

## City of Port Colborne Council Meeting Addendum

**Date:** Tuesday, November 14, 2023  
**Time:** 6:30 pm  
**Location:** Council Chambers, 3rd Floor, City Hall  
 66 Charlotte Street, Port Colborne

**Pages**

### 8. Staff Reports

#### 8.1 Request for Fence Variance - 57 Renfield Street, 2023-225

- \*a. Virtual delegation from Anna Lasko, applicant

#### 8.2 Recommendation Report for Official Plan and Zoning By-law Amendment – Port Colborne Quarries Pit 3 Expansion – Files: D09-02-21 & D14-09-21, 2023-229

- \*a. Delegation from Josef van Ruyven, resident
- \*b. Delegation from Gary Gaverluk, resident
- \*c. Delegation from Gail Babion, resident
- \*d. Delegation from Sharon Ladd and Kevin Ladd, resident
- \*e. Delegation from Barb Butters, resident
- \*f. Delegation from Melissa Bigford, resident
- \*g. Delegation from Robert Henderson, resident
- \*h. Delegation from David Klingspor, Austin Powder Ltd.
- \*i. Delegation from Dale Thompson, resident
- \*j. Delegation from Rob Carter, resident
- \*k. Delegation from Kevin Fitzpatrick, WSP Canada Inc.

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**From:** [Sharon Ladd](#)  
**To:** [Saima Tufail](#)  
**Subject:** PCQ meeting tonight  
**Date:** November 14, 2023 9:01:33 AM

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You don't often get email from [REDACTED] [Learn why this is important](#)

I am Sharon Ladd i own 1266 Weaver Rd, Port Colborne, ON L3K 5V3, Canada directly across this Quarry Expansion . + the 20acre parcel beside it . I would like to be a delegate to be able to speak tonight then also my husband Kevin Ladd he also would like to be a delegate he owns 1284 Weaver Rd.also directly across from this expansion . We would both like to speak on the latest issues on the Blasting and the concerns for all our Safety on my Farm , the Safety of our all our Horses , our Drinking Source Well Water which also supplies my Liscenced Kennel Business Pawsitively Pampered Dog & Cat Grooming at Port Colborne Portuguese Water Dogs all my Portuguese Water Dogs , all my peacocks my entire Grooming and ,Boarding Business , with Clients Dogs , my designated training area with Water Training . It is also hampering all my Expansion Plans on my Agriculture Property I have owned for 40 years the Zoning i need to live my Life and the right to earn a living. Sharon Ladd [www.portcolbornepwwds.com](http://www.portcolbornepwwds.com) [REDACTED] is my phone number.

## Tax Revenue Implications

I am Robert Henderson and for the last 38 years I have lived at 1933 Firelane 2. My drinking water is from a well that draws from the Onondaga Aquifer.

Mayor Steele, Councillors, and listening audience, thank you for the opportunity to share my thoughts and opinions.

I want you to remember two, 4 digit numbers. **1234** and **1717**.

Recently, I have looked at the financial aspects of the expansion. If rezoned, the tax base will increase for the life of the quarry. As PCQ's consultant pointed out, it is a net annual gain to the region of \$3082 and \$4290 to the City from property taxes. However, that amount is not very impressive. If they operate 5 days a week for 50 weeks a year. It's about \$12.34 per day to the region and \$17.17 per day to the City. What is even more disturbing is the process involved. The landowner, based on their zoning, tells Municipal Property Assessment Corporation (MPAC) what they do. MPAC assigns a category and sends that information to the municipality. The municipality applies a mill rate to establish the taxes. If an owner in the future decides their property is a liability and abandons it, MPAC can assign an "exempt" category, at which point the tax revenue drops to zero. Is this going to be the case 100 years from now?

Another aspect of tax revenue is from the people that the industry supports. The IBI report refers to 20 full time employees, 27 truck drivers, and 6 mechanics and their contribution to the Ontario economy. Has anyone asked how many of these 53 employees pay property tax to the City of Port Colborne or a landlord that pays property tax to the City.

The big supporter is the trucking industry. Many of the truckers are owner-operators. Of an estimated 153 trucks per day, only a very few are based in Port Colborne. PCQ could calculate a very accurate number of the people that directly, and indirectly, use their aggregate and also live in Port Colborne. All I can do is note the names on the side of a dump truck that goes in and out of the quarry. Although they are not direct employees of PCQ, the question is the same. How many of the drivers pay property taxes to the City?

