Ministry of Municipal Affairs and Housing

Municipal Services Office
Central Ontario
777 Bay Street, 13th Floor
Toronto ON M5G 2E5
Phone: 416-585-6226
Fax: 416-585-6882
Toll-Free: 1-800-668-0230

Ministère des Affaires municipales et du Logement

Bureau des services aux municipalités
Centre de l'Ontario
777, rue Bay, 13 étage
Toronto ON M5G 2E5
Téléphone: 416-585-6226
Télécopieur: 416-585-6882
Sans frais: 1-800-668-0230

February 25, 2019

Sent via email only

Kirsten McCauley, MCIP, RPP
Senior Planner, Secondary Plans
Planning and Development Services
Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON L2V 4T7

Dear Ms. McCauley:

Subject: Proposed Niagara Region Official Plan Amendment No. 15
Update to Exemption Policies
MMAH File #: 26-EOPA-198686

Thank you for providing the Ministry of Municipal Affairs and Housing ("Ministry") with the opportunity to review and provide comments on proposed Regional Official Plan Amendment No. 15 ("ROPA 15"). It is understood that the Region is bringing ROPA 15 forward under Section 17 of the *Planning Act* and would be the decision maker.

ROPA 15 would update sections 14.E.6-14.E.8 of the Regional Official Plan which outlines when a local official plan amendment may be exempt from Regional approval. ROPA 15 has been reviewed in the context of the *Planning Act*, the 2014 Provincial Policy Statement, the Growth Plan for the Greater Golden Horseshoe, 2017 ("Growth Plan") and the Greenbelt Plan, 2017.

Pursuant to section 17(10) of the *Planning Act* (the "Act"), Regional Council was authorized to pass By-law 129-2001 which exempts lower-tier official plan amendments brought forward under section 17 of the Act from Regional approval. According to By-law 129-2001, Regional Council may exempt minor, site specific local official plan amendments from Regional approval.

Ministry staff are generally supportive of the Region updating their exemption policies to provide clarity and certainty to their lower-tier municipalities.

The Region may want to consider potential implications of proposed amendment 1 to the Growth Plan to ROPA 15, specifically with regards to decisions on employment area conversions. Currently, the Growth Plan requires that the conversion of lands within employment areas to non-employment uses only be permitted through a municipal comprehensive review ("MCR"), undertaken by an upper-tier municipality and approved by the province under section 26 of the *Planning Act*. In addition, both the current Growth Plan and proposed amendment 1 require that upper-tier municipalities designate employment areas in official plans, in consultation with lower-tier municipalities.

Proposed amendment 1 to the Growth Plan would enable municipalities to undertake employment conversions in advance of the next MCR, subject to criteria. As such, until the Region has completed its Growth Plan conformity exercise and designated employment areas, lower-tier municipalities would be able advance an employment area conversion without triggering the need for a regional official plan amendment.

In conclusion, the Region should consider the potential implications of the Growth Plan and proposed amendment 1 on ROPA 15 which could also inform the appropriate timing for bringing ROPA 15 forward for decision. Thank you again for the opportunity to comment on this proposed amendment. Should you have any questions please do not hesitate to contact me at (416) 585-7323.

Regards,



Loralea Tulloch
Planner, Community Planning and Development (West)