

Appendix III

City of Welland Official Plan Update – Agency Comments

Name	Date	Agency	Comments	Staff Response
Kaitlin Webber, MHBC Planning	November 19, 2025	Trans Canada PipeLines Limited	Consult " Official Plan Update – Notice of Open House and Public Meeting – City of Welland – MHBC File: PAR 50335" Document in the Extended Comments Section of Appendix III	Staff have made the requested changes.
Kim Peters, Manager, Environmental Planning & Policy	November 27, 2025	Niagara Peninsula Conservation Authority (NPCA)	Consult "NPCA Comments on City of Welland Draft Official Plan, October 2025" Document in the Extended Comments Section of Appendix III	Staff have reviewed these comments and updated the appropriate sections of the plan and schedules to reflect the NPCA's comments.
Cameron Banach, CEO of Niagara Regional Housing	August 12, 2024	Niagara Regional Housing	Consult "Niagara Regional Housing Comments – City of Welland Official Plan Update, 2024" Document in the Extended Comments Section of Appendix III	<p>Given that the OP is not applicable law, the need for such a policy is not administratively required as long as it provided in the Zoning By-law.</p> <p>The City is agreeable with all land use designation change requests. This has been</p>

				reflected in the updated schedules.
Heather Watt, Manager, Community Planning & Development (Central-West) Unit	September 22, 2025	Ministry of Municipal Affairs and Housing (MMAH)	Consult "MMAH One Window Comments Draft City of Welland Official Plan MMAH File: 26-OP-257316 " Document in the Extended Comments Section of Appendix III	<p>The City has provided responses to all One Window Comments and made necessary changes. The City's Responses are bolded in red and can be consulted in the "Provincial One-Window Comment Table" in Appendix III</p> <p>The City has reviewed the comments provided by the Niagara Region as part of Appendix I of the MMAH One Window Comments and updated the appropriate sections of the plan where necessary.</p>
Alexandria Tikky, Senior Planner/Acting Manager	August 27, 2024	Niagara Region	<p>Consult:</p> <ul style="list-style-type: none"> - Regional Comments Draft Comprehensive Official Plan Review City of Welland - Regional Preliminary Comments Comprehensive Official Plan Review Draft Natural Environment System Policies <p>In the Extended Comments Section of Appendix III</p>	Staff have reviewed the comments and updated the appropriate sections of the Plan to reflect the Region's feedback, where applicable. It should be noted that the comments were submitted at a time when the Growth Plan and the Provincial Policy Statement (2020) were still in effect and when the Region

				had planning authority. Some comments related to the Growth Plan and the PPS 2020, including those concerning the Natural Environment System, were not carried forward into this Plan, as they are no longer reflective of current provincial policy.
Roger Pelissero	Thursday, August 1, 2024	Egg Farmers of Canada	Consult "Backyard Hens "email correspondence in the Extended Comments Section of Appendix III	Thank you for these comments. The draft Official Plan is recommending 4 Hens within the low density residential designation. These comments will also be considered when this matter is provided for in the Zoning Bylaw and speculative separate Urban Poultry Bylaw.
Kory Preston	Monday August 12, 204	Chicken Farmers of Ontario	Consult "Urban Hens - Section 4.2.2.2.5" email correspondence in the Extended Comments Section of Appendix III	Thank you for these comments. The draft Official Plan is recommending 4 Hens within the low density residential designation. These comments will also be considered when this matter is provided for in the Zoning Bylaw and speculative separate Urban Poultry Bylaw.
Megan DeVries,	November 6, 2025	Mississaugas of the Credit First Nation (MCFN)	MCFN had provided a letter which is summarized below to be included as part of the Official Plan Process.	Staff met with representatives of the Mississaugas of the Credit First Nation (MCFN) on

<p>Manager of Consultations</p>			<p>To review the letter, consult “Mississaugas of the Credit First Nation (“MCFN”) Municipal Official Plan Input Document” in the Extended Comments Section of Appendix III</p> <p>MCFN emphasizes the need for meaningful, ongoing consultation with the City of Welland on its Official Plan and any future amendments that may affect MCFN rights and interests.</p> <p>MCFN asserts its inherent and Treaty rights and its responsibilities as stewards of its traditional territory, which must be recognized within the planning framework.</p> <p>MCFN raises concerns about the potential impacts of land use changes and development on its rights, the natural environment, and cultural heritage, and seeks assurance that planning decisions support environmental sustainability and cultural preservation.</p> <p>MCFN requests early engagement and formal consultation triggers for development proposals, including mandatory circulation of</p>	<p>December 16, 2025, to discuss their comments and requirements. The proposed Plan incorporates MCFN’s input where appropriate, particularly with respect to early engagement and the encouragement for proponents of development or redevelopment proposals engage with Indigenous communities at an early stage. The City will continue to engage with MCFN.</p>
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			<p>applications involving soil disturbance.</p> <p>MCFN highlights the requirement for archaeological assessments and adherence to MCFN's Archaeological Standards and Guidelines to protect cultural and heritage resources.</p> <p>MCFN requests an active role in reviewing and monitoring archaeological findings and heritage-related matters.</p> <p>MCFN underscores the need for strong environmental protections, particularly for water resources, wildlife, and natural systems, including recognition of MCFN's stewardship role.</p> <p>MCFN advocates for sustainable development practices informed by Indigenous knowledge, values, and long-term environmental responsibility.</p> <p>MCFN requests continued communication and notification of all Official Plan updates, amendments, and related planning decisions by the City of Welland.</p>	
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			MCFN proposes a structured framework for collaboration to strengthen the working relationship and address future planning matters.	
Peter Graham, Consultation Supervisor	October 31, 2025	Six Nations of the Grand River	<p>To review the Six Nations comment and Value Statement, consult “City of Welland Official Plan Update - Statutory Meetings” email correspondence in the Extended Comments Section of Appendix III</p> <p>We would like language along the following lines, per Brant County’s OP, to ensure compliance with PPS 6.2.2: “Proponents of development or redevelopment proposals throughout the County shall engage with Indigenous Communities being the Six Nations of the Grand River and the Mississaugas of the Credit First Nation prior to submission of an application for development or redevelopment. Proof of engagement shall be provided as part of a complete application.”</p>	The City has met with Six Nations of the Grand River on several occasions to discuss the proposed Official Plan. Per the written comments provided, the City has included a policy suggesting for encouragement for proponents of development or redevelopment proposals engage with Indigenous communities at an early stage.

November 19, 2025

Nicolas Aiello
Planning Supervisor, Policy

City of Welland
60 East Main Street
Welland, ON L3B 3X4

Via email: Nicolas.aiello@welland.ca

Dear Nicolas Aiello:

**RE: Official Plan Update – Notice of Open House and Public Meeting
City of Welland
MHBC File: PAR 50335**

MacNaughton Hermsen Britton Clarkson Planning Limited (“MHBC”) are the planning consultants for TransCanada PipeLines Limited (“TCPL”), an affiliate of TC Energy Corporation (“TC Energy”). This letter is in response to the City of Welland’s Notice of Open House and Public Meeting for the Official Plan Update. TCPL has two (2) high-pressure natural gas pipelines contained within its easement(s) (“TCPL Pipeline Right-of-Way”) and associated facilities crossing the City of Welland.

TCPL’s pipelines and related facilities are federally regulated and are subject to the jurisdiction of the Canada Energy Regulator (“CER”). As such, certain activities must comply with the Canadian Energy Regulator Act (“Act”) and associated Regulations. The Act and the Regulations noted can be accessed from the CER’s website at www.cer-rec.gc.ca.

We would like to thank the City for incorporating policies for TCPL into Section 11.2.12, Pipeline Infrastructure, of the draft new Official Plan. We request the following minor revisions to ensure conformity with TCPL’s current development and regulatory requirements:

~~Red-strikethrough~~ = deletion Green underline = addition

11.2.12 Pipeline Infrastructure

11.2.12.1 *Right of Way Crossings*

TransCanada Pipelines Limited (TCPL) operates high pressure natural gas pipelines within its rights-of-way which cross through the City of Welland as identified on Schedule A.

11.2.12.2 *TransCanada PipeLines Limited Regulation*

TCPL is regulated by the Canada Energy Regulator (CER), which has a number of requirements regulating development in proximity to the pipelines, including approval for activities within 30 metres of the pipeline centreline.

11.2.12.3 *TransCanada PipeLines Limited Consultation*

New development can result in increasing the population density in the area, and may result in TCPL being required to replace its pipeline to comply with CSA Code Z662. Therefore, the City shall require early consultation with TransCanada for any development proposals within 200 metres of its facilities.

11.2.12.4 *Setbacks from TransCanada PipeLines right-of-way*

~~i. — A setback of 7 metres shall be maintained from the limits of the right-of-way for all permanent buildings and structures. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way.~~

~~ii. — A minimum setback of 7 metres shall be maintained from the limits of the right-of-way for any parking area or loading area, including parking, loading, stacking and bicycle parking spaces, and any associated aisle or driveway.~~

New development in proximity to a TCPL pipeline right-of-way shall incorporate appropriate setbacks in accordance with TCPL's development standards and the City's Zoning By-law.

11.2.12.5 *Passive and Recreational Uses in TransCanada PipeLines right-of-way*

The City will encourage the use of TCPL's right-of-way for passive parkland or open space subject to TCPL's easement rights.

We also request that the City update the legend on all Official Plan Schedules from "Transport Canada Pipeline" to "TransCanada PipeLines Limited Pipeline" or similar.

Thank you for the opportunity to comment. We look forward to reviewing the draft new Official Plan. If you have any questions, please do not hesitate to contact our office at TCEnergy@mhbcplan.com.

Sincerely,

MHBC



Kaitlin Webber, MA, RPP, MCIP
Intermediate Planner | MHBC Planning

on behalf of TransCanada PipeLines Limited

NPCA Comments on City of Welland Draft Official Plan, October 2025

Section	Page No.	Policy (and suggested changes)	NPCA Comment
n/a	n/a	General comment regarding reference to “Niagara Peninsula Conservation Authority”	NPCA staff recommends changing all OP references to “Niagara Peninsula Conservation Authority” to “Conservation Authority” since the proposed consolidation of conservation authorities may eliminate NPCA as a separate agency.
2.5.2v	16	Welland will promote and implement programs which maintain and improve the quality of surface water and groundwater and promote conservation of water resources. It will support the efforts to restore the health of lakes, rivers and <i>watercourses</i> (for example, the Niagara River Remedial Action Plan and agricultural best practices for manure run-off management).	NPCA staff is supportive of this policy.
2.5.2viii	16	Welland will make decisions which result in little or no <i>negative impacts</i> to local air, land, and water to help create a community which benefits current and future generations. Where a decision must be made which involves impacts to local air, land, and/or water, then Welland will ensure that the <i>negative impacts</i> are mitigated to the fullest extent possible.	NPCA staff is supportive of this policy.
2.5.2ix	16	Welland will consider, and where appropriate, support and/or implement new technology which contributes to improvements in the quality of local air, land, and water.	NPCA staff is supportive of this policy.
2.6.2 v - vii	17	<p>v. Welland will direct <i>development</i> away from areas of known natural hazards, unless appropriate mitigating measures can be implemented.</p> <p>vi. Welland will continue to invest in <i>infrastructure</i> and services which ensure that natural hazards to public safety are appropriately addressed.</p> <p>vii. Welland will promote emergency preparedness among citizens, businesses, and organizations.</p>	NPCA staff is supportive of this policy.

Section	Page No.	Policy (and suggested changes)	NPCA Comment
4.2.3.2	52-53	<u>Design Policies for New Neighbourhoods</u>	NPCA suggests that the City consider adding a policy to this section that supports the use of low impact development solutions to manage stormwater in new neighbourhoods.
4.2.3.6	54	Infilling and <i>intensification</i> is encouraged throughout the City's existing built-up areas. <i>Intensification</i> in Built-up areas should address (notwithstanding the requirements for a severance, site plan or plan of subdivision): vii. Natural (including natural hazards) and built heritage conservation / protection;	NPCA staff is supportive of this policy.
4.2.3.12	58	<u>Additional Residential Dwelling Units</u>	NPCA staff suggests adding a policy that notes additional dwelling units may not be permitted in areas affected by natural hazards, in accordance with Conservation Authority policies.
4.5.3.8	91	Where mid-rise and high-rise institutional uses are proposed, the proposed <i>development</i> should address the following (notwithstanding the requirements for a severance, site plan or plan of subdivision): vii. Natural (including natural hazards) and built heritage conservation	NPCA staff is supportive of this policy. (NPCA staff notes that policy 6.7.8 prohibits institutional uses on hazardous lands and sites.)
5.1.3.13	100	<u>Modification of Topsoil</u>	NPCA staff suggests adding a statement that a permit from the Conservation Authority may be required if topsoil removal or the placement of fill is proposed in an area regulated by the Conservation Authority.
5.3.3.5	105	<u>Applications for Planning Act Approvals to Permit New or Expansions to Existing Mineral Aggregate Operations</u> iv) The applicant will pre-consult with the City of Welland, and where required consult Niagara Region, the Niagara Peninsula Conservation Authority and the Province, as well as any others specified by the City of Welland, to establish the supporting documents and reports.	NPCA staff is supportive of this policy.

Section	Page No.	Policy (and suggested changes)	NPCA Comment
5.4.3.1	110	<i>Development</i> within the lands designated as Rural in this Plan shall only be permitted where it has been demonstrated that: v. The site does not have problems of flooding, erosion, unstable slopes and is not comprised of organic soils;	NPCA staff is supportive of this policy.
5.4.3.3	111	<u>Lot Creation</u>	NPCA staff suggests adding a policy that directs lot creation away from natural hazards. (Similar to policy 6.3.33, which states that new lot creation shall avoid fragmentation of the Natural Environment System.)
6.8.3	119	<u>Permitted Uses within Linkages</u>	The permitted uses for “Linkages” appear to be different from those permitted in the broader Natural Environment System (see section 6.3.3). NPCA staff suggests rewording this policy to state “In addition to Natural Environment System permitted uses, the following uses are also permitted in Linkages...”
6.3.11	120	<u>Development and Site Alteration within Provincially Significant Wetlands and Woodlands</u>	NPCA staff suggests noting that development and site alteration in PSWs may require a permit from the Conservation Authority.
6.3.14	121	<u>Development and Site Alteration within the Natural Environment System</u>	NPCA staff suggests adding: “demonstrated to the satisfaction of the City of Welland, and where applicable, the Conservation Authority that there will be no negative impacts...”
6.3.25	125	<u>Significant Habitat of Threatened and Endangered Species</u> ...Where such habitat is identified, <i>development</i> and <i>site alteration</i> shall be subject to the policies for Environmental Protection Areas.	It appears references to “Environmental Protection Area” (as well as “Environmental Conservation Area”) have been removed from the draft OP, except for this reference. Should this be corrected?
6.3.26	126	<u>Wetland Offsetting</u> Niagara Peninsula Conservation Authority may permit offsetting of wetlands under its policies and permitting process in accordance with its regulatory role.	NPCA staff is supportive of this policy, and assumes that the City of Welland will support wetland offsetting if NPCA supports it.
6.3.30	128	<u>Invasive Species</u>	NPCA staff is supportive of this policy.

Section	Page No.	Policy (and suggested changes)	NPCA Comment
		The City will work with the Conservation Authority to develop programs that require or promote measures to eliminate and/or manage invasive species and discourage the use of non-native invasive species plantings in new developments adjacent to the Natural Environment System.	
6.3.31	129	<p><u>Lands Regulated by the Niagara Peninsula Conservation Authority</u></p> <p>Some lands within the City of Welland are regulated by the Niagara Peninsula Conservation Authority. Lands in the regulated area that contain a <i>watercourse</i> will be subject to the Niagara Peninsula Conservation Authority buffer requirements. Reductions to a buffer may be considered within the Urban Boundary where supported by a site specific study approved by the City and Niagara Peninsula Conservation Authority.</p> <p>Development, <i>site alteration</i>, construction and filling within lands regulated by the Niagara Peninsula Conservation Authority may require approval from the Conservation Authority.</p>	NPCA staff is supportive of this policy.
6.3.35	130	<p><u>Existing Lots of Record</u></p> <p>A new residence and accessory uses may be permitted on an existing lot of record located in whole, or in part, within the Natural Environment System or <i>adjacent lands</i> thereto as set out in Table 6-1 if they are located, designed and constructed to minimize <i>negative impacts</i> on the natural features and <i>ecological functions</i> of the Natural Heritage System. Where <i>development</i> is proposed to occur on lands regulated by the Niagara Peninsula Conservation Authority, a permit may be required before <i>development</i> can take place.</p>	NPCA staff is supportive of this policy, but staff suggests rephrasing this policy so it reads “a permit MAY BE required.” (See red font.)
6.4.2	132	Where development and site alteration is proposed that includes features comprising the Water Resource System, a hydrologic evaluation or other studies as identified by the City and, where applicable, the Conservation Authority may be required.	NPCA staff requests the addition of Conservation Authority to the policy. (See red font.)
6.4.2	133	<u>The Welland Water Treatment Plant Intake Protection Zone</u>	NPCA staff notes that the completion of a study as suggested in this policy is not a requirement of the

Section	Page No.	Policy (and suggested changes)	NPCA Comment
		<p>The Welland Water Treatment Plant is located on Merritt Island in between the Welland River and the Old Welland Canal. The Niagara Peninsula Conservation Authority's Source Water Protection Study identified an Intake Protection Zone covering the areas to the north and west of the Treatment Plant. The Intake Protection Zone is located on Map 1 in Appendix I to this Plan. <i>Development</i> and <i>Site Alteration</i> within the intake protection zone will be subject to a study which identifies that there will no impact on the water quality and quantity as a result of the proposed development and/or <i>site alteration</i>.</p>	<p>Source Protection Plan for Niagara. However, NPCA staff does not object to the policy.</p>
6.4.11	135	<p><u>Location of Stormwater Management Facilities</u></p> <p>Generally, Stormwater Management Facilities shall not be constructed in the Natural Environment System except in <i>buffers, or hazardous lands, except for</i> outfalls to a stream.</p>	<p>NPCA staff suggests adding that SWM facilities are not supported in natural hazard areas. (See red font.)</p>
6.4.13	136	<p>Where development, <i>site alteration</i> or building is proposed adjacent to a Municipal Drain, then a setback of 15 metres in width measured from the stable top of bank shall be required to provide access for drain maintenance, protect the integrity of the drains and protect environmental health. A narrower setback may be permitted where it has been demonstrated, to the satisfaction of the City in consultation with the Niagara Peninsula Conservation Authority, that there will not be a significant negative impact on the maintenance and functioning of the drain.</p>	<p>NPCA staff is supportive of this policy.</p>
6.5.10	139	<p><u>Urban Forest</u></p> <p>The <i>urban forest</i> shall be maintained or enhanced in the City by 2051. The City supports opportunities for enhancement of the <i>urban forest</i>, which may be achieved through a number of means including, but not limited to:</p> <ul style="list-style-type: none"> i. the development and implementation of Urban Forestry Guidelines and any recommendations contained therein; ii. City efforts of tree planting, as well as tree planting programs of the Niagara Peninsula Conservation Authority and other public or private organizations; 	<p>NPCA staff is supportive of this policy.</p>

Section	Page No.	Policy (and suggested changes)	NPCA Comment
		<ul style="list-style-type: none"> iii. private land stewardship that includes protection of existing tree cover and tree planting efforts; iv. land acquisition or dedication of private land to the City, Conservation Authority, or other public or private organizations for tree planting and reforestation efforts; v. identification of woodland enhancement areas through the completion of watershed plans, subwatershed studies, or similar plans; and vi. required tree and woodland protection and planting through the application process for development or site alteration. 	
6.5.11	139	<p><u>Collaboration</u></p> <p>Welland will collaborate with the Niagara Region, the Niagara Peninsula Conservation Authority and other appropriate stakeholders, in developing and maintaining an environmental data base and monitoring program to assess ecosystem health and integrity and recommend improvements, where necessary, to this Plan.</p>	NPCA staff is supportive of this policy.
6.5.12	139	<p><u>Priorities for Ecological Restoration</u></p> <p>In supporting ecological restoration by the City of Welland, Niagara Peninsula Conservation Authority and other groups, priority shall be given to those projects which will maintain or enhance the features of the Natural Environment System and water resources systems.</p>	NPCA staff is supportive of this policy.
6.7	141	<p><u>Natural Hazards</u></p>	NPCA staff notes that “natural hazards” is italicized throughout this section, but there is no definition in section 15.
6.7.1	141	<p><u>Natural Hazards</u></p> <p><i>Hazardous lands</i> and are regulated by the Niagara Peninsula Conservation Authority as are shown Schedule C2.</p>	NPCA staff suggests noting that Schedule C2 may change as new hazards are identified and existing hazards are modified, and that Conservation Authority mapping should also be consulted.

