

Application to Amend the Regional Official Plan

This application form is to be used by persons or public bodies wishing to apply to amend the Niagara Region Official Plan. If your application also requires an amendment to a local municipal official plan and/or zoning by-law, a separate application must be made to the affected local municipality.

Pre-Consultation

As provided for by the Regional Official Plan, the Planning Act R.S.O. 1990 requires that applicants meet with local, Regional and, if necessary, Provincial planning officials before formally submitting an application. Where local and Regional amendments are required, joint pre-consultation meetings will be required. Staff from the Niagara Peninsula Conservation Authority (NPCA) should be involved in pre-consultation discussions when that agency's policies and regulations are involved. Pre-consultation is intended to determine what is required to be submitted for a complete application and will provide the opportunity to discuss:

- the nature of the application;
- development and planning issues;
- the need for additional information and/or reports to be submitted with the application; and
- the planning approval process.

Contact the Planning and Development Services Department at (905) 980-6000 to arrange a pre-consultation meeting before completing this application form.

Completeness of the Application

The information in this application form that must be provided by the applicant includes information prescribed by Ontario Regulation 543/06 under the Planning Act. **The prescribed information must be provided along with the required application fee.**

The Planning Act R.S.O. 1990 also enables municipalities to include within their official plans, provisions that an application for an amendment to a planning document include information or materials that Council considers necessary as part of a "complete" application. Failure to provide this required information or material will result in the application being deemed to be incomplete and it will not be reviewed until such time as all required information is received. Policies 14.G.1 and 14.G.2 of the Regional Official Plan set out policies with regard to pre-consultation and complete application requirements.

Submission of the Application

The Region and the appropriate local municipalities should be consulted at the pre-consultation stage regarding the number of copies required of any information or justification materials. Applicants are also required to provide digital or CD copies of all materials submitted. Only one copy of the application form is required along with the applicable application fee. The fee schedule is attached as Appendix I to the application form. The Region also collects fees for the review of applications on behalf of the Niagara Peninsula Conservation Authority at the time of application. Reports and studies prepared in

support of the application may be subject to a “Peer Review” report by a consultant of the Region’s choosing. All costs of that Peer Review report are the responsibility of the applicant.

All applications to amend the Regional Official Plan are required to address the policies contained within the Plan itself, the Provincial Policy Statement (2020), applicable Provincial Plans, and the policies and regulations of the Niagara Peninsula Conservation Authority (NPCA).

Fees Associated to an Application to Amend the Regional Official Plan

Applicants are responsible for paying the full cost of advertising. The owner/applicant is required to sign a cost acknowledgement agreement which must be signed and submitted as part of the application. In addition to the application fees listed below, the owner/applicant will pay any costs relating to Peer Reviews of information submitted in support of an application at the discretion of Regional staff.

In the case of an application to establish or expand a new pit or quarry, the owner or applicant will also be responsible for the costs for an Aggregate Advisor, if required. The owner or applicant is required to sign a cost acknowledgement agreement which must be signed and submitted as part of the application.

The below amendment fee (effective January 2022) does not include advertising costs or NPCA review fees:

- Regional Official Plan Amendment Fee (\$18,680).
- Amendment for an Expansion to the Urban Area Boundary (\$58,000).
- Amendment to establish or expand a pit or quarry (\$117,330).

Disclosure of Information

Personal information on this form is collected under the authority of the Planning Act, R.S.O. 1990, CHAPTER P.13, and will be used by the Region in the processing of this amendment application. The information may be used by other departments and agencies for the purpose of assessing the proposal and preparing comments to the Region or to the approval authority. It is the policy of the Niagara Region to provide public access to all development applications and supporting documentation (including studies and drawings) and it is understood that any document submitted in support of an application forms part of the public record and may be copied, reproduced or supplied to third parties as part of the application review process.

Authority to Enter

Submission of this application constitutes actual consent for authorized Niagara Region staff to enter upon the subject lands to conduct an inspection as part of the review of the application. Regional staff may, but are not required to, contact the applicant to arrange an inspection.

