

Approval of the City of Niagara Falls Official Plan Amendment 147 (OPA 147)

Employment Policies and Mapping

Report No. PDS 24-2023

Planning and Economic
Development Committee

Wednesday, August 9, 2023

Region as the Approval Authority

- The Region is the approval authority for amendments to the City of Niagara Falls Official Plan under subsection 17 (4) of the *Planning Act*.
- City of Niagara Falls Official Plan Amendment No. 147 (OPA 147), with modifications, is being presented for Regional Council approval.

Employment Areas vs Employment Lands

- Employment Areas are mapped in Schedule G of the Niagara Official Plan and are of Regional interest.
 - Conversion of Employment Areas to non-employment uses shall only occur through a Regional Municipal Comprehensive Review.
 - The Region sets out minimum Employment Area density targets that local municipalities must plan to achieve in local Official Plans.
- Employment Lands may be locally identified outside of Employment Areas.
 - Local municipalities are responsible for evaluating Employment Land conversion requests outside of Employment Areas and must ensure that non-residential space is retained to accommodate a similar number of jobs.

Process Timeline



Employment Lands Strategy

- Assessed employment land needs to 2051 relative to existing land supply and projected demand
- Strength, Weakness, Opportunity and Constraint Assessment to evaluate the ability of employment lands to accommodate future employment growth
- Reviewed employment sites for potential conversion to non-employment use
- Proposed policy recommendations pertaining to the City's employment lands and employment areas

Consultation Undertaken

- Open House
- Two Public Meetings
- Online and hard copy access to proposed amendments made available
- Written and verbal comments received and considered from interested parties, the public and agencies