Section	Page No.	Policy (and suggested changes)	NPCA Comment
			NPCA also recommends that Schedule C2 be expanded to include natural hazards other than flooding hazards (e.g., wetland hazards).
6.7.2	141	<u>Natural Hazard delineated in the Zoning By-law</u> <i>Natural Hazards</i> should be delineated in the City's Zoning By-law. The extent of <i>Natural Hazard</i> may be refined through municipal led studies or through a <i>development</i> application without an amendment to this plan.	NPCA staff is supportive of this policy.
6.7.3	142	<u>Natural Hazard Study</u> Where an application for <i>development</i> or <i>site alteration</i> is made, and <i>Natural Hazard</i> mapping is not available, the location and extent of <i>hazardous lands</i> or sites shall be as determined by an appropriate study prepared, and signed, by a qualified engineer and submitted with the application to the satisfaction of the Conservation Authority.	NPCA staff suggests rewording this policy as follows: "Where an application for <i>development</i> or <i>site alteration</i> is made, and unmapped natural hazards are likely present, the location and extent of <i>hazardous lands</i> or sites..."
6.7.4	142	<u>Development and Site Alteration in Hazard Land</u> Development shall generally be directed, in accordance with Provincial policy, to areas outside of: <ul style="list-style-type: none"> • <i>hazardous lands</i> adjacent to <i>river, stream and small inland lake systems</i> which are impact by <i>flooding hazards</i> and /or <i>erosion hazards</i>; • a <i>dynamic beach hazard</i>; • areas that are rendered inaccessible during times of <i>flooding hazards, erosion hazards, and dynamic beach hazards</i>; and • hazard sites. 	NPCA staff notes that dynamic beach hazards are listed twice in this policy. Both references to dynamic beach hazards can be deleted because there are no dynamic beach hazards in the City of Welland. The final bullet should read "hazardous sites."
6.7.5	142	<u>Permitted Development and Site Alteration in Hazard Land</u> Notwithstanding Policy 6.9.4 development and site alternation in hazard lands may be permitted in accordance with Conservation Authority policies in certain areas associated with flood plains, where the risks are minimal in accordance with policy 6.7.9, and where development is limited to the uses that by their nature must located within the flood plain, including	NPCA staff assumes that the correct policy reference should be 6.7.4 (not 6.9.4). NPCA staff requests that "in accordance with Conservation Authority policies" be added to this policy. (See red font.)

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		flood and/or erosion control works or minor additions or passives non-structural uses that do not affect flood flows.	Development may also be permitted where risks are minimal, as per policy 6.7.9
6.7.6	142 -143	<u>Permitted Development and Site Alteration adjacent to Valleylands</u> Along <i>valleylands</i> , where the valley bank height is equal to or greater than 3 metres, the following provisions apply...	NPCA staff suggests simplifying this policy by removing bullets i, iii, and vi and replacing them with a statement that the Conservation Authority should be consulted regarding applicable setbacks from valley slopes.
6.7.8	144	<u>Prohibited Uses on Hazard lands</u> On <i>hazardous lands</i> and <i>hazardous sites</i> , the following uses shall not be permitted: i. Institutional uses associated with hospitals, nursing homes, pre-school, school nurseries, day care or schools; ii. Essential emergency services such as those provided by fire, police and ambulance stations and electrical substations; and iii. Uses associated with the disposal, manufacture, treatment or storage of <i>hazardous substances</i> .	NPCA staff is supportive of this policy.
6.7.9	144	<u>Permitted Uses on Hazard lands</u> Notwithstanding policy 6.9.4 and 6.9.8, <i>development</i> and <i>site alteration</i> may be permitted in those portions of <i>hazardous lands</i> and <i>hazardous sites</i> where the effects and risk to public safety are minor and can be mitigated in accordance with Provincial standards, and the following criteria is demonstrated...	It is unclear what the correct policy references should be; policies 6.9.4 and 6.9.8 do not exist.
7.2.1.8	151	<u>Redesignation of Lands</u> The redesignation of open space lands to Natural Environment System due to the existence of any <i>significant</i> or unique natural features as defined by the Ministry of Natural Resources, Niagara Region, or the Niagara Peninsula Conservation Authority will not require an Amendment to this Plan.	NPCA staff is supportive of this policy.
7.2.1.6	153	<u>Collaboration with Partners</u>	NPCA staff is supportive of this policy.

Section	Page No.	Policy (and suggested changes)	NPCA Comment
		The City will work closely with the Niagara Region, the private sector, Niagara Peninsula Conservation Authority and other agencies to continue to improve and enhance the City's open space and recreational resources.	
7.5.2	155	<u>Planning in Conformance with the Master Plan</u> The planning and <i>development</i> of the Welland Recreational Corridor, and the <i>development</i> of lands adjacent to the Welland Recreational Corridor, shall generally be in conformance with the Welland Parks, Recreation & Culture Master Plan. Planning and <i>development</i> within these lands may require a permit from the Niagara Peninsula Conservation Authority.	NPCA staff is supportive of this policy.
7.5.9	157	<u>Constraints</u> Proponents of <i>development</i> and <i>site alteration</i> within the Welland Recreational Corridor shall consult with the Niagara Peninsula Conservation Authority with respect to Natural Hazards, Natural Environment System, Cultural Heritage, Archaeology, Intake Protection Zone for the Welland Water Treatment Plant.	NPCA staff notes that NPCA does not have jurisdiction over natural and cultural heritage or archaeology and there is no need for proponents to consult with NPCA on these matters. However, proponents must consult with NPCA on matters related to source water protection and natural hazards.
8.1.6	161	<u>Changing Climate</u> The City recognizes that some aspects of climate change may be unavoidable, the City shall develop and implement plans, where appropriate, to adapt to potential impacts in collaboration with Niagara Region, the Niagara Peninsula Conservation Authority and other stakeholders.	NPCA staff supports this policy.
11.2.7.3	202	<u>Location</u> Stormwater Management Facilities should generally be located at the edge of neighbourhoods; at the interface with natural areas; and/or within large public open spaces, including community parks. Stormwater Management Facilities should not be located within the Core Natural Heritage System or on hazardous lands, in accordance with policy 6.4.11.	NPCA suggests adding hazardous lands as locations where SWM facilities are not permitted. There are exceptions to this prohibition listed in policy 6.4.11, and therefore NPCA staff recommends cross-referencing this policy. (See red font.)
11.2.7.7	203	<u>Guidelines</u>	NPCA staff supports this policy.

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		Stormwater Management Plans should be prepared according to the City's and Niagara Peninsula Conservation Authority's current standards, and applicable guidelines.	
11.2.9	205	<u>Power Generation Facilities and Green Energy</u> ... <i>Development</i> may require a permit from the Niagara Peninsula Conservation Authority.	NPCA staff supports this policy.
12.4.7	217	<u>Environmental Protection Area</u> i. Lands designated Environmental Protection Area on Schedule F shall be subject to the policies of Section 6 Environment of this Plan.	There are no policies specific to Environmental Protection Areas in Section 6. NPCA staff recommends clarifying if all policies in Section 6 are intended to apply to this designation.
12.4.8	217	<u>Environmental Conservation Area</u> i. Lands designated Environmental Conservation Area on Schedule F shall be subject to the polices of Section 6 Natural Environment System of this Plan.	There are no policies specific to Environmental Conservation Areas in Section 6. NPCA staff recommends clarifying if all policies in Section 6 are intended to apply to this designation.
14.3.2	228	<u>Scope and Requirements for Studies Supporting Secondary Plans</u> The City shall prepare a Terms of Reference in consultation with the Niagara Peninsula Conservation Authority, where applicable, to determine the required planning studies...	NPCA staff supports this policy.
14.3.5	229	<u>Privately Initiated Secondary Plans</u> Privately initiated secondary plans should be undertaken based on terms of reference approved by the City, in consultation with the Conservation Authority where applicable, prior to development of the secondary plan.	NPCA staff supports this policy.
14.3.6	230	<u>Development Application in Advance of City Led Secondary Plan</u>	NPCA staff notes that this section contains references to the Region's Natural Environment System and the Regional Official Plan. Should these references be changed to reflect the Region's changed role in land use planning?

Section	Page No.	Policy (and suggested changes)	NPCA Comment
14.6.2	239	<u>Evaluation of Plans of Subdivision</u>	NPCA staff suggests adding that applications will be evaluated for the potential public costs and risks to residents from natural hazards, in accordance with NPCA policies. NPCA staff notes that there is a reference to the Regional Official Plan in this section. Should it be removed?
14.8.25	243	<u>Evaluation of Site Plan Applications</u>	NPCA staff suggests adding that site plan applications will be evaluated for the presence of natural hazards and the associated risks to people and property.
14.9.2	245	<u>Evaluation of Consents</u>	NPCA staff suggests adding that consents will be evaluated for risks due to the presence of natural hazards
14.12	254	<u>Support Studies</u> Additional studies and peer reviews may also be required by other agencies, such as the Niagara Peninsula Conservation Authority and Niagara Region.	NPCA staff supports this policy.
14.12.1	254	<u>Requirements for All Studies</u> All studies and information submitted to the City shall be prepared by a qualified professional. Any study or report requested by the City may be subject to a peer review, where the applicant shall be responsible for all costs of peer review which shall be payable upon submission of an invoice from the City, Niagara Region and Niagara Peninsula Conservation Authority.	NPCA staff supports this policy.
14.12.2.3	255	<u>Scope of Subwatershed Plan</u> A subwatershed study should be scoped with the City, the Region, Conservation Authority, and affected landowners, where required. It should include, but not limited to...	NPCA staff supports this policy.
14.12.3.1	255	<u>Need for a Master Drainage Plan</u>	NPCA staff supports this policy.

Section	Page No.	Policy (and suggested changes)	NPCA Comment
		... a Master Drainage Plan may also be required, based on terms of reference developed by the City in consultation with the Niagara Peninsula Conservation Authority.	
14.12.4.1	256	<u>Need for a Stormwater Management Plan</u> ...a Stormwater Management Plan may also be required, based on terms of reference developed to the satisfaction of the City in consultation with the Niagara Peninsula Conservation Authority.	NPCA staff supports this policy.
14.12.5.2	257-258	<u>Preparation and Submission</u> (of an EIS)	NPCA staff suggests adding that the Conservation Authority may participate in the preparation of terms of reference for an EIS when lands regulated by the Conservation Authority are included in the development proposal.
14.12.7.1	260	<u>Need for a Geotechnical Subsurface Investigation</u> A Geotechnical Subsurface Investigation may also be required by the Conservation Authority as a condition of development approval or permit approval to address slope stability.	NPCA staff supports this policy.
14.15.5	269	<u>Technical Revisions</u> The following revisions may be made to this Plan by the City of Welland at any time without the need for an Amendment...	NPCA staff suggests adding a bullet that allows for updated natural hazards mapping (Schedule C2) without an amendment, when more information is made available through site-specific studies or the availability of new data (i.e., updated hydraulic modelling and floodplain mapping).
14.17.3	271	<u>Pre-consultation</u> Where appropriate, pre-consultation may also require the involvement of the Region of Niagara Region, and Niagara Peninsula Conservation Authority, and other applicable service provider agencies.	NPCA staff supports this policy.
15	281	Dynamic beach hazard definition	NPCA staff suggests removing this term and definition. There are no dynamic beach hazards in the City of Welland.
15	283 299	Flood fringe definition Two-zone concept definition	NPCA staff suggests deleting these definitions as they do not apply to NPCA's floodplain management

Section	Page No.	Policy (and suggested changes)	NPCA Comment
	284	Floodway definition	policies. NPCA applies the “one-zone concept,” which does not include a flood fringe area or a floodway.
15	283	Flooding hazard definition	NPCA suggests simplifying this definition by noting that the Minister of Natural Resources, through Ontario Regulation 41/24, has specified that the 100-year flood is the regulatory flood event for the entirety of the City of Welland (along with most other areas in Niagara Region).
15	285	Hazardous lands definition	NPCA suggests deleting “Along the shorelines of large inland lakes, this means the land, including that covered by water, between a defined offshore distance...” because there are no such areas in the City of Welland. The final sentence addressing rivers, streams and small inland lakes is relevant to the City of Welland and should be retained in the definition.
15	296	Definition of significant (in regard to wetlands)	NPCA staff notes that the reference to the Ministry of Natural Resources should be removed from the definition as MNR no longer plays a role in approving provincially significant wetlands. This change would be consistent with the PPS 2024.



Niagara Regional Housing

1815 Sir Isaac Brock Way, PO Box 344, Thorold, ON L2V 3Z3
Telephone: 905-682-9201 Toll-free: 1-800-232-3292
Main Fax: 905-687-4844 Contractor Fax: 905-682-8301
nrh.ca

Via Email

August 12, 2024

Grant Munday
Director of Planning and Development Services
City of Welland
60 East Main Street
Welland, ON, L3B 3X4

Dear Mr. Munday:

Re: Niagara Regional Housing Comments City of Welland's Official Plan Update, 2024

In 2022, Niagara Regional Housing (NRH) completed its Consolidated Housing Master Plan (CHMP) to guide the construction of new community housing units in Niagara to the year 2045. The CHMP contains extensive analysis of Niagara's current and forecasted affordable and community housing needs based on a review of existing NRH and private non-profit and cooperative housing assets, as well as future prospective sites that may be suitable for new affordable housing development.

The CHMP determined that approximately 11,000 net new community housing units are needed by 2045 to eliminate the projected community housing stock deficit in Niagara. The Plan recommends the redevelopment and intensification of existing NRH sites and private non-profit and cooperative sites, plus the development of prospective sites to satisfy this demand.

NRH is currently implementing the recommendations of the CHMP which involves a detailed review and prioritization of NRH sites for redevelopment and intensification, as well as a projected timing related to site preparation, demolition, construction, and occupancy. Through this exercise, many NRH sites in the City of Welland have been identified as having the ability to accommodate greater density and represent high quality opportunities for redevelopment and intensification. It is NRH's objective to make the most efficient use of existing lands to address core housing need amongst Niagara's population while also respecting existing established neighbourhoods and urban fabric.

Comments and Requests for Consideration

The City's existing land use planning framework, specifically, Section 5.31 of the '*City of Welland New Comprehensive Zoning By-Law [2017-117]*' includes public use provisions that have enabled NRH to rapidly construct new community housing units (i.e., 207 Roach Avenue and 60 York Street) with deviation from the permitted as-of-right land

use permissions set out for these sites. NRH acknowledges the City's public use provisions as a paramount tool that instills confidence and the ability to proceed with rapid (re)development as it provides greater flexibility for site and building design, as well as reduced risk to and greater certainty towards timing and cost projections. These provisions are an effective policy mechanism to expedite the delivery of deeply affordable community housing units and will help to address the ongoing housing crisis.

NRH has reviewed the draft policy set of the City's Official Plan Update and observe that public use provisions are omitted. In understanding the importance of public use provisions to its redevelopment portfolio, NRH respectfully requests that provisions – like those included within Section 5.31 of the City's Zoning By-law 2017-117 – be incorporated. Inclusion of public use policies will strengthen how NRH, and other municipal housing initiatives is interpreted across planning documents and will ensure alignment, consistency, and clarity on these matters. The added policies will safeguard the ability for NRH to quickly respond to funding opportunities, resulting in the creation of more community housing units without the need to undertake amendment or minor variance applications.

Recent legislative changes through *Bill 23, More Homes Built Faster Act, 2022* eliminated NRH's ability to access development charge reserves to fund affordable housing development. Therefore, it is critical that the proposed land use designations of the City's Official Plan Update proactively foster conditions that enhances NRH's ability to proceed unimpeded with its redevelopment plan, while also creating desirable conditions that attract partnership opportunities with non-municipal entities, such as non-profit and cooperative housing providers, and market developers.

NRH has reviewed the proposed land use designations of the City's Official Plan Update to its existing asset inventory. The review involved a comparison between NRH's draft redevelopment plan projections and whether the proposed land use designations align with potential redevelopment densities and building typologies. Appendix 1 (attached) provides a simplified summary of this review and includes a column titled, '*NRH Requested Official Plan Update Designation*' that indicates NRH's preferred land use designations for each site. The requested designations represent the most preferred land use permissions for each site based on considering its existing density, envisioned redevelopment density, and expected future development typology.

Conclusion

NRH appreciates the opportunity to review the draft policies and schedules of the City's Official Plan Update and thanks City staff for their consideration of the requests set out in this letter. The City's Official Plan Update represents a critical juncture towards fostering a land use planning framework that enables the ability for NRH to confidently plan for and rapidly construct more affordable and community housing units in Welland under its own initiative or by partnering with non-municipal housing providers. The requests of this letter will support NRH's ability to implement the recommendations of the CHMP.

