

## Lands Most Suitable for Urban Boundary Expansion in Niagara Falls – Dec 2021

In my presentation I will draw attention to specific areas where I believe the latest Urban boundary Expansion Revision in Niagara Falls conflicts with the Planning Act specifically the Provincial Policy Statement (PPS) issued May 1<sup>st</sup> 2020. Also I will show an error in the Settlement Area Boundary Review Assessment Sheet (SABR) that describes the area I am representing Block ID 1383 (Appendix 1 and 1.1 – pages 412-417)

1. In the latest revision the Niagara region has eliminated lands (circled in red in Appendix 2, Block 1383) that itself has twice previously recommended. These bordering on the West side of Kalar Road to Garner Road North of Lundy's Lane to Beaverdams Road have minimal servicing constraints as well as minimal Environmental concerns. The Region has eliminated this area in favour of a completely new site running along Garner Road West to Beechwood Road and North to McLeod Road (see Appendix 3) where there is no service capacity, and in doing so conflicts with the PPS page 9 Section 1.1.3.7 (b) *Planning authorities should establish and implement phasing policies to ensure:*

*b) the orderly progression of development within designated growth areas and the timely provision of the infrastructure and public service facilities required to meet current and projected needs.*

Furthermore this newly added area Falls within the area of influence (AOI) of the proposed Walker Aggregates Beachwood Road Quarry conflicting with the planning Act page 14 of the PPS items 1.2.6.1 and 1.2.6.2 and specifically (b).

*1.2.6.1 Major facilities and sensitive land uses shall be planned and developed to avoid, or if avoidance is not possible, minimize and mitigate any potential adverse effects from odour, noise and other contaminants, minimize risk to public health and safety, and to ensure the long-term operational and economic viability of major facilities in accordance with provincial guidelines, standards and procedures.*

*1.2.6.2 Where avoidance is not possible in accordance with policy 1.2.6.1, planning authorities shall protect the long-term viability of existing or planned industrial, manufacturing or other uses that are vulnerable to encroachment by ensuring that the planning and development of proposed adjacent sensitive land uses are only permitted if the following are demonstrated in accordance with provincial guidelines, standards and procedures:*

*b) alternative locations for the proposed use have been evaluated and there are no reasonable alternative locations;*

2. City of Niagara Falls would then have to rely on the two remaining expansion recommendation areas to meet the expected 45,000 individuals (700 units per year) that will settle in Niagara Falls by 205. And more specifically to meet the PPS Mandate of Section 1.4.1 (a) & (b) – Page 16

*1.4.1 To provide for an appropriate range and mix of housing options and densities required to meet projected requirements of current and future residents of the regional market area, planning authorities shall:*

*a) maintain at all times the ability to accommodate residential growth for a minimum of 15 years through residential intensification and redevelopment and, if necessary, lands which are designated and available for residential development; and*

*b) maintain at all times where new development is to occur, land with servicing capacity sufficient to provide at least a three-year supply of residential units available through lands suitably zoned to facilitate residential intensification and redevelopment, and land in draft approved and registered plans.*

The proposed area in the North End commonly referred to as the Club Italia lands (Block ID 1099) may be the least contentious of the sites but even it will possibly be appealed due to its proximity to Niagara Escarpment and therefore may not meet the criteria for paragraph (b) developable within 3 years. The last area that is recommended in the South End of Niagara Falls depends completely on the approval of a new Wastewater Treatment Plant. One only needs to become familiar with the difficulty the Region of York has had for the past 8 years in seeking approval for a new wastewater treatment plant in fact it has just been frozen again. (See TVO media article – Appendix 4). It is naive to think that a wastewater treatment plant will not be held up by environmental review for years especially this one that proposes to discharge into Chippawa Creek and travel through the city of Niagara Falls.

