
Subject: City of Welland Application for Regional Official Plan Amendment

Report to: Planning and Economic Development Committee

Report date: Wednesday, February 12, 2020

Recommendations

1. That this report **BE RECEIVED** by the Planning and Economic Development Committee (PEDC); and
2. That this report **BE CIRCULATED** to the City of Welland for information.

Key Facts

- The purpose of this report is to advise Council that the City of Welland has submitted an application for a Regional Official Plan Amendment for the expansion of the City's urban boundary known as the northwest expansion (NWE) area. This report also provides information on the local Official Plan Amendment 24 adopted by the City in relation to the same matter.
- The Region has directly supported Welland's work program to consider the northwest expansion (NWE) and secondary plan process since 2017.
- As a result of changes to the *Growth Plan, 2019* Welland advanced its request to expand the City's urban boundary for the NWE area, by submitting a Regional Official Plan Amendment (ROPA) and adopting a Local Official Plan Amendment (OPA 24).
- The Region met with the City on several occasions in September and October, 2019, and January 2020, to discuss the ROPA requirements for the NWE area expansion under the new *Growth Plan, 2019* policies.
- The NWE ROPA application was submitted to the Region on November 12, 2019. The Region responded to this application on November 21, 2019 to advise the City that it was incomplete. Since then, the City and Region have been working to complete the ROPA application.
- Welland adopted OPA 24 on December 17, 2019 and sent it to the Region on January 16, 2020. This local amendment relates to the expansion of the urban boundary and amends the City's Official Plan policy related to boundary expansions. OPA 24 relies on the approval of the ROPA in order to demonstrate conformity with Regional and Provincial policy.

- The Region is the approval authority for OPA 24. The Region will process the ROPA and OPA 24 concurrently and will bring both amendments forward for Council's consideration at the same time.
- The Region, the City, and the City's planning consultant, most recently met on January 9, 2020 to discuss the NWE area expansion. The City indicated it will pursue the expansion for the entire NWE area either through multiple 40 hectare expansions or a combination of an expansion and a boundary adjustment. The City's consultants are working on the additional information required to complete the ROPA application with a targeted for a full submission in February/March of this year.

Financial Considerations

There are no direct financial implications arising from this report.

The cost to process and circulate amendments of this nature is accommodated within the Planning and Development Services base Operating Budget.

The Region has committed \$125,000 in financial support for the Northwest Welland project via the Smarter Niagara Incentive Program (SNIP) planning grant.

Analysis

Background

The NWE study area is approximately 190 hectares. It is bordered by the City's municipal boundary to the north, Niagara Street (Regional Road No. 50) to the east, the existing urban boundary to the south and Clare Avenue to the west. Rice Road, First Avenue and Quaker Road all traverse the study area (a map is provided in Appendix 1).

The Region has directly supported Welland's work program to consider the NWE expansion and secondary plan process since 2017. Regional staff participated in establishing the Terms of Reference for the project, the selection of the successful consultant, participated on a steering committee and committed to provide financial assistance via the SNIP planning grant.

When the work plan started in 2017, the *Growth Plan for the Greater Golden Horseshoe (Growth Plan)* only permitted municipalities to consider urban boundary expansions as part of the Region's municipal comprehensive review (MCR). In Niagara's case, the MCR is the new Regional Official Plan (ROP) which is targeting a 2021 completion. The Region agreed to the City's NWE work program on the basis that the required

supporting information to justify a boundary expansion and secondary plan would feed in to the Region's MCR and new ROP in 2021.

The *Growth Plan* was amended in May, 2019 to include new policies which allow for consideration of urban boundary expansions of 40 ha in advance of a municipal comprehensive review, subject to specific criteria. The Province later clarified through a November 12, 2019 letter that an upper-tier municipality may consider multiple 40 ha expansions so long as the proposal meets the applicable policies of the *Growth Plan*. The Province also confirmed that 40 ha boundary expansion applications would be considered by the Region as the approval authority in accordance with Section 17 of the *Planning Act, 1990*.

As a result of the above-noted *Growth Plan* changes, Welland reconsidered their work program to advance the request to expand the boundary for the NWE area ahead of the completion of the ROP.

