Amendment

Statutory Public Meeting
March 20, 2019

Presented by:
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Associated report:
PDS 5-2019
Purpose of the Amendment


• Proposed amendment will provide more clarity and certainty to the exemption process.

• Review done in conjunction with an update to the Memorandum of Understanding (MOU) between the Region and the local area municipalities.
Legislative framework

Planning Act
Section 17(10)

The Region may pass a by-law exempting Local Official Plan Amendments from Regional Council approval.

Ontario Regulation 699/98

Minister’s authority to pass a by-law in Niagara.

Regional By-law and Policy

By-law 129-2001 and Regional Policy Plan Amendment (RPPA) 137.
Timeline: Niagara’s exemption policies

- **2001**: Exemption by-law 129-2001 passed with RPPA 137
- **2002**: Exemption by-law 43-2002 for delegation authority
- **2014**: Amended exemption policies through RPPA 5-2013
- **2018**: MOU created and reviewed
- **2019**: Regional Official Plan Amendment (ROPA) 15 commenced
- **2019**: ROPA 15 adopted into the Regional Official Plan
## Existing v. proposed policy

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<th>Existing Policy</th>
<th>Proposed Policy</th>
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<td><strong>14.E.7</strong> Comprehensive amendment exemptions.</td>
<td>• Combines existing policies into a two part policy:</td>
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<td><strong>Part A</strong>: minor amendments with no concerns to Regional &amp; Provincial interest.</td>
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<td><strong>14.E.8</strong> Exemptions for amendments of local significance.</td>
<td><strong>Part B</strong>: comprehensive amendments requiring collaboration to identify and address matters of Regional interest.</td>
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<td><strong>14.E.9</strong> Conformity with Regional Official Plan.</td>
<td>• Combines and summarizes the list of criteria where an amendment may not be exempt.</td>
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Protecting Regional & Provincial interests

New Policy 14.E.7

Provides a clear and concise Regional mandate:
- Protecting Regional and Provincial planning interest and matters;
- significant impacts to Regional infrastructure/investment; and
- cross-boundary impacts.

Enables collaboration between the Region and the local municipality to address matters.

Region would retain approval authority where resolution is not met.
Exemption by-law

To align with ROPA 15, the existing exemption by-law will be repealed and replaced.

The new exemption by-law will reflect and implement the updated policy.

The new by-law will be presented to Committee with the recommendation report for ROPA 15.
Expected outcomes

- Enhanced efficiency when reviewing local amendments for exemption.
- Strengthened support and collaboration between the Region and its local municipal partners.
- Improved clarity enabling consistent interpretation and application of exemption policy.

Next steps

- Collect comments from Committee, the public, and agencies.
- Evaluate input and make any required changes.
- Recommendation report.
- Approval & appeal period.