August 12, 2024

NRH looks forward to continuing its close collaboration with the City of Welland to create more affordable housing supply. Should you wish to discuss these requests further, please contact the undersigned at Cameron.Banach@niagararegion.ca.

Respectfully,



Cameron Banach
CEO of Niagara Regional Housing

cc. Alexander Morrison, Development Industry and Housing Consultant, Niagara Region
Alexandria Tikky, Senior Project Policy Manager, Niagara Region
Georgia Nichols, Administrative Assistant, Community Services, Niagara Region
Nicolas Aiello, Policy Planning Supervisor, City of Welland

Attachments:

Appendix 1: NRH Requested Official Plan Land Use Designations – Welland

APPENDIX 1: NRH Requested Official Plan Land Use Designations – Welland

Site Addresses	Existing Official Plan Designation, 2019	Draft Official Plan Update Designation (Schedule B)	NRH Requested Official Plan Update Designation
Denistoun Street (south of Hooker Street Park)	Open Space and Recreation	High Density Residential	High Density Residential
120-140 Elmview Street	Medium Density Residential	Medium Density Residential	High Density Residential
235 Fitch Street	Medium Density Residential	Medium Density Residential	High Density Residential
292-340 Gatfield Avenue	Low Density Residential	Low Density Residential	High Density Residential
211 King Street	Medium Density Residential	Medium Density Residential	High Density Residential
11 Leaside Drive	Low Density Residential	Low Density Residential	Low Density Residential
44 Leaside Drive	Low Density Residential	Low Density Residential	Low Density Residential
67 Leaside Drive	Low Density Residential	Low Density Residential	Low Density Residential
50 McCrea Drive	Low Density Residential	Low Density Residential	Low Density Residential
170-220 McLaughlin Street	Low Density Residential	Low Density Residential	Medium Density Residential
175-221 McLaughlin Street	Low Density Residential	Low Density Residential	Medium Density Residential
53 Newleaf Crescent	Low Density Residential	Low Density Residential	Low Density Residential
202-274 Roach Avenue	Low Density Residential	Low Density Residential	Medium Density Residential
207-303 Roach Avenue	Low Density Residential	Low Density Residential	Medium Density Residential
22-24 Silvan Drive	Low Density Residential	Low Density Residential	Low Density Residential
30-32 Silvan Drive	Low Density Residential	Low Density Residential	Low Density Residential
38-40 Silvan Drive	Low Density Residential	Low Density Residential	Low Density Residential
46-48 Silvan Drive	Low Density Residential	Low Density Residential	Low Density Residential
292-350 Victory Avenue	Low Density Residential	Low Density Residential	Medium Density Residential
293-351 Victory Avenue	Low Density Residential	Low Density Residential	High Density Residential
61 Woodcroft Crescent	Medium Density Residential	Medium Density Residential	High Density Residential
60 York Street	Low Density Residential	Low Density Residential	High Density Residential

**Ministry of
Municipal Affairs
and Housing**
Municipal Services Office -
Central Region – Planning
Branch
Municipal and Housing
Operations Division

777 Bay Street, 16th Floor
Toronto ON M7A 2J3
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**Ministère des Affaires
municipales et Logement**
Direction de la planification pour le
Bureau des services aux municipalités du
Centre

Division des services aux municipalités et
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Tél: 416 585-6226



September 22, 2025

Grant Munday
Director, Planning and Development Services
City of Welland

Dear Grant Munday,

**Re: MMAH One Window Comments
Draft City of Welland Official Plan
MMAH File: 26-OP-257316**

Thank you for providing the Ministry of Municipal Affairs and Housing (“MMAH”) with the opportunity to review and provide comments on the draft City of Welland Official Plan (“draft Welland OP”).

As part of the One Window Provincial Planning Service, the draft Welland OP was circulated to staff at the Ministry of Transportation (“MTO”); Ministry of Environment, Conservation and Parks (“MECP”); Ministry of Economic Development, Job Creation and Trade (“MEDJCT”); Ministry of Agriculture, Food and Agribusiness (“OMAF”); Ministry of Natural Resources (“MNR”); Ministry of Citizenship and Multiculturalism (“MCM”); Ministry of Tourism, Culture and Gaming (“MTCG”); Ministry of Energy and Mines (“MEM”); and, Ministry of Infrastructure (“MOI”). Additionally, MMAH circulated the draft Welland OP to the Region of Niagara.

The comments contained in the appended table are based on a review of the draft Welland OP in the context of consistency with the Provincial Planning Statement, 2024 (“PPS, 2024”), conformity with provincial plans, and legislative requirements under the *Planning Act*.

MMAH staff also note the following high-level comments on the draft Welland OP below.

Region of Niagara Official Plan

As of March 31, 2025 and pursuant to the *Planning Act*, the applicable parts of the Region of Niagara Official Plan are now deemed to be part of the City of Welland’s Official Plan. The City now has charge of those parts of the Region of Niagara Official Plan, in addition to the existing Welland Official Plan. In light of this deeming, the City has the authority, and is encouraged, to amend or revoke those policies from the Region of Niagara Official Plan, in the same manner they would amend or revoke the policies in their existing official plan. The City may also carry forward

applicable regional policies that are directly relevant to its local context.

Please note, comments from Niagara Region on the City's draft Official Plan are attached as "Appendix 1".

Provincial Planning Statement, 2024 ("PPS, 2024")

The PPS, 2024 has been in effect since October 20, 2024, and all decisions on planning matters must be consistent with its policies in accordance with s. 3(5) of the *Planning Act*. MMAH understands that the draft Welland OP is proposed to be consistent with the PPS, 2024, and the City is expecting to bring forward an updated draft to Council for future consideration of adoption.

Population Forecasts

The draft Welland OP includes population and employment forecasts to 2051. The Region's 2051 population forecast in the Region of Niagara Official Plan is 694,000 people, whereas the August 2025 Ontario Population Projections published by the Ministry of Finance forecasts 689,016 people (2051) for Niagara Region. It is noted that the City is forecasting a population projection of 129,000 people (2051), which is significantly higher than the population forecast in the Niagara Region official plan. While the City has the authority to forecast growth as described in Policy 2.1.2 of the PPS, 2024, the City shall ensure that an appropriate range and mix of housing options and densities are provided to meet current and future needs. As such, MMAH request that the City provide further information on the rationale and methodology used for the population forecast. The City is encouraged to refer to the proposed updates to the [Projection Methodology Guidelines \(ERO #025-0844\)](#) for assistance in this exercise.

Employment Areas and Settlement Area Boundary Expansion

The City's draft Official Plan includes a settlement area expansion to accommodate additional employment lands at the City's eastern urban boundary, and additional employment areas within the settlement boundary that are not otherwise identified in the Niagara Region official plan.

The PPS, 2024 (2.3.2), provides criteria that must be considered when identifying new settlement areas or settlement area boundary expansions. The PPS, 2024 also requires that planning authorities plan for, protect and preserve employment areas for current and projected needs and that planning for employment areas may extend beyond a 30-year planning horizon.

Through the *Helping Homeowners, Protecting Tenants Act, 2023* (Bill 97), the *Planning Act* was amended to focus the definition of "area of employment" to areas designated for clusters of business and economic uses including manufacturing, warehousing and goods movement, research and development, and associated and ancillary facilities. The new definition explicitly excludes institutional uses and commercial uses (including retail and office) as primary uses. The PPS, 2024 also scopes the definition of "employment area" in the same way.

A transition provision, under section 1 (ss.1.2) of the *Planning Act* allows municipalities to include policies in their official plans to continue the protection of an area of employment while addressing the presence of parcels of land with existing uses that would no longer meet the new definition of "area of employment".

We request that the City provide supporting information confirming that the proposed expansion is consistent with the settlement area boundary expansion policies of the PPS, 2024, and that additional employment lands are required to meet projected needs. Additionally, please also ensure that permitted uses within designated employment areas align with the PPS, 2024, and *Planning Act*.

Protect Ontario by Building Faster and Smarter Act (Bill 17), 2025

On June 5, 2025, the *Protect Ontario by Building Faster and Smarter Act, 2025* (Bill 17) received Royal Assent. Bill 17 amends various Acts to help speed up the construction of new homes and infrastructure by streamlining development processes and reducing costs in close partnership with municipalities.

Changes to the *Planning Act*, include but are not limited to, changes to facilitate streamlined development of publicly funded schools, limiting municipal complete application studies and providing greater recognition of planning reports prepared by certified professionals and removing the need for certain minor variances. These *Planning Act* changes may require updates to Welland's draft OP, as outlined in the comment table.

Amendments to the *Building Code Act* were also made to emphasize Section 35 (1) of the *Building Code Act, 1992*, stating that "This Act and the Building Code supersede all municipal by-laws respecting the construction or demolition of buildings." Municipalities do not have, and have never had, the authority to pass by-laws respecting the construction or demolition of buildings.

Amendments were also made including rules that are already in place in the *Building Code Act*, which state that municipalities cannot create and enforce their own construction standards. This includes, 'green', energy efficient, and environmentally-friendly measures often referred to as "green building standards". Official Plans may include policies pertaining to green development standards provided that policies and municipal by-laws do not mandate construction standards that conflict with the Building Code. Further details are provided in the appended comment table.

Complete Application Study Requirements (Bill 17)

Bill 17 proposes to amend the *Planning Act* to limit complete application requirements to what is currently identified in municipal official plans. Bill 17 also includes regulation-making authority that would enable the Minister of Municipal Affairs and Housing to further regulate the reports or studies required as part of a complete application. The City is required to outline all required supporting studies or reports that may be requested as part of a complete application submission.

Please refer to the proposed legislative and regulatory changes to complete application requirements ([Proposed Regulations– Complete Application | Environmental Registry of Ontario](#)) recommending certain topics be removed from the requirements of a complete application. The following topics may not be permitted to be required as part of a complete application: Sun/Shadow, Wind, Urban Design, Lighting. Should the proposed regulations come into effect prior to the adoption of the Welland OP, the City may need to consider updates the official plan policies, where applicable.

Conservation Authorities

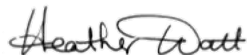
As required by the *Planning Act* and Ontario Regulation 543/06, please ensure to consult with applicable conservation authorities and that comments provided are adequately addressed prior to adoption of the Official Plan.

Conclusion

Thank you again for providing the opportunity to review the draft Welland OP. Please note that the comments provided are staff level and are not considered final. Additional comments may be provided through the formal review of the adopted official plan.

We look forward to continuing to work with you as it moves forward with the public consultation and adoption of the draft Welland OP. Should you have any questions or wish to discuss the comments in more detail, please contact me directly by email at Heather.Watt@Ontario.ca.

Yours very truly,



Heather Watt, Manager, Community Planning & Development (Central-West) Unit

cc. Nicolas Aiello, Manager, Policy Planning (nicolas.aiello@welland.ca)
Michael Greenlee, Manager, Planning Services (michael.greenlee@welland.ca)
Brashanthe Manoharan, Senior Planner, Municipal Services Division – Central Region
(Brashanthe.Manoharan@ontario.ca)

Revisions Suggested to Implement the Planning Act, Provincial Planning Statement. 2024 and Provincial Plans					
Item	OP Policy Number Or reference schedule	Comments/Concerns	Related Provincial Ministries	Policy Basis/Rationale Reference to Planning Act, PPS or Provincial Plan Section or Policy	Proposed Revision
Section 1: Introduction					
1	1.2 and throughout OP	<p>In October 2024, the Provincial Planning Statement (PPS), 2024, replaced the Provincial Policy Statement, 2020 and the Growth Plan.</p> <p>As of March 31, 2025, Niagara Region is defined by the <i>Planning Act</i> as an upper-tier municipality without planning responsibilities. As a result, the Niagara Region’s Official Plan is now deemed to be an Official Plan for the lower-tier municipalities, including the City of Welland.</p>	MMAH	PPS, 2024 <i>Planning Act</i>	<p>Recommended that revisions be made in this section, and throughout the Official Plan, to reference the Provincial Planning Statement, 2024 and not the Provincial Policy Statement, 2020 and to reflect that Niagara Region does not have planning responsibilities.</p> <p>It is also recommended that the City incorporate relevant policies from the Niagara Region Official Plan into the City’s Official Plan and repeal all other policies that are not applicable.</p> <p>Recommend removing any reference to Niagara Region where applicable to reflect the removal of the Region as an upper-tier municipality with planning responsibilities.</p>
Section 2: Community Strategic Directions					
2	OP policies including but not limited to: 2.3.2 (xvi.) 2.7.1 2.7.2(v)(vi) 4.1.1.1 4.1.3.7 4.2.3.1 4.2.3.2 4.2.3.6 4.5.3.9	Significant revisions are recommended to the official plan policies and definitions for consistency with the PPS 2024 and the <i>Ontario Heritage Act</i> as it relates to cultural heritage and archeology.	MCM	PPS Policy 4.6, Section 8 (see definitions of <i>conserved, built heritage resource, and cultural heritage landscape, archaeological resource, protected heritage property,</i>	<p>While potentially not an exhaustive list of changes needed, the following changes to terminology are recommended for consistency with provincial direction:</p> <ul style="list-style-type: none"> • Replace “archeological” with “archaeological” wherever it occurs • “Archeological resources” be used instead of “archeological significance” and defined consistent with the PPS, 2024. • Further, archaeological fieldwork is referred to as “archaeological assessment” in the OHA, PPS 2024, and other provincial guidance material. Delete the term

	<p>5.3.3.10 7.5.4.10 7.5.9 9.1.1 9.2.7 9.2.12 9.2.14 9.2.16 9.2.18 10.2.5.6 14.18.8</p>			<p><i>significant(e), cultural heritage landscapes).</i></p> <p><i>Ontario Heritage Act</i></p>	<p>'resource' wherever the term 'archaeological resource assessments' is used.</p> <ul style="list-style-type: none"> • "Conserved" (or "conserve" or "conservation") be used instead of "preserve", "preserved" or "preservation" which can refer to distinct mitigation strategies associated with heritage conservation • "Conserved" should also be defined, consistent with the PPS, 2024. <ul style="list-style-type: none"> ○ It is also recommended that the term "identified" be removed when referencing the conservation of cultural heritage resources to capture potential/unidentified cultural heritage resources and given that some cultural heritage resources would only be identified through proactive strategies and archaeological assessment carried out pursuant to PPS 4.6.2, 4.6.4(b). • "Cultural heritage value or interest" be used instead of "historic or architectural interest" which is no longer employed in reference to cultural heritage in the Ontario context. Reference to "cultural value or interest" is found within the definition of "conserve" in the PPS, 2024. • "Cultural heritage resources" should be defined to include archeological resources, built heritage resources and cultural heritage landscapes. Alternatively, "archeological resources", "built heritage resources", and "cultural heritage landscapes" should be used throughout the OP for PPS, 2024 consistency (these terms should be defined in the OP even if "Cultural heritage resource" is also defined. • "Heritage assets" is no longer in use, reference to "protected heritage properties" is recommended instead.
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					It is also noted that strategic directions related to cultural heritage resources, which include archaeological resources, built heritage resources, and cultural heritage landscapes, should be further distinguished from strategic directions related cultural programming/industry.
3	2.4.2	Planning authorities are required to apply an agricultural system approach, to support the long-term economic prosperity and productivity of the agri-food sector.	OMAFA	PPS Policy 4.3.1	Recommended revision to explicitly recognize the agricultural system and emphasizes the protection of the agricultural land base as part of this system: 2.4.2 xii. Welland recognizes the important economic and social contribution of agricultural and farm related businesses and activities. The City of <u>Welland</u> will support agriculture and farm related businesses by taking an agricultural system approach, that includes a continuous agricultural land base and a strong agri-food network . This includes protecting <i>prime agricultural lands</i> , and discouraging land fragmentation and ensuring land use compatibility to sustain long-term agricultural viability .
4	2.7.2(viii) 14.18.8	This section discusses the management of “cultural heritage resources” and “archaeological resources.” Cultural heritage resources include archaeological resources, built heritage resources, and cultural heritage landscapes.	MCM	PPS Policy 4.6.5, Section 8	Recommended revision for consistency with PPS 4.6.5: Welland will engage early with First Nations and Indigenous communities and ensure consider their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources, and cultural heritage landscapes resources and archaeological resources.
Section 3: Growth Management Policies					
5	3.1, 4.3.1.5, applicable schedules &	“Designated Greenfield Area” is a Growth Plan term. The PPS, 2024 refers to “Designated Growth Areas”	MMAH	PPS, 2024 (Section 8)	Recommended to revise all references to “Designated Greenfield Area” in the OP to “Designated Growth Area” to be consistent with PPS, 2024.

	Throughout OP				Please also include it as a defined term, consistent with the definition in the PPS, 2024.
6	3.1	Planning authorities are required to take an agricultural systems approach to protect the agricultural land base and support the long-term prosperity of the agri-food sector.	OMAFA	PPS Policy 4.3.1, 4.3.5, Section 8	Recommended revision to policy 3.1 to recognize an agricultural systems approach: 3.1 Welland’s Growth Management Strategy To prevent <i>development</i> in inappropriate areas and support the conservation of valuable economic, agricultural system , environmental and cultural resources [...]. [...]
7	3.3. 1	The PPS, 2024 requires that population and employment forecasts be informed by provincial guidance and based on Ontario Population Projections published by the MOF. Municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province. The City’s population forecast of 129,000 people by 2051 is significantly higher than the population forecast of 83,000 people (2051) in the Niagara Region Official Plan. The Niagara Region Official Plan has a population projection of 694,000 for entire Region whereas the August 2025 Ministry of Finance projection is 689,016.	MMAH	PPS 2024, 2.1.1; 2.1.2, 2.1.3, 2.2.1 (a-d) and 6.2.1	The City is encouraged to utilize the most recent population forecasts published by the Ministry of Finance to best plan appropriately for anticipated population growth. Modifications may be made, as appropriate. The City should refer to the Projection Methodology Guideline for assistance in this exercise (<u>existing methodology</u> and <u>proposed updated methodology</u> – ERO 025-0844) Niagara Region provided comments on the City’s draft Official Plan, dated August 25, 2025 (Appendix ‘1’), emphasizing the importance of coordinated planning across different levels of government on matters pertaining to growth, infrastructure and public services. The City is encouraged to work with Niagara Region when developing its population projection to ensure appropriate coordination and integration as it relates to these matters. When the Council adopted OP is submitted to the Ministry for decision, we would appreciate receiving any supporting information, rationale or methodology for the proposed population projection.