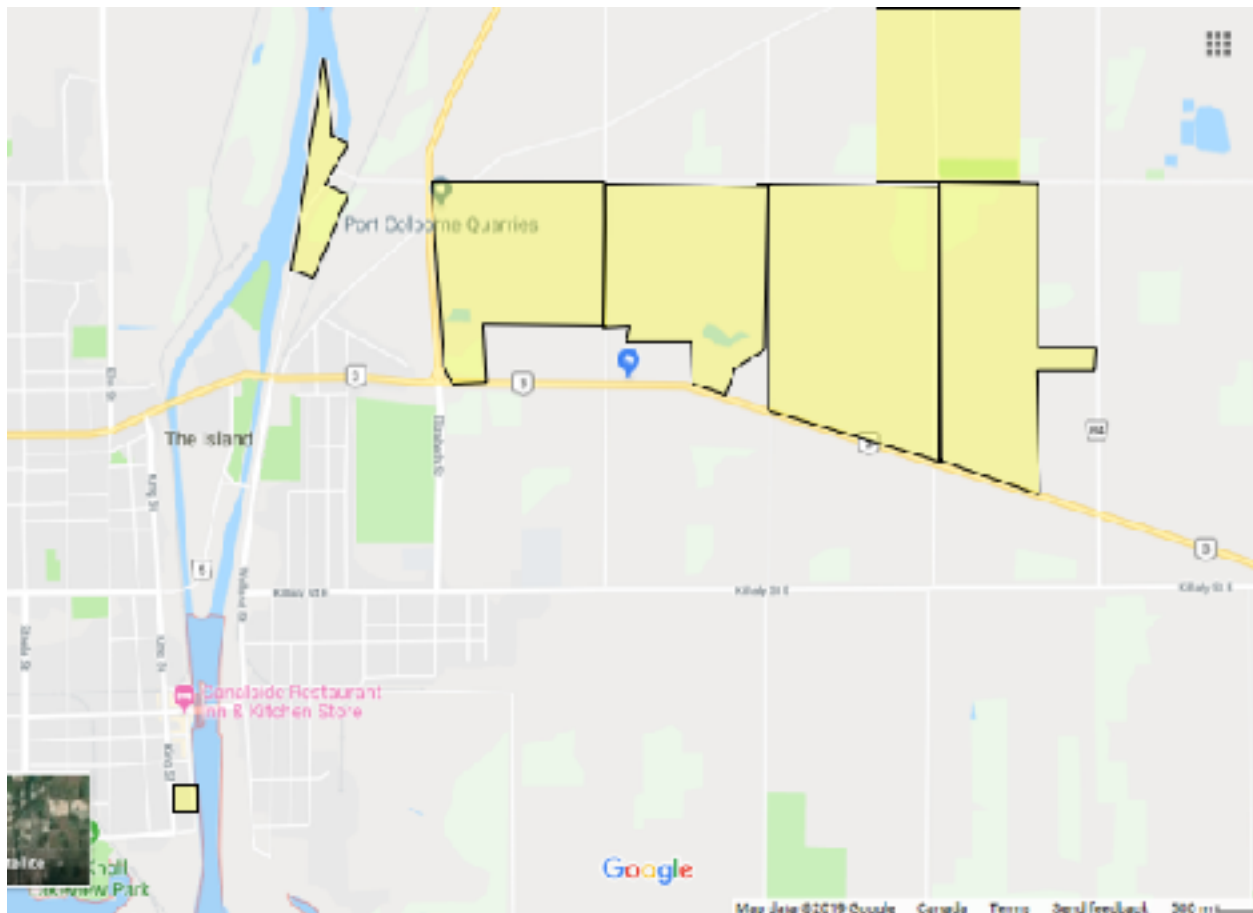
The point is that although PCQ may support a significant income tax base in Ontario, it does not insure a large secondary property tax base for Port Colborne.

The decision you will be making has a permanent impact. It is not like a land reallocation such as our Provincial Government did in the Greenbelt and then changed their mind and allocated the land back to the Greenbelt. The decision to rezone the land for a quarry is a permanent decision. Once the hole is dug, it is always a hole. Once you approve the rezoning, you transfer the control of future use of the land to others. In the case of a quarry, that transfer for permitting shifts to the Ministry of Natural Resources and Forestry (MNRF) which in turn moves it to their department that looks after the Aggregate Resource Act (ARA). Once that happens, they, not you, decide what to approve and this is where things can go wrong.

Because we are looking at a decision that will last into perpetuity, the situation can change in the future.

The ownership of the PCQ could change. In the last 70 years it has had 4 different owners. The community values can change with the change of management. This is not only a concern with change of ownership but can also be concerning with future management of the existing ownership. I say this not as a character study of the future management but as respect for the unknown. Some of you maybe wondering why I say 100 year time span.

Here is a drawing of the property owned by PCQ. (**Show slide-Property owned by PCQ**)



**Property Owned by PCQ in Yellow.**

**Note the Area at the top of the page North of 2nd Concession Rd.**

In yellow, there is land to the north of 2nd Concession Rd. It is right opposite the strip of land that is referred to as the North Finger. That land will probably be PCQ's next area of expansion. Add this to the 10 years left in Pit 3, plus the 40 years in the expansion and it will give them aggregate for about the next 100 years.

This land is to be the last aggregate to be removed, probably starting 45 years from now. It involved relocation of the Wignell Drain in order to facilitate access. Another aspect is that the overburden that needs to be removed to get to the aggregate is 10 metres deep. Of all the proposed land of the extension, this small strip has the most overburden.

In their latest drawing we see that the north half of that strip of land has been designated a "turtle habitat". Why? This is a company that has a rocky history with turtles, particularly the Blanding's Turtles near Lake Lauzon. I wonder if PCQ is telling Council, JART, and the citizens of Port Colborne what they want to hear in order to get the necessary approvals, knowing that once approved, they can apply under the ARA for a change to the permit. If this happens it is likely 40 years from now. If the rules then are as they are now, the ARA does not require consultation with anyone in the approval process. By the very nature of the name, Aggregate

Resource Act, I can surmise they are more focused on mining rock than protecting a water source.

That strip of land and a tunnel under 2nd Concession Rd would make a haul road for aggregate from a future Pit 4. It would also mean that Pit 3 and the extension would not be a recreational lake for at least 100 years.

