

THE REGIONAL MUNICIPALITY OF NIAGARA

BY-LAW NO. _____

**A BY-LAW TO PROVIDE FOR THE ADOPTION OF AMENDMENT _____
TO THE OFFICIAL PLAN FOR THE NIAGARA PLANNING AREA TO IMPLEMENT THE REFINEMENT
OF THE AGRICULTURAL LAND BASE
FOR THE LANDS MUNICIPALLY IDENTIFIED AS '502 WINSTON ROAD, GRIMSBY'**

WHEREAS subsection 22 of the Planning Act, 1990 states when the requirements of subsection (15) to (21), as appropriate, have been met and Council is satisfied that the plan as prepared is suitable for adoption

WHEREAS it is deemed appropriate to further amend the Official Plan as adopted by Regional Council for the Niagara Planning Area

NOW THEREFORE the Council of the Regional Municipality of Niagara enacts as follows:

1. That the text attached hereto is hereby approved as Amendment _____ to the Official Plan for the Niagara Planning Area
2. That the Regional Clerk is hereby authorized and directed to give notice of Council's adoption in accordance with Section 17 (23) of the Planning Act, 1990
3. That this By-law shall come into force and take effect on the day after the last day of appeal provided no appeals have been received

THE REGIONAL MUNICIPALITY OF NIAGARA

Original signed on _____
Regional Chair

Original signed on _____
Regional Clerk

Passed:

AMENDMENT NO.____
TO THE OFFICIAL PLAN
FOR THE NIAGARA PLANNING AREA

PART “A” – THE PREAMBLE

The preamble provides an explanation of the Amendment including the purpose, location, background and basis of the policies and implementation, but does not form part of this Amendment.

- Title and Components
- Purpose of the Amendment
- Location of the Amendment
- Background
- Basis for the Amendment
- Implementation

PART “B” – THE AMENDMENT

The Amendment describes the additions and/or modification to the Official Plan for the Niagara Planning Area, which constitute Official Plan Amendment No. __-

Map Change
Text Change

PART “C” – THE APPENDICES

The Appendices provide information regarding public participation and agency comments relevant to the Amendment, but do not form part of this Amendment.

PART “A” – THE PREAMBLE

TITLE AND COMPONENTS:

This document, when approved in accordance with Section 17 of the Planning Act, 1990, shall be known as Amendment _____ to the Official Plan of the Niagara Planning Area.

Part “A” – the Preamble, contains background information and does not constitute part of this Amendment.

Part “B” – The Amendment, consisting of map changes, constitutes Amendment _____ to the Official Plan of the Niagara Planning Area.

Part “C” – The Appendices, does not constitute part of the Amendment. These Appendices contain information related to public involvement and agency comments associated with the Amendment.

PURPOSE OF THE AMENDMENT:

The purpose of this Amendment is to refine the Agricultural Land Base of the Town of Grimsby to include the subject lands within the Rural Area designation on Schedule B of the Regional Official Plan. This amendment also includes the addition to Section 13 ‘The Site Specific Policies’ to permit the refinement of lower priority agricultural designations to replace ‘Unique Agricultural Areas’ through a Regional Official Plan Amendment.

LOCATION OF THE AMENDMENT:

The amendment area is within the Town of Grimsby, municipally referred to as 502 Winston Road and reflecting Parts of Lot 19, Broken Front Concession, Part 9 and 10 in Reference Plan 30R3352 save and except Part 1 in Reference Plan 30R14473 subject to an easement in gross over Part of Lot 19, Broken Front Concession, designated as Part 1 on Reference Plan 30R14772 as in NR421363.

BACKGROUND:

The subject lands are identified by the Niagara Region Official Plan Schedule B as being within the Unique Agricultural Area designation. Based on the policies and guidelines provided by the Province, the subject lands do not meet the criteria to be identified as a ‘Specialty Crop Area’ as confirmed within the technical information submitted.

As such, municipalities have the ability to refine the agricultural significance of lands, by refining the extent of Rural Area boundaries. The applicant participated in Pre-Submission Consultation and subsequently submitted the requested and prescribed planning justification and technical reports to satisfy numerous planning instruments, including the Provincial Policy Statement (2020), Growth Plan for the Greater Golden Horseshoe (2019), the Greenbelt Plan (2017), the Region of Niagara Official Plan and the Town of Grimsby Official Plan.

BASIS FOR THE AMENDMENT:

- a) The Amendment was the subject of a Public Meeting held under Planning Act, 1990 on _____ . Public and Agency comments were addressed as part of the preparation of this Amendment.

- b) This Amendment has been supported by the AIAs prepared by DBH Soil Services Inc. and AgPlan to justify the agricultural priority refinement of the subject lands, which concluded that the subject lands do not meet the definition or criteria of 'Specialty Crop Areas'.
- c) The changes proposed in this Amendment are consistent and does not conflict with the Planning Act, Provincial Policy Statement, the Growth Plan and the Greenbelt Plan and meet the intent of the Regional Official Plan, and therefore, represents good planning.
- d) The Amendment to the Niagara Region Official Plan will include a map change to Schedule B: Agricultural Land Base.
- e) This amendment will also allow the Council of the Town of Grimsby to refine the extent of the Town's Rural Area to include the portion of the subject lands designated 'Specialty Crop Area'.