		<p>The PPS, 2024 also requires, at the time of creating a new official plan and each official plan update, that sufficient land be made available to accommodate an appropriate range and mix of land uses, including a range of housing options and densities, to meet projected needs for a time horizon of at least 20 years but not more than 30 years, informed by provincial guidance.</p> <p>Planning matters should be addressed through a coordinated and comprehensive approach, consistent with PPS Policy 6.2.1.</p>			
8	3.3.3	<p>The PPS, 2024 requires that an appropriate range and mix of housing options and densities be provided to meet projected needs of current and future residents of the regional market area. This includes permitting and facilitating all housing options.</p> <p>This section refers to housing units by type (e.g. low, medium and high) however these are not unit types.</p>	MMAH	PPS, 2024, 2.2.1 b) and Section 8	Recommend that this section be revised to address PPS policies and include “housing options” as a defined term, consistent with PPS 2024.
9	3.3.5 and 4.2.1.6	<p>The PPS, 2024 requires that planning authorities maintain the ability to accommodate growth for a minimum of 15 years and where new development is to occur, maintain land with servicing capacity sufficient to provide at least a</p>	MMAH	PPS, 2024; 2.1.4 (a-b); Section 8	Recommended that section 3.3.5 be updated so that language is consistent with PPS 2024 policy 2.1.4 (a-b). For example, please include reference to “designated and available” as it relates to maintaining the ability to accommodate residential growth for a minimum of 15 years. Please also add all defined terms in 2.1.4 (a-b).

		three-year supply of residential units in accordance with policy 2.1.4.			
10	3.4.2.4, 3.4.2.5, 3.5.1, 3.5.2, 3.5.3, 3.6.1 and Schedule 'A' - City Structure	<p>The PPS, 2024 allows the identification of new settlement areas and settlement area boundary expansions subject to certain criteria.</p> <p>Schedule A – City Structure includes more land within the urban settlement boundary than what was included in the approved Niagara Region Official Plan. Settlement area boundary expansions may be considered subject to the criteria in the PPS, 2024 (2.3.2.1)</p> <p>The Minister is the approval authority for non-exempt Official Plan matters, in accordance with Ontario Regulation 543/06 and, Ministry approval is not required for urban boundary expansions.</p>	MMAH	PPS, 2024; 2.3.2.1 (a-g)	<p>Recommended that revisions be made to allow the identification of new settlement areas and settlement area boundary expansions, consistent with the PPS, 2024. Please also include the criteria, including defined terms, for considering new settlement areas and settlement area boundary expansions, consistent with the PPS, 2024.</p> <p>For the proposed settlement area expansion, please provide the rationale and supporting information confirming that the policies of PPS, 2024 have been appropriately considered.</p> <p>Please remove section 3.5.3 (Approval) as the Province is not the approval authority for urban boundary expansions.</p>
11	3.4.3 5.1	Consistent with the agricultural systems approach, rather than categorizing the “Agricultural and Rural Area” together, it is recommended that the agricultural system be referred to explicitly and separately, which includes both the agricultural land base and the agri-food network.	OMAFRA	PPS Policy 4.3.1, 4.3.5, Section 8	Consider adding new policy subsection to 3.4.3 and 5.1, and explicitly identifying the agricultural system, its components, and the commitment to agricultural systems approach as a planning objective.
Section 4: Urban Area Land Use Policies					
12	4.1.3.8 and throughout OP	Policies refer to mitigating possible adverse effects of uses in the downtown on adjacent residential areas and that	MMAH	<i>Bill 17, Protecting Ontario by Building</i>	Bill 17 received royal assent on June 5, 2025 and established regulation-making authority for the Minister to create rules, including but not limited to, on the studies that may be required

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		certain studies may be required to further assess.		<i>Faster and Smarter Act, 2025</i>	for a complete application. Please be advised that a future regulation may prescribe studies that can be required for a complete application.
13	4.2.2.2.2 and 4.2.2.3.2	The <i>Planning Act</i> requires that Official Plan policies permit 3 residential units on a parcel of urban residential land and provides direction on parking and minimum unit sizes associated with additional residential units. Additionally, Ontario Regulation 299/19 provides further direction on requirements and standards associated with additional residential units		<i>Planning Act, 16 (3-3.2) and Ontario Regulation 299/19</i>	Recommended that policies be updated to be consistent with the <i>Planning Act</i> for parcels of urban residential land within the City.
14	4.2.3.3	As per the <i>Planning Act</i> , official plans may not contain any policy that has the effect of prohibiting the use of a parcel of urban residential land for an elementary school or secondary school of a school board or any ancillary uses to such schools, including the use of a childcare centre located in the school.	MMAH	<i>Planning Act s.16 (3.2.1)</i>	Recommended that this section be revised to be consistent with the requirements of the <i>Planning Act</i> .
15	4.3.2.2, 4.3.2.3, 4.3.2.4, 4.3.2.5 3.4.4.1.3 Throughout OP	Policy 4.3.2.2 identifies the following designations as constituting “Employment Areas”: General Industrial, Light Industrial, and Gateway Economic Centre. The <i>Planning Act</i> authorizes the continuation of a use that is excluded from the definition of “area of employment” subject to certain criteria however, criteria in the OP is not	MMAH MEDJCT	PPS, 2.1.3, Section 8, <i>Planning Act [1 (1)]; (1.1)</i>	Recommended to revise the definition of “Employment Areas” to be consistent with the definition in the PPS and Planning Act (“area of employment”). Ensure permitted uses in employment area designations (General Industrial, Light Industrial and Gateway Economic Centre) are consistent with the permitted uses for employment areas in the PPS, 2024 and Planning Act (“area of employment”).

		<p>consistent with the criteria in the Act (e.g. lawfully established uses on a parcel of land).</p> <p>The PPS, 2024 also requires that planning authorities plan for, protect and preserve employment areas for current and projected needs and that planning for employment areas may extend beyond a 30-year planning horizon.</p>			<p>Recommended to update transition policies that authorize the continuation of uses that are excluded from the definition of “area of employment”, consistent with the Planning Act.</p> <p>Recommended to provide supporting information confirming that additional employment lands are required to meet projected needs.</p>
16	4.2.3.11	<p>The PPS, 2024 includes a new definition for “Additional Needs Housing” and provides direction on planning for additional needs housing.</p>	MMAH	PPS, 2024 2.2.1 (b), Section 8	<p>Recommended replacing the definition of “<i>special needs</i>” with “<i>additional needs housing</i>” to align with the terminology and definition of the PPS, 2024,” and include policies to permit and facilitate <i>additional needs housing</i>.</p> <p>Recommended that section 4.2.3.11 of the official plan be renamed to “Additional Needs Housing”, and that all references to “Accessible Housing” and “special needs” be replaced with “additional needs housing”.</p>
Section 5: Agricultural and Rural Area Land Use Policies					
17	Throughout OP 5.1 5.1.1.2 5.1.3.1.2	<p>The PPS distinguishes between <i>prime agricultural areas</i> and <i>prime agricultural lands</i> as separate concepts.</p> <ul style="list-style-type: none"> • Prime agricultural areas are regions where prime agricultural lands predominate, including Class 4–7 lands and areas with concentrated agricultural activity. • Prime agricultural lands refer specifically to Canada Land Inventory Classes 1, 2, and 3, and specialty crop areas. 	OMAF	PPS Policy 4.3.1, 4.3.2, 4.3.3, 4.3.5, Section 8	<p>Recommend replacing use of “prime agricultural lands” with “prime agricultural areas” throughout the plan as applicable. This would include revising policies and their content to align with PPS policies for prime agricultural areas.</p>

		<p>PPS policies primarily apply to prime agricultural areas, and planning authorities are required to designate and protect these areas. This plan frequently references prime agricultural lands, but it may be more appropriate to refer to prime agricultural areas to ensure consistency with PPS terminology and directives for prime agricultural areas.</p> <p>Additionally, the PPS includes policies on “permitted uses”, residential dwellings, lot creation and lot adjustments and non-agricultural uses within <u>prime agricultural areas</u> in policies 4.3.2, 4.3.3, 4.3.5.</p>			
18	5.1.1.5	<p>Consider renaming Section 5.1.1.5 from “Avoid Conflicts with Non-Farm Uses” to “Non-Agricultural Uses” to ensure consistency with the terminology used in the Provincial Planning Statement (PPS).</p> <p>Additionally, consider adding language to reflect the PPS direction regarding non-agricultural uses and their relationship to the agricultural system. Specifically, the PPS states that non-agricultural uses must avoid adverse impacts on the agricultural system. Where avoidance is not possible, impacts should be minimized and mitigated through an Agricultural Impact Assessment or an equivalent analysis.</p>	OMAFA	PPS Policy 4.3.5, Section 8	<p>Recommended revisions as below:</p> <p><i>5.1.1.5 Avoid Conflicts with Non-Farm Non-Agricultural Uses</i></p> <p>The City will discourage the establishment of non-farm uses that could create conflicts with the agricultural activities systems. Land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate.</p>

19	5.1.2	<p>To support clarity and mapping consistency across municipalities, it is strongly recommended that municipalities clearly designate prime agricultural areas.</p> <p>Consider renaming the current “Agricultural” designation to “Prime Agricultural Areas” and/or updating Section 5.1.2 Land Use Policies to include specific policies for prime agricultural areas, in alignment with PPS direction.</p>	OMAFA	PPS Policy 4.3.1, and Section 8	Recommended to rename the current “Agricultural” designation to “Prime Agricultural Areas” and/or updating Section 5.1.2 Land Use Policies to include specific policies for prime agricultural areas, in alignment with PPS direction.
20	5.1.2.2	<p>The PPS defines, agricultural, agriculture-related uses and on farm diversified uses</p> <p>Consistent with PPS policy 4.3.2, consider also expanding the definitions of agricultural uses, agriculture-related uses, and on-farm diversified uses within the plan.</p>	OMAFA	PPS Policy 4.3.2, and Section 8	<p>Ensure that the permitted uses are consistent with the PPS and update official plan definitions to be consistent with definitions in the PPS.</p> <p>Further, to ensure consistency with PPS policy, please add the following policy point:</p> <ul style="list-style-type: none"> • Prime agricultural areas shall be protected for long-term use for agriculture; and proposed agriculture-related and on-farm diversified uses must be compatible with and not hinder surrounding agricultural operations.
21	5.1.3.5	The PPS indicates that limited non-agricultural uses may also be permitted in prime agricultural areas, but only where specific criteria outlined in the PPS are met. Recommend amending section title for 5.1.3.5 to specify prime	OMAFA	PPS Policy 4.3.2 and 4.3.5	<p>Recommend adding the below:</p> <p>5.1.3.5 Non-Agricultural Uses in Agricultural Lands Prime Agricultural Areas</p> <p>Limited non-agricultural uses may also be permitted in prime agricultural areas when specific criteria are met as</p>

		<p>agricultural areas to align with PPS guidelines.</p> <p>Consider modifying language throughout 5.1.3.5 to be consistent with PPS policies on non-agricultural uses in prime agricultural areas. Reference PPS policy 4.3.2, 4.3.5.</p>			<p>follows Non-agricultural uses are only permitted in Agricultural Areas for:</p> <ul style="list-style-type: none"> i. <i>Extraction of minerals, petroleum resources and mineral aggregate resources.</i> ii. Limited non-residential uses, with demonstration of the following: <ul style="list-style-type: none"> a. <i>The land is not a specialty crop area.</i> b. <i>The use complies with minimum distance separation (MDS) formulae.</i> c. <i>There is an identified need for the use within the planning horizon.</i> d. <i>Alternative locations have been assessed and:</i> e. <i>No reasonable alternatives exist outside prime agricultural areas.</i> f. <i>No reasonable alternatives exist on lower-priority agricultural lands.</i>
22	5.1.3.10	<p>In policy 5.1.3.10, consider including language that that indicates that impacts from non-agricultural uses on the agricultural system are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment or equivalent analysis in taking an agricultural systems approach and as directed in the PPS.</p>	OMAFA	PPS Policy 4.3.5	<p>5.1.3.10 Minimize Conflicts with non-agricultural uses.</p> <p>Non-agricultural uses are not permitted in prime agricultural areas. Limited non-agricultural uses may be permitted in prime agricultural areas, as outlined in the Provincial Planning Statement, 2024. An application for a non-agricultural use on parcel outside of the Urban Boundary shall be subject to an agricultural impact assessment to ensure a compatible interface and minimize adverse impacts on the agricultural system. Impacts from non-agricultural uses on the agricultural system are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment or equivalent analysis.</p>
23	5.1.3.1.1 5.1.3.1.2	<p>Consider modifying sections to be consistent with PPS policy 4.3.3</p>	OMAFA	PPS Policy 4.3.3	<p>Recommended to revise i) to be consistent with PPS policy 4.3.3.1. c), and to include a policy to be consistent with</p>

		regarding lot creation/adjustments in prime agricultural areas to clarify that only one new residential lot may be permitted per farm consolidation if a residence is deemed surplus to an agricultural operation (as per PPS policy 4.3.3.1. c)			4.3.3.1.c).2. to prohibit ARUs on any remanent parcel of farmland created by the severance.
24	5.1.3.2	Consider amending 5.1.3.1 Dwellings for Farm Help to align with PPS on permitted uses in prime agricultural areas.	OMAFA	PPS Policy 4.3.2.5 and 4.3.2.6	Section 4.3.2.5 provides direction on additional residential units on prime agricultural areas for farm worker housing. It is recommended that the section be revised to include PPS Policy 4.3.2.5 and 4.3.2.6.
25	5.3	Welland OP Policy 5.3.1.1 states: The City will ensure that <i>Mineral Aggregate Resources</i> are protected for long term future use. While this partially addresses PPS requirements for long-term protection of the resource, official plan policies must also address PPS policy 4.5.2.1 states that as much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability,	MNR	PPS Policy 4.5.2.1	It is recommended that PPS policy 4.5.2.1 be added to section 5.3 of the draft OP to better reflect the long-term protection of the resource.

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		designation, or licensing for extraction of mineral aggregate resources locally or elsewhere.			
26	5.3.3.2	<p>The Welland OP petroleum resource operations and petroleum resource policies appear incomplete as they do not address long-term protection of the resource, nor do they adequately reflect potential hazards.</p> <p>Further, it is possible that there may be 'abandoned' and 'unknown status' petroleum wells within and adjacent to the City of Welland.</p> <p>The City is encouraged to review the information in the Oil, Gas and Salt Resources Library at the following link for the most up to date information on well status and locations (www.oqsrlibrary.com).</p>	MNR	PPS Policy 4.4, 5.3	It is recommended that PPS policies 4.4.2.1, 4.4.2.2 and 5.3.1 be added to section 5.3 of the draft OP to better reflect the long-term protection of the resource and potential human made hazards.
27	5.4 5.4.2	The section of the official plan shall be consistent with the direction of PPS, 2024 on the permitted uses for rural lands.	MMAH OMAFA	PPS Policy 2.5, 2.6	<p>Recommend that policies be consistent with Section 2.5 and 2.6 of PPS, 2024.</p> <p>Consider removing term "public" as a permitted use as this type of use is unclear or replace with "public service facilities" if that is the intention.</p>
28	5.4 5.4.2.1	PPS, 2024 individually defines 'rural areas' and 'rural lands'.	MMAH OMAFA	PPS, 2025 2.5, 2.6, 4.3, Section 8	The City shall ensure clarity that the planning objectives relate to 'rural areas' and 'rural lands' are clearly distinguished. Recommended that policies be clarified throughout the section to reference 'rural areas' and 'rural lands' as applicable.

		Rural lands are considered lands which are located outside settlement areas, and which are outside prime agricultural areas in the PPS.			Consider modifying language used throughout section 5.4 Rural to be use terminology “rural lands” rather than “rural areas” and ensure consistency with PPS guidance for Rural Lands.
Section 6: Natural Environment					
29	6.3.3	Policy 4.1.9 of the PPS 2024 provides that nothing in the natural heritage policies of the PPS is intended to limit the ability of agricultural uses to continue.	OMAFA	PPS policy 4.1.9	<p>Consider revising point v. of 6.3.3 Permitted Uses on agricultural uses, to permit agricultural uses overall.</p> <p>Consider removing agricultural uses from viii to not subject agricultural uses to the conditions listed in viii. a) and b) and potentially limit their ability.</p> <p>v. Existing Agricultural uses</p> <p>viii. Expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses and expansions to existing residential dwellings subject to demonstrating that:</p> <p>a) there is no alternative, and that the expansion or alteration in the feature is minimized, and in the buffer , is directed away from the feature to the maximum extent possible; and</p> <p>b) The impact of the expansion or alteration on the feature and its ecological functions is minimized and mitigated to the maximum extent possible.</p>
30	6.9	The Welland OP does not contain policy or mapping that addresses areas that are unsafe due to the presence of hazardous forest types for wildland fire.	MNR	PPS Policy 5.2.9	It is recommended that PPS 5.2.9 be added to section 6.9 of the draft OP to ensure potential wildland fire hazards are addressed.

		In addition, the Ministry’s Wildland Fire Risk Assessment and Mitigation Reference Manual (https://www.ontario.ca/page/wildland-fire-risk-assessment-and-mitigation-reference-manual) is a reference tool consistent with the PPS, for municipalities and other planning authorities, or proponents, that provides the province’s recommended technical criteria and approaches for assessing risk, and in areas where hazardous forest types are present, assessing and determining the environmentally appropriate measures to mitigate risks for proposed development.			
31	Throughout OP	The City of Welland has updated its Official Plan terminology, replacing “Natural Heritage System” with “Natural Environment System” throughout the entire Plan.	MECP	PPS Policy 4.1 Section 8	While the rationale for this change has not been explicitly stated, it may reflect an effort to adopt a more integrated approach to environmental planning. However, it is recommended to clarify with the City the intent behind this terminology change, as it may not align with the terminology and definitions established in the PPS, 2024.
Section 7: Open Space and Recreation					
Section 8: <u>Climate Change</u>					
32	8.2.4	It is noted here that there are no details within this policy that indicate whether meeting the requirements of the Green Development Standards can be accomplished outside of the building envelope.	MMAH	The <i>Protect Ontario by Building Faster and Smarter Act</i> , 2025 (Bill 17)	To ensure that the intent of this policy is clear, the City may wish to consider clarifying that their planned Green Development Standards will not mandate construction standards for buildings.