Another change could be the allowed tonnage output from the pit. All the documentation on this application is for 1 million metric tonnes. The current 4444 permit is for 1.8 million metric tonnes. If PCQ applies for an increase to what they already have capacity to process, after their permit is approved, there is no public oversight. Such a move would impact the blast frequency and truck traffic, increasing it by 80% from what is calculated. Requests for tonnage increases by other quarries are fairly common.

The future for Port Colborne will be different from the past and the present. Already, on Firelane 2, there are 3 of my neighbours that commute to Toronto. They use internal combustion engine vehicles. With the advent of electric vehicles, the commute will be cheaper and with autonomous vehicles, the chore of driving will be eliminated. Futurist, Tony Seba, says the change to EV is happening now and he predicts it will be 90% complete within the next 10 years.

Much of the talk in the media is about the need for affordable housing. The average cost of a house in Toronto is about \$1.1 million. The average cost of a house in Port Colborne is about \$0.5 million. That difference makes Port Colborne look like affordable housing. With these changes happening, Port Colborne may become a suburb of the GTA and other places in the Golden Horseshoe. I believe the land for Pit 3 extension has far more tax revenue potential, in the near future, if used for other purposes than a quarry.

In the scenarios I have given you, if you rezone, you give your control to another decision maker, someone who is further away from the pulse of this community. Don't give up your control, keep the status quo.

Keep the property for better future development and preserve the Onondaga aquifer.

Please vote NO to Amendment No.13

Thank You

# **Tax Revenue Implications of Rezoning Pit 3 extension lands**

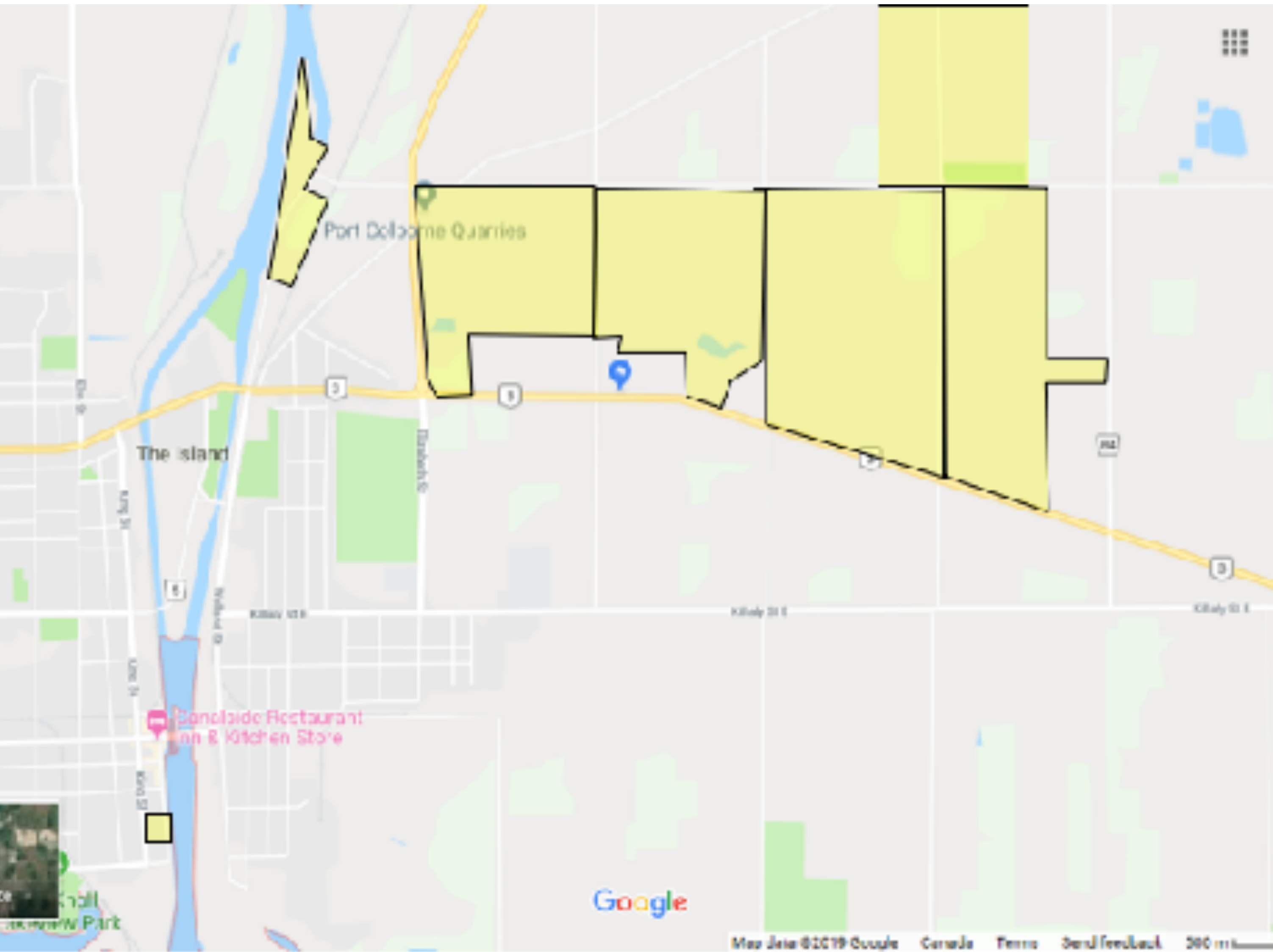
## **Regarding Port Colborne staff report 2023-229**

