

Administration

Office of the Regional Clerk

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April 29, 2022

CL 9-2022, April 28, 2022**PDS 14-2022, April 28, 2022****LOCAL AREA MUNICIPALITIES****NIAGARA PENINSULA CONSERVATION AUTHORITY****SENT ELECTRONICALLY**Proposed Niagara Official Plan

PDS 14-2022

Regional Council, at its Special meeting held on April 28, 2022, passed the following resolution:

That Report PDS 14-2022, dated April 28, 2022, respecting Proposed Niagara Official Plan, **BE RECEIVED** and **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

A copy of Report PDS 14-2022 (report only) is attached for your reference. All documents related to the proposed Official Plan may be found at:

<https://niagararegion.ca/official-plan/proposed-plan.aspx>

Yours truly,

A handwritten signature in black ink, appearing to read "Ann-Marie".

Ann-Marie Norio

Regional Clerk

CLK-C 2022-071

cc: M. Sergi, Commissioner, Planning & Development Services
N. Oakes, Executive Assistant, Planning & Development Services
D. Heyworth, Official Plan Consultant

Subject: Proposed Niagara Official Plan

Report to: Regional Council

Report date: Thursday, April 28, 2022

Recommendations

1. That this report **BE CIRCULATED** to the Local Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Key Facts

- The purpose of this report is to provide an overview on the proposed Niagara Official Plan (NOP) and to inform the April 28, 2022 statutory public meeting.
- The NOP contains a wide range of policies that set out what we protect, where and how the Region will grow, and policy tools for success.
- The NOP policies protect the natural environment, Niagara Escarpment, source water, agricultural system, aggregate resources, and cultural heritage and archaeology.
- The NOP plans for a population of 674,000 and 272,000 jobs by 2051 and allocates growth to local municipalities by establishing intensification targets for built up areas and densities for greenfield areas and strategic growth areas.
- The NOP includes policies to support the success of our growth by requiring the development of district and secondary plans, the use of urban design to guide built form, and preparing subwatershed plans for growth areas.
- The report addresses the consultation received on the January 2022 draft NOP and highlights key changes made.
- Input on the proposed NOP will be received throughout the statutory process. In addition to this statutory public meeting, a statutory open house was held on the proposed NOP on April 7, 2022.
- All input received on the proposed NOP will be considered and a revised NOP will be recommended for adoption by Regional Council in June 2022.
- The deadline for submitting the Niagara Official Plan to the Province is July 1, 2022.

Financial Considerations

There are no financial considerations directly related to this report. Council approved the resources to complete the NOP over a five year period as part of the 2017 Budget Process.

The growth forecasts associated with the NOP inform the Niagara 2051 initiatives, guiding updates to the Water and Wastewater Master Servicing Plan (MSP), Transportation Master Plan (TMP) and Development Charges Study (DCS). These key master plans and studies identify growth related projects to be undertaken and identify related capital costs to ensure financial responsibility and accountability are appropriately placed and maintained.

Analysis

The purpose of this report is to provide Council with an overview of the proposed NOP, consultation to date, and to advise Council of the statutory requirements of the open house and public meeting under the *Planning Act*. The NOP must conform to all provincial policies and plans, assess our land needs to accommodate provincial growth forecasts, identify systems to protect and plan for future infrastructure and financials.

On March 30, 2022, the proposed NOP was released for public comment, and an official notice was issued for both the statutory open house and public meeting under the Planning Act. The open house was scheduled and held on April 7, 2022 and the public meeting is occurring today, on April 28, 2022. The proposed NOP can be viewed at <https://niagararegion.ca/official-plan/proposed-plan.aspx>.

The development of a new Niagara Official Plan was launched on July 5, 2018 with a special meeting of Council to provide the public with an opportunity to identify areas of interest. Over the following years, several background reports were produced on a variety of themes related to growth management, the natural environment, the agricultural system, housing, and employment. The background work was followed by the creation of themed policy sections which culminated in a consolidated draft of the official plan made available for public review in January 2022. The consolidated draft incorporated Council reviewed directions on settlement area boundary expansions and natural environment system (NES) mapping and policies. At the end of March 2022, a proposed NOP was made available for formal consultation under the Planning Act. Appendix 1 provides a more detailed chronology of steps taken to develop the NOP.

Consultation and Next Steps

A significant amount of consultation went into the development of the proposed NOP, including outreach with the public, agencies, stakeholder groups, First Nations and Indigenous communities, local municipalities and Niagara Peninsula Conservation Authority. Appendix 1 also outlines the consultation which has taken place on the development of the NOP from the beginning of the process.