33	8.2.5	The City cannot mandate “building characteristics” that supersede any construction standards set out within the Building Code. It is recommended that the City either remove the words “or building” or otherwise clarify that this policy would not apply to any construction standards for buildings.	MMAH	The <i>Protect Ontario by Building Faster and Smarter Act</i> , 2025 (Bill 17), Section 35 (1) of the <i>Building Code Act</i> , 1992	City staff may wish to speak to their Chief Building Official (CBO) to help determine whether or not a potential green development standard may be regulated by the Building Code. Municipal CBOs have a deep understanding of both what the Building Code regulates and of how a particular municipality is enforcing specific policies. They will also understand how certain requirements might be impacting their enforcement of the minimum requirements in the Building Code Act and the Building Code.
Section 9: Arts, Culture, and Design					
34	9.2	The policies in this section deal specifically with conservation of cultural heritage resources rather than “culture” more broadly, and the title should reflect this. MCM recommends the inclusion of a new policy related to lands adjacent to protect heritage properties, for consistency with the PPS.	MCM	PPS Policy 4.6, <i>Ontario Heritage Act</i> Part IV PPS Policy 4.6.3	Recommended to revise section title to “Policies for Cultural <u>Heritage</u> Conservation” Recommend including the following: <u>Adjacent Lands: The City shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been assessed and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.</u>
35	9.2.3	Policy should be edited to align with provincial policy and guidance. Reference to “Cultural Heritage Value or Interest” is preferred over “historic and/or architectural interest.”	MCM	<i>Ontario Heritage Act</i> , Part IV s.27, 39.2 O. Reg 9/06, PPS (section 8, definition of “conserved”)	Revise as follows: The City shall maintain an inventory of buildings and properties of architectural and/or historic <u>cultural heritage value or interest</u> , for the purposes of designating. Non- designated properties of interest may be listed to the Municipal Register if City Council believes the property to contain cultural heritage value or interest found in <u>O. Reg. 9/06</u> and the property meets the required criteria as prescribed. [...]

	9.2.4	Ontario Regulation 9/06 applies to properties, as do the listing and designation provisions that form the subject of the previous and subsequent policies.			The identification and evaluation of the cultural heritage value or interest of properties resources must employ be based on meeting the criteria of Ontario Regulation 9/06 Criteria for Determining Cultural Heritage Value or Interest, under of the <i>Ontario Heritage Act</i> .
36	9.2.7	The intent of this policy is unclear. "Heritage features" is undefined. Features/attributes themselves cannot be designated under Part IV of the OHA, only properties. Heritage attributes are constituent elements of a property which contribute to its cultural heritage value or interest.	MCM	<i>Ontario Heritage Act</i> , Part IV s.29, PPS 4.6.1, and Section 8 (definition of "conserved")	Revise policy to reflect the intent. If the intent is to speak to designation of properties of cultural heritage value or interest, revise policy as follows: Heritage properties features shall be appropriately designated using relevant provincial legislation including the Ontario Heritage Act, the Planning Act, the Municipal Act and other applicable statutory legislation in order to <u>conserve</u> preserve and enhance the City's cultural heritage resources.
37	9.2.9	The criteria for the establishment of Heritage Conservation Districts are not aligned with the <i>Criteria for determining cultural heritage value or interest</i> under the OHA. Direct reference to O. Reg 9/06 is preferred. It is recommended that the title of policy 9.2.9 be edited for consistency with existing language found in the OHA.	MCM	<i>Ontario Heritage Act</i> , Part V., S41 (1); O. Reg 9/06; See also: Ontario Heritage Tool Kit, "Heritage Conservation Districts."	Revise section as follows: 9.2.9 Heritage Conservation Area Districts Should an area be found meet the criteria in Section 3 of Ontario Regulation 9/06 , represent a group of significant sites, buildings or structures, or period of the City's history[...]
	9.2.10	Similar to the above, reference to the undertaking of a study for the purposes of designating a heritage conservation		<i>Ontario Heritage Act</i> , Part V., S40(2). See also: Ontario Heritage Tool Kit,	Revise as follows: 9.2.10 Prior to designating a new Heritage Conservation Area District under Part V of the Ontario Heritage Act, the City shall

		<p>district should refer directly to Section 40 of the OHA.</p> <p>Recommended that references to “Heritage Conservation Area District” be changed to “Heritage Conservation District” to be consistent with OHA language.</p> <p>References to a Natural Environment System are not applicable and should be removed.</p>		<p>“Heritage Conservation Districts</p>	<p>undertake a study with a qualified professional <u>pursuant to Section 40 of the Ontario Heritage Act to: [...]</u></p> <p>Revise policy to remove reference to “Natural Environment System”.</p>
38	9.2.15	<p>The use of “compromised” with respect to “heritage value” is unclear and not appropriate in this context. We recommend revising this OP section to be more consistent with the language of the PPS and OHA.</p>	MCM	<p>PPS policy 4.6.1, 4.6.3, Section 8 (definition of “conserved”)</p> <p>O. Reg. 9/06</p>	<p>Recommended revision as follows:</p> <p>9.2.15 Retention<u>Conservation</u> of Designated Heritage Properties</p> <p>Designated properties shall be retained <u>conserved</u> as part of any new development or redevelopment to ensure that the <u>cultural</u> heritage value <u>or interest of</u> the building and/or lands is not compromised <u>adversely impacted</u>, unless Council or its designate approves removal in accordance with the <i>Ontario Heritage Act</i>.</p>

39	9.2.16	It is unclear what permit is being referred to at the end of the policy. The OHA does not provide for alterations to be made to heritage attributes of Part IV designated properties without a municipal permit, nor for exterior alterations to be made in a Heritage Conservation District that are not in keeping with the Heritage Conservation District Plan, without a municipal permit, nor for alterations to be made to an archaeological site other than by a licensed archaeologist, at the discretion of a municipal official.	MCM	PPS Section 8 (see definition for <i>significant</i>)	<p>Recommended revision as follows:</p> <p>9.2.16 Public Works Compatibility with Cultural Heritage Resources</p> <p>Consideration shall be given to the effects of public works and development on significant cultural heritage resources buildings, infrastructure, sites and areas of historical, architectural, scenic or archaeological importance prior to the approval of public works and proposals for development. At the discretion of the Director of Planning and Development Services, emergency repairs to infrastructure within buildings, sites and areas of historical, architectural, scenic or archaeological importance may not require a permit.</p>
40	9.2.19	The Province does not provide “clearance” on archaeological assessment reports.		PPS Policy 4.6.2	It is recommended that policy be revised to clarify that archaeological assessments are entered into the Ontario Public Register of Archaeological Reports .
Section 10: Integrated Transportation					
41	10.2.1.2	The policy as written does not accurately reflect the planning authority’s responsibilities regarding protection of planned corridors.	MMAH MEM	PPS Policy 3.3	<p>It is recommended that additional language be included to be consistent with the direction of PPS Policy 3.3 as follows:.</p> <p>The City shall plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs. The City shall not permit ensure development in planned corridors that could preclude or applications will not negatively affect the use of</p>

					<i>the corridor for the purpose(s) for which it was identified.</i> functionality of existing or planned corridors.
42	10.2.2.12	The agri-food network includes the infrastructure, services and other agri-food assets needed to sustain and enhance the prosperity of the agri-food sector, which includes transportation systems. This includes agriculturally compatible road design that focuses on accommodating the equipment and activities of agricultural operations and promoting safety.	OMAFA	PPS Policy 4.3.1, Section 8 (definition of “agri-food network”)	Consider adding a new sub point to 10.2.2.12 to include provisions for road designs that are compatible with agricultural operations and activities. Compatible road design may include consideration for road width and shoulders, sloping, intersection and access points, urban buffers, placement of overhead hydro/telephone lines. 10.2.2.12 Provisions for Road Designs v. <i>The agri-food network through agriculturally compatible road designs which accommodate agricultural equipment, activities and promote safety.</i>
43	10.2.4.5	For sensitive developments, it is recommended that noise be assessed within 500 metres of a principal main railway line. OP policies should therefore reference MECP’s Environmental Noise Guideline, NPC-300.	MECP	EPA, PPS Policy 3.5	Recommended to add “ <u>in accordance with provincial guidelines, standards and procedures</u> ” when referring to required studies.
Section 11: Infrastructure and Utilities					
44	11.2.12.4	The City of Welland cannot require construction standards for buildings. This includes mandating the reduction of energy demands within buildings or the integration of green roofs.	MMAH	The <i>Protect Ontario by Building Faster and Smarter Act</i> , 2025 (Bill 17), Section 35 (1) of the <i>Building Code Act</i> , 1992	The City should remove the words “or require” from this policy

Section 12: Northwest Secondary Plan Policies					
45	12.5.1	This policy is acceptable only if the intent is that sustainable design features can be incorporated outside of the building envelope. The City cannot mandate construction standards for buildings.	MMAH	The <i>Protect Ontario by Building Faster and Smarter Act</i> , 2025 (Bill 17)	We would encourage the City to revise the language in this policy to ensure its clarity.
Section 13: Area Specific Policies					
Section 14: Implementation					
46	14.4.4.6.2 & 14.4.4.6.3	Sections appear to be missing uses outlined in Section 1 of O. Reg. 509/20.	MMAH	O. Reg. 509/20	It is recommended that where CBC policies are included, that it be consistent with O. Reg. 509/20.
47	14.8.5	The <i>Planning Act</i> outlines matters that are within the scope of Site Plan Control.	MMAH	Planning Act, s.41(4.1)	Please ensure policies are consistent with the <i>Planning Act</i> .
48	14.13.2	Changes to the Development Charges Act includes additional exemptions.	MMAH	Bill 23, Bill 17, <i>Development Charges Act</i>	It is recommended that the section be modified to be consistent with legislation.
49	14.17.1	This section is incomplete based on Section 53 and 27 of the <i>Planning Act</i> .	MMAH	<i>Planning Act</i> , s.53 s.57	Recommend modifying to “ applications for consent ” to be consistent with Section 53 and 27 of the <i>Planning Act</i> .
50	14.12 Throughout OP	The official plan must outline all required supporting studies or reports that may be requested as part of a complete application submission. Report/studies not specifically included in the Official Plan may not be required as part of a complete application submission.	MMAH	<i>Planning Act</i> s.22(5), s.22, s.34, s.41, s.45, s.53, s.51, Bill 17	Ensure that policies are clear on what studies/reports may be required as part of a complete application submission and remove policies that state “other studies may be required” or any other similar policy with the same effect. Please also be advised of proposed legislative and regulatory changes (ERO posting) that would limit the information and material that may be required by a municipality as part of a complete application submission for OPAs, ZBAs, Site Plan

					<p>Control, Plan of Subdivision and consent applications. Specifically, it is proposed that materials and information for the following topics could not be required as part of a complete planning application:</p> <ul style="list-style-type: none"> • Sun/Shadow • Wind • Urban Design • Lighting <p>The City's policies on studies and reports required as part of a complete application submission should be consistent with any future Minister regulation.</p>
51	14.18.1	Official plan appears to be not including all exceptions per O.Reg 254/23.	MMAH	<i>Planning Act</i> , O.Reg 254/23, Bill 23	Recommended to be revised to include all exceptions.
52	14.18.3 14.18.9 and throughout	Policies are not consistent with the <i>Planning Act</i> which make pre-consultation optional.	MMAH	Bill 185 <i>Planning Act</i> , 22 (3.1), 34(10.0.1), 51(16.1), 41(3.1)	<p>Recommend revising policies to encourage applicants to submit pre-consultation requests, not to require, and to remove any references in this section and throughout the OP to require pre-consultations as they are optional.</p> <p>Example of a suggested modification:</p> <ol style="list-style-type: none"> 1. "Prior to scheduling an optional Pre-Consultation, an applicant may submit to the Director of Planning and Development Services or their designate a completed Request for Pre-Consultation, which may include." <p>Recommend modifying to reference the appropriate section of the official plan for complete application requirements.</p>
53	14.18.8 Throughout OP	For consistency, it is recommended to use the correct terminology when referring indigenous engagement policies.	MMAH	PPS Policy 4.6.5	Please ensure that the official plan is consistent with PPS Policy 4.6.5, including but not limited to any reference to Indigenous communities and early engagement.

					Recommended to include the word “ early ” to be consistent with PPS, 2024.
Section 15: Definitions					
54	General Comment	Please review the definitions in the draft official plan to ensure they are consistent with the terminology and definitions of the PPS, 2024.	MMAH	PPS, 2024, Section 8: Definitions	Recommended to revise and update this section to align with the terminology and definitions of the PPS, 2024. For example: <i>strategic growth area, infrastructure, planned corridors, on-farm diversified uses, significant, built heritage resource, protected heritage property, heritage attributes, brownfield sites, endangered species, renewable energy system, significant, archaeological resources, urban agriculture, agricultural systems, agri-food network, agricultural impact assessment, prime agricultural area, prime agricultural lands, rural lands, individual on-site sewage services, etc.</i>
55	Definition of <i>residence surplus to an agricultural operation</i>	The term and definition in the OP is not consistent with the PPS, 2024.	MMAH	PPS, 2024, Section 8: Definitions	Please update the terminology and definition to be consistent with the PPS, 2024.
Schedules					
56	Schedule ‘B’ – Land Use	The relationship between “Natural Environment System” designation and “Agricultural” requires further clarification.	OMAFA	PPS, 2024 Policies 4.1 and 4.3	Review presentation of Natural Environment System in Schedule ‘B’ – Land Use. Recommend that “Natural Features and Areas” be shown as an overlay either through hatching or otherwise to indicate that the area is still designated as Agricultural and that policies for the Agricultural designation are also to apply.
57	Schedule ‘B’ – Land Use	Sections of mapping in Schedule B – Land Use, indicate Open Space and Recreation (such as above highway 27, to the east of Welland Canal) when	OMAFA	PPS, 2024 Policy 4.3	Review mapping for “Parks and Open Space” as identified in Schedule B – Land Use that is overlapping with prime agricultural areas to ensure land is not being removed.

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		regional mapping identifies as prime agricultural area.			
58	Schedule 'B' – Land Use	Sections of mapping in Schedule B – Land Use, indicate Rural designation (such as section between highway 58 and Canal Bank St) when regional mapping identifies as prime agricultural area.	OMAFA	PS, 2024 Policy 4.3	Review mapping for “Rural” as identified in Schedule B – Land Use that is overlapping with prime agricultural areas to ensure land is not being removed.
59	Schedule 'B' – Land Use	Sections of mapping in Schedule B – Land Use, indicate “Rural Employment Designation” when regional mapping identifies as prime agricultural area.	OMAFA	PS, 2024 Policy 4.3	Review mapping for Rural Employment Designation identified in Schedule B – Land Use that is overlapping with prime agricultural areas to ensure land is not being removed.
60	Schedule 'C1' - Components of the Natural Environment System	The Schedule does not appear to be consistent with MNR data. For example, the Lyons Creek Wetland Complex (69877093) should be identified as PSW as opposed to ‘other wetland’ and the Niagara Street Cataract Road Woodlot Wetland Complex (71301447) appears to be identified as PSW in its entirety, rather than a combination of PSW and woodland.	MNR	PPS Policy 4.1	It is recommended that the municipality review and confirm they are using the most up to date data sets to assist in the development of the OP Schedules. MNR’s natural heritage and natural resources geospatial data layers can be accessed through the ministry’s GeoHub and Natural Resources Data Access Requests Ontario GeoHub .
General Comments					
61	General Comment	Municipalities are required to consult with conservation authorities having jurisdiction in the municipality to which an Official Plan or Official Plan Amendment would apply.	MMAH	Planning Act (Ontario Regulation 543/06)	Recommended that the Town consult with conservation authorities having jurisdiction within the Town and that comments provided be addressed to the satisfaction of the conservation authority prior to adoption of the Official Plan.

62	Throughout OP	It is noted that there are references to 'MNR' throughout the Welland OP. To eliminate potential inconsistencies with future ministry name changes it is recommended 'MNR' be referred to as 'the Province.' This will also capture any future changes in roles and responsibilities of Ministries.	MNR	N/A	It is recommended that references to MNR be revised to <u>'the Province'</u> throughout the OP.
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Notes for use:

- In the Reference to Planning Act, Provincial Plan and PPS column, please be as specific as possible when referencing policy, legislation etc.
- In the "Proposed Revision" column, recommended updates should be *italicized*, text additions should be **boldface** and deletions should be a ~~strickthrough~~.
- In instances where the "Proposed Revision" is based on missing official plan policies or it is a general comment without a specific suggested revision, the "Comments/Concerns" column can include a "See Proposed Revision" note. This is intended to prevent the same information being duplicated between both columns.

Sent Via Email Only

August 25, 2025

Brashanthe Manoharan
Senior Planner, Community Planning and Development
Municipal and Housing Operations Division, Central Region Office
Ministry of Municipal Affairs and Housing
College Park, 16th Floor
777 Bay Street
Toronto, ON M7A 2J3

Dear Ms. Manoharan,

**Re: Niagara Region Comments
City of Welland Draft Official Plan (June 2025)**

Thank you for the opportunity to review the City of Welland Draft Official Plan (June 2025), received on June 26, 2025. As requested by the Ministry, a comment table is attached as **Appendix 1**, outlining Regional staff's requests and recommendations to support continued coordination between the City of Welland and Niagara Region. In addition, the following comments are provided to outline more significant matters for the Ministry's consideration in the review of the City of Welland Draft OP, especially as it relates to growth analytics and forecasting.

Section 6.2 of the 2024 Provincial Planning Statement (PPS) emphasizes the importance of coordinating planning across municipal boundaries and between different levels of government, especially on matters related to growth, infrastructure, and public services. In keeping with this direction, the Niagara Region has entered into a Engineering Services Memorandum of Understanding (MOU) with the City of Welland to ensure continued consistency and collaboration in the planning and delivery of infrastructure and related services.

In accordance with the MOU, Regional infrastructure policies and mapping from the Niagara Region Official Plan (NOP) should be incorporated into the City of Welland's Official Plan (OP) to support the coordinated delivery of infrastructure and related services. Regional staff have, therefore, reviewed the City's Draft OP with respect to matters that may affect or support the provision of Regional water and wastewater, transportation, stormwater, and waste management services, as well as other related areas of Regional interest.

Infrastructure Planning and Growth Forecasts

The Niagara Region plays a key role in the delivery of water, wastewater, and transportation infrastructure by ensuring there is sufficient capacity within treatment

plants, sewage pumping stations, and Regional road infrastructure to accommodate planned growth and development. Accordingly, Regional staff undertake growth tracking and analytics to align infrastructure projects with development needs, as well as to inform the Regional development charges study that funds these projects.

Concurrent updates are currently being undertaken for the Niagara Region's Water/Wastewater Master Servicing Plan and Transportation Master Plan. As such, municipal population and employment forecasts within these Regional strategies and local planning documents should be aligned to promote the orderly and fiscally sustainable development of current and future infrastructure, especially with regards to their timing and location.

With the above in mind, Regional staff have reviewed the City's Draft OP and have identified the following concerns with regards to its growth management policies and forecasts.

Population Growth

The population forecasts identified in the City's Draft OP are significantly higher than those identified through previous planning exercises and do not align with current growth patterns in the City.