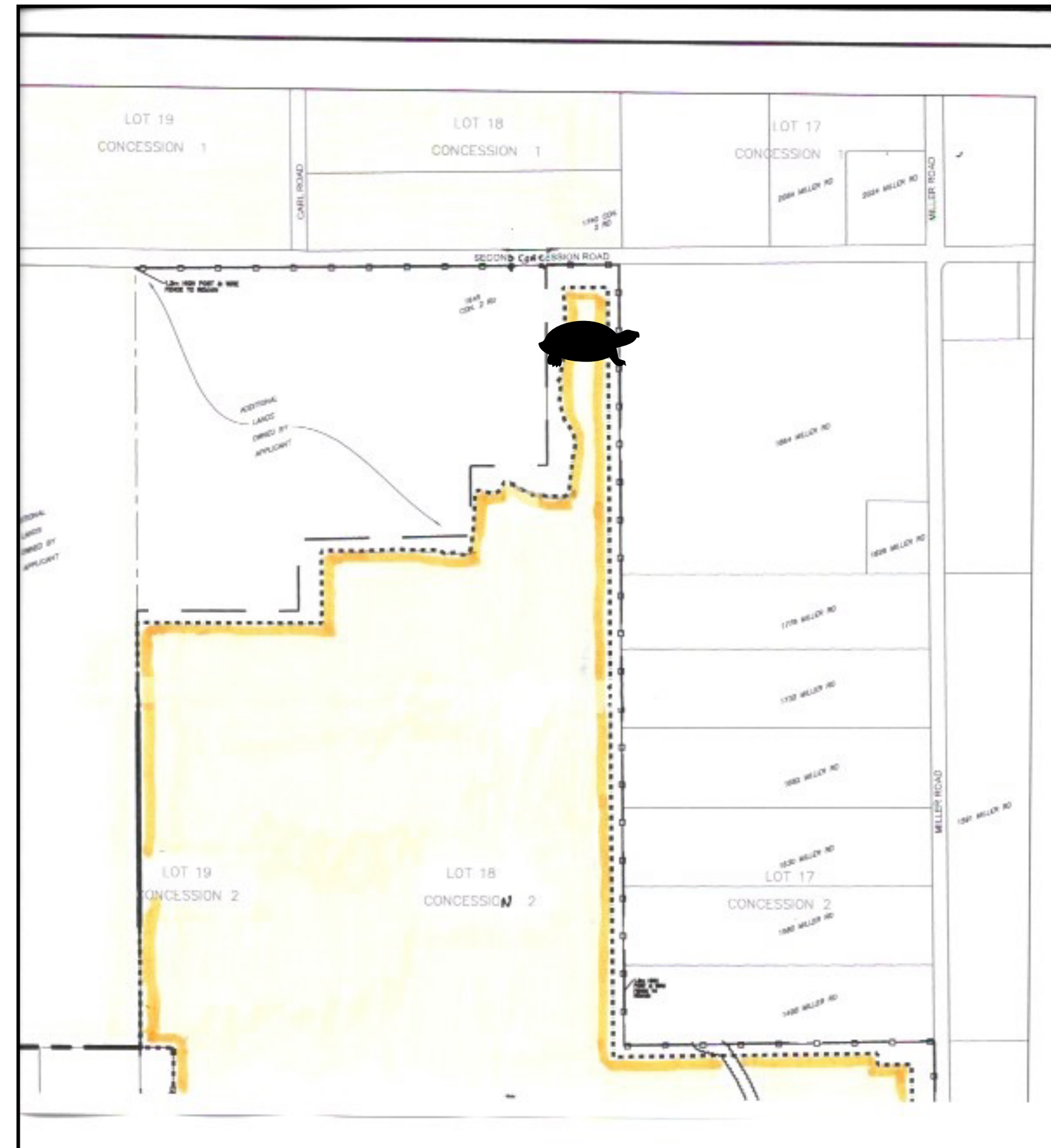
**Robert Henderson.      2023-11-14**





Property Owned By PCQ shown in Yellow





**Extraction Zone for Pit 3 Extension showing north finger**

- 1234 & 1717

- Thank You

The projected life of this quarry expansion is 40 – 50 years.

However, the impact will last an eternity.

The final result will become your legacy.



PORT COLBORNE

## City of Port Colborne Request to Appear as a Delegation

- If you wish to speak to a non-agenda delegation, please submit this form no later than noon on the Monday prior to the Council Meeting.
- If you wish to speak to an item listed on a published agenda, please submit this form no later than noon on the day of the Council Meeting.

<b>First Name</b> Lynne	<b>Last Name</b> Scace
<b>Organization:</b> (if applicable)	
<b>Address:</b> 1540 Babion Road, Port Colborne ON	
<b>Telephone:</b>	<b>Email Address:</b> [REDACTED]

**Date of Meeting:** Tuesday, November 14, 2023

☐

**Speaking to an Item on a Published Agenda:** Provide Agenda Item number and title:

*Port Colborne Quorums Pit 3 Expansion - Pils: D09-02-21 & D19-09-21*

**Speaking:**

☐

In support of the recommendation

☒

In opposition to the recommendation

☐

Other

If other, please specify: \_\_\_\_\_

☐

**Non-Agenda Delegation:** Provide details on the matter to be discussed:

(ATTACH ADDITIONAL PAGE IF NEEDED)

Will you be attending the Council Meeting in person? ☐ Yes ☒ No

Do you have material for distribution at the meeting? ☒ Yes ☐ No

If yes, please specify Current photograph of Pit 3, Port Colborne Quarries

Please provide a copy of your presentation/speaking notes.