More specifically, to assist in gathering comments on the draft consolidated NOP from January to March 2022 the following consultation steps were taken:

- The draft plan was posted on the website;
- Agencies were circulated;
- Subscribers for information on the NOP were e-mailed a newsletter;
- Public Information Sessions were held on Settlement Area Boundary Review (January 24, 2022), NES (February 10, 2022) and all components of the NOP (February 24, 2022);
- A zoom workshop was held to inform urban property owners with newly mapped natural heritage features;
- An NES mapping tool was made available for property owners and public to comment on specific mapped natural features;
- Presentations have been made to local municipal councils; and,
- Staff have been in direct contact with Ministry to discuss conformity in an effort expedite approval when the NOP adoption package is sent to the province.

The Niagara Official Plan

The NOP is the first comprehensive review since the original policy plan was approved in the early 1970's. The NOP is a long range planning document that will set out what we protect, where and how the region will grow, and policy approaches for success. The NOP implements a planning horizon to 2051, which conforms with the timeframe *in A Place to Grow, Growth Plan for the Greater Golden Horseshoe* (2019, amended 2020) (*Growth Plan*).

The requirements for an Official Plan is set out in the *Planning Act*. Additionally, the NOP must be consistent with the *Provincial Policy Statement*, conform to the *Growth Plan*, the *Greenbelt Plan* and not conflict with the *Niagara Escarpment Plan*.

The region is developing an entire new Official Plan to ensure contemporary policies are developed in order to:

- address provincial policy conformity, matters of Regional interest and provide policy support to the local municipalities;
- guide planning at a Regional level while assisting local municipalities with managing growth pressures including policies that support the protection of established neighbourhoods and varying intensification rates across municipalities;
- prioritize climate change throughout the Plan to achieve sustainable and resilient communities;
- improve mapping and policies to protect the natural features and water resources of the natural environment system;
- protect the agricultural system and land base, and provide for opportunities for value added agriculture;
- support a diverse range of housing types and sufficient housing supply to address affordability and market demand; and,
- identify employment areas to protect for long term investment.

The NOP is built on a vision derived from pillar statements which were developed from public and Council consultation. The pillar statements are:

EXCEPTIONAL development and communities - Well planned, high quality development in appropriate locations that improves our communities, while protecting what is valuable.

DIVERSE housing types, jobs and population - A wide mix of housing types and employment opportunities that attract diverse populations to Niagara across all ages, incomes and backgrounds.

THRIVING agriculture and tourism - A prosperous agricultural industry and world-class tourism opportunities that grow our economy and elevate the Niagara experience.

RESILIENT urban and natural areas - Areas rich in biodiversity that mitigate and adapt to climate change while strengthening Niagara's ability to recover from extreme weather events.

Policy Content and Directions

Many policies across the plan relate to one another and work together to create co-benefits, like protecting the natural environment, reducing greenhouse gas emissions, and growing the economy, while also improving quality of life. One of the best examples of policy interconnection is climate change. The climate change pulls policy directions from other areas of the plan that support addressing climate change such as complete communities, strategic growth areas, intensification in proximity to public transit, green infrastructure and protecting the environment. The climate change section also commits the Region to future work such as completing greening and adaptation strategies and climate modelling.

The core policy directions of the NOP related to the resources we protect, how and where we grow, and the policy tools for success are found throughout different Chapters in the NOP. For the purposes of this report the core policy directions of the NOP are summarized below.

What We Protect

The NOP contains key policy directions that protect significant resources such as the natural environment, Niagara Escarpment, source water, agricultural system, aggregate resources and cultural heritage and archaeology.

Based on consultation the NES and agriculture systems were considered fundamental to protect. In this regard policy directions on the NES go beyond the provincial plan requirements in what is protected. The NES is an overlay designation across Niagara Region. Individual features are identified within the NES and specific policies apply to protect these features depending on their geographic location in the system. There are policies requiring Environmental Impact Studies and for transition policies for development applications initiated or in process.

The policies of the Agricultural Section aim to protect the Region's agricultural system land base and provided value added agricultural opportunities. Additionally, the proposed NOP identifies Specialty Crop lands, Prime Agricultural lands and Rural lands. Specialty Crop lands are protected in conformity with Greenbelt Plan policies and Prime Agricultural lands are protected from fragmentation and non-farm development. Rural residential development is limited to Rural areas.

How and Where We Grow

The Growth Plan requires the Region to plan for a population of 674,000 and 272,000 jobs by 2051. In order to plan for this growth, the Region is required to allocate growth to local municipalities, set intensification targets for built up areas, densities for greenfield areas, strategic growth areas and determine if there is sufficient settlement area land to accommodate the growth to 2051. The Region has planned for a population 20,000 people higher than the provincial forecast with the extra population being accommodated in the built up areas of Welland and Lincoln.