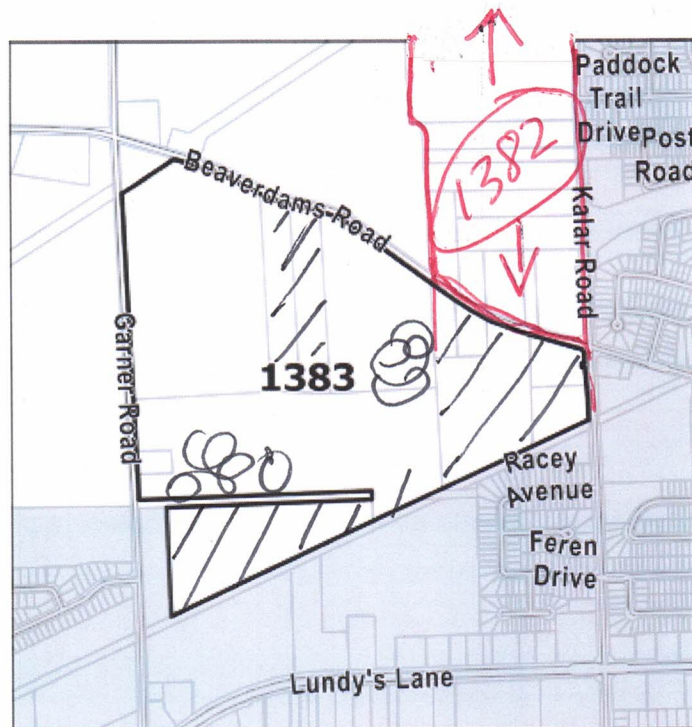
3. The error in the SABR Assessment Sheet Block ID 1383 on page 417 (Appendix 1.1) it is referring to Block 1382 in regards to aggregate resources and should be corrected, and I am wondering if this error had any impact on why this Block 1383 was removed from being recommended. There are other points that can be made regarding this block such as the new subdivision beginning to encircle it on the West Side of Garner Road, as well as the fact that approximately only 50% of this land is farmed. Also we can see from the SABR that there has at one point already been a road allowance into the property for development which leads further to question to why this site was removed.

## SETTLEMENT AREA BOUNDARY REVIEW ASSESSMENT SHEET

MUNICIPALITY: Niagara Falls

SABR ID: 1383

GROSS AREA: 62.6ha



### SANITARY SERVICING

1. What is the capacity to accommodate the parcel or collection of parcels at WWTP during the planning period?

**Criteria Response:** Highly Feasible

**Comment:** Highly Feasible - Stanley Ave WWTP has some capacity and will have long term capacity as long as new SNF WWTP is constructed

2. Is sanitary servicing available or can it be made available to the lands?

**Criteria Response:** Feasible

**Comment:** Feasible - adjacent to existing sanitary sewer, will discharge into Kalar Road SPS which has some available growth capacity and discharges to Regional Trunk Sewer then to Stanley Ave WWTP. Further detailed local

servicing plans and review of available capacity/depth of collection system needed to determine additional requirements such as new SPS

3. *Will the extension of servicing have any impact on natural environment, including key hydrologic features and areas?*

**Criteria Response:** High Impact

**Comment:** High Impact - appears to have environmental features as well as other land uses (agricultural, other)

4. *In relation to sanitary servicing, how feasibly can the parcel or collection of parcels support additional urban development in its Watershed through mitigating measures?*

**Criteria Response:** Feasible

**Comment:** Feasible - Servicing strategy would greatly support other connections and address other issues

## **MUNICIPAL WATER SUPPLY**

1. *Does the existing system have capacity to accommodate the parcel or collection of parcels with municipal water supply during planning period?*

**Criteria Response:** Feasible

**Comment:** Feasible - supplied through integrated water supply system with NF WTP, and Decew WTP, there is available capacity at WTP but will most likely require future expansion

2. *How easily can a water supply connection be made*

**Criteria Response:** Feasible

**Comment:** Feasible - 2016 MSP identified additional storage for 250 m pressure zone (consistent for all areas) - additional storage beyond current recommendations will be required- extension from existing distribution network - local watermain will require capacity confirmation and network enhancements to ensure fire flows

3. *Will the extension of water servicing have any impact on natural environment, including key hydrologic features and areas?*

**Criteria Response:** High Impact

**Comment:** High Impact - appears to have environmental features as well as other land uses (agricultural, other)



4. *In relation to municipal water supply, how feasibly can the parcel or collection of parcels support additional urban development in its Watershed through mitigation or supplemental measures?*