All material for distribution and electronic presentations must be delivered via e-mail or delivered to the Clerk's Division by noon on the day of the meeting.

Have you previously spoken on this issue? ☐ Yes ☒ No

If an individual has previously appeared as a delegate, a further delegation from the same individual on the same topic will not be permitted, unless there is significant new information to be brought forward.

Specific New Information I wish Council to review is as follows: (attach additional page if needed).

The photographs submitted by Port Colborne Quarries are at least 2 years old. Please see current ariel photo.

*Compare to photo on page 2 of Draft Recommendation Report*

*I was not able to submit current photos in time  
for the deadline for publishing.*

I have read and understood the delegation information on the back of this form and acknowledge that my name, address, and information and/or correspondence presented to Committee of the Whole Meeting or Council Meeting, will become public information.

*Jim L. Smead*

*November 14/2023*

Signature

Date

Personal information on this form is collected under the authority of the *Municipal Act, 2001* and will be used to document the names and addresses of delegates, and information presented to Council. The disclosure of this information is governed by the *Municipal Freedom of Information and Protection of Privacy Act*. Questions related to the collection of this information may be directed to the Deputy City Clerk at 905-835-2900 ext.115 or [deputyclerk@portcolborne.ca](mailto:deputyclerk@portcolborne.ca).

**Subject: Establishment of and Appointments to the Official Plan  
Technical Advisory Committee**

**To: Council**

**From: Corporate Services Department**

Report Number: 2023-237

Meeting Date: November 14, 2023

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**Recommendation:**

That Corporate Services Department Report 2023-237 be received; and

That the Official Plan Technical Advisory Committee be established; and

That Councillor G. Bruno and Councillor E. Beauregard be appointed as the Council representatives on the Official Plan Technical Advisory Committee for a term ending November 14, 2026.

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**Purpose:**

The purpose of this report is to consider the establishment of an Official Plan Technical Advisory Committee (OPTAC), and to appoint Councillor G. Bruno and Councillor E. Beauregard to represent Council on the OPTAC.

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**Background:**

The City of Port Colborne has begun the process of updating its Official Plan, in accordance with section 26 of the *Planning Act*, which states that a municipality that has an Official Plan must revise its Official Plan no less frequently than 10 years after its Official Plan has come into effect. The Official Plan which is currently in effect in the City came into effect in 2013, and as such, a revised Official Plan must now be prepared.

To support Planning staff in preparing a revised Official Plan, Dillon Consulting was retained by the City at the end of 2022 to complete a Growth Study in order to inform the work required to revise the Official Plan. Planning Division Report 2023-158 was presented to Council on September 26, 2023, to provide Council with the result of the research undertaken by Dillon Consulting.

With this research having been performed, the Chief Planner has requested the establishment of an Official Plan Technical Advisory Committee of Council (the “OPTAC”) to help inform the policies which will be included in the revised Official Plan.

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## **Discussion:**

The OPTAC is proposed to be established to obtain input on what must be addressed in the new Official Plan to ensure the updated Official Plan policies will respond to current conditions and set a new vision for growth to 2051 and beyond.

Legislatively, the new Official Plan will need to ensure conformity with the ongoing changes at the Provincial level with respect to the new Provincial Planning Statement to be released later this year, and the Region of Niagara Official Plan, which received Provincial approval in November 2022. The new Official Plan must not only address these legislative challenges but must also be developed in accordance with all the necessary public engagement requirements under Section 26 of the Planning Act.

The first step in the required public engagement process is the establishment of the OPTAC to identify the key areas which the new Official Plan policies must address. The OPTAC is proposed to be comprised of Planning staff, Dillon Consulting, and two Council members, to provide multiple perspectives regarding the new Official Plan policies.

Once the preliminary findings of the OPTAC have been gathered, the public engagement process will begin. Planning staff will provide further details on the progress of the OPTAC through future reports presented to Council.

Staff are recommending that Councillor G. Bruno and Councillor E. Beauregard be appointed to the OPTAC as both Councillors have expressed their interest in joining this Committee, and both Councillors have the technical expertise required to fulfill the mandate of the OPTAC.

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## **Internal Consultations:**

The Clerk’s Division worked with the Planning Division to establish the terms of reference for the OPTAC and the recommended Councillor appointments to the OPTAC.

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## **Financial Implications:**

The costs associated with the development of the new Official Plan have been accommodated as part of the 2023/2024 budget.

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**Public Engagement:**

No public engagement is required for the establishment of the OPTAC and the Councillor appointments to the OPTAC. Public engagement will take place at a later stage of the Official Plan revision process.

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**Strategic Plan Alignment:**

The initiative contained within this report supports the following pillar(s) of the strategic plan:

- Environment and Climate Change
  - Welcoming, Livable, Healthy Community
  - Economic Prosperity
  - Increased Housing Options
  - Sustainable and Resilient Infrastructure
- 

**Conclusion:**

Staff have prepared this report to obtain approval regarding the establishment of and appointments to the OPTAC to support the revision of the Official Plan, as required under section 26 of the *Planning Act*.

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**Appendices:**

- a. Official Plan Technical Advisory Committee By-law and Terms of Reference
- 

Prepared by,

Diana Vasu  
Acting Deputy Clerk  
905-835-2900 Ext. 115  
deputyclerk@portcolborne.ca

Respectfully submitted,

Saima Tufail  
Acting City Clerk  
905-835-2900 Ext. 106  
cityclerk@portcolborne.ca



**Report Approval:**

All reports reviewed and approved by the Department Director and also the City Treasurer when relevant. Final review and approval by the Chief Administrative Officer.