IMPLEMENTATION:

Section 14, Implementation of the Official Plan for the Niagara Planning Area, shall continue to apply where applicable.

PART “B” – THE AMENDMENT

Amendment ____ to the Official Plan for the Niagara Planning Area

The Official Plan for the Niagara Planning Area is amended as follows:

Map Changes (Attached as Schedule A)

1. Schedule B – Agricultural Land Base is amended to apply the Rural Area designation on the subject lands, currently designated 'Unique Agricultural Area'.

Text Changes

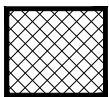
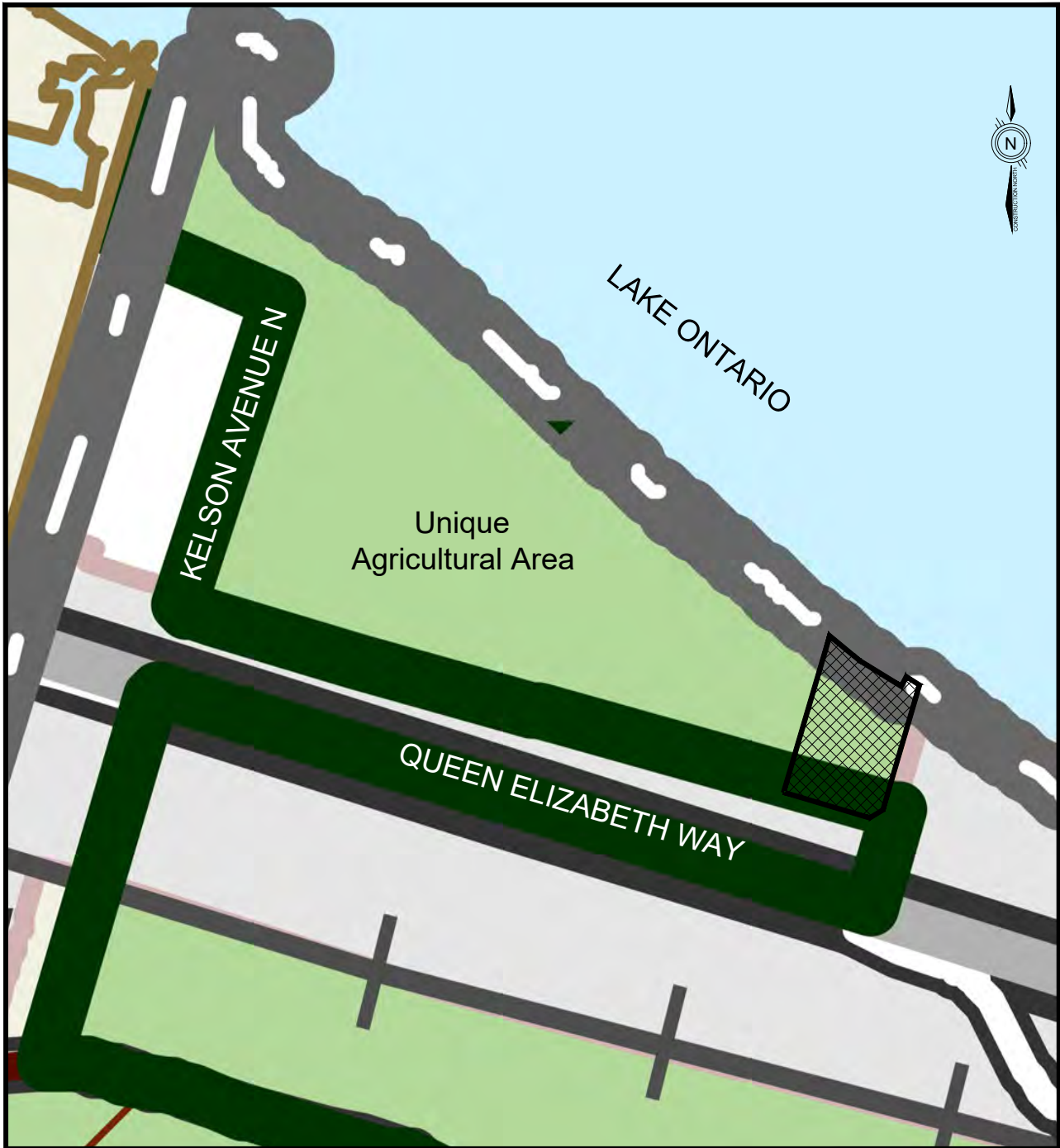
Part 1 – Modifications to the Existing Policies

The following text is added as Policy 13.B.XX

13.B Land Use

Policy 13.B.XXX

Notwithstanding Policy 5.B.5, the replacement of Unique Agricultural Areas can occur on the lands, municipally referred to as 502 Winston Road by refining the boundaries of lower-priority agricultural designations through a Regional Official Plan Amendment and in consultation with local municipalities and the Province.



Lands to be shown as 'Rural Area'

REGION OF NIAGARA

Schedule "A" to amend the
Niagara Region Official Plan
Schedule B

502 Winston Road