The Region met with the City on several occasions in September and October 2019 to discuss the process and identify the requirements to support an application for a ROPA for the expansion of the NWE. At that time, the City indicated that it sought a single 40 ha boundary expansion. In November, the Province clarified that multiple 40 ha expansions may be permitted so long as the proposal meets the applicable policies of the *Growth Plan*. After that, the City indicated that it would seek multiple 40 ha expansions, or boundary adjustments, described further below.

Region's Mandate

Since the Province introduced the 40 ha expansion and adjustment policies in May 2019, the Region has been carefully considering how these policies should be implemented. The application of these policies will impact other local municipalities and landowners outside of Welland.

For example, a key *Growth Plan, 2019* policy of Regional interest is one which requires that the additional lands and associated forecasted growth of the 40 ha expansion area(s) to be fully accounted for in the Region's next Municipal Comprehensive Review (MCR). In other words, if land is added now, but it is over and above the local municipal land need pursuant to Provincial methodology, there could be an oversupply of designated urban land at the time of the new ROP. This affects the Region's land supply and may impact requests for expansion elsewhere. For this and other reasons, it is important to ensure complete application information and a sustainable planning justification is provided for 40 ha expansions.

The Region recently finalized guidance material for the required supporting studies for 40 ha expansions, and several other changes made in the *Growth Plan*, which the Region references as "pre-MCR processes." This information will be circulated in

February 2020 and will provide a consistent approach to reviewing applications subject to the new policies of the *Growth Plan, 2019*.

Expansion ROPA and OPA 24

The City of Welland submitted a ROPA application on November 12, 2019. This application was determined incomplete by Regional Planning Staff on November 21, 2019 in accordance with Policy 14.G of the Region's Official Plan (see Appendix 3).

Outstanding information includes:

- Planning Justification Report outlining how the proposal meets the applicable policies of the *Growth Plan, 2019*;
- Concept Plan;
- Financial Impact Assessment;
- Revised Stormwater Management Report; and,
- Draft ROPA policy framework.

The City has been informed of above application requirements on several occasions. Most recently, Regional staff met with City staff and their planning consultants, SGL Planning and Design, on January 9, 2020. At that meeting, the City confirmed it will pursue the application to expand its boundary for the entire NWE area (approximately 190 ha).

The City advised that it seeks to do so in one of two ways - the first option is to proceed with multiple 40 ha expansions for the entire NWE area, or alternatively, to seek a boundary adjustment by removing urban lands east of Highway 58 (which are also the subject of an *Official Plan Deferral* known as ROPA 7) in exchange for part of the NWE area, with the balance of the NWE area added through two 40 ha expansions.

The meeting participants agreed to the additional ROPA requirements noted above and the City is targeting a complete ROPA application for February/March of this year. The Region will continue to work expeditiously and collaboratively with the City on processing the ROPA.

In addition to the ROPA, Welland adopted Official Plan Amendment 24 on December 17, 2019 (see Appendix 2). It was delivered to the Region on January 16, 2020. This amendment relates to the expansion of the City's urban boundary and amends the City's Official Plan policy relating to same.

The Region is the approval authority for OPA 24. OPA 24 relies on the approval of the ROPA in order to demonstrate conformity with Regional and Provincial policy. The Region will process OPA 24 concurrently with the ROPA application once that is

complete. Staff will bring both amendments forward for Council's consideration at the same time.

Secondary Plan Process

Concurrent with processing ROPA and OPA 24, the City and Region will continue its work on the Secondary Plan for the NWE area. The City indicated a Preferred Option Report and draft secondary plan may be available as early as March. The secondary plan can be considered for approval once the ROPA and OPA 24 have received final approval.

Alternatives Reviewed

The Region is required to review, process and respond to a complete application under the requirements of the *Planning Act, 1990*.

Relationship to Council Strategic Priorities

This proposal has the potential to support the following Council strategic priorities:

- Healthy and Vibrant Communities
- Responsible Growth and Infrastructure Planning

Additional information on how the ROPA application will advance these priorities will be included in a future report once all information has been submitted and reviewed by staff.

Other Pertinent Reports

None.

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Appendices

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