The Corporation of the City of Port Colborne

By-law No. \_\_\_\_\_

Being a By-law to Establish an Official Plan Technical Advisory Committee

Whereas section 26 of the *Planning Act, R.S.O. 1990, c.P.13* requires that every municipality with an official plan in effect must revise that official plan no less frequently than 10 years after its official plan comes into effect; and

Whereas section 284.8 of the *Municipal Act, 2001, S.O. 2001* grants the head of a municipal council to establish committees and assign functions to said committees; and

Whereas By-law 6979/17/22 provides for the regulations governing the establishment and proceedings of committee meetings;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That there is hereby established a committee to be known as the “Official Plan Technical Advisory Committee”.
2. That the Terms of Reference for the Official Plan Technical Advisory Committee, attached hereto as Schedule “A”, are hereby adopted.
3. That the Official Plan Technical Advisory Committee shall operate in accordance with the policies of The Corporation of the City of Port Colborne.
4. That this by-law shall come into force and take effect on the day of final passing.

Enacted and passed this \_\_\_\_ day of \_\_\_\_\_ 2023.

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William C. Steele  
MAYOR

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Saima Tufail  
ACTING CITY CLERK

## Schedule "A" to By-law \_\_\_\_\_

### City of Port Colborne Official Plan Technical Advisory Committee Terms of Reference

#### **Name**

The committee will be known as the Official Plan Technical Advisory Committee (the "OPTAC").

#### **Purpose**

The purpose of the OPTAC is for City staff and members of Council to provide input on key areas to be addressed in the preparation of the new Official Plan.

The OPTAC will work to prepare materials for public comment at various stages of the Official Plan revision process, pursuant to section 26 of the *Planning Act, R.S.O. 1990, c.P.13*.

#### **Composition**

The OPTAC will be comprised of Planning staff and their delegates, along with two members of Council.

#### **Budget**

No additional remuneration will be provided to OPTAC members because of their participation on the committee.

#### **Meetings**

Pursuant to section 239 of the *Municipal Act, 2001, S.O. 2001*, all meetings shall be open to the public except for those pertaining to matters identified in section 239 (2).

The OPTAC shall elect a Chair, and a Vice-Chair to act as Chair in their absence.

The OPTAC will provide their findings to Council and the public in the manner provided for in section 26 of the *Planning Act, R.S.O. 1990, c.P.13*.

City staff shall provide administrative functions for the OPTAC, as provided for in Procedural By-law 6979/17/22.

#### **Quorum**

A quorum of the OPTAC shall consist of a majority of sitting members.

#### **Term of Office**

The OPTAC will terminate at the conclusion of the Official Plan revision process.

## Memorandum

**To:** City Council  
**From:** Saima Tufail, Acting City Clerk  
**Date:** November 14, 2023  
**Re:** Downtown BIA Board Appointments

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### Recommendation:

That Council appoint the following members to the Downtown BIA for a term ending November 14, 2026, or until their successors are appointed:

- Bennet Terreberry
- Sarah Nunziato
- Jenni Darlow
- Sarah Gillardi Armstrong

### Discussion:

The purpose of this report is to obtain Council approval regarding appointments to the Downtown Port Colborne Business Improvement Area (BIA) Board of Management.

The Terms of Reference for the Downtown BIA stipulate the Board shall be composed of a minimum of seven (7) members and a maximum of twelve (12) members and one member appointed by the municipality.

The *Municipal Act, 2001* stipulates members will be selected by a vote of the membership of the improvement area and appointed by the municipality and that the term of the members of the Board of Management is the same as the term of the Council that appointed them or until their successors are appointed.

At the November 13, 2023 Downtown Port Colborne BIA Meeting the following motion was passed:

*Appoint the following for a term ending on November 14, 2026 – Bennet Terreberry, Sarah Nunziato, Jenni Darlow, and Sarah Gillardi Armstrong*

Staff recommend that Council approves the Downtown BIA's selection for Board of Director members. All appointments are at the discretion of Council. Council may choose not to approve the appointment.

Respectfully submitted,

*S. Tufail*

Saima Tufail  
Acting City Clerk  
905-835-2900 ext. 106  
[saima.tufail@portcolborne.ca](mailto:saima.tufail@portcolborne.ca)

The Corporation of the City of Port Colborne

By-law no. \_\_\_\_\_

Being a by-law to adopt amendment no. 13 to the  
Official Plan for the City of Port Colborne

Whereas it is deemed expedient to further amend the Official Plan, heretofore adopted by Council for the City of Port Colborne Planning Area;

Therefore the Council of The Corporation of the City of Port Colborne under Section 17(22) of the Planning Act, hereby enacts as follows:

1. That Official Plan Amendment No. 13 to the Official Plan for the City of Port Colborne Planning Area, consisting of the attached map and explanatory text is hereby adopted.
2. That the City Clerk is hereby authorized and directed to forward the adopted Official Plan Amendment 13 to the Regional Municipality of Niagara for final approval of the aforementioned amendment to the Official Plan for the Port Colborne Planning Area.
3. That this By-law shall come into force and take effect upon the final approval of Official Plan Amendment 13, by the Council of the Regional Municipality of Niagara.