The NOP, as approved by the Minister of Municipal Affairs and Housing, identifies a total population of 83,000 for the City of Welland by the year 2051. The City's Draft OP, however, states that the land use designations and policies of the Plan are based on serving a "minimum population growth of 73,000 [people] by 2051 and reaching a population of 129,000 by 2051". This represents 46,000 more people or an increase of 55% in the City's future population count compared to the Region's growth forecasts.

For further perspective, the NOP forecasts would result in approximately 900 people or 465 housing units per year, while the City's Draft OP is equivalent to approximately 2,500 people or 1,300 units per year. Since 2020, the City of Welland has averaged the completion of 387 units per year with an estimated 775 people per year.

Section 2.1 of the PPS directs municipalities to either continue using forecasts previously issued by the Province or carry out their own growth forecasts based on the 25-year regional forecasts published by the Ministry of Finance. Staff note that the Province released the *Proposed Updates to the Projection Methodology Guideline* for comment on August 12, 2025. The City of Welland Draft OP population projections do not align with the proposed methodology.

Based on the latest Ministry of Finance projections (Summer 2025), Niagara Region is anticipated to add 149,836 people between 2025 and 2051. The addition of 73,000 people in the City of Welland as stated in the Draft OP represents approximately 49% of the overall population for the Niagara Census Division and is inconsistent with either of the proposed population methods released by the Province.

As noted, significant misalignment between local and regional forecasts can affect capitol planning projects and budgets. It is imperative that forecasting in the City of Welland Draft OP, as well as in all other local planning documents, utilizes a coordinated, integrated or comprehensive approach as recommended in the PPS, and seeks alignment between the plans and strategies of the upper-tier municipality.

Employment Growth and Urban Expansion

Regional staff also note that while the Draft OP anticipates an increase in population beyond previous Regional targets, the employment forecasts within the Plan reflect those established by the Region. Both documents identify an employment target of 28,790 jobs by 2051. In the NOP, this forecast was based on a participation rate of 34.7% of jobs to population. With the higher population forecasted in the Draft OP, however, the City appears to anticipate a lower job to population ratio of 22.3%.

The lower employment participation rate may put a higher emphasis on residential growth than non-residential growth. Should residential growth not materialized at the significantly higher rate that is identified in the Draft OP, the City may not collect enough growth-related revenue to fund future infrastructure projects. Further, despite the lowered employment participation rate, the City's Draft OP includes a settlement area expansion for the Gateway Economic Centre lands. It is unclear if the settlement area boundary expansion meets the criteria of Section 2.3.2 of the PPS.

Public Use

The Niagara Region is the housing Service Manager for the Niagara area as outlined in the *Housing Services Act, 2011*.

In May 2025, Niagara Regional Council approved a motion requesting local municipalities help facilitate affordable housing development by adding public use provisions into their Official Plans recognizing both Niagara Regional Housing (NRH) and non-profit and co-operative housing providers that are under agreements with Niagara Region as eligible entities.

COM14-2025: Consolidated Housing Master Plan: Implementation Plan

Recommendation 6:

*That local area municipalities **BE REQUESTED** to consider amending or creating public use exemption provisions within local official plans and comprehensive zoning by-laws to establish Niagara Regional Housing affordable housing units, as well as non-profit and co-operative housing providers that are under Service Manager agreements with Niagara Region's Housing Services Department as eligible uses.*

Staff were please to see that **Policy 4.2.3.10 vii.** of the Draft OP identifies that: "The City will also encourage the implementation of the Niagara's Housing and Homelessness Action Plan goals".

In addition, the City's existing land use planning framework, specifically, Section 5.31 of the 'City of Welland New Comprehensive Zoning By-Law [2017-117]' includes public use provisions that have enabled NRH to rapidly construct new community housing units with deviation from the permitted as-of-right land use permissions set out for these sites, including those at 207 Roach Avenue and 60 York Street. Regional staff respectfully request that similar provisions to the Zoning By-law be incorporated into the City's Draft OP.

Further, Regional staff request that any associated definition of 'public use' reference "... the Regional Municipality of Niagara, including Niagara Regional Housing, as well as non-profit and co-operative housing providers that are under Service Manager agreements with Niagara Region's Housing Services Department..." to avoid confusion with their interpretation.

These provisions are an effective policy mechanism to expedite the delivery of deeply affordable community housing units and are anticipated to help address the on-going housing crisis.

Conclusion

Thank you again for the opportunity to comment on the City of Welland Draft Official Plan. If you have any questions regarding the above or the comments attached within **Appendix 1**, please do not hesitate to contact the undersigned at alexandria.tikky@niagararegion.ca or 905-980-6000 ext. 3593, or Angela Stea, Director of Strategic Initiatives, at angela.stea@niagararegion.ca or ext. 3518.

Respectfully,



Alexandria Tikky
Senior Planner/Acting Manager
Sustainable Communities, Niagara Region

Attachment:

Appendix 1 – Comment Table, Niagara Region Comments, Draft Welland OP

cc: Angela Stea, Director, Strategic Initiatives, Niagara Region
Diana Morreale, Director, Infrastructure Planning and Development, Niagara Region
Heather Watt, Manager, Community Planning and Development, MMAH
Anna Henriques, Team Lead, Community Planning and Development, MMAH

Revisions Suggested to Implement the Planning Act, Provincial Planning Statement. 2024 and Provincial Plans					
Item	OP Policy Number Or reference schedule	Comments/Concerns	Related Provincial Ministries	Policy Basis/Rationale Reference to Planning Act, PPS or Provincial Plan Section or Policy	Proposed Revision
Section 4: Urban Area Land Use Policies					
1	4.5.3.7	Request additional language be added to Policy 4.5.3.7 to address the strategic location of emergency management services.			Emergency service facilities, including fire, police and ambulance stations are permitted in all land use designations. Where appropriate, such facilities shall be located on an arterial, collector, or regional roads, and strategically located to support the effective delivery of emergency management services. The siting of new facilities shall also consider the potential impacts on adjacent users and encouraged to co-locate with other emergency services where appropriate.
Section 10: Integrated Transportation					
2	10.1.5	Request additional language be added to recognize that planning for major goods movement facilities and corridors, active transportation and public transit facilities should also be coordinated with Provincial and Regional governments.			The City will anticipate, designate and protect transportation rights-of-way and areas required for future transportation facilities, major goods movement facilities and corridors, active transportation and public transit facilities in cooperation with the Province, Niagara Region, where applicable , and neighboring municipalities.
3	10.1.13	Request additional language be added of coordination between the City and Region on wayfinding signage to create a transportation network.			The City will promote the use of wayfinding to create a transportation network that is easy to navigate. Wayfinding signage along Regional Roads will be coordinated with the Region to ensure consistent implementation.

4	10.2.1.2	Request additional language be added for consultation with the Region in regard to existing or planned corridors, and to protect major goods movement facilities as well as corridors			The City, <i>in consultation with the Region, where applicable</i> , shall ensure development applications will not negatively affect the functionality of existing or planned corridors <i>and major goods movement facilities, including those identified in the Region's Transportation Master Plan.</i>
5	10.2.2.3	Request that Policy 10.2.2.3 be revised to indicate the addition of policies that will guide the conveyance of Regional Roads per the policies of the Niagara Region Official Plan (NOP) and the Region's current practices.			<p>The planned minimum right-of-way widths for municipal roads identified on Schedule E Road Hierarchy should will be:</p> <p style="padding-left: 40px;">26 metres for City arterial roads;</p> <p style="padding-left: 40px;">23 metres for minor and major City collector roads; and,</p> <p style="padding-left: 40px;">20.0 metres for City local roads.</p> <p>The minimum right-of-way widths indicate the amount of land which may be required by the City or Region as part of the <i>development</i> approval process in accordance with the Planning Act. Regional Roads shown on Schedule E may be subject to the right-of-way widths for regional roads identified on Schedule E1, <i>subject to the policies in Section 10.2.2.4.</i></p>
6	10.2.2.4 (revised)	Further to the comment above, request that a new Section 10.2.2.4 be added to the Plan to recognize Regional policies for road conveyance. Subsequent sections will need to be renumbered.			<p><i>10.2.2.4 Regional Road Right-of-Way Widths</i></p> <p><i>10.2.2.4.1 As conditions of the approval of a development application under the Planning Act:</i></p> <ul style="list-style-type: none"> <i>a. the Region may acquire land from the landowner required for the road allowance as identified in Schedule M, at no cost to the Region and free of all encumbrance, encroachments, and improvements unless otherwise agreed to by the Region; and</i> <i>b. the Region shall be provided with a certificate of an Ontario Land Surveyor noting that all legal survey documentation on the widened road allowance is in place.</i>

					<p>10.2.2.4.2 The conveyance of land shall be required at no cost to the Region as a condition of the approval of a development application, beyond the designated road allowance widths identified in Schedule E1, to accommodate items such as sight triangles, turning lanes, channelization, grade separations, traffic control devices, rapid transit, public transit facilities and rights-of-way, active transportation, cuts, fills and storm drainage requirements, as required to meet accepted engineering design standards. These do not require an amendment to this Plan.</p> <p>10.2.2.4.3 Further to Policy 10.2.2.4.2, the City may, without an amendment to this Plan, update the designated road allowance widths in Schedule E1 where an alternate width has been approved through a completed Municipal Class Environmental Assessment or by Regional Council.</p> <p>10.2.2.4.4 Additional land that exceeds the road allowance widths identified in Schedule E1 or Policy 10.2.2.4.2 may be acquired by the Region at its own expense, without an amendment to this Plan.</p> <p>10.2.2.4.5 As part of the development application process, a road allowance not yet owned by the Region and identified in the Region's Transportation Master Plan should be protected in the following cases:</p> <ul style="list-style-type: none">a. a local street that could be ultimately assumed by the Region; andb. plans for the extension of an existing road allowance.
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Section 11: Infrastructure and Utilities					
7	11.1.4	Request additional language be added to reflect that water and wastewater servicing will be provided in a financially viable manner.			The Region is responsible for providing a supply of municipal sanitary sewer and water services within the City. The City will work closely with the Region to ensure there is a sufficient planned supply of sanitary and water services to meet long-term growth projections outlined in this Plan, and to ensure that such services are optimized, feasible and financially viable over the long term. The City recognizes the Region's Water and Wastewater Master Servicing Plan.
8	11.2.8	Request the inclusion of a new policy to ensure land use compatibility is appropriately considered for new development adjacent to an existing or proposed sewage treatment facility.			Where development is proposed on lands adjacent to an existing or proposed sewage treatment facility, the location of development shall be determined by appropriate noise and odour studies that identify suitable separation distances and mitigation measures.
9	11.2.8.4	Request additional language be added to Policy 11.2.8.4 for wet weather overflow and security for high risk and critical areas.			The City will work closely with the Niagara Region to ensure there is a sufficient reserve capacity within the sanitary treatment plant, to ensure that new development will not put the Region out of compliance with regulations, to consider opportunities to maintain or reduce wet weather overflow occurrence, and to provide reliability, redundancy and security in its water and wastewater systems with attention to high risk and critical areas in order to serve Welland and accommodate the long term growth based on the projections in this Plan.
10	11.2.8.16	Request additional language be added directing the construction or expansion of municipal infrastructure be limited to the urban area boundary except in circumstances permitted by the Plan.			Construction of new, or expansion of existing municipal water, and wastewater <i>infrastructure</i> should only be considered where the following conditions are met: a. Where capacity exists;

					<ul style="list-style-type: none"> b. strategies for water conservation and other water demand management initiatives are being implemented in the existing service area; c. plans for expansion or for new services shall serve growth that achieves at least the minimum growth management targets and policies for <i>intensification</i> and density in this Plan; and d. plans have been considered in the context of applicable inter-provincial, national, bi-national, or state-provincial Great Lakes Basin agreements and are in compliance with the Great Lakes-St. Lawrence River Basin Sustainable Water Resources Agreement. e. <i>Proposed construction or expansion is within the urban area boundary, except where otherwise permitted in this Plan.</i>
11	11.2.8.18	Request that Policy 11.2.8.18 be revised to clarify that lateral connections are discouraged within the settlement area.			Lateral connections to Regional water or wastewater mains are discouraged within the settlement area, and are not permitted outside the urban areas boundaries.
12	11.2.10.	Request the addition of a new policy to clarify that approvals are necessary for utilities within the Regional Road allowances.			<i>Utility providers proposing to locate, relocate, or replace a facility within a regional road allowance will require approval from the Niagara Region and be subject to the provisions of all applicable Regional policies, by-laws, standards, and guidelines.</i>
Section 13: Area Specific Policies					
13	13.1	Request the addition of a new policy similar to NOP Policy 5.2.4.9 to address proposed development within the influence area of a waste management facility.			<i>Proposed development within the influence area, as determined by Provincial Land Use Compatibility Guidelines or through site specific study, of all waste management facilities shall demonstrate that the solid waste disposal site will not have any unacceptable adverse effects on the proposed development and will not pose any risks to human health and safety.</i>

14	13.1	Request the addition of a new policy similar to NOP Policy 5.2.1.21 to clarify Regional responsibilities for waste management services.			<i>The Region will design, operate, and monitor waste management facilities in such a manner as to promote sustainability and public health and, wherever feasible, provide for future adaptive reuse opportunities in accordance with applicable policies of this Plan and Provincial requirements.</i>
15	13.1	Request the addition of a new policy similar to NOP Policy 5.2.4.3 to reflect the manner in which waste management services are delivered.			<i>The Region shall provide waste management systems that are an appropriate size and type to accommodate present and future requirements, and facilitate, encourage, and promote reduction, reuse, and recycling objectives.</i>
Section 14: Implementation					
16	14.6.3	Request the addition of a new policy similar to NOP Policy 5.2.4.4 to ensure collaboration with Niagara Region for waste collection requirements (i.e. new subdivision) and to ensure safe and efficient collection and diversion measures for organics are in place.			<i>In collaboration with the Region, Local Area Municipalities should ensure that their official plan, zoning by-law, plan of subdivision approvals and site plan approvals for new development comply with the Region's requirements for waste collection to ensure safe and efficient waste collection and diversion and includes support for the resource recovery of food and organic waste for their residents.</i>
17	14.18.6	Request the addition of stormwater infrastructure to the list of applicable components of the Region's engineering review in alignment with the Region and City's Engineering Services Memorandum of Understanding.			The City will circulate the Niagara Region on the following planning projects and applications when required for the engineering review of regional water, wastewater, <i>stormwater</i> , and transportation infrastructure: <ol style="list-style-type: none"> i. Comprehensive Official Plans and Non Site-Specific Local Official Plan Amendments; ii. Site Specific and Policy Specific Official Plan Amendments; iii. Secondary Plans; iv. Block Servicing Plans; v. Local Environmental Assessments; vi. Comprehensive Zoning By-laws;

					<ul style="list-style-type: none"> vii. Zoning By-law Amendment; viii. Draft Plans of Subdivision; ix. Plans of Condominium; x. Consents; xi. Minor Variances; xii. Site Plan Control 								
Schedules													
18	Schedule E1	Request the inclusion of a Minimum Site Triangle Requirements table for Regional Roads into Schedule E1 of the City's Official Plan.			<table border="1"> <thead> <tr> <th>Regional Intersection Type</th> <th>Minimum Sight Triangle Dimension Requirements</th> </tr> </thead> <tbody> <tr> <td>Urban (signalized)</td> <td>10 meters x 10 meters</td> </tr> <tr> <td>Urban (non-signalized)</td> <td>6 meters x 6 meters</td> </tr> <tr> <td>Rural</td> <td>15 meters x 15 meters</td> </tr> </tbody> </table>	Regional Intersection Type	Minimum Sight Triangle Dimension Requirements	Urban (signalized)	10 meters x 10 meters	Urban (non-signalized)	6 meters x 6 meters	Rural	15 meters x 15 meters
Regional Intersection Type	Minimum Sight Triangle Dimension Requirements												
Urban (signalized)	10 meters x 10 meters												
Urban (non-signalized)	6 meters x 6 meters												
Rural	15 meters x 15 meters												
19	Schedule B	Request that 60 York Street be identified as High Density Residential on Schedule B to recognize its existing use. It is currently recognized as low density residential.			Mapping changes are requested as outlined in the comments section.								
General													
20	Public Uses	Further to Niagara Regional Council direction, it is recommended that public use provisions be added to the Official Plan, as appropriate, to recognize Niagara Regional Housing (NRH) and other community housing units under agreement with NRH as eligible entities in order to help expedite the delivery of deeply affordable community housing units.			Further information is outlined in the letter submitted with this comment table.								