**Criteria Response:** Feasible

**Comment:** Feasible - review of distribution network required

## **TRANSIT AND TRANSPORTATION**

1. *How well can the parcel or collection of parcels access major transportation corridor such as Provincial Highway, Regional Road, rail or marine systems?*

**Criteria Response:** Available

**Comment:** The subject lands have a good access to a Regional Rd (Lundy's Lane).

2. *Can a local road network be incorporated for the parcel or collection of parcels, including consideration of environmental matters?*

**Criteria Response:** Highly Feasible

**Comment:** cursory review of the site does not present any notable constraints in terms of creating a local road network. As the subject site has accesses to major transportation networks, there are multiple opportunities to access future built local road network.

3. *What is the level of impact to existing road networks and level of service from the addition of the parcel or collection of parcels?*

**Criteria Response:** Modest Impact

**Comment:** Traffic signals may be warranted at Garner Rd & Beaverdams Rd or Kalar & Beaverdams Rds. intersections part of development depending on future development size and density . Traffic growth could impact LOS of Garner Rd & Lundy's Lane intersection.

4. *What is the feasibility of extending transit services to the parcel or collection of parcels?*

**Criteria Response:** Available

**Comment:** Connected currently

5. *What is the feasibility of extending active transportation facilities to the parcel or collection of parcels?*

**Criteria Response:** Highly Feasible

**Comment:** As per the Strategic Cycling Network map shown in the NR TMP 2017, the subject location is bounded by a planned infill AT project at Beaverdams Rd to the north.

## **ENVIRONMENTAL PROTECTION AND NATURAL RESOURCES**

1. *In terms of Provincial Natural Heritage System, how much the parcel or collection of parcels are affected/impacted?*

**Criteria Response:** Less than half shown as NHS

**Comment:** Site 1383 is south of Beaverdams Rd and east of Garner Rd. Beaverdams creek crossed a small portion of the north of the site. There is also a moderate and minor watercourse that cross the site. There is a significant woodland on the east portion of the site.

2. *In considering the parcel or collection of parcels in the context of NHS constraints, and as part of the broader NHS, what level of feasibility would be represented on the parcel or collection of parcels in gaining access to fragmented development parcels (without existing R.O.W. frontage)?*

**Criteria Response:** Highly Feasible.

Multiple options from adjacent lands

**Comment:** There is some fragmentation of the site given the watercourses and some existing development. Likely sufficient access from Garner Rd.

3. *With respect to Watershed Planning and the overall health of the respective Watershed, what is the impact should the parcel or collection of parcels be added to the urban area and developed for urban use?*

**Criteria Response:** Modest Impact

**Comment:** Site 1383 is in the watershed planning area NF-2 and is assessed as modest impact.

4. *What is the level of feasibility related to introducing mitigation measures to improve water quality?*

**Criteria Response:** Available

**Comment:** There are opportunities for the introduction of LID measures and other water quality mitigation.

5. *With available information concerning species at risk, what level of impact would be experienced if the parcel or collection of parcels were to be added to the urban area and developed for urban purpose?*

**Criteria Response:** Modest Impact

**Comment:** The highest potential for SAR would be associated with Beaverdams creek, the watercourses, and woodland on the site.

6. *What is the impact of including the parcel or collection of parcels on topography and the ability to minimize significant earthworks that could interfere with hydrogeological function?*

**Criteria Response:** Modest Impact

**Comment:** There is a moderate valley associated with Beaverdams Creek as well as the moderate watercourse on the site.

