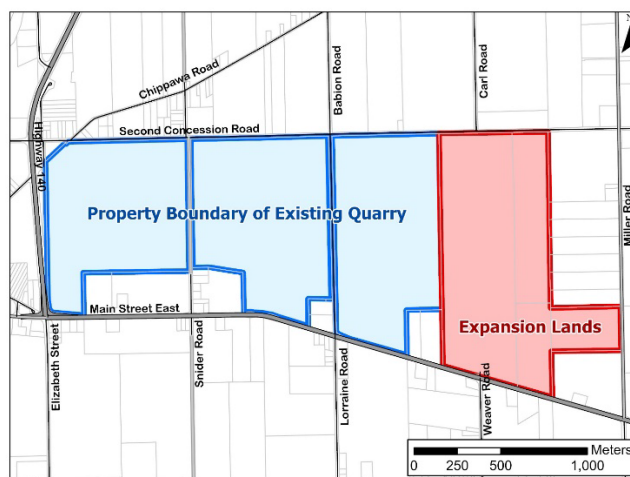


Notice of Decision to Approve
Regional Official Plan Amendment 3 (ROPA 3)
Local Official Plan Amendment 13, as modified (LOPA 13)
Port Colborne Quarry – Proposed Pit 3 Expansion, City of Port Colborne

Take Notice that on January 25, 2024, the Council of the Regional Municipality of Niagara, as the approval authority under Section 17 of the *Planning Act, 1990*, made a decision to pass By-law 2024-05 to approve ROPA 3. At the same meeting, Regional Council also made a decision to approve LOPA 13 (as modified by Niagara Region) adopted through By-law 7160/102/23 by City of Port Colborne Council on November 14, 2023.

SITE LOCATION:

ROPA 3 and LOPA 13 (as modified) affect lands which are immediately to the east of the existing Port Colborne Quarry operation. Legally the lands are described as Part Lot 17, 18, 19, Concession 2, and located on the north side of Main Street East/Highway 3, south of Second Concession Road, and west of Miller Road. The total area to be licensed is 100.2 hectares, of which 68.7 hectares is proposed to be extracted. The remaining lands not subject to extraction have been included within the ROPA and LOPA boundary to ensure applicable environmental conditions and mitigation measures will be maintained.



PURPOSE AND EFFECT OF THE APPLICATION:

ROPA 3 is for text and schedule changes to add the subject lands to Site Specific Policies of the Niagara Official Plan in order to facilitate an expansion of the existing quarry.

LOPA 13 (as modified) changes the designation of the subject lands from Agricultural to Mineral Aggregate Operation. The application also adds a Special Policy Area and mapping changes to Schedules A, B, B1, B2, and C to permit the proposed expansion of the quarry.

Statutory public meetings were held for LOPA 13 on March 7, 2023 and for ROPA 3 on March 8, 2023. All comments submitted were considered as part of the decision making process.

The lands to which ROPA 3 and LOPA 13 apply are also the subject of a City of Port Colborne Zoning By-law Amendment (City File No. D14-09-21) which was conditionally approved by City of Port Colborne Council on November 14, 2023.

OPPORTUNITY TO APPEAL:

Any person or public body who made oral submission at a public meeting or written submissions before ROPA 3 and LOPA 13 was approved may appeal all or part of that decision to the Ontario Land Tribunal (OLT) by filing a notice of appeal with the Regional Municipality of Niagara.

A notice of appeal must:

- i. set out the reasons for the appeal and the specific part or parts of ROPA 3 and LOPA 13 (as modified) to which the appeal applies;
- ii. include a completed Tribunal Appeal Form (A1) available of the [OLT website](https://olt.gov.on.ca/) (<https://olt.gov.on.ca/>);
- iii. be accompanied by the fee required by the Tribunal, \$1,100.00, payable to the Ontario Minister of Finance; and
- iv. be filed in writing with the Regional Clerk:

Ms. Ann-Marie Norio, Regional Clerk
Regional Municipality of Niagara
1815 Sir Isaac Brock Way, P.O. Box 1042
Thorold, Ontario L2V 4T7
Ann-Marie.Norio@niagararegion.ca

- v. be submitted by February 15, 2024 which is the last day for filing a notice of appeal.

ROPA 3 is exempt from approval by the Minister of Municipal Affairs and Housing.

The decision of the Regional Municipality of Niagara to approve ROPA 3 and LOPA 13 (as modified) is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Only individuals, corporations and public bodies may appeal a decision of the municipality to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

ADDITIONAL INFORMATION:

Copies of the applications and supporting documents are available via the Port Colborne Quarries website at [Port Colborne Quarries website](https://portcolbornequarries.ca/) (<https://portcolbornequarries.ca/>).

Additional information on ROPA 3 and LOPA 13 (as modified), including the Niagara Region staff recommendation report, is posted on the Region's website at [Regional Official Plan Amendments](https://www.niagararegion.ca/living/icp/policy-plan/default.aspx) (<https://www.niagararegion.ca/living/icp/policy-plan/default.aspx>) or by e-mailing Sean Norman, Senior Planner, sean.norman@niagararegion.ca

Notice Dated this 26th day of January 2024

Last Day for Filing a Notice of Appeal: Thursday February 15, 2024