

NOTE TO READER:

This version of proposed Official Plan Amendment No. 7 is a redline version to assist the reader in understanding the revisions to the amendment arising from the public meeting of January 18, 2022 and the comments received from Niagara Region dated January 18, 2022.

Text that is deleted will have a strikethrough as follows:

Deleted text

~~Text that is added~~ will be in red and underlined as follows:

Added text

DRAFT

The Corporation of the City of Port Colborne

By-law No.XX

Being a By-law to Adopt Amendment No. X 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;

Now 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. 7 to the Official Plan for the City of Port Colborne Planning Area, consisting of the 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 XXth day of XX, 20242.

William C. Steele
Mayor

Nicole Rubli
Acting City Clerk

AMENDMENT NO. 7
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA

PREPARED BY:
NPG PLANNING SOLUTIONS for the CITY OF PORT COLBORNE
DEPARTMENT OF PLANNING & DEVELOPMENT

~~DECEMBER X, 20XX~~
REVISED JUNE 2022

AMENDMENT NO. 7
TO THE
OFFICIAL PLAN
FOR THE
PORT COLBORNE PLANNING AREA

AMENDMENT NO. 7
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. 6 to the Official Plan for the City of Port Colborne.

Date: December XX, 202X

**AMENDMENT NO. 7
TO THE OFFICIAL PLAN**

**FOR THE
PORT COLBORNE PLANNING AREA**

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1. ~~Any included~~ Minutes of Statutory Public Meeting – January 18, 2022
2. Comment letter dated January 18, 2022 from Niagara Region

STATEMENT OF COMPONENTS

PART A

The Preamble does not constitute part of this Amendment.

PART B

The Amendment constitutes Amendment No. 7 to the Official Plan for the Port Colborne Planning Area.

PART C

The Appendices do not constitute part of this Amendment.

PART A - THE PREAMBLE

Purpose

The purpose of the amendment is to, to introduce new policies to the Mineral Aggregate and Petroleum Resources designation for the purposes of facilitating site specific zoning by-law amendments for these uses via through future amendments to the Zoning By-law.

Location

These policies will apply to the entirety of the ~~jurisdictional boundaries of the~~ planning area for the City of Port Colborne.

Basis

The Planning Act, R.S.O. 1990, as amended, provides that amendments may be made to the Official Plan. Policies of the Official Plan have been considered in the preparation of this Amendment and the following factors: 1. the policies will ensure compatibility with the surrounding land uses. 2. This Amendment is consistent with the Provincial Policy Statement, conforms to the Growth Plan for the Greater Golden Horseshoe and the Region of Niagara Official Plan.

PART B – THE AMENDMENT

The Official Plan adopted by By-law 5855/109/12 and approved by the Ontario Municipal Board decision of November 25, 2013, for the Port Colborne Planning Area is hereby amended by doing the following:

Amend Section 10 by adding the following to Section 10.1.1 Additional Policies:

- ~~d) require site specific Zoning By-Law Amendments to permit ancillary land 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 this Plan, subject to:-~~

- ~~i) The protection of groundwater quality and quantity;~~
- ~~ii) the protection of adjoining lands from noise, dust, odour, lighting and outdoor storage;~~
- ~~iii) the protection of the environment from adverse effects of dust, chemical spills, run-off, or contamination of surface or groundwater;~~
- ~~iv) access being obtained directly to a road capable of bearing the anticipated loaded truck weights and conveying the cumulative volume of traffic without negative impacts to current traffic flow; and,~~
- ~~v) ancillary land uses will not be permitted where they are prohibited in O. Reg. 466/20 or any successor to this regulation.~~

1. Amend Section 3.16 by adding a new subsection 3.16.10 as follows:

3.16.10 Uses Related to Mineral Aggregate Operations

Mineral Aggregate Related Uses are permitted as a principal use of a lot and generally be directed to Industrial Areas. The use shall be subject to a site-specific zoning by-law amendment which shall address the following:

- a) The use, excluding offices and parking, shall be located a minimum of 300 metres from any residential use;
- b) The long-term impacts on the environment including the quality and quantity of surface water and ground water, impacts on significant environmental features, and impacts on areas of significant cultural resources;
- c) The protection of adjoining lands from noise, dust, odour, lighting and outdoor storage;
- d) The long-term impacts on municipal servicing;
- e) The impact of the proposed development on surrounding existing and proposed developments;
- f) Access shall be obtained directly to a road capable of bearing the anticipated loaded truck weights and conveying the cumulative volume of traffic without negative impacts to current traffic flow; and
- g) That the designated truck access routes will not be primarily through residential areas; and,
- h) That all operations shall adhere to applicable federal, provincial and local regulations, including but not limited to emissions and noise.
- i) The use shall be subject to site plan control.

This policy does not apply to Wayside Pits and Quarries, Portable Asphalt Plants and Portable Concrete Plants used for public authority contracts.

2. The following definition is added:

Mineral Aggregate Related Use: means uses such as Asphalt Plant, Permanent; Asphalt Plant, Portable; Concrete Plants; Aggregate Depots; Recycling of Asphalt; and/or Aggregate Plants. A Mineral Aggregate Related Use does not include the blending, recycling, and stockpiling activities that are secondary and accessory to a typical existing and new Mineral Aggregate Operation.

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 the City of Port Colborne Zoning By-law.

PART C – THE APPENDICES

~~Non applicable~~