The NOP contains policies supporting a housing mix to address aging in place and housing affordability, as well as setting affordable housing targets. There are policies to support gentle density and integration of intensification in established neighborhoods as well as flexibility for municipalities to plan for intensification in a manner that addresses their local needs provided the intensification targets of the plan are met.

Urban settlement areas are the focus of growth. The Region is required to plan for growth (population and employment) to 2051 and despite an intensification target of 60% in built up areas certain municipalities need additional community or employment lands based on the Region's land needs assessment. To accommodate allocated growth, the proposed NOP includes urban expansions in West Lincoln, Niagara Falls, Fort Erie, Welland and Pelham/Thorold, as well as hamlet expansions in West Lincoln and Wainfleet. The location of expansion areas were selected through a comprehensive Settlement Area Boundary Review (SABR). Larger expansion areas shall develop by secondary plan and sub-watershed planning to ensure natural areas are protected.

Strategic Growth areas are a focus of growth because of available infrastructure and transit. These areas include: the provincial Urban Growth Centre of downtown St. Catharines; GO Station areas of Grimsby, St. Catharines, Niagara Falls, and future station in Lincoln; downtowns of Niagara Falls and Welland; and the South Niagara Falls Regional Growth Centre. Over 30 percent of all growth is directed to these areas. Secondary planning will be required for Strategic Growth Areas and where existing secondary plans are in effect these will be reviewed to determine the necessity of updates.

Employment Areas are identified for protection over the long term. Conversion of Employment Areas can only take place through a Municipal Comprehensive Review. The NOP identifies density targets and employment uses for Core, Dynamic and Knowledge and Innovation Employment Areas.

Policy Tools for Success

The NOP includes policy tools to support the management of our growth while protecting our resources by requiring the development of district and secondary plans, the use of urban design to guide built form, and preparing subwatershed plans for growth areas.

District and Secondary Plans are community level plans that establish a blue print for how a community will grow identifying strategic areas for intensification and ensuring infrastructure and transportation planning along with community consultation are considered. These plans envision the types of land uses to be developed within a specified area and the improvements needed to realize a vision. Secondary plans will be required for strategic growth areas and expansion areas.

Urban design will play an important role in fitting intensification in developed areas and enhancing the public realm. The NOP includes policies and guidelines that outline the scale, form and design standards used for a community's built form, streetscape, and public realm.

Infrastructure policies support where and how we grow and provide a sustainable transportation system that accommodates forecasted growth. The Water and Wastewater and Transportation Master Plans are informed by the NOPs growth allocations.

Sub-watershed planning or its equivalent will compliment and inform secondary plans and ensure growth scenarios consider the natural environment system on a comprehensive scale.

Changes Based on Consultation

The proposed NOP revises the draft made available for comment between January and March 2022.

Significant feedback was received on the draft consolidated NOP from the public, agencies, interest groups, First Nations and Indigenous communities, local municipalities and Niagara Peninsula Conservation Authority.

Comments received and regional response can be reviewed within the following Appendices at: <https://www.niagararegion.ca/official-plan/proposed-plan-comments-jan-mar-2022.aspx>

Appendix 2- Comments on the draft Consolidated NOP

Appendix 3- Comments on the NES

Appendix 4- Summary of Comments on NES Mapping

Appendix 5- Comments/Requests Submitted for SABR after the March 4, 2022 deadline

After considering all the consultations, revisions were made throughout the Plan.

Appendix 6, attached to this report, identifies key changes made in terms of policy additions or changes in direction for the sections in each of the Chapters.

Some revisions and important matters to bring to Council's attention are:

- Urban and hamlet expansions as per the Council endorsed Reports PDS 6 2022 and PDS 7 2022.
- New strategic growth area boundary in Niagara Falls around the future hospital site as discussed in Report PDS 6-2022.
- Alignment with provincial policy with respect to protected major transit station areas (Go Station areas) and providing opportunities for inclusionary zoning in these areas.
- Revisions to the policy to clarify that the NES is an overlay, to align with a core policy that allows refinements to limits of features without a Regional Official Plan amendment.
- A new Schedule C4 incorporating definitions and criteria for NES features.
- Changes to the transition policies for the NES.
- New climate change policies addressing the preparation of a municipal energy plan, exploring options for green building development standards; considering opportunities to integrate electric vehicle charging, and committing the Region to LEED silver for new Corporate facilities.
- Technical and editorial changes to Aggregate policies to ensure that proposed policies are consistent with the PPS and conform to provincial plans.
- Recognition of existing rural employment areas, outside settlement area boundaries, in Thorold and Port Colborne.
- Clarification of the intent of future employment areas recognizing their consideration in long range planning.
- Stronger acknowledgement of First Nations and Indigenous communities in engagement, archaeological management and cultural heritage planning.