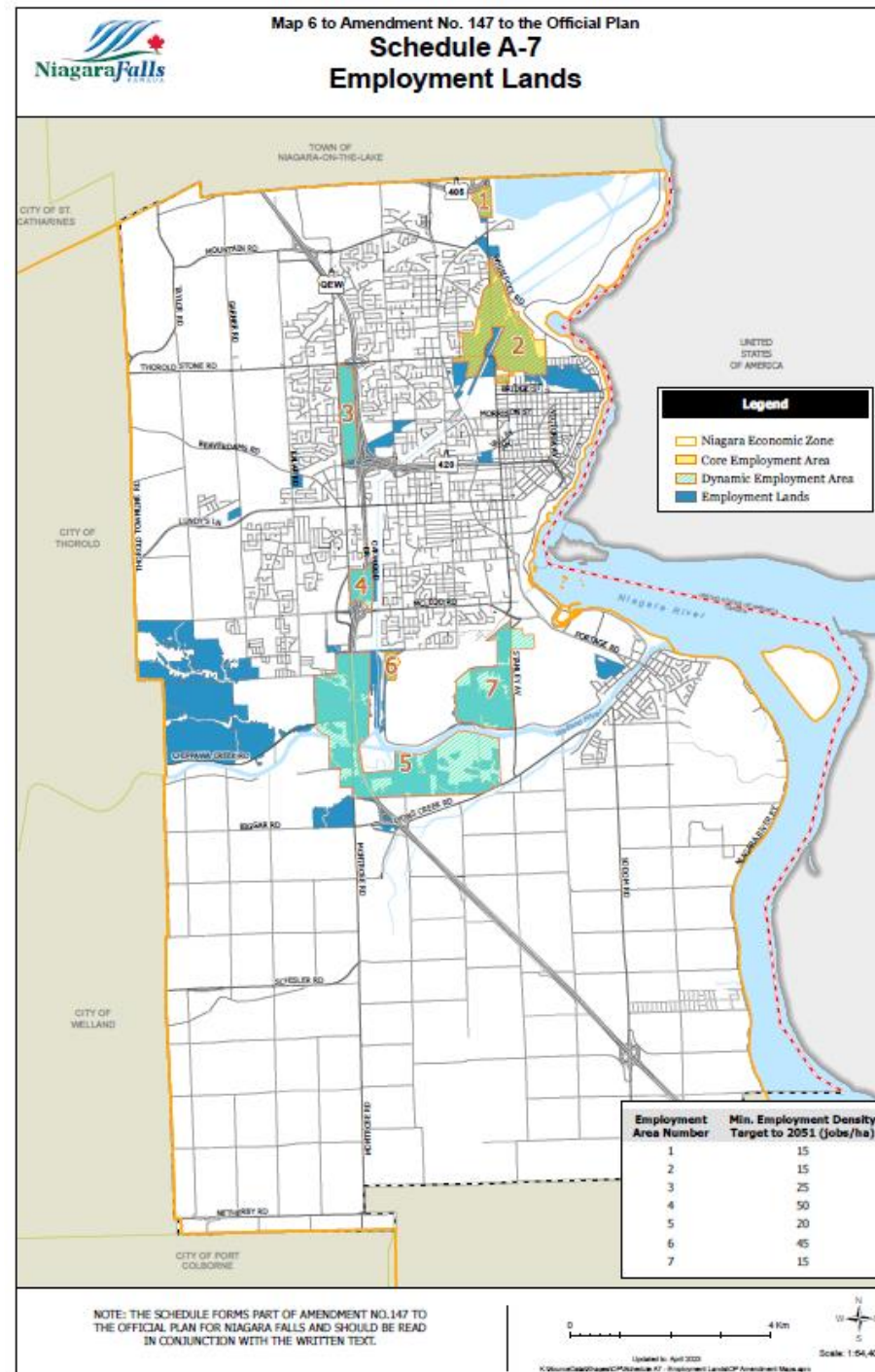
Purpose of the Amendment

- Update existing policies and introduce new policies and schedules respecting Employment Lands and Employment Areas that implement the recommendations of the Niagara Falls Employment Lands Strategy
- Convert or re-designate certain parcels of land from employment lands to new land uses
- Bring the City of Niagara Falls employment policies and mapping into conformity with the Niagara Official Plan and Provincial plans

Subject Lands

OPA 147 applies to all Employment Areas and employment lands identified in the City, and the following sites that are subject to an employment lands conversion:

- 5796 and 5750 Valley Way
- 5720 Portage Road
- 8236 Beaverdams Road
- 9304 McLeod Road
- Lands along the north side of Bridge Street and Victoria Avenue, and lands of the former Kimberly Clark building

