



**Subject: Public Meeting Report for OPA and ZBA to the Mineral Aggregate Policies and Zone, File D09-01-20 and D14-03-20**

**To: Council - Public Meeting**

**From: Planning and Development Department**

Report Number: 2022-09

Meeting Date: January 18, 2022

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### **Recommendation:**

That Planning and Development Report 2022-09 be received for information.

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### **Purpose:**

The purpose of this report is to provide Council with information regarding proposed changes to the Mineral Aggregate and Petroleum Resources designation of the Official Plan and changes to Mineral Aggregate regulations under Zoning By-law 6575/30/18.

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### **Background:**

As Council is aware, there has been significant public interest in the Mineral Aggregate Operation Zone of the Zoning By-law in relation to the provisions of asphalt and concrete manufacturing.

In response to Council direction and the public interest, proposed amendments were brought forward to Council in late 2020 and early 2021, however the reports were deferred due to concerns raised by Council and public stakeholders.

In the spring of 2021, the City retained an independent planning firm, NPG Planning Solutions, to research and present a recommended approach to Planning staff. It should be noted that staff have been working closely in consultation with NPG to bring forward these proposed amendments.

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## **Internal Consultations:**

Notice of Public Meeting was circulated on December 23, 2021 to internal departments and agencies. As of the date of preparing this report, no comments have been received.

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## **Public Engagement:**

Notice of Public Meeting was circulated on December 23, 2021, via the Niagara This Week newspaper and also posted on the City's website under "Current Applications". At the time of preparing this report, no new written correspondence has been received from any members of the public.

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## **Discussion:**

Planning staff are proposing new policies and regulations for Mineral Aggregate Operations through amendments to both the City Official Plan and Zoning By-law.

The Official Plan is proposed to be amended by introducing new policies to Section 10: Mineral Aggregate and Petroleum Resources for the purposes of facilitating site-specific zoning by-law amendments via Zoning By-law 6575/30/18 for ancillary uses such as: asphalt plants, cement/concrete plants, and aggregate depots that blend and stockpile aggregate materials with salt and aggregate transfer except where otherwise prohibited by the policies of the plan. The draft Official Plan Amendment has been attached as Appendix A.

Zoning By-law 6575/30/18 is proposed to be amended by adding a zone known as the Mineral Aggregate Ancillary Use (MAAU) zone, which will only be permitted via subsequent site-specific zoning by-law amendment applications. A comprehensive analysis with associated studies/reports will be required through any future site-specific amendment applications. The definition for Mineral Aggregate Operation zone is also proposed to be amended to not include accessory uses/facilities used in processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related aggregate products. Finally, the amendment proposes to add new definitions for "Aggregate Depot", "Asphalt Plant, Permanent", "Asphalt Plant, Portable", and "Cement Concrete Plant". The draft Zoning By-law Amendment has been attached as Appendix B.

NPG Planning Solutions in conjunction with Planning staff have taken all public comments previously received into consideration when preparing the draft amendments attached. Any new comments received will be further considered and included in the future recommendation report.

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## **Financial Implications:**

There are no financial implications.

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## **Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Service and Simplicity - Quality and Innovative Delivery of Customer Services
  - Governance: Communications, Engagement, and Decision-Making
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## **Conclusion:**

Planning staff are not providing a recommendation on the proposed Official Plan and Zoning By-law Amendments at this time to allow all agency, public and Councillor comments to be received and considered prior to a decision being made. The recommendation report will return to a future regular meeting of Council.

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## **Appendices:**

- a. Draft Official Plan Amendment
- b. Draft Zoning By-law Amendment

Respectfully submitted,

David Schulz, BURPI  
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## **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.