
Subject: Niagara Official Plan: Proposed Draft for Consultation

Report to: Planning and Economic Development Committee

Report date: Wednesday, January 12, 2022

Recommendations

1. That Report PDS 2-2022, **BE RECEIVED** for information regarding the proposed draft consolidated Niagara Official Plan for consultation.
2. That the draft Niagara Official Plan **BE CIRCULATED** to the area municipalities.

Key Facts

- The purpose of this report is to inform Council that a draft consolidated Niagara Official Plan (NOP) has been made available on the website for public and agency review and comment.
- This report outlines the contents of the NOP including resource, regional structure, transportation, infrastructure, and climate action policies. In addition, it highlights ongoing consultation, including open house webinars in January.
- The Natural Environment System (NES) mapping was made available online for public, local municipalities and agencies to comment on in early January. The NES policies and mapping have been included in the draft NOP. Adjustments will be made as necessary.
- Comments on the proposed settlement area boundary expansion areas are requested by February 7th, 2022. The draft settlement area boundary expansions have been included in the draft NOP and adjustments will be made as necessary.
- The statutory public meeting for the NOP will be scheduled in early Spring.
- Following the public meeting and input received, a final version of the NOP will be brought to Council for consideration. The deadline for submitting the Regional Official Plan to the Province is July 1, 2022.

Financial Considerations

There are no financial considerations directly related to this report. Council approved the resources to complete the Niagara Official Plan (“NOP”) over a five year period as part of the 2017 Budget Process.

The growth forecasts associated with the NOP inform the Niagara 2051 initiatives, guiding updates to the Water and Wastewater Master Servicing Plan (“MSP”), Transportation Master Plan (“TMP”) and Development Charges Study (“DCS”). These key master plans and studies identify growth related projects to be undertaken and identify related capital costs to ensure financial responsibility and accountability are appropriately placed and maintained.

Analysis

Proposed Consolidated Draft Niagara Official Plan

A draft consolidated NOP has been prepared and made available for formal public and agency circulation, which can be viewed by accessing:

[New Niagara Official Plan Website](https://www.niagararegion.ca/official-plan/) (<https://www.niagararegion.ca/official-plan/>)

The draft NOP policies are built on the following Pillar Statements:

EXCEPTIONAL development and communities - Well planned, high quality development in appropriate locations that improves our communities, while protecting what is valuable.

DIVERSE housing types, jobs and population - A wide mix of housing types and employment opportunities that attract diverse populations to Niagara across all ages, incomes and backgrounds.

THRIVING agriculture and tourism - A prosperous agricultural industry and world-class tourism opportunities that grow our economy and elevate the Niagara experience.

RESILIENT urban and natural areas - Areas rich in biodiversity that mitigate and adapt to climate change while strengthening Niagara’s ability to recover from extreme weather events.

Taking the Pillar Statements, consultation, and background work to date in to account, the NOP aims to:

- address provincial policy conformity, matters of Regional interest and provide policy support to the local municipalities;
- guide planning at a Regional level while assisting local municipalities with managing growth pressures including policies that support the protection of established neighbourhoods and varying intensification rates across municipalities;

- prioritize climate change throughout the Plan to achieve sustainable and resilient communities;
- improve mapping and policies to protect the natural features and water resources of the natural environment system;
- support a diverse range of housing types and sufficient housing supply to address affordability and market demand; and
- identify areas to protect for long term investment in employment uses.

The draft NOP incorporates revisions to draft policy sets previously released for comment. These draft policy sets included an Introduction, Growth Allocations and Land Needs, Regional Structure, Employment Areas, Housing, Transportation, Infrastructure, District and Secondary Plans, Urban Design, Agriculture, Aggregates, Source Water Protection, Excess Soils, Petroleum Resources and Performance Indicators and Monitoring. Policies and mapping for the NES were provided in December and have been incorporated into the draft NOP.

In addition to the above, the draft NOP also includes draft policies related to:

- climate change;
- watershed planning;
- Niagara Escarpment Plan;
- cultural heritage and archaeological resource;
- open space and trails;
- economic prosperity;
- site specific policy areas developed in consultation with local planning staff; and
- implementation which includes policies on consultation and First Nations engagement.

The settlement area boundaries shown on various schedules of the NOP incorporate the proposed changes outlined in Reports PDS 41-2021 and PDS 42-2021. The expansion areas subject to the SABR review are flagged on all Schedules as “draft for consultation”.

While the proposed draft consolidated NOP can be found at the above link, Appendix 1 provides the Table of Contents for the draft policy Chapters, Sections, Schedules, Glossary of Terms and Appendices.