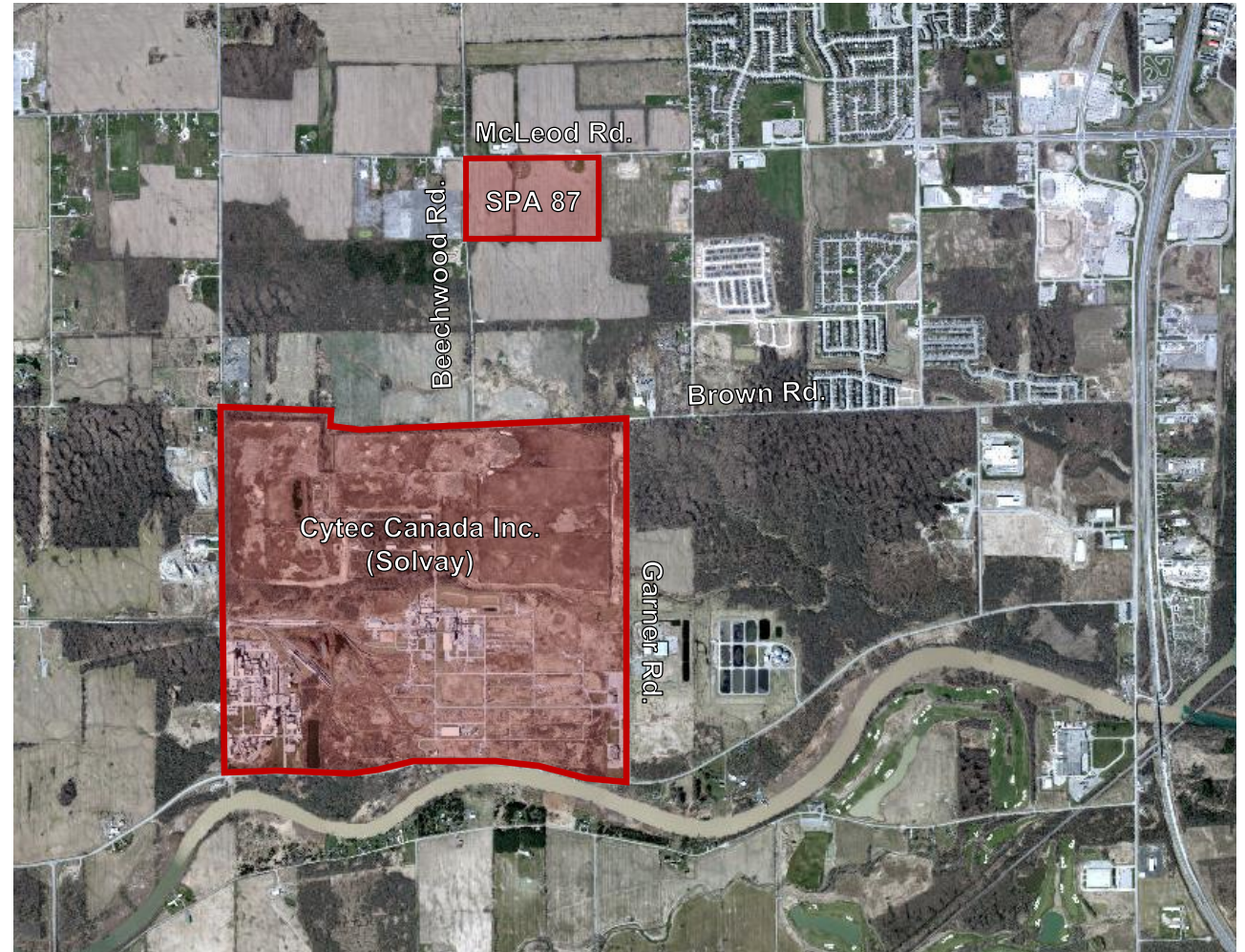


LEGEND

- Niagara Economic Zone
- Core Employment Area
- Dynamic Employment Area
- Employment Lands