**AGRICULTURE AGRI-FOOD NETWORK**

1. *As defined by the PPS, using the range provided, how best are the parcel or collection of parcels described?*

**Criteria Response:** Prime Agricultural Lands

Completely

(Class 1-3)

**Comment:** Prime Ag Area

2. *What is the level of impact on active livestock operations and MDS setbacks by including the parcel or collection of parcels in the Urban Area?*

**Criteria Response:** Setbacks Impact more than half

**Comment:** If request 1135 is not converted, MDS review for this site will be required.

3. *What is the impact to the broader Agri-Food Network if the parcel or collection of parcels were Urban Area?*

**Criteria Response:** High Impact

**Comment:** Large site with agricultural activity, plus several non-ag uses (auto recycler). High impact to the agri-food system if converted

**AGGREGATE RESOURCES**

1. *In terms of distance/separation of sensitive land use, and in the context of Ministry D6 Guidelines, what level of impact on existing or planned Aggregate (Stone and Sand & Gravel) operations can be expected if the parcel or collection*



*of parcels were added to the existing Urban Area Boundary? (Within 300m being Critical and beyond 1000m being Negligible)*

**Criteria Response:** Modest Impact

**Comment:** A portion of site 1382 is within 500m of a known deposit of mineral aggregate resource. Site 1382 is not within 1000m of an existing or proposed mineral aggregate operation. Site 1382 is just beyond 1000m from the proposed Walkers quarry.

## **GROWTH MANAGEMENT**

1. *Does including the parcel or collection of parcels meaningfully contribute to a complete community? (2,3)*

**Criteria Response:** Higher Contribution

**Comment:** Adding this collection of parcels would afford complete community planning potential with limitations due to rail separation from the existing settlement area to the south with some ability to provide lands west of Garner and east of Kalar.

2. *Does inclusion of the parcel or collection of parcels represent a favourable way to achieve the outcome of the Region-identified land needs?*

**Criteria Response:** Higher

Favourability

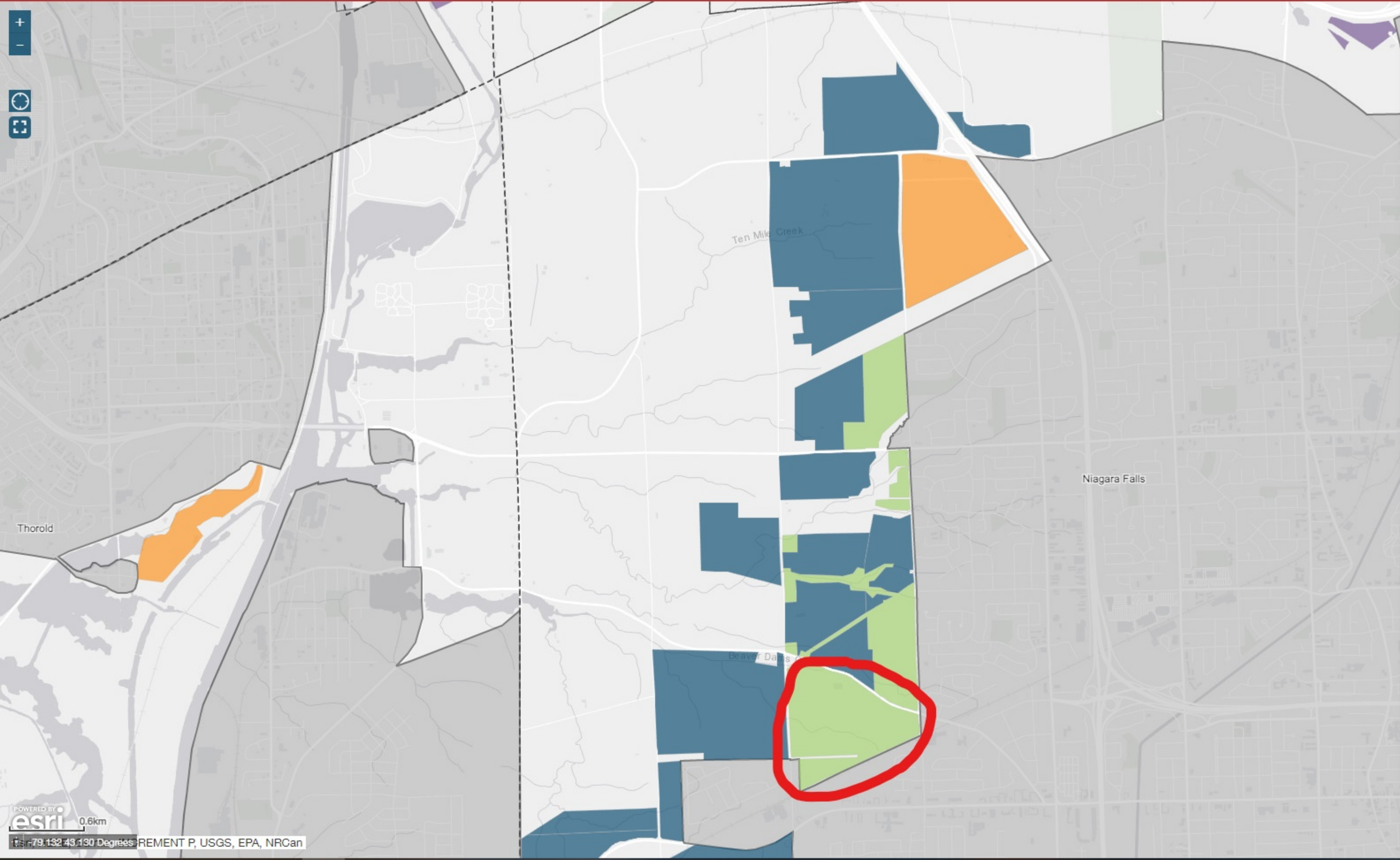
**Comment:** This collection of parcels would offer sizable contribution if considered appropriate for addition to the settlement area.