Revisions Suggested to Implement the Planning Act, Provincial Planning Statement. 2024 and Provincial Plans					
Item	OP Policy Number or Reference Schedule	Comments/Concerns	Related Provincial Ministries	Policy Basis/Rationale Reference to Planning Act, PPS or Provincial Plan Section or Policy	Proposed Revision
Section 1: Introduction					
1	1.2 and throughout OP	<p>In October 2024, the Provincial Planning Statement (PPS), 2024, replaced the Provincial Policy Statement, 2020 and the Growth Plan.</p> <p>As of March 31, 2025, Niagara Region is defined by the <i>Planning Act</i> as an upper-tier municipality without planning responsibilities. As a result, the Niagara Region's Official Plan is now deemed to be an Official Plan for the lower-tier municipalities, including the City of Welland.</p>	MMAH	PPS, 2024 <i>Planning Act</i>	<p>Recommended that revisions be made in this section, and throughout the Official Plan, to reference the Provincial Planning Statement, to reference the Provincial Planning Statement, 2024 and not the Provincial Policy Statement, 2020 and to reflect that Niagara Region does not have planning responsibilities.</p> <p>Response: Updated throughout the Official Plan. Note, at the time of preparing the Draft Official Plan the Niagara Region still had planning responsibilities.</p> <p>It is also recommended that the City incorporate relevant policies from the Niagara Region Official Plan into the City's Official Plan and repeal all other policies that are not applicable.</p> <p>Response: The draft includes the applicable policies from the Niagara Region Official Plan; the other polices will be repealed.</p> <p>Recommend removing any</p>

					reference to Niagara Region where applicable to reflect the removal of the Region as an upper-tier municipality with planning responsibilities. Response: The draft has removed references to Niagara Region where applicable.
Section 2: Community Strategic Directions					
2	OP policies including but not limited to: 2.3.2 (xvi.) 2.7.1 2.7.2(v)(vi) 4.1.1.1 4.1.3.7 4.2.3.1 4.2.3.2 4.2.3.6 4.5.3.9 5.3.3.10 7.5.4.10 7.5.9 9.1.1 9.2.7 9.2.12 9.2.14 9.2.16 9.2.18 10.2.5.6 14.18.8	Significant revisions are recommended to the official plan policies and definitions for consistency with the PPS 2024 and the <i>Ontario Heritage Act</i> as it relates to cultural heritage and archeology.	MCM	PPS Policy 4.6, Section 8 (see definitions of <i>conserved</i> , <i>built heritage resource</i> , and <i>cultural heritage landscape</i> , <i>archaeological resource</i> , <i>protected heritage property</i> , <i>significant(e)</i> , <i>cultural heritage landscapes</i>). <i>Ontario Heritage Act</i>	While potentially not an exhaustive list of changes needed, the following changes to terminology are recommended for consistency with provincial direction: <ul style="list-style-type: none"> • Replace “archeological” with “archaeological” wherever it occurs • Response: Updated. • “Archeological resources” be used instead of “archeological significance” and defined consistent with the PPS, 2024. • Response: Updated. • Further, archaeological fieldwork is referred to as “archaeological assessment” in the OHA, PPS 2024, and other provincial guidance material. Delete the term ‘resource’ wherever the term ‘archaeological resource assessments’ is used. • Response: Updated. • “Conserved” (or

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					<p>“conserve” or “conservation”) be used instead of “preserve”, “preserved” or “preservation” which can refer to distinct mitigation strategies associated with heritage conservation</p> <ul style="list-style-type: none"> • Response: Updated throughout. • “Conserved” should also be defined, consistent with the PPS, 2024. <ul style="list-style-type: none"> ○ It is also recommended that the term “identified” be removed when referencing the conservation of cultural heritage resources to capture potential/unidentified cultural heritage resources and given that some cultural heritage resources would only be identified through proactive strategies and archaeological assessment carried out pursuant to PPS 4.6.2, 4.6.4(b). • Response: Conserved was defined based on
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					<p>PPS 2024. As well, “identified” was removed from 2.3.2</p> <ul style="list-style-type: none"> • “Cultural heritage value or interest” be used instead of “historic or architectural interest” which is no longer employed in reference to cultural heritage in the Ontario context. Reference to “cultural value or interest” is found within the definition of “conserve” in the PPS, 2024. • Response: Updated throughout. • “Cultural heritage resources” should be defined to include archeological resources, built heritage resources and cultural heritage landscapes. Alternatively, “archeological resources”, “built heritage resources”, and “cultural heritage landscapes” should be used throughout the OP for PPS, 2024 consistency (these terms should be defined in the OP even if “Cultural heritage resource” is also defined. • Response: Updated. “Heritage assets” is no longer in use, reference to “protected heritage properties” is
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					<p>recommended instead. <i>Response: Policy 2.7.2 updated.</i></p> <p>It is also noted that strategic directions related to cultural heritage resources, which include archaeological resources, built heritage resources, and cultural heritage landscapes, should be further distinguished from strategic directions related cultural programming/industry. <i>Response: Policy 2.3.2 xvi. updated.</i></p>
3	2.4.2	Planning authorities are required to apply an agricultural system approach, to support the long-term economic prosperity and productivity of the agri-food sector.	OMAFA	PPS Policy 4.3.1	<p>Recommended revision to explicitly recognize the agricultural system and emphasizes the protection of the agricultural land base as part of this system:</p> <p>2.4.2 xii. Welland recognizes the important economic and social contribution of agricultural and farm related businesses and activities. The City of Welland will support agriculture and farm related businesses by taking an agricultural system approach, that includes a continuous agricultural land base and a strong agri-food network. This includes protecting <i>prime agricultural lands</i> and discouraging land fragmentation and ensuring land use computability to sustain long-</p>

					<i>term agricultural viability.</i>
					<i>Response: Policy 2.4.2 xii updated.</i>
4	2.7.2(viii) 14.18.8	This section discusses the management of “cultural heritage resources” and “archaeological resources.” Cultural heritage resources include archaeological resources, built heritage resources, and cultural heritage landscapes.	MCM	PPS Policy 4.6.5, Section 8	<p>Recommended revision for consistency with PPS 4.6.5:</p> <p>Welland will engage early with First Nations and Indigenous communities and ensure consider their interests are considered when identifying, protecting, and managing archaeological resources, built heritage resources, and cultural heritage resources and- archaeological resources.</p> <p><i>Response: Updated Policies 2.7.2 and 14.18.8.</i></p>
Section 3: Growth Management Policies					
5	3.1, 4.3.1.5, applicable schedules & Throughout OP	“Designated Greenfield Area” is a Growth Plan term. The PPS, 2024 refers to “Designated Growth Areas”	MMAH	PPS, 2024 (Section 8)	<p>Recommended to revise all references to “Designated Greenfield Area” in the OP to “Designated Growth Area” to be consistent with the PPS, 2024.</p> <p><i>Response: Updated throughout the Draft Official Plan. (Please note we kept Greenfield Area to conform to the Regional OP which was in effect at the time).</i></p> <p>Please also include it as a defined term, consistent with the definition in the PPS, 2024.</p> <p><i>Response: Definition updated.</i></p>
6	3.1	Planning authorities are required to take an agricultural systems approach to	OMAFA	PPS Policy 4.3.1, 4.3.5, Section 8	Recommended revision to policy 3.1 to recognize an agricultural

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		protect the agricultural land base and support the long-term prosperity of the agri-food sector.			<p>systems approach:</p> <p>3.1 Welland’s Growth Management Strategy</p> <p>To prevent <i>development</i> in inappropriate areas and support the conservation of valuable economic, agricultural system, environmental and cultural resources [...]. [...]</p> <p>Response: Not appropriate in the introductory sentence – this is about development inside the urban boundary of Welland. However, further down in the paragraph it can be included. Updated to: ‘The City also recognizes that a small of amount of growth and development will occur within the Agricultural and Rural Area, outside of the Built-up Area in support of the agricultural system.</p>
7	3.3. 1	<p>The PPS, 2024 requires that population and employment forecasts be informed by provincial guidance and based on Ontario Population Projections published by the MOF.</p> <p>Municipalities may continue to forecast growth using population and employment forecasts previously issued by the Province.</p>	MMAH	PPS 2024, 2.1.1; 2.1.2, 2.1.3, 2.2.1 (a-d) and 6.2.1	<p>The City is encouraged to utilize the most recent populations forecasts published by the Ministry of Finance to best plan appropriately for anticipated population growth. Modification may be made, as appropriate. The City should refer to the Projection Methodology Guideline for assistance in this exercise (<u>existing methodology</u> and <u>proposed updated methodology</u> – ERO 025-0844)</p>

		<p>The City's population forecast of 129,000 people by 2051 is significantly higher than the population forecast of 83,000 people (2051) in the Niagara Region Official Plan. The Niagara Region Official Plan has a population projection of 694,000 for entire Region whereas the August 2025 Ministry of Finance projection is 689,016.</p> <p>The PPS, 2024 also requires, at the time of creating a new official plan and each official plan update, that sufficient land be made available to accommodate an appropriate range and mix of land uses, including a range of housing options and densities, to meet projected needs for a time horizon of at least 20 years but not more than 30 years, informed by provincial guidance.</p> <p>Planning matters should be addressed through a coordinated and comprehensive approach, consistent with PPS Policy 6.2.1.</p>			<p><i>Response: Thank you for your comment, the Growth Projections are based on the Regional Official Plan and the DC Background Study by the City.</i></p> <p>Niagara Region provided comments on the City's draft Official Plan, dated August 25, 2025 (Appendix '1'), emphasizing the importance of coordinated planning across different levels of government on matters pertaining to growth, infrastructure and public services. The City is encouraged to work with Niagara Region when developing its population projection to ensure appropriate coordination and integration as it relates to these matters.</p> <p><i>Response: Thank you for your comment, the Growth Projections are based on the Regional Official Plan and the DC Background Study by the City.</i></p> <p>When the Council adopted OP is submitted to the Ministry for decision, we would appreciate receiving any supporting information, rationale or methodology for the proposed population projection.</p> <p><i>Response: The proposed population projections are based on the City's DC.</i></p>
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					<u>Background Study.</u>
8	3.3.3	The PPS, 2024 requires that an appropriate range and mix of housing options and densities be provided to meet projected needs of current and future residents of the regional market area. This includes permitting and facilitating all housing options. This section refers to housing units by type (e.g. low, medium and high) however these are not unit types.	MMAH	PPS, 2024, 2.2.1 b) and Section 8	Recommend that this section be revised to address PPS policies and include “housing options” as a defined term, consistent with PPS 2024. Response: Policy 3.3.3 is updated to reflect 2.2.1 of the PPS more closely and the term housing options is defined.
9	3.3.5 and 4.2.1.6	The PPS, 2024 requires that planning authorities maintain the ability to accommodate growth for a minimum of 15 years and where new development is to occur, maintain land with servicing capacity sufficient to provide at least a three-year supply of residential units in accordance with policy 2.1.4.	MMAH	PPS, 2024; 2.1.4 (a-b); Section 8	Recommended that section 3.3.5 be updated so that language is consistent with PPS 2024 policy 2.1.4 (a-b). For example, please include reference to “designated and available” as it relates to maintaining the ability to accommodate residential growth for a minimum of 15 years. Please also add all defined terms in 2.1.4 (a-b). Response: Policy 3.3.5 is updated to better reflect the PPS and policy 4.2.1.6 is deleted.
10	3.4.2.4, 3.4.2.5, 3.5.1, 3.5.2, 3.5.3, 3.6.1 and Schedule ‘A’ - City Structure	The PPS, 2024 allows the identification of new settlement areas and settlement area boundary expansions subject to certain criteria. Schedule A – City Structure includes more land within the urban settlement boundary than what was	MMAH	PPS, 2024; 2.3.2.1 (a-g)	Recommended that revisions be made to allow the identification of new settlement areas and settlement area boundary expansions, consistent with the PPS, 2024. Please also include the criteria, including defined terms, for considering new settlement areas and settlement area

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		<p>included in the approved Niagara Region Official Plan. Settlement area boundary expansions may be considered subject to the criteria in the PPS, 2024 (2.3.2.1)</p> <p>The Minister is the approval authority for non-exempt Official Plan matters, in accordance with Ontario Regulation 543/06 and, Ministry approval is not required for urban boundary expansions.</p>			<p>boundary expansions, consistent with the PPS, 2024. Response: Policy 3.4.2.3 and 3.4.2.4 were updated to include references to Settlement Area Boundary Expansion. The Settlement Area Boundary Expansion criteria in Policy 3.5.1 are updated to be consistent with the PPS.</p> <p>For the proposed settlement area expansion, please provide the rationale and supporting information confirming that the policies of PPS, 2024 have been appropriately considered. Response: To be addressed in the Staff Report to Council.</p> <p>Please remove section 3.5.3 (Approval) as the Province is not the approval authority for urban boundary expansions Response: Policy 3.5.3 deleted.</p>
11	3.4.3 5.1	<p>Consistent with the agricultural systems approach, rather than categorizing the “Agricultural and Rural Area” together, it is recommended that the agricultural system be referred to explicitly and separately, which includes both the agricultural land base and the agri-food network.</p>	OMAFA	PPS Policy 4.3.1, 4.3.5, Section 8	<p>Consider adding new policy subsection to 3.4.3 and 5.1, and explicitly identifying the agricultural system, its components, and the commitment to agricultural systems approach as a planning objective. Response: 3.4.3 has been revised to address this comment. In Section 5.1 – some policies have been revised to reference the</p>

					agricultural system.
Section 4: Urban Area Land Use Policies					
12	4.1.3.8 and throughout OP	Policies refer to mitigating possible adverse effects of uses in the downtown on adjacent residential areas and that certain studies may be required to further assess.	MMAH	<i>Bill 17, Protecting Ontario by Building Faster and Smarter Act, 2025</i>	Bill 17 received royal assent on June 5, 2025 and established regulation-making authority for the Minister to create rules, including but not limited to, on the studies that may be required for a complete application. Please be advised that a future regulation may prescribe studies that can be required for a complete application. Response: Acknowledged.
13	4.2.2.2.2 and 4.2.2.3.2	The <i>Planning Act</i> requires that Official Plan policies permit 3 residential units on a parcel of urban residential land and provides direction on parking and minimum unit sizes associated with additional residential units. Additionally, Ontario Regulation 299/19 provides further direction on requirements and standards associated with additional residential units		<i>Planning Act, 16 (3-3.2) and Ontario Regulation 299/19</i>	Recommended that policies be updated to be consistent with the <i>Planning Act</i> for parcels of urban residential land within the City. Response: Policy 4.2.3.12 contains permission for Additional Residential units. Policy 4.2.3.12 is also updated to be consistent with the permissions set out in the Planning Act.
14	4.2.3.3	As per the <i>Planning Act</i> , official plans may not contain any policy that has the effect of prohibiting the use of a parcel of urban residential land for an elementary school or secondary school of a school board or any ancillary uses to such schools, including the use of a childcare centre located in the school.	MMAH	<i>Planning Act s.16 (3.2.1)</i>	Recommended that this section be revised to be consistent with the requirements of the <i>Planning Act</i> . Response: Policy 4.2.3.3 uses the word “should” rather than “shall”, as such this policy is not requiring but encouraging school boards to consider this

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15	4.3.2.2, 4.3.2.3, 4.3.2.4, 4.3.2.5 3.4.4.1.3 Throughout OP	<p>Policy 4.3.2.2 identifies the following designations as constituting “Employment Areas”: General Industrial, Light Industrial, and Gateway Economic Centre. The <i>Planning Act</i> authorizes the continuation of a use that is excluded from the definition of “area of employment” subject to certain criteria however, criteria in the OP is not consistent with the criteria in the Act (e.g. lawfully established uses on a parcel of land). The PPS, 2024 also requires that planning authorities plan for, protect and preserve employment areas for current and projected needs and that planning for employment areas may extend beyond a 30-year planning horizon.</p>	MMAH MEDJCT	PPS, 2.1.3, Section 8, <i>Planning Act</i> [1 (1)]; (1.1)	<p><i>policy.</i></p> <p>Recommended to revise the definition of “Employment Areas” to be consistent with the definition in the PPS and Planning Act (“area of employment”).</p> <p><i>Response: Definition of Employment Areas updated to align with PPS and Planning Act.</i></p> <p>Ensure permitted uses in employment area designations (General Industrial, Light Industrial and Gateway Economic Centre) are consistent with the permitted uses for employment areas in the PPS, 2024 and Planning Act (“area of employment”).</p> <p><i>Response: Permitted uses for these designations reflect the PPS and Planning Act requirements.</i></p> <p>Recommended to update transition policies that authorize the continuation of uses that are excluded from the definition of “area of employment”, consistent with the Planning Act.</p> <p><i>Response: The following policies were updated to include criteria from Planning</i></p>
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					<p>Act with respect to permitted uses: 4.3.2.3.2, 4.3.2.4.2, and 4.3.2.5.2.</p> <p>Recommend to provide supporting information confirming that additional employment lands are required to meet projected needs.</p> <p>Response: The employment projections used are from the approved Niagara Region Official Plan, and the land needs analysis from the City. Further detail will be provided in the Staff Report to Council.</p>
16	4.2.3.11	The PPS, 2024 includes a new definition for “Additional Needs Housing” and provides direction on planning for additional needs housing.	MMAH	PPS, 2024 2.2.1 (b), Section 8	<p>Recommended replacing the definition of “<i>special needs</i>” with “<i>additional needs housing</i>” to align with the terminology and definition of the PPS, 2024,” and include policies to permit and facilitate <i>additional needs housing</i>.</p> <p>Response: Policy 4.2.3.10 is updated to use the term “additional needs housing” and it is added to the definition Chapter 15 based on the definition from the PPS.</p> <p>Recommended that section 4.2.3.11 of the official be renamed to “Additional Needs Housing”, and that all references to “Accessible</p>

					<p>Housing” and “special needs” be replaced with “additional needs housing”.</p> <p>Response: All references to “special needs” and “accessible housing” are replaced or deleted, including the definition of Special Needs.</p>
Section 5: Agricultural and Rural Area Land Use Policies					
17	<p>Throughout OP 5.1 5.1.1.2 5.1.3.1.2</p>	<p>The PPS distinguishes between <i>prime agricultural areas</i> and <i>prime agricultural lands</i> as separate concepts.</p> <ul style="list-style-type: none"> Prime agricultural areas are regions where prime agricultural lands predominate, including Class 4–7 lands and areas with concentrated agricultural activity. <p>Prime agricultural lands refer specifically to Canada Land Inventory Classes 1, 2, and 3, and specialty crop areas. PPS policies primarily apply to prime agricultural areas, and planning authorities are required to designate and protect these areas. This plan frequently references prime agricultural lands, but it may be more appropriate to refer to prime agricultural areas to ensure consistency with PPS terminology and directives for prime agricultural areas. Additionally, the PPS includes policies on “permitted uses”,</p>	OMAFA	PPS Policy 4.3.1, 4.3.2, 4.3.3, 4.3.5, Section 8	<p>Recommend replacing use of “prime agricultural lands” with “prime agricultural areas” throughout the plan as applicable. This would include revising policies and their content to align with PPS policies for prime agricultural areas.</p> <p>Response: revisions made to change “prime agricultural lands” to “prime agricultural areas”.</p>

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		residential dwellings, lot creation and lot adjustments and non-agricultural uses within <u>prime agricultural areas</u> in policies 4.3.2, 4.3.3, 4.3.5.			
18	5.1.1.5	<p>Consider renaming Section 5.1.1.5 from “Avoid Conflicts with Non-Farm Uses” to “Non-Agricultural Uses” to ensure consistency with the terminology used in the Provincial Planning Statement (PPS).</p> <p>Additionally, consider adding language to reflect the PPS direction regarding non-agricultural uses and their relationship to the agricultural system. Specifically, the PPS states that non-agricultural uses must avoid adverse impacts on the agricultural system. Where avoidance is not possible, impacts should be minimized and mitigated through an Agricultural Impact Assessment or an equivalent analysis.</p>	OMAFA	PPS Policy 4.3.5, Section 8	<p>Recommended revisions as below:</p> <p>5.1.1.5 Avoid Conflicts with Non-Farm Non-Agricultural Uses</p> <p>The City will discourage the establishment of non-farm uses that could create conflicts with the agricultural activities systems. Land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate.</p> <p>Response: The policy is changed to incorporate the first sentence recommended including changing the word “non-farm” to “non-agricultural”.</p> <p>Recommended to rename the current “Agricultural” designation to “Prime Agricultural Areas” and/or updating Section 5.1.2 Land Use Policies to include specific policies for prime agricultural areas, in alignment</p>

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					with PPS direction.
19	5.1.2	To support clarity and mapping consistency across municipalities, it is strongly recommended that municipalities clearly designate prime agricultural areas. Consider renaming the current “Agricultural” designation to “Prime Agricultural Areas” and/or updating Section 5.1.2 Land Use Policies to include specific policies for prime agricultural areas, in alignment with PPS direction.	OMAFA	PPS Policy 4.3.1, and Section 8	Response: Thank you, this suggestion is not needed, because the Agricultural Area designation is the Prime Agricultural Areas designation – and this has been clarified in the text.
20	5.1.2.2	The PPS defines, agricultural, agriculture-related uses and on farm diversified uses Consistent with PPS policy 4.3.2, consider also expanding the definitions of agricultural uses, agriculture-related uses, and on-farm diversified uses within the plan.	OMAFA	PPS Policy 4.3.2, and Section 8	Ensure that the permitted uses are consistent with the PPS and update official plan definitions to be consistent with definitions in the PPS. Further, to ensure consistency with PPS policy, please add the following policy point: <ul style="list-style-type: none"> Prime agricultural areas shall be protected for long- term use for agriculture; and proposed agriculture-related and on-farm diversified uses must be compatible with and not hinder surrounding agricultural operations. Response: We have added this policy as 5.1.3.8, as it fits better in this location. Agricultural-related uses and on-farm diversified uses

					are all defined and reflect the PPS definitions – no change needed.
21	5.1.3.5	<p>The PPS indicates that limited non-agricultural uses may also be permitted in prime agricultural areas, but only where specific criteria outlined in the PPS are met. Recommend amending section title for 5.1.3.5 to specify prime agricultural areas to align with PPS guidelines.</p> <p>Consider modifying language throughout 5.1.3.5 to be consistent with PPS policies on non-agricultural uses in prime agricultural areas. Reference PPS policy 4.3.2, 4.3.5.</p>	OMAFA	PPS Policy 4.3.2 and 4.3.5	<p>Recommend adding the below:</p> <p>5.1.3.5 Non-Agricultural Uses in Agricultural Lands Prime Agricultural Areas</p> <p>Limited non-agricultural uses may also be permitted in prime agricultural areas when specific criteria are met as follows Non-agricultural uses are only permitted in Agricultural Areas for:</p> <ul style="list-style-type: none"> i. Extraction of minerals, petroleum resources and mineral aggregate resources. ii. Limited non-residential uses, with demonstration of the following: <ul style="list-style-type: none"> a. The land is not a specialty crop area. b. The use complies with minimum distance separation (MDS) formulae. c. There is an identified need for the use within the planning horizon.