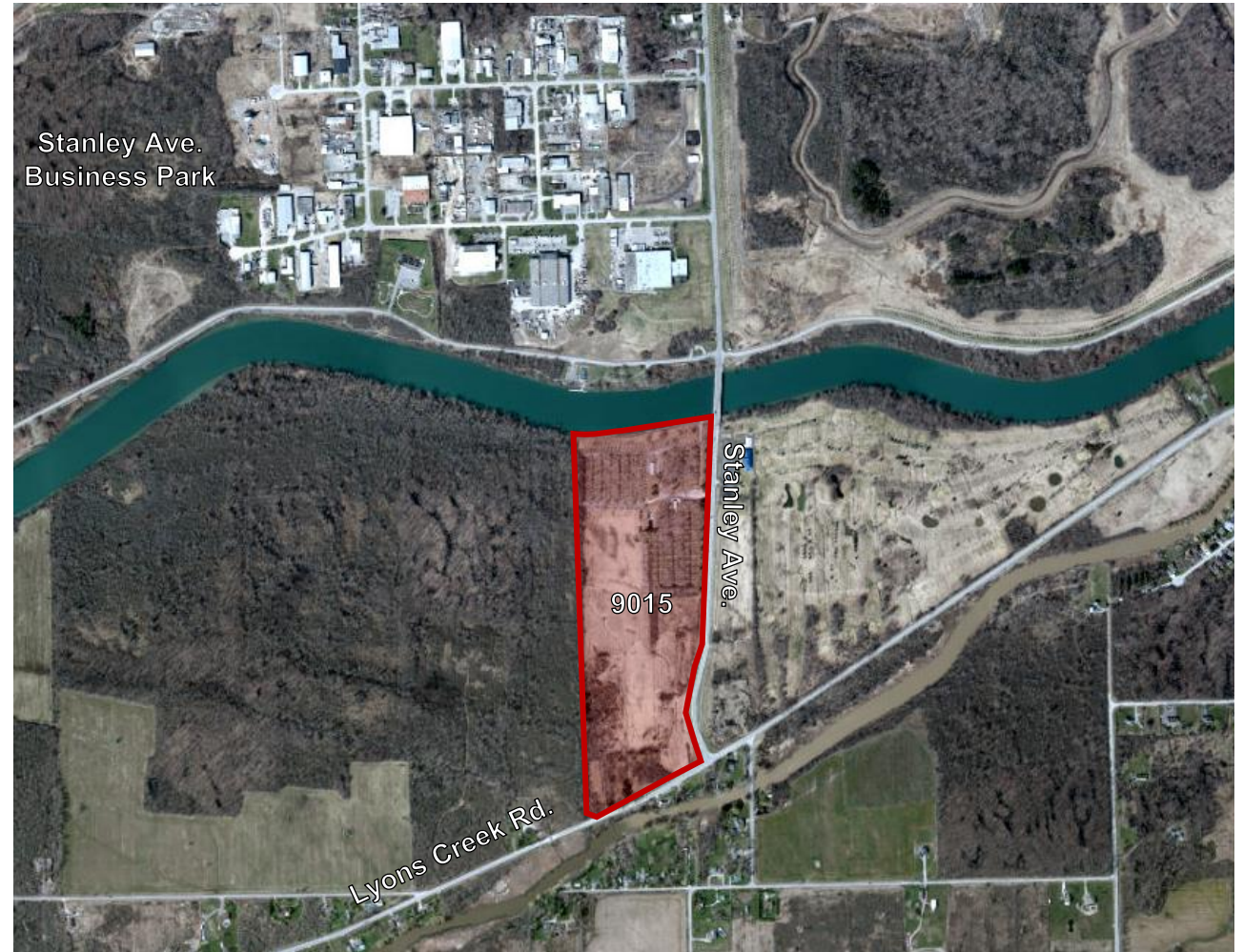
Comments Received

- Cytec Canada Inc. (Solvay) solicitor identified concerns regarding Special Policy Area (SPA) 87 and Residential uses being permitted within 2 km of the phosphine storage facility on the Cytec lands