Background

The NOP is a strategic long range planning document that sets the vision for the Region and guides how we will grow and develop over the next 30 years. The proposed plan preserves what's important, while permitting growth for a future generation of businesses and residents.

The requirements for an Official Plan are set out in the Planning Act. Additionally, the NOP must be consistent with the *Provincial Policy Statement (2020)*, conform with the Growth Plan, the Greenbelt Plan and not conflict with the Niagara Escarpment Plan. Decisions of Council and advice from staff must also meet these requirements. After Regional Council passes the NOP, it is sent to the Province for approval. There are no appeals to the Province's decision on the Official Plan.

Once the NOP is approved, local municipalities must undergo a local exercise to conform to the NOP by updating their local Official Plans. This process is to be guided by Provincial and Regional policy and is intended address local planning matters and circumstances. Local planning departments are already starting to plan for this undertaking.

The NOP will be monitored for what is and isn't working. The Region seeks to be flexible and adapt to changes when necessary. Policies will be reviewed at regular intervals to ensure Regional and local interests are aligned and that growth planning is monitored to determine if changes should be advanced.

Development of the NOP

The NOP work has been informed by several background studies/work including: land needs and growth allocations, housing strategy, regional structure, employment lands strategy, natural environment and watershed planning, climate change discussion paper.

The background work for the Official Plan was informed by significant amounts of consultation, including comments from the general public; stakeholder groups; local Councils; First Nations, Indigenous groups; local municipal planners; local planning workshops, and meetings with the Planning Advisory Committee.

Up to April 2021, the Planning and Economic Development Committee had been informed by 35 Administrative Reports on the Niagara Official Plan. These reports and

presentations provided updates on the work program, individual sections of the Plan, and consultation.

The Joint Consolidated May Report (PDS 17-2021) provided draft policies on numerous sections of the Official Plan highlighting the interconnectivity of policy. The draft policies were made available for review and comment. PDS 17-2021 included draft policies on growth allocations, regional structure, housing, transportation, infrastructure, district and secondary plans, urban design, agriculture and aggregates. The Report also provided updates on the development of the other policy sections of NOP.

Report PDS 32-2021, in August, provided an update on the NOP and draft policy on source water protection; excess soils; petroleum and mineral resources; and performance indicators and monitoring. In addition, Report PDS 33-2021, provided an update on revised land needs and Settlement Area Boundary Review to continue to move the growth management work forward.

In September, Report PDS 36-2021, outlined responses to consultation received on draft Niagara Official Plan (NOP) policies included in the Joint Consolidated Draft Report PDS 17-2021 and introduced a draft NOP Introduction Chapter for comment.

Report PDS 39-2021, in November, provided recommendations relative to Employment Area conversations. The recommendation to not support conversion requests was approved.

On December 1st the Committee of the Whole considered Report PDS 08-2021. The Report provided mapping and policy associated with options 3B and 3C for a Natural Environment System. The Committee selected Option 3C. The mapping and policies for Option 3C have been incorporated in to the proposed draft consolidated NOP for formal comment. Early in January, NES mapping will be available online for public comment and urban property owners notified.

On December 8th, the Planning and Economic Development Committee (PEDC) considered Reports PDS 41-2021 Settlement Area Boundary Review-Urban Recommendations and PDS 42-2021 Settlement Area Boundary Review-Rural Recommendations. Together these reports provide Regional Planning staff's proposed changes to settlement boundaries in urban areas and hamlets. The changes consist of expansions, boundary rationalizations and technical adjustments.

The proposed changes to the Settlement Area Boundaries were assessed using planning criteria that was presented in a report to PEDC/Regional Council in May 2021. The proposed boundary changes have been discussed with local planning departments. All property owners who submitted requests for expansions have been contacted, advised of the status of their expansion request and offered an opportunity to meet. Comments on the proposed expansion areas will be received up to February 7th, 2022. The expansion areas subject to the SABR review are flagged on all Schedules as “draft for consultation”.

The Path Forward To Adoption

There will be significant opportunities for input on the proposed consolidated draft Official Plan. Changes can be made. Notice will be provided to the public, stakeholders, those who have registered for notification, prescribed agencies, and indigenous groups.

The following schedule below identifies opportunities to provide input on the NOP:

1. 2022 Schedule

January

- a consolidated draft Niagara Official Plan has been made available for public and agency circulation in January
- a zoom open house will be held on settlement area boundary expansions –January 26, 2022

February

- an open house on the Natural Environment System will be held –February 10, 2022
- a zoom webinar will be held for owners of property in the urban area with newly mapped environmental features (non-provincially identified) to ask questions – February 17, 2022
- a zoom Open House will be held on the Niagara Official Plan – February 24, 2022

Niagara Official Plan Final Steps

- a formal statutory public meeting for the Niagara Official Plan will be held in early Spring.

