
Subject: Recommendation Report - Approval of Regional Official Plan Amendment, Regional Road Allowance Widths

Report to: Planning and Economic Development Committee

Report date: Wednesday, January 10, 2024

Recommendations

1. That Regional Official Plan Amendment (Regional Road Allowance Widths) **BE APPROVED** in accordance with Section 17 of the *Planning Act*; and
2. That all parties **BE NOTIFIED** of Regional Council's decision in accordance with *Planning Act* requirements.

Key Facts

- This report seeks Regional Council's approval of Regional Official Plan Amendment (Regional Road Allowance Widths).
- The Regional Official Plan Amendment (ROPA) will replace the existing road allowance widths table in Schedule M in its entirety and add a new policy to Chapter 5 (Connected Region) that would allow for updates to Schedule M following the completion of a Municipal Class Environmental Assessment (EA).
- A statutory public meeting for the ROPA was held at the Planning and Economic Development Committee meeting on September 13, 2023. In addition, the area municipalities, Niagara Region Homebuilders, and Council's Agriculture Policy and Action Committee (APAC) have been consulted on the development of this ROPA.
- The proposed changes to the road allowance widths table were based on an analysis of the transportation model and roadway capacity outlined in the Region's Transportation Master Plan, as well as the planned projects listed in the Region's 10-year capital forecast.
- The ROPA will allow for better integration between land use and transportation planning by providing a more accurate projection of the long-term needs of Regional transportation infrastructure.

- Given the scope and nature of the changes proposed, Regional Council retains approval authority for the ROPA.

Financial Considerations

There are no direct financial implications arising from the approval of the ROPA. Under Section 17 of the *Planning Act*, the ROPA is subject to appeal within 20 days after the day that written notice of approval is issued by Niagara Region. An appeal of Regional Council's decision would result in the need for resources to support an Ontario Land Tribunal hearing. Should there be appeals of Regional Council's decision, a further report on financial implications will be provided.

Analysis

Background

The approved Niagara Official Plan outlines a comprehensive land use policy framework to guide growth and development within Niagara to the year 2051, including policies and schedules related to planning for transportation infrastructure and the use of a "complete streets" approach (i.e., street design that balances the needs of all road users, including pedestrians, cyclists, transit-users, and motorists).

Schedule M (Road Allowance Widths) of the Niagara Official Plan outlines the right-of-way widths for all roads under the jurisdiction of the Niagara Region. In accordance with Policies 5.1.5.1 and 5.1.5.2 of the Niagara Official Plan, the Region may, where appropriate, acquire land as a condition of the approval of a development application to achieve the designated road allowances identified in Schedule M.

Concurrent to the review and approval of the Niagara Official Plan, the Region's Public Works Department initiated the preparation of a Complete Streets Design Manual (CSDM) intended to provide a set of consistent guidelines and tools to inform the design, implementation, and maintenance of complete streets across Niagara.

In the course of reviewing the CSDM, Regional staff undertook additional analysis of Schedule M based on the transportation model and roadway capacity outlined in the Region's Transportation Master Plan, as well as the planned projects listed in the Region's 10-year capital forecast. The results of this analysis identified opportunities to better align designated road allowance widths with the anticipated needs of the population and employment growth forecasted in the Niagara Official Plan.

Purpose

The ROPA, as outlined in **Appendix 1**, updates the road allowance width table in Schedule M to include:

1. Several decreases to right-of-way widths where no or limited road widenings are needed within the foreseeable future;
2. A total of three (3) increases to road allowance widths in the Town of Lincoln and City of Welland where projects identified in the Region's 10-year capital forecast are anticipated to require additional right-of-way; and
3. The identification of new road allowance widths for Regional Road segments that are either currently marked as "TBD" in Schedule M or were previously missing from the table entirely.

Further, a new policy is proposed to be added to Chapter 5 (Connected Region) of the Niagara Official Plan, which would allow updates to Schedule M to be made without an amendment if alternate road allowance widths are approved through a completed Municipal Class Environmental Assessment.

Both the Niagara Official Plan and the Region's Transportation Master Plan emphasize the need to integrate and co-ordinate transportation planning, land use planning, and urban design in order to reflect the unique needs of the Region's urban and rural communities. Accordingly, it is important that Schedule M and associated policies are revised to ensure that infrastructure planning aligns with the growth management direction of the Niagara Official Plan.

