

**THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING & ECONOMIC DEVELOPMENT COMMITTEE
MINUTES**

**PEDC 3-2019
Wednesday, March 20, 2019
Council Chamber
Niagara Region Headquarters, Campbell West
1815 Sir Isaac Brock Way, Thorold, ON**

Committee: Bradley (Regional Chair), Butters, Bylsma, Darte (Committee Vice-Chair), Diodati, Foster, Greenwood, Heit, Huson (Committee Chair), Junkin, Redekop, Rigby, Sendzik, Ugulini, Zalepa

Absent/Regrets: Bellows, Campion, Easton

Other Councillors: Witteveen

Staff: E. Acs, Manager, Community Planning, I. Banach, Manager, Long Range Planning, D. Giles, Director, Community & Long Range Planning, J. Gilston, Legislative Coordinator, D. Heyworth, Official Plan Policy Consultant, V. Kuhns, Acting Director, Economic Development, K. McCauley, Senior Planner, Secondary Plans, D. Morreale, Director, Development Approvals, R. Mostacci, Commissioner, Planning & Development Services, A.-M. Norio, Regional Clerk, K. Scholtens, Manager, Business Development and Expedited Services, R. Tripp, Acting Chief Administrative Officer

1. CALL TO ORDER

Committee Chair Huson called the meeting to order at 1:00 p.m.

2. DISCLOSURES OF PECUNIARY INTEREST

See Minute Item 4.1.

3. STATUTORY PUBLIC MEETING UNDER THE PLANNING ACT

At 1:00 p.m. Committee Chair Huson called the Statutory Public Meeting under the *Planning Act* to order and stated that the meeting was being held in accordance with Section 17 of the *Planning Act*.

The purpose of the meeting was to receive comments and answer questions from the public regarding proposed Amendment 15 to the Niagara Region Official Plan (Report PDS 5-2019).

The Region has undertaken a review of the existing exemption policies in the Regional Official Plan. The exemption policies identify the circumstances where the Region will exempt local Official Plan Amendments from Regional approval.

The proposed amendment would streamline these policies to provide clarity and certainty to the exemption process for the Region's local area municipalities. The proposed draft policy was done in conjunction with an update to the memorandum of understanding between Niagara Region and local area municipalities, and included discussions with local area planners.

The Committee Chair informed the gallery that any person present who wished to make representation on the proposed amendment would be given an opportunity.

The gallery was advised that written submissions may be placed on a public agenda and become part of the public record. Personal information will be collected and maintained for the purpose of creating a record and may be available to the general public pursuant to the *Municipal Act*, the *Municipal Freedom of Information and Privacy Act*, and any other relevant Acts. Any questions related to the privacy policy, should be directed to the Regional Clerk's Office.

3.1 Presentations

3.1.1 Overview of the Application - Regional Staff

Kirsten McCauley, Senior Planner, Secondary Plans, presented information respecting Regional Official Plan Amendment 15 (ROPA 15). Topics of the presentation included:

- Purpose of the Amendment
- Legislative Framework
- Timeline: Niagara's Exemption Policies
- Existing versus Proposed Policy
- Protecting Regional and Provincial Interests
- Exemption By-law
- Expected Outcomes

3.2 Registered Speakers

There were no speakers registered in advance of the meeting.

The Committee Chair reminded members of the public to give their name and address clearly for the record when they rose to speak and advised anyone interested in submitting written comments on the Regional Official Plan Amendment after the public meeting must send them to the Regional Clerk.

3.2.1 Speakers to the Report

The Committee Chair invited members of the public to speak to the Regional Official Plan Amendment 15 (ROPA 15). There were no speakers to the report.

3.3 Report & Correspondence (For Information Only)

Moved by Councillor Greenwood

Seconded by Councillor Foster

That Report PDS 5-2019, dated March 20, 2019, respecting Statutory Public Meeting for Draft Regional Official Plan Amendment 15 – Exemption Policies, **BE RECEIVED** and the following recommendations **BE APPROVED**;

1. That a copy of Report PDS 5-2019 **BE CIRCULATED** to the Local Area Municipalities for information;
2. That the necessary update to the exemption by-law **BE PREPARED** and **PRESENTED** to Council for consideration with the recommendation report for Regional Official Plan Amendment No. 15;
3. That existing By-law 129-2001 and By-law 43-2002 **BE REPEALED** when the new exemption by-law is passed; and
4. That the following correspondence items **BE RECEIVED** and **REFERRED** to the preparation of the final report on Regional Official Plan Amendment 15:

PDS-C 10-2019

Letter from L. Tulloch, Planner, Community Planning and Development (West), Ministry of Municipal Affairs and Housing, dated February 25, 2019, respecting Regional Official Plan Amendment 15

PDS-C 11-2019

Letter from R. Brady, Director, Planning and Development Services, Town of Fort Erie, dated February 27, 2019, respecting Regional Official Plan Amendment 15

Carried

3.4 Summary & Next Steps

Kirsten McCauley, Senior Planner, Secondary Plans, advised the comments received at the Statutory Public Meeting would be considered in the preparation of the final report on Regional Official Plan Amendment 15.