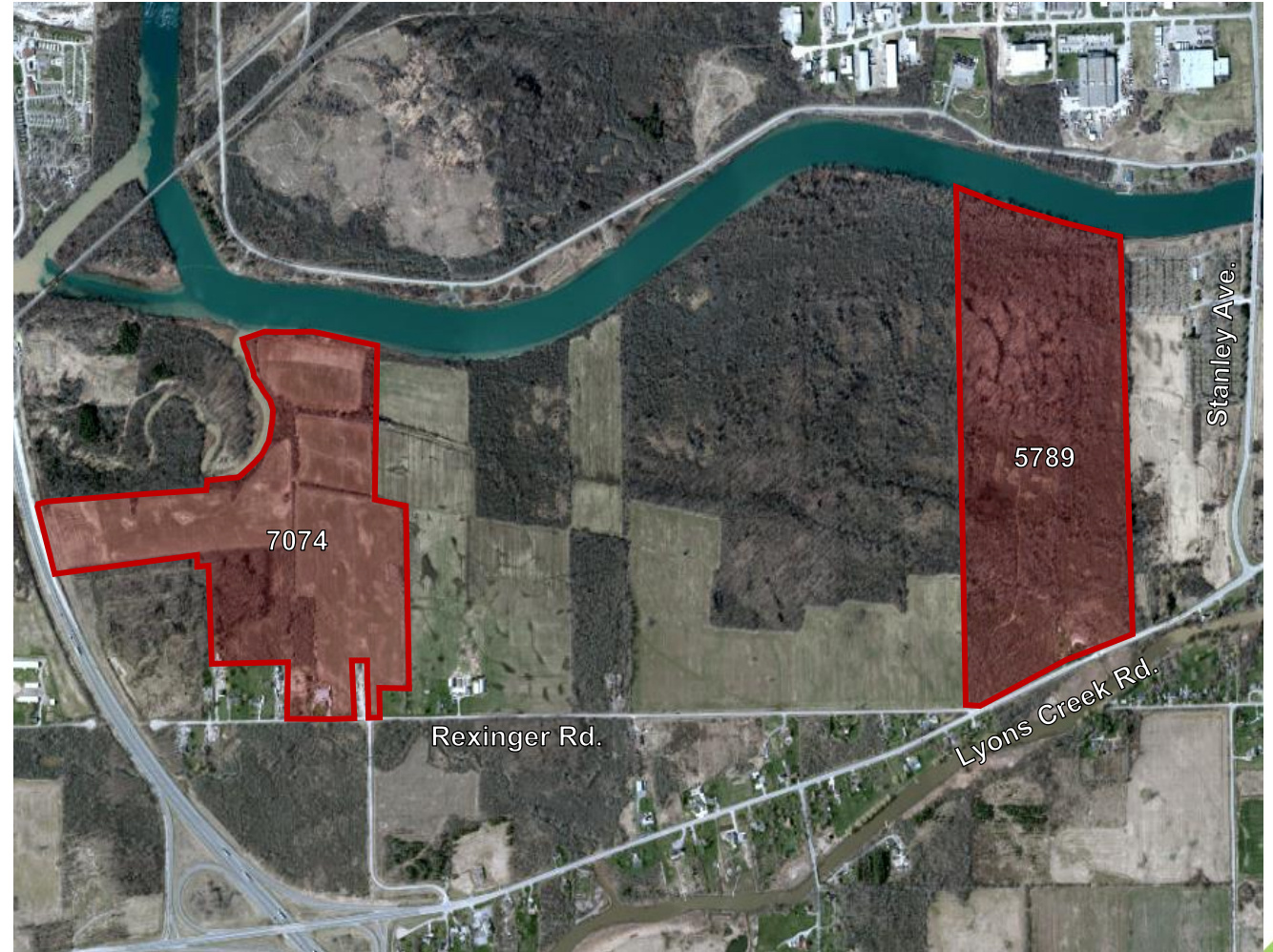
Comments Received

- Request that lands at 9015 Stanley Ave. be identified for non-employment uses as adopted by City Council.
- Development application submitted and deemed complete for subject lands prior to the approval of the NOP.
- Industrial association at the Stanley Ave. Business Park identified concerns for land use compatibility if non-employment uses are permitted.



Comments Received

- Request that the Region defer the approval of OPA 147 until the proposed Provincial Planning Statement (PPS) is proclaimed.
- A decision is premature until the PPS is proclaimed given that this will change how Employment Areas are managed.
- The solicitor for the landowner is of the opinion that a mixed-use designation is more appropriate for these lands.



Proposed Modifications

- **Mapping Discrepancies:** Employment Area mapping has been modified to align with mapping on Schedule G of the Niagara Official Plan
- **Clarification of Employment Lands vs Employment Areas:** Special policy area amendments have been modified to correctly identify Employment Areas and employment lands
- **Special Policy Area 87:** Modifications establish that the Residential designation on the lands will take effect upon conditions being cleared
- **Employment Area Conversions:** Modified to only allow for conversions during a Regional Municipal Comprehensive Review
- **Prohibiting Residential in Employment Areas:** Policy added to prohibit residential uses and modifications to remove policy that allows residential uses in Employment Areas

Conclusion



OPA 147, as modified, is consistent with and conforms to Provincial and Regional land use policy



OPA 147 is supported by the City's Employment Lands Strategy



Public consultation was undertaken beyond the requirements set out in the Planning Act



Regional Council's decision on OPA 147 will be, in part, subject to a 20-day appeal period