- a report will be presented to PEDC/Council for adoption subject to the time required addressing final comments raised through consultation.
- the deadline for submitting the Regional Official Plan to the Province is July 1, 2022

In addition to the above, as indicated in Report PDS 36-2021, staff will contact property owners directly relative to the following:

- where lands will be changed by the Region from Rural to Agricultural unless the properties are already designated or zoned Rural; and,
- A Regionally identified feature in the Natural Environment System in the urban area.

In addition to the above, meetings have been established with Area Planners in January and February to assist with the review of the Chapters of the NOP. Meeting with agencies such as the Niagara Peninsula Conservation Authority and stakeholder groups will also take place.

Alternatives Reviewed

This report is for information purposes and there will be significant opportunities for further consultation.

There has been significant consultation at all stages of the development of the NOP.

There can be more than one good planning approach to achieve the policies and objectives set out in the NOP. Consultation to date has identified a variety of competing interests. The NOP works to strike a balance between these interests to ensure the social and economic health of our communities.

There will be further consultation on the proposed draft Official Plan and opportunity for revisions that are considered good planning and inconformity with provincial policy, during the process.

Relationship to Council Strategic Priorities

The Niagara Official Plan supports the following Council Strategic Priorities:

- **Supporting Business and Economic Growth:** Through long range planning for the supply and retention of a broad range of community and employment lands that

offer community related employment and industrial employment opportunities to attract and support economic wellbeing;

- **Healthy and Vibrant Community:** Through planning for safe, healthy neighbourhoods that are attractive, inclusive and connected, based on complete community principles and design;
- **Responsible Growth and Infrastructure Planning:** Through coordinated, efficient use of existing infrastructure and optimizing planned infrastructure that will service the communities of Niagara and facilitate movement of people and goods; and
- **Sustainable and Engaging Government:** Through planned growth that is fiscally sustainable and fosters strong, successful relationships between all levels of government in the supply of services and infrastructure.

Other Pertinent Reports

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| PDS 40-2016 | Regional Official Plan Update |
| PDS 41-2017 | New Official Plan Structure and Framework |
| PDS 3-2018 | New Official Plan Update |
| PDS 6-2018 | Natural Environment Project Initiation Report |
| PDS 18-2018 | Natural Environment – Project Framework |
| PDS 9-2019 | New Official Plan Consultation Timeline Framework |
| PDS 10-2019 | Update on Natural Environment Work Program – New Regional Official Plan |
| CWCD 122-2019 | Agricultural and Environmental Groups – Draft Stakeholder Lists |
| CWCD 150-2019 | Update on Official Plan Consultations – Spring 2019 |
| CWCD 179-2019 | Notice of Public Information Centres – Natural Environment Work Program, New Regional Official Plan |
| CWCD 271-2019 | Update on Consultation for New Official Plan |
| PDS 32-2019 | Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study |
| PDS 1-2020 | New Niagara Official Plan – Public Consultation Summary |
| PDS 3-2020 | Ecological Land Classification Mapping Update |
| PDS 9-2020 | Niagara Official Plan – Consultation Details and Revised Framework |
| CWCD 153-2020 | Natural Environment Work Program Update – New Niagara |

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| | Official Plan |
| PDS 26-2020 | Natural Environment Work Program – Phase 4: Identification and Evaluation of Options |
| CWCD 314-2020 | Update Natural Environment Work Program |
| PDS 35-2020 | Niagara Official Plan Consultation Update |
| PDS 4-2021 | Niagara Official Plan – Steps and Direction Moving Forward |
| PDS 1-2021 | Natural Environment Work Program – 2nd Point of Engagement |
| CWCD 2021-70 | Mapping and Data for Natural Environment Options |
| PDS 17-2021 | Niagara Official Plan Consolidated Policy Report |
| PDS 30-2021 | Niagara Watershed Plan – Draft for Consultation |
| PDS 32-2021 | Update on Niagara Official Plan - Further Draft Policy Development |
| PDS 36-2021 | Consultation Response and Further Policy Development |
| PDS 39-2021 | Niagara Official Plan: Employment Area Conversion Recommendations |
| PDS 8-2021 | Niagara Official Plan: Natural Environment System |
| PDS 41-2021 | Settlement Area Boundary Review - Urban Recommendations |
| PDS 42-2021 | Settlement Area Boundary Review - Rural Recommendations |

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Appendices

Appendix 1 Table of Comments - Proposed Draft Consolidated NOP