Next Steps

Staff will consider all the comments submitted on the proposed NOP. The final version of the NOP will be presented with supporting material to complete the Municipal Comprehensive Review. If adopted all the materials will be submitted to the Province for approval. A recommendation report with the final NOP will be presented to Council in June 2022 for adoption to meet the Provincial deadline of July 1, 2022.

Alternatives Reviewed

This report is for information purposes. There can be more than one good planning approach to achieve the policies and objectives set out in the NOP. Consultation to date has identified a variety of competing interests. The NOP works to strike a balance between these interests to ensure the social and economic health of our communities.

Relationship to Council Strategic Priorities

The Niagara Official Plan supports the following Council Strategic Priorities:

- **Supporting Business and Economic Growth-** Through long range planning for the supply and retention of a broad range of community and employment lands that offer community related employment and industrial employment opportunities to attract and support economic wellbeing;
- **Healthy and Vibrant Community-** Through planning for safe, healthy neighbourhoods that are attractive, inclusive and connected, based on complete community principles and design;
- **Responsible Growth and Infrastructure Planning-** Through coordinated, efficient use of existing infrastructure and optimizing planned infrastructure that will service the communities of Niagara and facilitate movement of people and goods; and
- **Sustainable and Engaging Government:** Through planned growth that is fiscally sustainable and fosters strong, successful relationships between all levels of government in the supply of services and infrastructure.

Other Pertinent Reports

PDS 40-2016	Regional Official Plan Update
PDS 41-2017	New Official Plan Structure and Framework
PDS 3-2018	New Official Plan Update
PDS 6-2018	Natural Environment Project Initiation Report
PDS 18-2018	Natural Environment – Project Framework
PDS 9-2019	New Official Plan Consultation Timeline Framework
PDS 10-2019	Update on Natural Environment Work Program – New Regional Official Plan
CWCD 122-2019	Agricultural and Environmental Groups – Draft Stakeholder Lists
CWCD 150-2019	Update on Official Plan Consultations – Spring 2019
CWCD 179-2019	Notice of Public Information Centres – Natural Environment Work Program, New Regional Official Plan
CWCD 271-2019	Update on Consultation for New Official Plan
PDS 32-2019	Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study
PDS 1-2020	New Niagara Official Plan – Public Consultation Summary
PDS 3-2020	Ecological Land Classification Mapping Update
PDS 9-2020	Niagara Official Plan – Consultation Details and Revised Framework
CWCD 153-2020	Natural Environment Work Program Update – New Niagara Official Plan
PDS 26-2020	Natural Environment Work Program – Phase 4: Identification and Evaluation of Options
CWCD 314-2020	Update Natural Environment Work Program
PDS 35-2020	Niagara Official Plan Consultation Update
PDS 4-2021	Niagara Official Plan – Steps and Direction Moving Forward
PDS 1-2021	Natural Environment Work Program – 2nd Point of Engagement
CWCD 2021-70	Mapping and Data for Natural Environment Options
PDS 17-2021	Niagara Official Plan Consolidated Policy Report
PDS 30-2021	Niagara Watershed Plan – Draft for Consultation
PDS 32-2021	Update on Niagara Official Plan - Further Draft Policy Development
PDS 36-2021	Consultation Response and Further Policy Development
PDS 39-2021	Niagara Official Plan: Employment Area Conversion Recommendations
PDS 8-2021	Niagara Official Plan: Natural Environment System

PDS 41-2021	Settlement Area Boundary Review - Urban Recommendations
PDS 42-2021	Settlement Area Boundary Review - Rural Recommendations
PDS 2-2022	Niagara Official Plan - Proposed Draft for Consultation
PDS 6-2022	Niagara Official Plan: Final Urban Settlement Area Recommendations
PDS 7-2022	Niagara Official Plan: Final Rural Settlement Area Recommendations

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Recommended by:

Michelle Sergi, MCIP, RPP
Commissioner
Planning and Development Services

Submitted by:

Ron Tripp, P.Eng.
Chief Administrative Officer

This report was prepared in consultation with Diana Morreale, Acting Director of Community and Long Range Planning.

Appendices

Appendix 1 Key NOP Development Steps/ Consultation on the NOP

(Note: Appendices 2-5 available electronically only)

Appendix 2 Comments on the draft Consolidated NOP

Appendix 3 Comments on the Natural Environment System (NES)

Appendix 4 Summary of Comments on NES Mapping (available electronically)

Appendix 5 Comments/Requests Submitted for SABR after the March 4/ 2022

Appendix 6 Key Policy Changes to the Draft Consolidated NOP