3.5 Adjournment of the Statutory Public Meeting Under the Planning Act

The Committee Chair declared the Statutory Public Meeting under the *Planning Act* adjourned at 1:21 p.m.

4. **PRESENTATIONS**

4.1 Modernizing Wine Sales in Ontario

Richard Linley, President, and Len Pennachetti, Chair, Ontario Craft Wineries, presented information respecting Modernizing Wine Sales in Ontario. Topics of the presentation included:

- About Us
- Ontario Craft Wineries Members
- Industry Position
- Our Advice to Government
- Ontario and U.S.A Wine Distribution Models
- General Retail Guardrails (All Channels)

Councillor Heit declared an indirect pecuniary interest with respect to the Ontario Craft Wineries presentation, as his daughter is employed at a Liquor Control Board of Ontario (LCBO) retail store.

Moved by Councillor Zalepa
Seconded by Councillor Ugolini

That the Regional Chair **BE DIRECTED** to send a letter to the Province of Ontario in support of the recommendations outlined in the presentation respecting Modernizing Wine Sales in Ontario.

Carried

5. **DELEGATIONS**

There were no delegations.

6. ITEMS FOR CONSIDERATION

6.1 PDS 11-2019

Recommendation for Regional Official Plan Amendment No. 14 - Brock District Plan

Kirsten McCauley, Senior Planner, Secondary Plans, presented information respecting Regional Official Plan Amendment No. 14 - Brock District Plan. Topics of the presentation included:

- What is a District Plan?
- Timeline: Brock District Plan
- Brock District Plan Vision
- Frameworks
- Brock Technical Advisory Committee
- Recommendations

Moved by Councillor Ugulini
Seconded by Councillor Rigby

That Report PDS 11-2019, dated March 20, 2019, respecting Recommendation for Regional Official Plan Amendment No. 14 - Brock District Plan, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That Regional Official Plan Amendment No. 14 – Brock District Plan, attached as Appendix 1 to Report PDS 11-2019, **BE APPROVED**;
2. That all parties **BE NOTIFIED** of Regional Council's decision in accordance with *Planning Act, 1990* requirements; and
3. That staff **ISSUE** a declaration of final approval of the Official Plan Amendment 20 days after notice of Council's decision has been given, provided that no appeals have been filed against the decision.

Carried

6.2 PDS 4-2019

Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities

Moved by Councillor Bylsma
Seconded by Councillor Greenwood

That Report PDS 4-2019, dated March 20, 2019, respecting Memorandum of Understanding for Planning Function and Services between Niagara Region and Local Area Municipalities, **BE RECEIVED** and the following recommendations **BE APPROVED**:

1. That the updated Memorandum of Understanding (MOU) for Planning Function and Services between The Regional Municipality of Niagara and the Local Area Municipalities dated March 2019, attached to Report PDS 4-2019 as Appendix I, **BE CIRCULATED** to the Local Area Municipalities for review and approval; and
2. That subsequent to the approvals by the Local Area Municipalities that the MOU **BE BROUGHT FORWARD** to Regional Council for approval with direction that the Regional Chief Administrative Officer **BE AUTHORIZED** to sign the MOU.

Carried

Councillor Information Request(s):

Provide information respecting best practices for reporting performance metrics related to development application approvals, and provide annual statistics on these key performance indicators. Councillor Sendzik.

Include a framework related to key performance indicators as part of the Memorandum of Understanding. Councillor Zalepa.

6.3 PDS 13-2019

Initiation of a Woodland By-law Review

Moved by Councillor Bylsma
Seconded by Councillor Diodati

That Report PDS 13-2019, dated March 19, 2019, respecting Initiation of a Woodland By-law Review, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That staff **BE DIRECTED** to engage from the Local Area Municipalities, Niagara Peninsula Conservation Authority (NPCA), Niagara North Federation of Agriculture, Niagara South Federation of Agriculture, Niagara Woodlot Association, Niagara Home Builders Association, Niagara Construction Association and Niagara Parks Commission, and the Agricultural Policy and Action Committee, to receive feedback pertaining to the Woodland By-law as part of the Woodland By-law Review Project.

Carried

6.4 PDS-C 9-2019

Recommendations for Consideration from the Agricultural Policy and Action Committee meeting held February 22, 2019

Moved by Councillor Butters
Seconded by Councillor Heit

That Correspondence Item PDS-C 9-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated March 20, 2019, respecting Recommendations for Consideration from the Agricultural Policy and Action Committee meeting held February 22, 2019, **BE RECEIVED** and the following recommendation **BE APPROVED**:

That Correspondence Item APAC-C 3-2019, being a memorandum from A.-M. Norio, Regional Clerk, dated February 22, 2019, respecting Irrigation Working Group Update, **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Regional Council **ENDORSE** the formation of a volunteer Niagara Water Resource Board.