Application to Amend the Niagara Regional Official Plan

PART 1: Applicant Information

A. Registered Owner Information *(If a corporation, provide registered Head Office address)*

Name: Waterford Sand and Gravel Limited

Address: 70 Ewart Avenue, Brantford, ON

Postal Code: N3T 5M1

Telephone: 519 443 8651

Fax: 519 443 4022

Email: elamb@waterfordgroup.ca

B. Applicant Information: *(All correspondence will be sent to both applicant and agent)*

Name: Same as above

Address:

Postal Code:

Telephone:

Fax:

Email:

C. Agent Information: *(e.g. planning consultant, solicitor if not applicant)*

Name: Caitlin Port - MacNaughton Hermsen Britton Clarkson Planning Limited (MHBC)

Address: 540 Bingemans Centre Drive Suite 200

Postal Code: N2B 3X9

Telephone: 519 576 3650 ext. 733

Fax: 905 576 0121

Email: cport@mhbcpplan.com

PART 2: Site Description

A. Legal Description: *(lot number, registered plan number, concession, reference plan, etc.)*

Part of Lots 6 & 7, Concession 2, Part of Road Allowance between Lots 5 & 6, Concession 2, Township of Wainfleet in the Regional Municipality of Niagara

B. Site Address:

Street Address: N/A

Municipality: Township of Wainfleet

Site Area (hectares): 72.3 ha

PART 3: Nature and Purpose of the Amendment

A. Type of Amendment:

- Land Use Change Policy Change Addition of New Policy

B. Description of amendment:

Official Plan Amendment to permit a Quarry

– See appendix B in Planning Justification Report for a copy of Draft Regional OPA

– See section 1.1 in Planning Justification Report for description of Amendment

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C. Description of proposed use for subject lands:

D. Current land use designation of subject lands:

Regional Official Plan: Rural Area and Possible Extractive Industrial

E. Land uses permitted by existing designation on subject lands:

Regional Official Plan: Agricultural and Rural uses

PART 4: Existing Uses of Subject Lands and Abutting Properties

A. Description of the current use of the subject lands:

Agriculture

B. Indicate the land uses on abutting properties:

North: See section 2.1 of the Planning Justification Report for a detailed description of abutting land

South: uses

East:

West:

C. Is the subject property (land or building) subject to Part 4 or 5 of the Ontario Heritage Act?

- Yes No

D. Are there any easements, restrictions, or other covenants applicable to the lands?

- Yes No

PART 5: Previous Uses of the Subject Lands

A. What were the previous uses of the subject lands?

See section 1.0 and 2.0 of Planning Justification Report for description of current property use

B. Has there been an industrial or commercial use of the site or adjacent land?

*Yes No

*Please specify the type of use:

*Last year of use on subject lands:

C. Has there been fill placed on the site?

*Yes No

*Please specify the type of fill:

*Time period of fill placement:

D. Is there reason to believe the site may have been contaminated by former uses, either on the site or on adjacent sites? (e.g. former industrial use, agricultural use, commercial use, gas station, petroleum or other fuel stored on site or adjacent site.)

*Yes No

*If “yes”, an environmental site assessment of all former uses of the site and, if appropriate, an adjacent site, to the satisfaction of the Ministry of Environment and Climate Change and/or the Region is required. This study must be prepared in accordance with O.R. 153/04 by a qualified consultant.

Is the environmental site assessment report attached to this application submission?

Yes *No

If “no”, on what basis did you come to this determination?

PART 6: Status of Other Planning Applications

Have there been any previous applications submitted under the Planning Act R.S.O. 1990 or the Niagara Escarpment Planning and Development Act for the approval of an official plan amendment, zoning by-law, plan of subdivision, a minor variance, a site plan or for a consent that involves the land; or lands within 120 metres of the subject lands?

*Yes No

If “yes”, please specify the information of each planning application below:

Application 1

Application Type:	Application Status:
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File Number:	
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Affected Lands:	
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Purpose of Application:	
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Application 2

Application Type:	Application Status:
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File Number:	
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Affected Lands:	
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Purpose of Application:	
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Application 3

Application Type:	Application Status:
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File Number:	
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Affected Lands:	
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Purpose of Application:	
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Application 4

Application Type:	Application Status:
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File Number:	
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Affected Lands:	
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Purpose of Application:	
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PART 7: Servicing

A. Indicate the proposed water supply servicing type for the subject lands:

- Municipal piped water Private well Communal
 Other (specify): None

Is the subject lands water supply servicing new or existing?

B. Indicate the proposed sewage disposal servicing type for the subject lands:

- Municipal sanitary sewer Septic tank/system Communal
 Other (specify): None

Is the subject lands sewage disposal servicing new or existing?

C. Indicate the proposed road access and/or frontage for the subject lands:

Please specify the road type (e.g. open municipal road, regional road, provincial highway, private road):
Highway

Name of access and/or frontage road(s):
Highway 3

D. Indicate the proposed storm drainage servicing for the subject lands (e.g. sewers, swales, ditches):

No storm drainage servicing needed, see hydro-geology report

Is the subject lands storm drainage servicing new or existing?

PART 8: Justification

The applicant is required to provide complete planning evidence outlining the justification for this amendment application. This should address but not be limited to why the proposed change is desirable and how it relates to the objectives and policies in the Regional Official Plan, the Provincial Policy Statement (2020), applicable Provincial Plans, and the policies and regulations of the NPCA. The necessary justification report(s) must be provided with this application.