The Amendment will provide consistency with the goals and recommendations of the Region's Transportation Master Plan, the 10-Year capital forecast and help support the achievement of complete streets as outlined in Chapter 5 (Connected Region) of the Niagara Official Plan. The Amendment will replace the existing table in Schedule M (Road Allowance Widths) in its entirety and introduce a new policy to Chapter 5 (Connected Region) of the Niagara Official Plan to allow for better integration between land use planning and infrastructure planning. For a list of all proposed changes to the road allowance width table, please refer to **Appendix 2**.

Public Meeting and Consultation

An extensive consultation and engagement strategy was previously employed as part of the development of the Niagara Official Plan and the Transportation Master Plan to

obtain input on relevant transportation issues, constraints, and opportunities. Additional meetings with area municipal staff were also held prior to the draft ROPA circulation to discuss and gain input on the road width analysis specifically.

The draft ROPA was circulated for comment to area municipalities, prescribed agencies, Indigenous communities, and other interested parties on July 27, 2023. Comments received were incorporated into the document and then posted for public review and information prior to the statutory public meeting held at the Planning and Economic Development Committee meeting on September 13, 2023.

The statutory public meeting provided residents an opportunity to make their views on the ROPA known and allowed Regional staff to provide an overview of its contents and direction to the Committee.

Only one member of the public registered to speak to the Committee regarding the ROPA. The speaker's comments outlined concerns regarding the safety of farm vehicle users on Regional Roads. They also sought clarification regarding the implementation of the ROPA and whether landowners would be compensated for any additional lands needed to achieve the proposed rights-of-way.

In response to these comments, the Committee directed Staff to bring the ROPA forward to the Agricultural Policy and Action Committee (APAC) for further input. Regional staff proceeded to present the same materials to APAC at their meeting on September 29, 2023, and outlined the comments raised at the statutory public meeting. Additional comments and questions were directed to Regional staff regarding the process by which lands would be added to the Region's right-of-way. It was clarified that lands are generally added through the development approvals process. No changes or revisions to the ROPA were requested during or following this discussion.

Given the above, Regional staff are satisfied that the draft ROPA should remain unchanged and can be recommended for approval. Regarding the safety concerns expressed at the statutory public meeting, Regional staff are confident that appropriate consultation with the agricultural sector and individual landowners will be undertaken to address road design as part of future EAs or equivalent processes for rural Regional Road improvements. Farm vehicle safety issues will also be discussed as a component of the Region's forthcoming Vision Zero Road Safety Strategic Plan in 2024.

Provincial Modifications to the Niagara Official Plan

On October 23, 2023, the Minister of Municipal Affairs and Housing announced that legislation would be introduced to reverse the official plan decisions for several municipalities across Ontario, including Niagara Region.

On December 6, 2023, implementing legislation Bill 150 (*Planning Statute Law Amendment Act, 2023*) received Royal Assent, which reversed provincial changes made to the NOP except for modifications number 5, 24, 25, 32, 33, 39, 42, and 44. The reversal of official plan decisions are dated retroactively to the original date that the decision on the NOP was made (November 4, 2022).

Schedule M and those policies related to this ROPA are not the subject of any Provincial modifications. As such, it is not anticipated that the new decision from the Minister will impact the ability for the ROPA to be brought into force and effect.

Alternatives Reviewed

The Committee may choose to not approve the ROPA. This alternative is not recommended. The ROPA has been processed to better plan for a safe and efficient transportation system that facilitates the movement of people and goods, and to address projected population and employment needs.

The Committee may choose to approve the ROPA. This alternative is recommended. The ROPA is consistent with, conforms to, and does not conflict with Provincial land use policy, where applicable, including the Provincial Policy Statement, A Place to Grow: Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan, and the Niagara Escarpment Plan. The changes proposed represent good planning and address gaps and updates that have long been needed to better plan the Region's transportation network and implement a complete streets approach.

Relationship to Council Strategic Priorities

The ROPA supports Council's Strategic Priority "Prosperous Region" by implementing and promoting best practices for the movement of goods and people throughout the Region's transportation system that will help to enhance access to transit, active transportation, and other transportation modes.

Other Pertinent Reports

PDS 26-2023 Statutory Public Meeting for Regional Official Plan Amendment
(Regional Road Allowance Widths)

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Appendices

Appendix 1	Draft Regional Official Plan Amendment (Regional Road Allowance Widths)
Appendix 2	Proposed Changes to Schedule M (Road Allowance Width Table)