes and does not constitute part of the Amendment. (see Appendix 1)

Text Changes

Part II – New Policies

The following text is added as Policy 13.K.1.5:

Notwithstanding Policy 4.D.1.1, or any other policies of this Plan that may prohibit the following, the following applies to the lands generally located along Quaker Road and bounded by the Town of Pelham and City of Thorold to the north, the rear lot lines of properties along Niagara Street to the east, the former urban boundary and Niagara College campus to the south and Line Avenue and Clare Avenue on the west, and more specifically shown on the Key Map, as being within the urban boundary of the City of Welland:

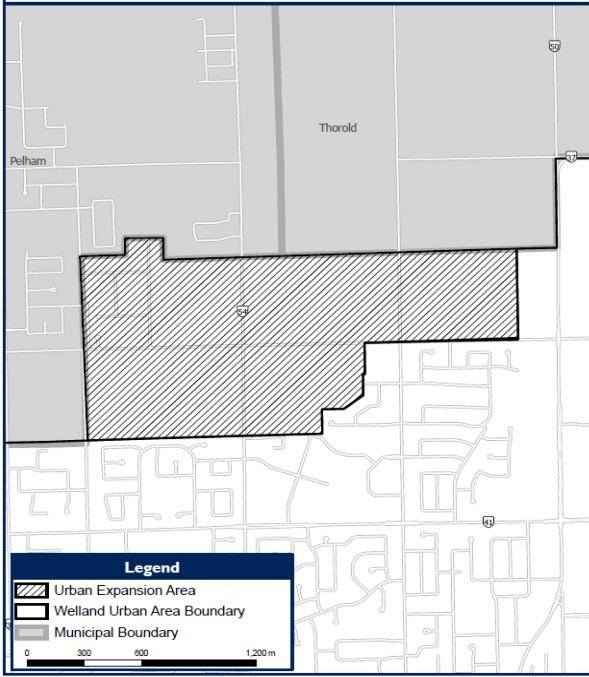
The land use permissions shall be in accordance with land use schedule and policies of the Northwest Welland Secondary Plan. No development shall occur prior to the approval of this Secondary Plan.

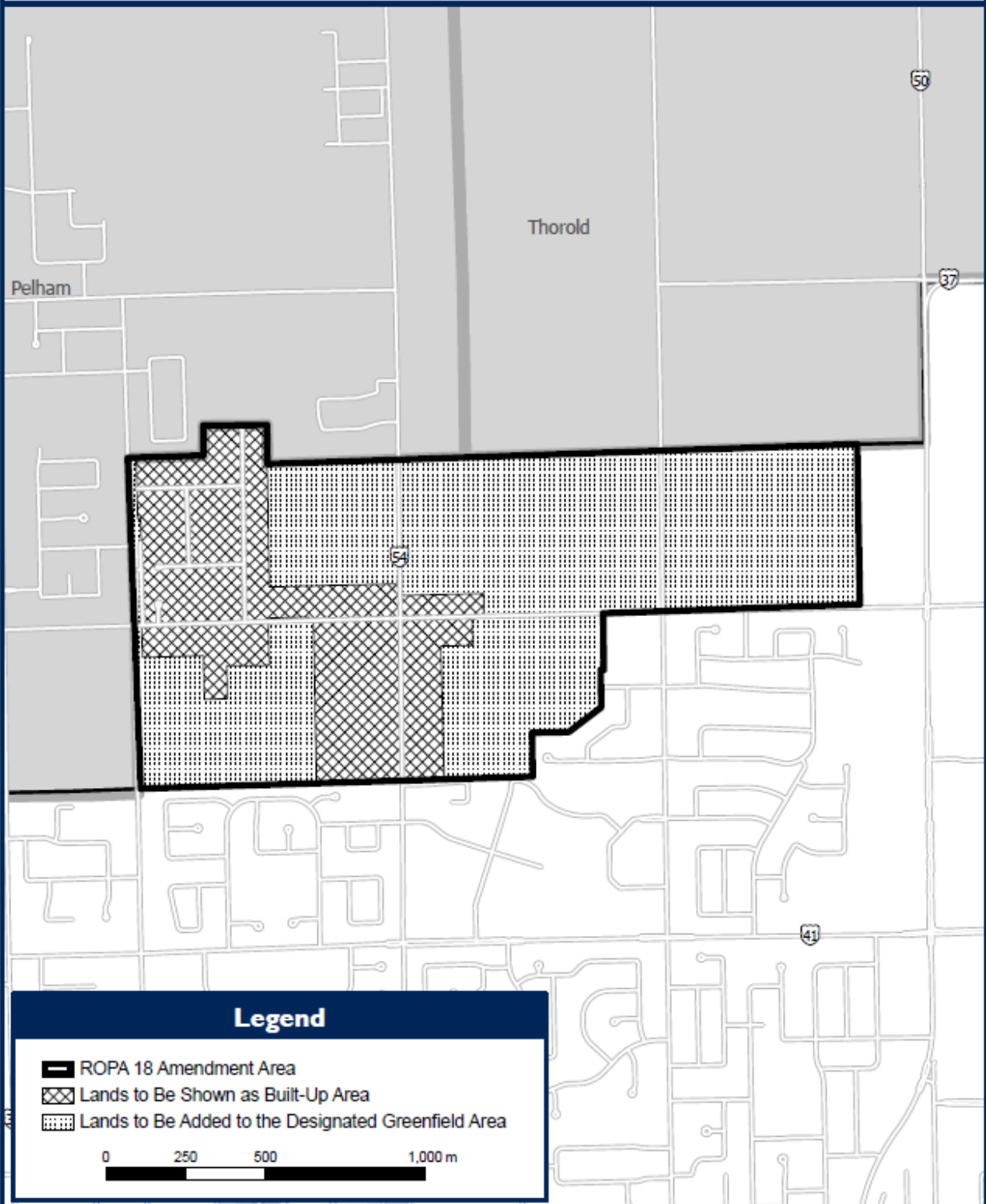
The boundaries of the Environmental Protection Area and Environmental Conservation Area shall reflect the approved Northwest Welland Secondary Plan, as informed by the Natural Heritage Review, and any other approval authority requirements.

The Northwest Welland lands and forecasted growth will be fully accounted for in the land needs assessment associated with the Region's new Official Plan (municipal comprehensive review).

Appendix 1:

The following is added to Section 13.K:





PART "C" - THE APPENDICES