Carried

7. **CONSENT ITEMS FOR INFORMATION**

7.1 ED 2-2019

Economic Development Strategy: 2019 - 2024

Valerie Kuhns, Acting Director, Economic Development, and Ken Scholtens, Manager, Business Development and Expedited Services, provided information respecting Economic Development Strategy: 2019 - 2024. Topics of the presentation included:

- Economic Analysis and Forecasting
- Stakeholder Consultations
- Strategic Action Plan Themes
- Next Steps

Moved by Councillor Foster
Seconded by Councillor Heit

That Report ED 2-2019, dated March 20, 2019, respecting Economic Development Strategy: 2019 - 2024, **BE RECEIVED** for information.

Carried

Councillor Information Request(s):

Provide information as to how industrial and commercial tax rates affect the Region's competitiveness for attracting businesses. Councillor Zalepa.

7.2 PDS 12-2019

Glendale Niagara District Plan – Phase 2 Update

Amy Shepherd, IBI Group, provided information respecting Glendale Niagara District Plan – Phase 2 Update. Topics of the presentation included:

- Why a District Plan for Glendale Niagara?
- Glendale Niagara District Plan Study
- Phase 1 - Vision
- Phase 2 - Objective and Ongoing Work Program
- Land Use - Existing Land Use Plan, Phase 1 Vision and Phase 2 Draft Option Approach
- Building Heights
- Opportunities for Stakeholder and Public Input
- Phase 2 - Next Steps

Moved by Councillor Rigby
Seconded by Councillor Zalepa

That Report PDS 12-2019, dated March 20, 2019, respecting Glendale Niagara District Plan – Phase 2 Update, **BE RECEIVED** for information.

Carried

7.3 PDS 6-2019

Niagara Region 2018 Employment Inventory Results Report

John Docker, Planner, and Dan Turner, Employment Inventory Data Intern, provided information respecting Niagara Region 2018 Employment Inventory Results Report. Topics of the presentation included:

- Employment Inventory Overview
- Key Differences - Employment Inventory and Census
- Niagara Employment Inventory Key Indicators
- Engaging the Business Community
- Partnerships and Collaboration
- Next Steps

Moved by Councillor Greenwood

Seconded by Councillor Darte

1. That Report PDS 6-2019, dated March 20, 2019, respecting Niagara Region 2018 Employment Inventory Results Report, **BE RECEIVED**; and
2. That a copy of Report PDS 6-2019 **BE CIRCULATED** to the Local Area Municipalities, Local Economic Development Offices, Niagara Workforce Planning Board and the Niagara Chambers of Commerce.

Carried

7.4 ED 3-2019

Workforce Development Initiative

Moved by Councillor Bylsma

Seconded by Councillor Heit

That Report ED 3-2019, dated March 20, 2019, respecting Workforce Development Initiative, **BE RECEIVED** for information.

Carried

7.5 PDS 9-2019

New Official Plan Consultation Timeline Framework

Moved by Councillor Bylsma

Seconded by Councillor Butters

That Report PDS 9-2019, dated March 20, 2019, respecting New Official Plan Consultation Timeline Framework, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Carried

8. **OTHER BUSINESS**

There were no items of other business.

9. **CLOSED SESSION**

Committee did not resolve into Closed Session.

10. **BUSINESS ARISING FROM CLOSED SESSION ITEMS**

10.1 Confidential Report PDS 15-2019

A Matter Respecting Litigation or Potential Litigation – Appeal to the Local Planning Appeal Tribunal for Welland Committee of Adjustment Decision on Minor Variance A01/2019, 37 Niagara Street, City of Welland

Moved by Councillor Bylsma

Seconded by Councillor Darte

That Confidential Report PDS 15-2019, dated March 20, 2019, respecting A Matter Respecting Litigation of Potential Litigation – Appeal to the Local Planning Appeal Tribunal for Welland Committee of Adjustment Decision on Minor Variance A01/2019, 37 Niagara Street, City of Welland, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

10.2 Confidential Report PDS 16-2019

A Matter Respecting Litigation or Potential Litigation – Appeal to the Local Planning Appeal Tribunal for Port Colborne Committee of Adjustment Decision on Consent Applications B05-19-PC and B06-19-PC, Block 74 of Westwood Estates, City of Port Colborne

Moved by Councillor Bylsma
Seconded by Councillor Darte

That Confidential Report PDS 16-2019, dated March 20, 2019, respecting A Matter Respecting Litigation or Potential Litigation – Appeal to the Local Planning Appeal Tribunal for Port Colborne Committee of Adjustment Decision on Consent Applications B05-19-PC and B06-19-PC, Block 74 of Westwood Estates, City of Port Colborne, **BE RECEIVED** and the recommendations contained therein **BE APPROVED**.

Carried

11. **NEXT MEETING**

The next meeting will be held on Wednesday, April 17, 2019, at 1:00 p.m. in the Council Chamber, Regional Headquarters.

12. **ADJOURNMENT**

There being no further business, the meeting adjourned at 3:45 p.m.

Councillor Huson
Committee Chair

Jonathan Gilston
Legislative Coordinator

Ann-Marie Norio
Regional Clerk