



October 3, 2024

Minister Paul Calandra
Ministry of Municipal Affairs and Housing
777 Bay Street, 17th Floor
Toronto ON M7A 2J3

Dear Minister Calandra,

**Re: ERO 019-9065
Consideration of transition of land use planning matters to facilitate the introduction of a new policy statement issued under the Planning Act**

In response to the Ministry's request for feedback on specific planning matters that should be addressed through the transition regulation, please find attached a chart indicating planning matters under appeal that would be impacted by changes in provincial policy.

Yours truly,

Kira Dolch, MCIP, RPP, CNU-A
General Manager of Planning, Building & Development

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c. Angela Stea, Director of Corporate Strategy and Community Sustainability, Niagara Region

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Working Together to Serve Our Community

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ERO NUMBER 019-9065		CITY OF NIAGARA FALLS RESPONSE					
Application	Address	Summary of planning matter and/or type of Matter that would require transition	Status of planning matter	Identification of specific matters that should be addressed through the transition regulation	Rationale for transitioning the matter & why it would support implementation of the PPS	Relevant PPS Policy Section(s)	Other Planning Authorities Affected
OPA 147	City Employment Area Policies	<ul style="list-style-type: none"> - Land Use Compatibility - Land Uses Within Employment Areas 	<p>Under appeal</p> <p>OLT File No: OLT-23-000937</p>	<p>Amended:</p> <ul style="list-style-type: none"> - Proposed development does not need to identify a need for the proposed use or evaluate alternative locations or indicate there are no reasonable alternative locations for the proposed sensitive land use locating near existing or planned industrial, manufacturing or other major facilities. - Encourages the intensification of employment uses and compatible, compact, mixed-use development. 	<ul style="list-style-type: none"> - The revised policy suggests that the applicant could argue there is a need and no alternative location for housing in spite of land compatibility issues and the designation of the lands for employment uses. - Existing PPS policy is sufficient to ensure employment areas are protected for long term employment use. - The applicant could argue that within the employment area designation there is an opportunity for residential development ("mixed use"). - Existing PPS policy ensures employment areas are protected as there are reasonable alternative locations for housing. 	<p>Amended:</p> <p>3.5.2 (former 1.2.6.2 a and b)</p> <p>2.8.2.d (former 1.3.1.d)</p>	Niagara Region

AM-2021-016	9015 & 8970	- Phasing of Infrastructure	Under Appeal	Removed:	- Current Offical Plan includes a Phasing Plan to maximize on new infrastructure where appropriate levels of housing servicing infrastructure prior to the need for expansion.	- Existing PS policy ensures that servicing will be available and does not offer the ability to leap frog development in the built up area.	- Proposed development taking place in designated growth areas should occur adjacent to the existing built-up area.	- Land is adjacent to an existing employment area and a portion of the proposed development located or identify a need for the proposed use or evaluate alternative locations or indicate there are no reasonable alternative locations for the proposed revised policy argues there is a need and no alternative location for housing in spite of land designation and demonstrates compatibility issues and the need of the lands for employment uses.	- Existing PS policy ensures employment areas are protected as there are reasonable alternative locations for housing.	- The applicant could argue that within the employment area
8 & AM-2022-	8970	Stanley Avenue;	Lands to the east and west of 8970 Lyons' Avenue; and Narrows/Kings Warroorft	Removed:	1.4.3.c,	1.1.3.6	3.5.2 (former 1.2.6.2 a and b)	Amended:	Lands on the south side of Lyon's Creek Road, east of Stanley Avenue; and Stanley Street of Avenue; and Narrows/Kings Warroorft	Avenue; and Stanley Street of Lyon's Creek Road, east of Stanley Avenue; and Stanley Street of Avenue; and Narrows/Kings Warroorft

				<ul style="list-style-type: none"> - Encourages the intensification of employment uses and compatible, compact, mixed-use development. <p>New:</p> <ul style="list-style-type: none"> - Allocate, and re-allocate if necessary the unused system capacity to support the current and projected needs for increased housing supply. 	<p>designation there is the opportunity for residential development.</p> <ul style="list-style-type: none"> - Existing PPS policy ensures employment areas are protected as there are reasonable alternative locations for housing. - The City does not have the ability to re-allocate unused system capacity until new infrastructure is constructed. The policy implies that the City should redirect capacity to an area of proposed development that is not adjacent to an existing built-up area and is an out-of-phased development. - Existing PPS does not direct unused system capacity to be reallocated for increased housing supply. 	<p>2.8.2.d (former 1.3.1.d)</p> <p>New: 3.6</p>	
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