



**Subject: Port Colborne Official Plan and Niagara Official Plan Update**

**To: Council**

**From: Development and Government Relations Department**

Report Number: 2025-89

Meeting Date: April 22, 2025

---

### **Recommendation:**

That Development and Government Relations Department Report 2025-89 be received for information.

---

### **Purpose:**

The purpose of this report is to update Council on several Planning related matters currently underway related to the City's Official Plan. This includes the intention of staff to undertake a competitive procurement process to retain consultant services for the development of a new City Official Plan.

---

### **Background:**

In 2022, the Province made legislative changes to the *Planning Act* via Bill 23 (More Homes Built Faster Act). These changes include a shift in planning responsibilities from Upper-Tier Municipalities to local municipalities. As a result, effective April 1, 2025, the City of Port Colborne inherited the planning responsibilities previously assigned to Niagara Region. This includes the responsibility for implementation of the Niagara Official Plan.

As outlined in Section 70.13 of the *Planning Act*, transition provisions provide that the Niagara Official Plan will be deemed to constitute an official plan of the lower-tier municipality and will remain in effect until the lower-tier municipality revokes it or amends it. The City of Port Colborne is now responsible for administering both the 2022 Niagara Official Plan (NOP) and the 2013 Port Colborne Official Plan.

In response to these changes several initiatives are underway to ensure the City is well positioned to respond to *Planning Act* applications.

---

## **Discussion:**

### **Port Colborne Official Plan**

The City's Official Plan was last updated in 2013. While a number of amendments have been undertaken to keep it in conformity with changing Provincial requirements, the approval of the Niagara Region Official Plan in 2022 triggered a requirement for the City's Plan to be reviewed. Further to this, the revocation of the Growth Plan for the Greater Golden Horseshoe, and introduction of the Provincial Planning Statement in 2024 create new conformity requirements and provide a new opportunity for the City to articulate its vision toward 2051.

To help inform the development of a new Official Plan, the City retained Dillon Consulting in 2024 to undertake preliminary engagement work to reflect the collective community vision for the City. Dillon Consulting presented the outcomes of this work to Council in June of 2024.

A previous report (2024-134 Statutory Public Meeting New Official Plan) incorrectly suggested that Dillon Consulting had been retained to complete the entirety of work associated with the new Official Plan. Dillon Consulting was not retained for this work. The development of new Official Plan will be the subject of an upcoming competitive procurement process. This procurement process is set to begin in May of 2025, with a goal of having a qualified consultant in place to begin work in late May or early June.

Upon the successful completion of procurement for the new Official Plan, staff will report back to Council with further information on the successful firm, project timelines and public and partner engagement plans.

### **Niagara Official Plan**

As noted earlier in this report, on April 1, 2025, the Niagara Official Plan was deemed to constitute an official plan of the lower-tier municipality. The Niagara Official Plan has not replaced the City of Port Colborne Official Plan, rather it is an additional document that must be considered by City staff when reviewing planning applications and making recommendations.

Going forward, the creation of a new City Official Plan will integrate both the Niagara and City Official Plan's into one new concise document. However, in the short-term staff have started a review of the Niagara Official Plan, looking at policy sets that conflict or create confusion with the City's current Official Plan.

Based on the outcome of the above review, staff may return to City Council with recommendations aimed at resolving conflicting policies, such as repealing portions of the Niagara Official Plan.

### **Niagara Region Planning Service Agreement**

With the transition of the Niagara Official Plan to the City of Port Colborne, also came the responsibility for land use planning functions previously provided by the Region of Niagara. These include services such as environmental planning, archaeological screening, records of site condition, gas and petroleum well screening as well as several other review functions. The net effect of this shift in responsibilities is an increase in workload for City staff. While some municipalities have increased their staff complement in response to additional workload, the City's Development and Government Relations department is taking a cautious approach and waiting to better understand staff capacity demands.

To assist with the transition of responsibilities, the Region has developed a service level agreement to provide planning services, as required, to local municipalities. While there is a fee for these services, they are borne by the applicant and paid directly to Niagara Region. This is the same model that was previously in place under the former Memorandum of Understanding for the Planning Function in Niagara, where applicants paid review fees to Niagara Region.

Staff have not entered into a Service Level Agreement with Niagara Region but have had preliminary discussions with the Region around which services could best suit the needs of the City.

Once the details of a service level agreement have been communicated to the City by the Region, staff will update Council accordingly.

---

### **Internal Consultations:**

N/A

---

### **Financial Implications:**

There are no new financial implications associated with this report. Funding for the Official Plan review was included in the 2024 and 2025 Capital Budgets and approved by Council. The Official Plan review was also included as an eligible project in the City's new Development Charge (DC) By-law and therefore a portion of the cost of the Official Plan review can be recovered from future DC revenues.

---

**Public Engagement:**

Initial public engagement was undertaken in 2024 to set a vision for the new City of Port Colborne Official Plan. Going forward, staff will be requiring an engagement plan as part of the request for proposal for the development of the new Official Plan. Public engagement will be a foundational component of Plan development.

---

**Strategic Plan Alignment:**

The initiatives contained within this report supports the following pillars of the strategic plan:

- Environment and Climate Change
  - Welcoming, Livable, Healthy Community
  - Economic Prosperity
  - Increased Housing Options
  - Sustainable and Resilient Infrastructure
- 

**Conclusion:**

In conclusion, legislative changes have created increased planning responsibilities for the City of Port Colborne Council and staff. In addition, the City is obligated to update its Official Plan to remain in conformity with changes in Provincial policy.

Staff are examining options, comparing best practices and undertaking a competitive procurement process to ensure the City obtains the best value for money and remains nimble and responsive on planning matters.

---

Respectfully submitted,

Erik Acs, MCIP, RPP  
Chief Planner  
(905) 228-8117  
Erik.acs@portcolborne.ca

**Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.