3. *What are the planning impacts on neighbouring or nearby lands by including the parcel or collection of parcels in the urban area? (2)*

**Criteria Response:** Minimal Impact

**Comment:** Planning impacts on neighbouring or nearby lands would be considered minimal when added as community lands.





### Legend

**Request Type**

- Private Land Owner
- Regionally Identified Sites
- Municipal Council
- Employment Conversion
- NEP Area

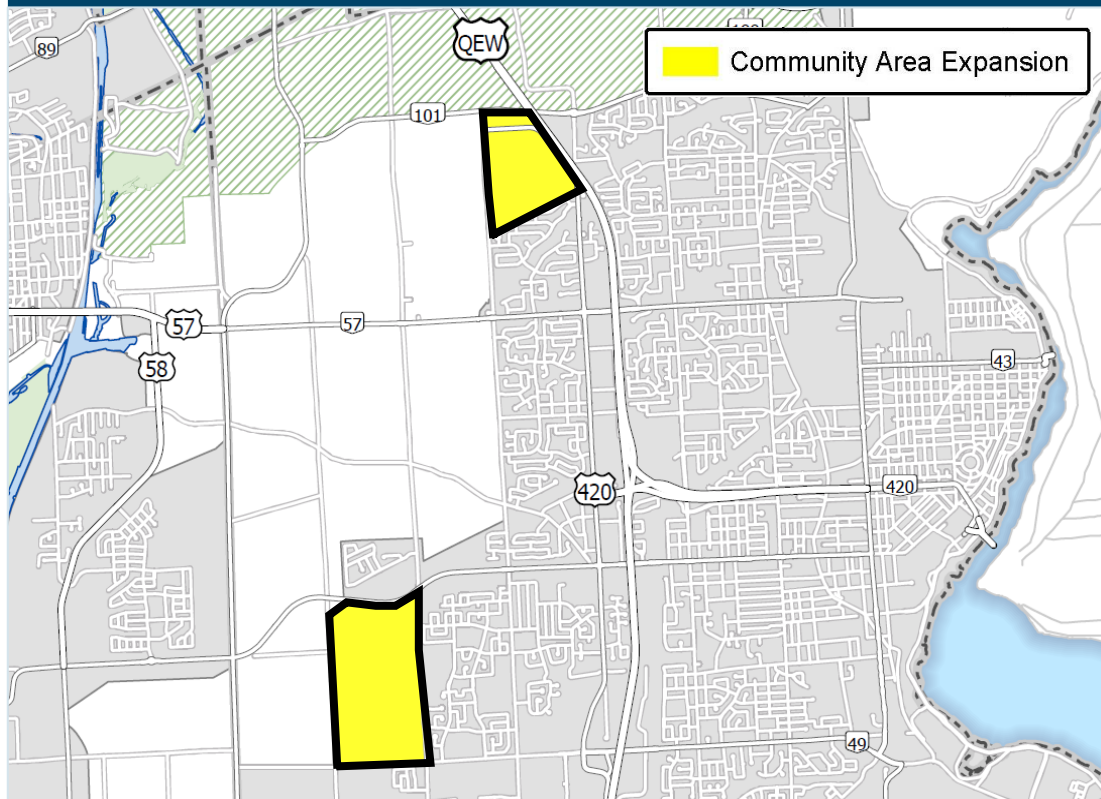
**Urban Area Boundaries**

**Rural Settlement Area (Hamlets)**



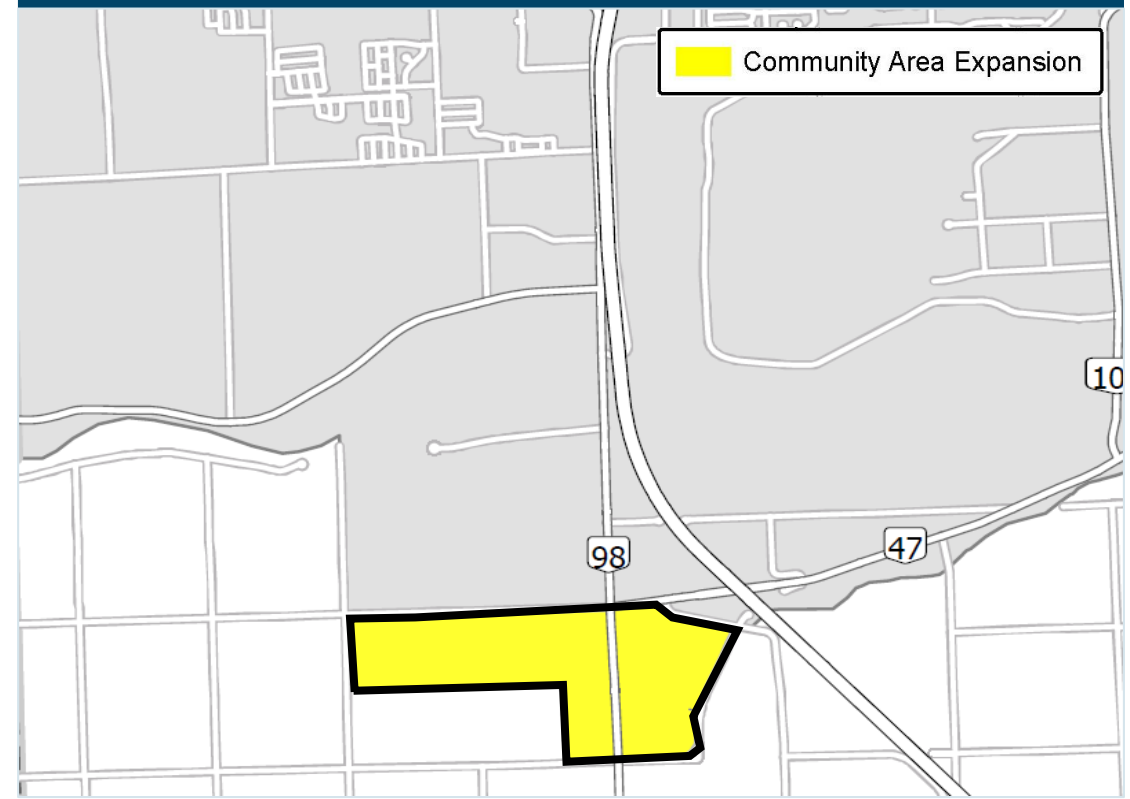
# expansion recommendations

## North and West Niagara Falls



① Community Area: 160 ha ② Community Area: 65 ha Total Area: 225 ha

## South Niagara Falls



Community Area: 85 ha Total Area: 85 ha

Opinion

# The Ford government just froze one of the GTA's biggest sewage projects. Why?

*The Ontario government is considering extending the existing York-Durham Sewage System, which brings sewage from York Region to the Duffin Creek plant, in Ajax. (Flickr/York Region)*

OPINION: The last bill introduced before the summer recess effectively freezes the progress of a sewage project first proposed in 2014 — and there's no deadline in sight

By [John Michael McGrath](#) - Published on Jun 08, 2021



Early on the last day of the legislature's spring sitting, Environment Minister Jeff Yurek rose in the house and introduced Bill 306, the York Region Wastewater Act — the last new bill introduced at Queen's Park before MPPs retired for the summer and, as it happens, the latest chapter in a major infrastructure project in the Greater Toronto Area that's been waiting for nearly a decade for approval from the province.