The applicant should refer to the Region’s pre-consultation letter as well as Policy 14.G.2 and corresponding Table 14.2 of the Regional Official Plan for a description of possible additional information requirements for a complete application.

As required under Schedule 1 of Ontario Regulation 543/06, if the requested amendment would permit development on a privately owned and operated septic system and more than 4,500 litres of effluent would be produced per day as a result of the development, the following reports must be provided:

- a servicing options report, and
- a hydrogeological report.

Indicate what report(s) or other information is being provided with this application to justify this amendment in terms of the provisions and policies in the Regional Official Plan.

Report Title: Water Report and Maximum Predicted Water Table Report **Date:** March 2020

Prepared by: WSP

Report Title: Natural Environment Report

Date: June 2022

Prepared by: Riverstone Environmental Solutions

Report Title: Noise Impact Assessment

Date: March 2022

Prepared by: Aercoustics Engineering

Report Title: Planning Justification Report and Summary Statement

Date: May 2022

Prepared by: MHBC

Report Title: Scoped Traffic Brief

Date: April 2022

Prepared by: JD Northcote Engineering

Report Title: Scoped Agricultural Impact Study

Date: May 2022

Prepared by: MHBC

Report Title: Archaeological Reports

Date: 2020, 2021, 2022

Prepared by: ASI

Report Title: Cultural Heritage Report

Date: May 2022

Prepared by: MHBC

PART 9: Provincial Policy Statement and Provincial Plans

In making decisions regarding applications under the Planning Act R.S.O. 1990, planning authorities including Regional Council, are required to “be consistent” with the policies contained in the Provincial Policy Statement (2020) and to “conform with or not conflict with”, as the case may be, Provincial Plans (Greenbelt Plan, Niagara Escarpment Plan, Growth Plan for the Greater Golden Horseshoe, etc.). The preparation of background information and studies by the applicant must address how the proposal will affect the Provincial interest as defined by the Provincial Policy Statement and Provincial Plans. This information must be provided at the time the application is made. **IT IS A REQUIREMENT THAT APPLICANTS MEET WITH LOCAL, REGIONAL, AND IF NECESSARY PROVINCIAL PLANNING OFFICIALS PRIOR TO MAKING AN APPLICATION IN ORDER TO DETERMINE THE NATURE AND CONTENTS OF THIS INFORMATION.**

A. Identify the Provincial Policy affected and indicate what information has been provided to address the Provincial Policy. If additional space is required, attach a separate page.

See Planning Justification Report

B. Is the requested amendment consistent with the policy statements issued under subsection 3(1) of the Planning Act (i.e. Provincial Policy Statement, 2020)?

*Yes No

If “yes”, provide detailed statement through a Planning Justification Report.

C. Are the subject lands within an area of land designated under any provincial plan or plans?

*Yes No

If “yes”, please identify below and/or in a Planning Justification Report (prepared by a Registered Professional Planner, or similarly qualified Planner) and indicate whether the requested amendment conforms to or does not conflict with the provincial plan or plans.

See Planning Justification Report

PART 10: Other Information

Is there any other information that may be useful to the Region or to other agencies in reviewing this proposed Official Plan Amendment, (e.g., efforts made to resolve outstanding objections or concerns)?

Applicant Declaration

I, Ed Lamb, declare that the information contained in this Application is true and accurate to the best of my knowledge and belief. I have authority at law (including applicable corporate authorization, if required) to bring this application to amend the Niagara Region Official Plan, including where applicable the consent of the registered owner of the affected lands.



Applicant's Signature
(original signature required)

Applicant's Consent

Submission of this application constitutes tacit consent for authorized Regional staff to inspect the subject lands or premises and to enter upon the lands in order to undertake the inspection.

In accordance with the Planning Act R.S.O. 1990, it is the policy of Niagara Region to provide public access to all development applications and supporting documentation.

Ed Lamb (print name of applicant or agent)
agrees and acknowledges that this application and any supporting material, including studies and drawings, filed with the application is public information, and forms part of the public record.

Ed Lamb (print name of applicant or agent) hereby consents to the Region photocopying and releasing the application and supporting materials for either its own use in the processing of the application or at the request of any third party.



Applicant's Signature

21 06 2022
Day Month Year

THIS APPLICATION PACKAGE MUST BE SUBMITTED TO:

ATTN: Planning and Development Services Department
Niagara Region
1815 Sir Isaac Brock Way
PO Box 1042
Thorold, ON L2V 4T7

Telephone: (905) 980-6000
Toll-free: 1-800-263-7215
Fax: 905-641-5208
Website: www.niagararegion.ca