Enacted and passed this \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
William C Steele  
Mayor

\_\_\_\_\_  
Saima Tufail  
Acting City Clerk

**AMENDMENT NO. 13**  
**TO THE**  
**OFFICIAL PLAN**  
**FOR THE**  
**PORT COLBORNE PLANNING AREA**

**PREPARED BY:**  
**CITY OF PORT COLBORNE DEPARTMENT OF**  
**DEVELOPMENT AND LEGISLATIVE SERVICES**

**November 2023**

**AMENDMENT NO. 13**  
**TO THE**  
**OFFICIAL PLAN**  
**FOR THE**  
**PORT COLBORNE PLANNING AREA**



**AMENDMENT NO. 13**  
**TO THE OFFICIAL PLAN**  
**FOR THE**  
**CITY OF PORT COLBORNE**

This Amendment to the Official Plan for the City of Port Colborne, which has been adopted by the Council of the Corporation of the City of Port Colborne, is hereby approved in accordance with Sections 17 and 21 of the Planning Act R.S.O. 1990, c. P.13, as Amendment No. 13 to the Official Plan for the City of Port Colborne.

Date: \_\_\_\_\_

**AMENDMENT NO. 13 TO THE OFFICIAL PLAN  
FOR THE  
PORT COLBORNE PLANNING AREA**

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Part C – The Appendices

1. Department of Planning and Development Report

## **STATEMENT OF COMPONENTS**

### **PART A**

The Preamble does not constitute part of this Amendment.

### **PART B**

The Amendment, consisting of the following text and Schedule “A”, constitutes Amendment No. 13 to the Official Plan for the Port Colborne Planning Area.

Also attached is **PART C** – The Appendices, which do not constitute part of this Amendment. These appendices contain the background data, planning considerations and public involvement associated with this Amendment.

### **PART A - THE PREAMBLE**

#### **Purpose**

The purpose of this amendment is to add a Special Policy Area to permit the proposed Port Colborne Quarries Inc. – Pit 3 Expansion. The amendment also includes amendments to Schedule A – City-Wide Land Use, Schedule B – Natural Heritage, Schedule B1 – Environmental Protection Area, Schedule B2 – Environmental Conservation Area, and Schedule C – Mineral Aggregate and Petroleum Resources.

#### **Location**

The lands affected by this amendment are legally described as Part of Lots 17, 18 and 19, Concession 2, formerly in the Geographic Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara. A detailed map of the subject lands is attached as Schedule “A” to this Official Plan Amendment No. 13.

#### **Basis**

- a) The Amendment was the subject of a Public Meeting held under the Planning Act, 1990 on March 7, 2023. Public and agency comments were addressed as part of the preparation of this Amendment.
- b) The Amendment will allow the Council of the City of Port Colborne to make a decision on the rezoning from Agriculture to Mineral Aggregate Operation and subsequently allow the Minister of Natural Resources and Forestry to make a decision to issue a quarry license under the Aggregate Resources Act.
- c) Based on the City's review of the Planning Act, 1990, the Provincial Policy Statement (2020), the Growth Plan (2020), the Regional Official Plan, the City's Official Plan and public and agency consultation, City staff is of the opinion that the Amendment is consistent, or does not conflict, with Provincial, Regional policies and City policies plans and, therefore, represents good planning.

Currently, the subject lands are designated “Agricultural”. An application has been made to initiate amendments to the City of Port Colborne's Official Plan and Zoning By-law as they relate to these lands in order to facilitate the development of the proposed Pit 3 Expansion.

### **PART B - THE AMENDMENT**

#### **Introductory Statement**

All of this part of the document entitled Part B – The Amendment, consisting of the following text and map designated Schedule “A”, constitutes Amendment No. 13 to the Official Plan for the City of Port Colborne.

The Official Plan for the Port Colborne Planning Area is hereby amended as follows:

## Details of the Amendment

1. That lands shown on "Schedule A to Official Plan Amendment No. 13", shall consist of the following Schedule changes:
  - a) Change the land use designation from Agricultural to Mineral Aggregate Operation on Schedule A: City-Wide Land Use.
  - b) Add on Schedule A: "City-Wide Land Use":
    - the refined limits of the evaluated, non-significant wetland and 30 metre buffer, significant woodland and 10 metre buffer, and habitat of endangered and threatened species (0.6 hectare Blanding's Turtle habitat compensation area) as ECA (Environmental Conservation Area).
    - Updated final location of the EPA (Environmental Protection Area) following the conclusion of the Wignell Drain realignment report. Any further refinement to the final location of the EPA associated with the natural hazard lands will not require an amendment to the Official Plan.
  - c) Add on Schedule B: "Natural Heritage":
    - the refined limits of the evaluated, non-significant wetland and 30 metre buffer, significant woodland and 10 metre buffer, and habitat of endangered and threatened species (0.6 hectare Blanding's Turtle habitat compensation area) as ECA (Environmental Conservation Area).
  - d) Add on Schedule B1: "Environmental Protection Area":
    - Updated final location of "Streams" and "Natural Hazard Lands" following the conclusion of the Wignell Drain realignment report. Any further refinement to the final location of the "Streams" and "Natural Hazard Lands" will not require an amendment to the Official Plan.
  - e) Add on Schedule B2: "Environmental Conservation Area":
    - the refined limits of the evaluated, non-significant wetlands and 30 metre buffer as "Non-Provincially Significant Wetlands";
    - the significant woodland and 10 metre buffer as "Significant Woodlands".
    - the habitat of endangered and threatened species (0.6 hectare Blanding's Turtle habitat compensation area) as "Significant Wildlife Habitat".
    - Updated final location of the "Fish Habitat" and "Streams" following the conclusion of the Wignell Drain realignment report. Any further refinement to the final location of the "Fish Habitat" and "Streams" will not require an amendment to the Official Plan.
  - f) Add the subject lands to Schedule C: Mineral Aggregate and Petroleum Resources as a Mineral Aggregate Operation.
2. Notwithstanding Section 10 of the Official Plan for the City of Port Colborne, the lands referenced on Schedule "A" of this amendment be permitted to be developed as a Mineral Aggregate Operation and the following Special Policy be added:
  - An expansion to the existing Port Colborne Quarries Inc. quarry is permitted and referred to as Pit 3 Extension being eastwardly on approximately 100.2-hectare site located on the lands bounded by Regional Road 84 (Miller Road), Provincial Highway 3 (Main Street East) and Second Concession Road, on Part Lot 17, 18, 19 Concession 2 and Plan 59R-16702 in the City of Port Colborne.