York Region initially proposed a new sewage-treatment plant to service new developments in the northern parts of the municipality back in 2014. The plant would discharge treated sewage into the Lake Simcoe watershed — if it's ever actually approved.

"Many years have passed since this environmental assessment began, and this government wants to ensure that we have the most up-to-date information on the environmental, social, and financial impacts of alternatives to provide waste-water servicing for upper York," Yurek told MPPs when he introduced his bill on June 3.

Bill 306, if it's passed in the fall sitting, would prohibit the minister of environment from taking any action on Upper York Sewage Solutions, a proposed treatment plant and phosphorus-reduction policy, and would also prohibit any other lower-level provincial officer from taking any action on the project. (For good measure, it also indemnifies the government from being sued for any lack of action the government takes in respect to the UYSS.)

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Communities in York Region say the project is long overdue and critical for the municipality's growth plans; for years, they've been advocating for speeding up the environmental-approval process — a necessary step before construction can begin — something only Queen's Park can do.

Some have reservations about the project, however. Lake Simcoe is a smaller body of water than the Great Lakes and is more sensitive to major sources of pollution, such as treated sewage and phosphorus, which is released both in urban sewage and in agricultural fertilizer. So a newly built sewage-treatment plant, like the one called for by York Region, needs to incorporate much more stringent (and expensive) technologies to reduce the amount of phosphorus that's discharged into Lake Simcoe.

Whether better outcomes could be accomplished more affordably has been an ongoing debate since very nearly the beginning of the proposal: in her annual report in 2017, then-environmental commissioner Dianne Saxe said that the high costs (and energy consumption) of the water-treatment plants required to meet the standards in the Lake Simcoe watershed were "out of proportion to their environmental benefit" and argued instead for more aggressive, but cheaper measures (per tonne of avoided phosphorus) to curb the use of phosphorus fertilizer in farming.

The Ford government is also weighing a more conventional alternative: extending the existing York-Durham Sewage System — a trunk sewer that brings millions of litres of sewage per day from York Region to the Duffin Creek treatment plant in Ajax. Treated sewage could then be discharged into Lake Ontario. Voters in Durham Region, who blame the existing level of sewage discharges for algal blooms in the water off Duffin Creek, want to see tighter pollution controls there, not an increased volume of sewage from York Region.

As if the regional politics of sewage disposal weren't enough, there's (predictably) also a housing-affordability element to the story. One reason the government is so interested in more affordable solutions to York Region's sewage problem is that the eventual costs of construction are going to end up being paid in no small part by new homebuyers, through development charges levied by York Region. If piping York Region's sewage to the shores of Ajax would, in fact, be cheaper than the UYSS, that could also make homes marginally more affordable — something the Ford government has made one of its core goals.

The immediate effect of Yurek's bill will be to literally make nothing the only thing the government can do while it waits for the advice of an expert panel. Yurek's office, contacted by TVO.org this week, could provide no clarity on when the expert panel would be named or, more important, what deadline the government may impose on the panel's advice.

Earlier this year, Ford expressed some sympathy with York Region for being stuck in a form of growth-planning limbo, agreeing that the project had dragged on "forever" and that York Region's \$100 million investment to date was one point in favour of proceeding with it. But that was January, and now it's June, and an election is less than a year away. And sometimes in politics, if they can't find a decision that's going to make everyone happy, governments are happy to punt a hard call until an election either gives them more breathing room or makes it somebody else's problem.

The sewers of York Region may not be the last tough decision we watch the Tories delay over the next year.

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### John Michael McGrath

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