

The Corporation of the City of Port Colborne

By-law no. _____

Being a by-law to adopt amendment no. 9 to the
Official Plan for the City of Port Colborne

Whereas it is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area;

Therefore the Council of The Corporation of the City of Port Colborne under Section 17(22) of the Planning Act, hereby enacts as follows:

1. That Official Plan Amendment No. 9 to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached map and explanatory text is hereby adopted.
2. That this By-law shall come into force and take effect on the day of passing thereof.

Enacted and passed this 22nd day of February, 2022.

William C. Steele
Mayor

Amber LaPointe
City Clerk

**AMENDMENT NO. 9
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

PREPARED BY:

**CITY OF PORT COLBORNE
DEPARTMENT OF PLANNING & DEVELOPMENT**

January 5, 2022

**AMENDMENT NO. 9
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

**AMENDMENT NO. 9
TO THE OFFICIAL PLAN
FOR THE
CITY OF PORT COLBORNE**

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. 9 to the Official Plan for the City of Port Colborne.

Date: _____

**AMENDMENT NO. 9 TO THE OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA**

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STATEMENT OF COMPONENTS

PART A

The Preamble does not constitute part of this Amendment.

PART B

The Amendment, consisting of the following map and text changes, constitutes Amendment No. 9 to the Official Plan for the Port Colborne Planning Area.

Also attached is **PART C** – The Appendices, which do not constitute part of this Amendment. These appendices contain the background data, planning considerations and public involvement associated with this Amendment.

PART A - THE PREAMBLE

Purpose

The purpose of the amendment is to add a site-specific policy associated with the existing “Highway Commercial” designation permitting a “Cannabis Retail Store” on the property known as 335 Wellington Street.

Location

The lands affected by this amendment are legally described as Part of Lot 26, Concession 2 in the City of Port Colborne, Regional Municipality of Niagara, municipally known as 335 Wellington Street.

Basis

The *Planning Act, R.S.O. 1990*, as amended, provides that amendments may be made to the Official Plan. An application has been submitted to introduce a “Cannabis Retail Store” on the subject property. The lands are designated “Highway Commercial”, which does not currently permit retail stores. A site-specific amendment to the Official Plan has been requested to allow for the proposed “Cannabis Retail Store”.

Policies of the Official Plan, the Cannabis Retail Sale Policy Statement, and public input regarding the legal storefront sale of cannabis have been considered in the preparation of this Amendment. It has been determined that site-specific consideration for a “Cannabis Retail Store” on the subject property would be compatible, appropriate, and would be well removed from sensitive land uses.

This Amendment is consistent with the Provincial Policy Statement and conforms to the Growth Plan for the Greater Golden Horseshoe and the Region of Niagara Official Plan.

Concurrently, an amendment to the City’s Zoning By-law 6575/30/18 has been submitted proposing to rezone the lands from the existing Highway Commercial (HC) zone to HC-67, being a site-specific special provision of the Highway Commercial (HC) zone that will permit a “Cannabis Retail Store”.

PART B - THE AMENDMENT

The following constitutes Amendment No. 9 to the Official Plan for the City of Port Colborne under Section 3.8 “Highway Commercial”:

That the lands shown on Schedule A be redesignated from “Highway Commercial” to “Highway Commercial Special”.

In addition to the uses permitted in the Highway Commercial designation, the lands designated Highway Commercial Special, located at 335 Wellington Street, may also be used for a “Cannabis Retail Store”.

A “Cannabis Retail Store” is defined as:

a store licensed by the Alcohol and Gaming Commission of Ontario for the retail sales of recreational cannabis and cannabis related products.

Implementation and Interpretation

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.

PART C – THE APPENDICES

The following appendices do not constitute part of Amendment No. 9 but are included as information to support the Amendment.

APPENDIX I – Minutes of the Public Meeting

APPENDIX II – Department of Planning & Development Report