## Implementation and Interpretation

The implementation and interpretation of this amendment shall be in accordance with the respective policies of the Port Colborne Official Plan and an amendment to the City Zoning By-law to rezone the subject lands.

## **PART C – THE APPENDICES**

The following appendices do not constitute part of Amendment No. 13 but are included as information to support the Amendment.

APPENDIX I – Department of Development and Legislative Services Report 2023-229

The Corporation of the City of Port Colborne

By-Law No. \_\_\_\_\_

Being a By-law to Appoint a Member to the Downtown Port Colborne Business Improvement Area Board of Management to repeal By-law No. 7133/75/23

Whereas the Council of The Corporation of the City of Port Colborne passed By-Law No. 692/8/78, being a By-law to Designate a Certain Area as an Improvement Area, on the 24<sup>th</sup> day of April 1978 and the said by-law received Ontario Municipal board approval on the 25<sup>th</sup> day of May, 1978;

Whereas pursuant to Section 204, Sub-section (3) of the *Municipal Act, 2001*, the Council of the Corporation of the City of Port Colborne appointed members to the Board of Management for the 2023-2026 term of Council on September 5, 2023 ;

Whereas the Council of the Corporation of the City of Port Colborne is desirous of amending the appointments to the Board of Management;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That the following members be appointed to the Downtown Port Colborne Business Improvement Area Board of Management for a term ending November 14, 2026:
  - Bennett Terreberry
  - Sarah Nunziato
  - Jenni Darlow
  - Sarah Gillardi Armstrong
  - Rosemari Poisson
  - Larry Beverly
  - Anna Maria Crognale
  - Harry Hamilton
2. That this by-law shall come into force and take effect on the date of final passing.

Enacted and passed this 14<sup>th</sup> day of November 2023.

\_\_\_\_\_  
William C. Steele  
Mayor

\_\_\_\_\_  
Saima Tufail  
Acting City Clerk

The Corporation of the City of Port Colborne

By-law No. \_\_\_\_\_

Being a By-law to Establish an Official Plan Technical Advisory Committee

Whereas section 26 of the *Planning Act, R.S.O. 1990, c.P.13* requires that every municipality with an official plan in effect must revise that official plan no less frequently than 10 years after its official plan comes into effect; and

Whereas section 284.8 of the *Municipal Act, 2001, S.O. 2001* grants the head of a municipal council to establish committees and assign functions to said committees; and

Whereas By-law 6979/17/22 provides for the regulations governing the establishment and proceedings of committee meetings;

Now therefore the Council of The Corporation of the City of Port Colborne enacts as follows:

1. That there is hereby established a committee to be known as the “Official Plan Technical Advisory Committee”.
2. That the Terms of Reference for the Official Plan Technical Advisory Committee, attached hereto as Schedule “A”, are hereby adopted.
3. That the Official Plan Technical Advisory Committee shall operate in accordance with the policies of The Corporation of the City of Port Colborne.
4. That this by-law shall come into force and take effect on the day of final passing.

Enacted and passed this \_\_\_\_ day of \_\_\_\_\_ 2023.

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William C. Steele  
MAYOR

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Saima Tufail  
ACTING CITY CLERK

Schedule "A" to By-law \_\_\_\_\_

City of Port Colborne Official Plan Technical Advisory Committee  
Terms of Reference

**Name**

The committee will be known as the Official Plan Technical Advisory Committee (the "OPTAC").

**Purpose**

The purpose of the OPTAC is for City staff and members of Council to provide input on key areas to be addressed in the preparation of the new Official Plan.

The OPTAC will work to prepare materials for public comment at various stages of the Official Plan revision process, pursuant to section 26 of the *Planning Act, R.S.O. 1990, c.P.13*.

**Composition**

The OPTAC will be comprised of Planning staff and their delegates, along with two members of Council.

**Budget**

No additional remuneration will be provided to OPTAC members because of their participation on the committee.

**Meetings**

Pursuant to section 239 of the *Municipal Act, 2001, S.O. 2001*, all meetings shall be open to the public except for those pertaining to matters identified in section 239 (2).

The OPTAC shall elect a Chair, and a Vice-Chair to act as Chair in their absence.

The OPTAC will provide their findings to Council and the public in the manner provided for in section 26 of the *Planning Act, R.S.O. 1990, c.P.13*.

City staff shall provide administrative functions for the OPTAC, as provided for in Procedural By-law 6979/17/22.

**Quorum**



A quorum of the OPTAC shall consist of a majority of sitting members.

**Term of Office**

The OPTAC will terminate at the conclusion of the Official Plan revision process.