

Hello Jeni,

Regional staff has reviewed the Township-initiated Official Plan Amendment No. 65 as it relates to Section 18 '*Implementation*' policies of the Township's Official Plan (Region File: OPA-23-0022). The OPA has been proposed to address procedural changes needed in order to address timeline and other changes resulting from Bill 109, Bill 23, and other related bills. The amendment is written to streamline planning approvals, address the limitation on the ability to impose urban design control, changes to appeal rights, and other related policy amendments. The following feedback is offered for consideration from a Provincial and Regional review perspective to assist Township staff and Council:

- Staff suggest adjusting the reference to the "Regional Niagara Policy Plan", used a few times throughout the document, to state either "the Region's Niagara Official Plan" or "the Region of Niagara Official Plan".
- **18.6 d)** Proposed change to Site Plan control appears to limit circulation of site plans to the Region only where development is proposed on Regional roads or adjacent to other Regional lands/facilities. Regional staff may require circulation of Site Plans that are not along Regional Roads to address matters of land use compatibility, cultural heritage and archaeology, natural heritage and water resources, etc. This policy may be premature until such time as all proposed changes from Bill 23 are proclaimed.
- **18.17.1 Pre-consultation d):** Consider calling Stage 2 the Pre-Submission Stage in order to eliminate any confusion with Stage 3: Complete Application. Consider clarifying the expectations on the timing and identification of the need for a Third-Party Peer Review of supporting materials (i.e., The need for a Peer-Review is to be identified within 'xx' days).
- **18.17.2 e ) Complete Application Requirements:** Staff suggest the following wording revisions to this sub-policy. An environmental impact study subject to environmental policy of this plan or **Region's Niagara Official Plan** for proposals located on or adjacent to:
  - I. ~~Lands containing natural heritage features;~~ **any natural heritage features within the Townships Official Plan;**
  - II. ~~Lands within 120 m of a Provincially Significant Wetland or a Wetland regulated by the NPCA which is greater than 2 ha, 50 m of a Significant Habitat of a Threatened or Endangered Species, a Provincially Significant Life Science ANSI or any lands designated as Environmental Conservation Area within the Plan; or 30 m of a fish habitat, flood/erosion hazard, or a Wetland regulated by the NPCA and less than 2ha in size.~~ **any lands located within or adjacent to the Region's Natural Environment System.**

**Note:** Adjacent lands are identified in Section **XX** of the Township Official Plan or for features only identified in the Region's Niagara Official Plan in Chapter 3 of the Niagara Official Plan

- **18.25 Cost Sharing Policy:** the Township through the cost sharing agreement should define Benefitting Owners and Benefitting Lands in addition to Participating Owners. All lands that benefit from the services and studies being front end financed by the landowners group should be clearly identified on a map for the MCP, in addition to those lands owned by Participating Owners.
- **18.25 a):** Suggestion that item (a) be revised to read: **(a) Benefitting Owners who are not participating in the front ending agreement** ~~Non-participating land owners~~ shall be required, as a condition of any approval for development of benefitting lands, to provide written confirmation from the Land Owner's Group Trustee that they have joined the cost sharing group formed or to be formed by the Participating Owners and is a member in good standing, and....

In recognizing the importance of implementing these policies in a timely manner to maintain an effective and efficient development review and approval process, the Region has determined OPA 65 to be exempt from Regional Council approval in accordance with the Memorandum of Understanding and policies 7.4.1.6 and 7.4.1.7 of the NOP.

Should you have any questions, please contact the undersigned, or Pat Busnello, Manager of Development Planning ([Pat.Busnello@niagararegion.ca](mailto:Pat.Busnello@niagararegion.ca)) at your convenience.

Kind regards,

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**Development Planner**

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