					<p>d. <i>Alternative locations have been assessed and:</i></p> <p>e. <i>No reasonable alternatives exist outside prime agricultural areas.</i></p> <p>f. <i>No reasonable alternatives exist on lower-priority agricultural lands.</i></p>
22	5.1.3.10	In policy 5.1.3.10, consider including language that that indicates that impacts from non-agricultural uses on the agricultural system are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment or equivalent analysis in taking an agricultural systems approach and as directed in the PPS.	OMAFA	PPS Policy 4.3.5	<p>Response: Criteria added</p> <p>5.1.3.10 Minimize Conflicts with non-agricultural uses.</p> <p>Non-agricultural uses are not permitted in <i>prime agricultural areas</i>. Limited non-agricultural uses may be permitted in prime agricultural areas, as outlined in the Provincial Planning Statement, 2024. An application for a non-agricultural use on parcel outside of the Urban Boundary shall be subject to an agricultural impact assessment to ensure a compatible interface and minimize adverse impacts on the agricultural system. Impacts from non-agricultural uses on the</p>

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					<p>agricultural system are to be avoided, or where avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment or equivalent analysis.</p> <p><i>Response: We have added this text (refer to Policy 5.1.3.12).</i></p>
23	5.1.3.1.1 5.1.3.1.2	Consider modifying sections to be consistent with PPS policy 4.3.3 regarding lot creation/adjustments in prime agricultural areas to clarify that only one new residential lot may be permitted per farm consolidation if a residence is deemed surplus to an agricultural operation (as per PPS policy 4.3.3.1. c)	OMAFA	PPS Policy 4.3.3	<p>Recommended to revise i) to be consistent with PPS policy 4.3.3.1. c), and to include a policy to be consistent with 4.3.3.1.c).2. to prohibit ARUs on any remanent parcel of farmland created by the severance.</p> <p><i>Response: The policies only permit one new lot, consistent with PPS – no change required. The policies prohibit residential uses on the retained lot – no changes required.</i></p>
24	5.1.3.2	Consider amending 5.1.3.1 Dwellings for Farm Help to align with PPS on permitted uses in prime agricultural areas.	OMAFA	PPS Policy 4.3.2.5 and 4.3.2.6	<p>Section 4.3.2.5 provides direction on additional residential units on prime agricultural areas for farm worker housing. It is recommended that the section be revised to include PPS Policy 4.3.2.5 and 4.3.2.6.</p> <p><i>Response: This is addressed in 4.2.3.12 and in edits to 5.1.3.2 of the OP.</i></p> <p>It is recommended that PPS policy</p>

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					4.5.2.1 be added to section 5.3 of the draft OP to better reflect the long-term protection of the resource.
25	5.3	<p>Welland OP Policy 5.3.1.1 states:</p> <p>The City will ensure that <i>Mineral Aggregate Resources</i> are protected for long term future use.</p> <p>While this partially addresses PPS requirements for long-term protection of the resource, official plan policies must also address PPS policy 4.5.2.1 states that as much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. Demonstration of need for mineral aggregate resources, including any type of supply/demand analysis, shall not be required, notwithstanding the availability, designation, or licensing for extraction of mineral aggregate resources locally or elsewhere.</p>	MNR	PPS Policy 4.5.2.1	<p>Response: Policy 5.3.1.1 is updated to include policy direction to not require a future application to demonstrate “the need”</p>
26	5.3.3.2	<p>The Welland OP petroleum resource operations and petroleum resource policies appear incomplete as they do not address long-term protection of the resource, nor do they adequately reflect potential hazards.</p> <p>Further, it is possible that there may be ‘abandoned’ and ‘unknown</p>	MNR	PPS Policy 4.4, 5.3	<p>It is recommended that PPS policies 4.4.2.1, 4.4.2.2 and 5.3.1 be added to section 5.3 of the draft OP to better reflect the long-term protection of the resource and potential human made hazards.</p> <p>Response: Policy 5.3.3.3 is updated to reflect the PPS permissions for</p>

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		<p>status' petroleum wells within and adjacent to the City of Welland.</p> <p>The City is encouraged to review the information in the Oil, Gas and Salt Resources Library at the following link for the most up to date information on well status and locations (www.ogsrlibrary.com).</p>			<i>development.</i>
27	5.4 5.4.2	The section of the official plan shall be consistent with the direction of PPS, 2024 on the permitted uses for rural lands.	MMAH OMAFA	PPS Policy 2.5, 2.6	<p>Recommend that policies be consistent with Section 2.5 and 2.6 of PPS, 2024.</p> <p><i>Response: Additional clarification required, it is unclear how the existing policy is not consistent with the PPS.</i></p> <p>Consider removing term “public” as a permitted use as this type of use is unclear or replace with “public service facilities” if that is the intention.</p> <p><i>Response: The term was revised.</i></p>
28	5.4 5.4.2.1	PPS, 2024 individually defines ‘rural areas’ and ‘rural lands’. Rural lands are considered lands which are located outside settlement areas, and which are outside prime agricultural areas in the PPS	MMAH OMAFA	PPS, 2025 2.5, 2.6, 4.3, Section 8	<p>The City shall ensure clarity that the planning objectives relate to ‘rural areas’ and ‘rural lands’ are clearly distinguished.</p> <p>Recommended that policies be clarified throughout the section to reference ‘rural areas’ and ‘rural lands’ as applicable.</p> <p><i>Response: The area designated “Rural” in the OP is very small – and does not include any rural settlement areas, and meets the</i></p>

					<p><i>Rural Lands policies of the PPS. We no change is recommended.</i></p> <p>Consider modifying language used throughout section 5.4 Rural to be use terminology “rural lands” rather than “rural areas” and ensure consistency with PPS guidance for Rural Lands..</p>
Section 6: Natural Environment					
29	6.3.3	Policy 4.1.9 of the PPS 2024 provides that nothing in the natural heritage policies of the PPS is intended to limit the ability of agricultural uses to continue.	OMAFRA	PPS policy 4.1.9	<p>Consider revising point v. of 6.3.3 Permitted Uses on agricultural uses, to permit agricultural uses overall.</p> <p>Consider removing agricultural uses from viii to not subject agricultural uses to the conditions listed in viii. a) and b) and potentially limit their ability.</p> <p>v. Existing Agricultural uses</p> <p>viii. Expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses and expansions to existing residential dwellings subject to demonstrating that:</p> <p style="padding-left: 40px;">a) there is no alternative, and that the expansion or alteration in the feature is minimized, and in the buffer , is directed away from</p>

					<p>the feature to the maximum extent possible; and</p> <p>b) The impact of the expansion or alteration on the feature and its ecological functions is minimized and mitigated to the maximum extent possible.</p> <p><i>Response: Policy 4.1.9 of the PPS says “ability of agricultural uses to <u>continue</u>”. For an agricultural use to <u>continue</u>, it needs to be an existing agricultural use. No change is recommended.</i></p>
30	6.9	<p>The Welland OP does not contain policy or mapping that addresses areas that are unsafe due to the presence of hazardous forest types for wildland fire. In addition, the Ministry’s Wildland Fire Risk Assessment and Mitigation Reference Manual (https://www.ontario.ca/page/wildland-fire-risk-assessment-and-mitigation-reference-manual) is a reference tool consistent with the PPS, for municipalities and other planning authorities, or proponents, that provides the province’s recommended technical criteria and approaches for assessing risk, and in areas where hazardous forest types are present, assessing and</p>	MNR	PPS Policy 5.2.9	<p>It is recommended that PPS 5.2.9 be added to section 6.9 of the draft OP to ensure potential wildland fire hazards are addressed.</p> <p><i>Response: We appreciate the recommendation; however this policy is not applicable based on the woodland coverage of the City and location. As such, no changes are proposed.</i></p>

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		determining the environmentally appropriate measures to mitigate risks for proposed development.			
31	Throughout OP	The City of Welland has updated its Official Plan terminology, replacing “Natural Heritage System” with “Natural Environment System” throughout the entire Plan.	MECP	PPS Policy 4.1 Section 8	<p>While the rationale for this change has not been explicitly stated, it may reflect an effort to adopt a more integrated approach to environmental planning.</p> <p>However, it is recommended to clarify with the City the intent behind this terminology change, as it may not align with the terminology and definitions established in the PPS, 2024.</p> <p>Response: This was done to conform to the terminology of the Niagara Regional Official Plan, 2022.</p>
Section 7: Open Space and Recreation					
Section 8: Climate Change					
32	8.2.4	It is noted here that there are no details within this policy that indicate whether meeting the requirements of the Green Development Standards can be accomplished outside of the building envelope.	MMAH	The <i>Protect Ontario by Building Faster and Smarter Act, 2025</i> (Bill 17)	<p>To ensure that the intent of this policy is clear, the City may wish to consider clarifying that their planned Green Development Standards will not mandate construction standards for buildings.</p> <p>Response: The standards are not developed yet and will not include construction standards.</p>

33	8.2.5	The City cannot mandate “building characteristics” that supersede any construction standards set out within the Building Code. It is recommended that the City either remove the words “or building” or otherwise clarify that this policy would not apply to any construction standards for buildings.	MMAH	The <i>Protect Ontario by Building Faster and Smarter Act, 2025</i> (Bill 17), Section 35 (1) of the <i>Building Code Act, 1992</i>	City staff may wish to speak to their Chief Building Official (CBO) to help determine whether or not a potential green development standard may be regulated by the Building Code. Municipal CBOs have a deep understanding of both what the Building Code regulates and of how a particular municipality is enforcing specific policies. They will also understand how certain requirements might be impacting their enforcement of the minimum requirements in the Building Code Act and the Building Code. Response: Policy 8.2.5 is updated to provide for the flexibility to achieve energy efficiency, but it is not required.
Section 9: Arts, Culture, and Design					
34	9.2	The policies in this section deal specifically with conservation of cultural heritage resources rather than “culture” more broadly, and the title should reflect this. MCM recommends the inclusion of a new policy related to lands adjacent to protect heritage properties, for consistency with the PPS.	MCM	PPS Policy 4.6, <i>Ontario Heritage Act</i> Part IV PPS Policy 4.6.3	Recommended to revise section title to “Policies for Cultural <u>Heritage Conservation</u> ” Response: Updated. Recommend including the following: <u>Adjacent Lands: The City shall not permit development and site alteration on adjacent lands to protected heritage property except where the proposed development and site alteration has been assessed and it has been demonstrated that the</u>

					<p><u>heritage attributes of the protected heritage property will be conserved.</u></p> <p><i>Response: A new policy 9.2.18 is added to reflect the policy direction of policy 4.6.3 of the PPS.</i></p>
35	9.2.3 9.2.4	<p>Policy should be edited to align with provincial policy and guidance. Reference to “Cultural Heritage Value or Interest” is preferred over “historic and/or architectural interest.” Ontario Regulation 9/06 applies to properties, as do the listing and designation provisions that form the subject of the previous and subsequent policies.</p>	MCM	<p><i>Ontario Heritage Act, Part IV s.27, 39.2 O. Reg 9/06, PPS (section 8, definition of “conserved”)</i></p>	<p>Revise as follows:</p> <p>The City shall maintain an inventory of buildings and properties of architectural and/or historic <u>cultural heritage value or interest</u>, for the purposes of designating. Non- designated properties of interest may be listed to the Municipal Register if City Council believes the property to contain cultural heritage value or interest found in <u>O. Reg. 9/06</u> and the property meets the required criteria as prescribed. [...]</p> <p><i>Response: Policy 9.2.3 is updated accordingly.</i></p> <p>The identification and eEvaluation of <u>the</u> cultural heritage <u>value or interest of properties</u> resources must <u>employ</u> be based on meeting the criteria of Ontario Regulation. 9/06 Criteria for Determining Cultural Heritage Value or Interest, under of the <i>Ontario Heritage Act</i>.</p> <p><i>Response: Policy 9.2.4 is updated accordingly.</i></p>

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36	9.2.7	<p>The intent of this policy is unclear. "Heritage features" is undefined. Features/attributes themselves cannot be designated under Part IV of the OHA, only properties. Heritage attributes are constituent elements of a property which contribute to its cultural heritage value or interest.</p>	MCM	<p><i>Ontario Heritage Act</i>, Part IV s.29, PPS 4.6.1, and Section 8 (definition of "conserved")</p>	<p>Revise policy to reflect the intent. If the intent is to speak to designation of properties of cultural heritage value or interest, revise policy as follows:</p> <p>Heritage properties features shall be appropriately designated using relevant provincial legislation including the Ontario Heritage Act, the Planning Act, the Municipal Act and other applicable statutory legislation in order to <u>conserve</u> preserve and enhance the City's cultural heritage resources. Response: Policy 9.2.7 is updated accordingly.</p>
37	9.2.9 9.2.10	<p>The criteria for the establishment of Heritage Conservation Districts are not aligned with the <i>Criteria for determining cultural heritage value or interest</i> under the OHA. Direct reference to O. Reg 9/06 is preferred.</p> <p>It is recommended that the title of policy 9.2.9 be edited for consistency with existing language found in the OHA.</p> <p>Similar to the above, reference to the undertaking of a study for the purposes of designating a heritage conservation district should refer directly to Section 40 of the OHA.</p>	MCM	<p><i>Ontario Heritage Act</i>, Part V., S41 (1);</p> <p>O. Reg 9/06;</p> <p>See also: Ontario Heritage Tool Kit, "Heritage Conservation Districts."</p> <p><i>Ontario Heritage Act</i>, Part V., S40(2). See also: Ontario Heritage Tool Kit, "Heritage Conservation Districts"</p>	<p>Revise section as follows:</p> <p>9.2.9 Heritage Conservation Area Districts</p> <p>Should an area be found <u>meet the criteria in Section 3 of Ontario Regulation 9/06</u>, represent a group of significant sites, buildings or structures, or period of the City's history[...]</p> <p>Response: Policy 9.2.8 updated to reflect suggestion.</p> <p>Revise as follows:</p>

		Recommended that references to “Heritage Conservation Area District” be changed to “Heritage Conservation District” to be consistent with OHA language. References to a Natural Environment System are not applicable and should be removed.			<p>Prior to designating a new Heritage Conservation Area District under Part V of the Ontario Heritage Act, the City shall undertake a study with a qualified professional pursuant to Section 40 of the Ontario Heritage Act to: [...]</p> <p>Response: Policy updated to reference the Ontario Heritage Act, however we have not referenced a specific section to reduce need for future amendments if there are changes.</p> <p>Revise policy to remove reference to “Natural Environment System”.</p> <p>Response: Updated to remove “Natural Environment System”</p>
38	9.2.15	The use of “compromised” with respect to “heritage value” is unclear and not appropriate in this context. We recommend revising this OP section to be more consistent with the language of the PPS and OHA.	MCM	<p>PPS policy 4.6.1, 4.6.3, Section 8 (definition of “conserved”)</p> <p>O. Reg. 9/06</p>	<p>Recommended revision as follows:</p> <p>9.2.15 Retention Conservation of Designated Heritage Properties</p> <p>Designated properties shall be retained conserved as part of any new development or redevelopment to ensure that the cultural heritage value or interest of the building and/or lands is not compromised</p>

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					<u>adversely impacted</u> , unless Council or its designate approves removal in accordance with the <i>Ontario Heritage Act</i> .
39	9.2.16	It is unclear what permit is being referred to at the end of the policy. The OHA does not provide for alterations to be made to heritage attributes of Part IV designated properties without a municipal permit, nor for exterior alterations to be made in a Heritage Conservation District that are not in keeping with the Heritage Conservation District Plan, without a municipal permit, nor for alterations to be made to an archaeological site other than by a licensed archaeologist, at the discretion of a municipal official.	MCM	PPS Section 8 (see definition for <i>significant</i>)	Recommended revision as follows: 9.2.16 Public Works Compatibility with <u>Cultural</u> Heritage Resources Consideration shall be given to the effects of public works and development on <u>significant cultural heritage resources</u> buildings, infrastructure, sites and areas of historical, architectural, scenic or archaeological importance prior to the approval of public works and proposals for development. At the discretion of the Director of Planning and Development Services, emergency repairs to infrastructure within buildings, sites and areas of historical, architectural, scenic or

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					<p>archaeological importance may not require a permit.</p> <p>Response: Policy 9.2.15 is updated.</p>
40	9.2.19	The Province does not provide “clearance” on archaeological assessment reports.		PPS Policy 4.6.2	<p>It is recommended that policy be revised to clarify that archaeological assessments are entered into the <u>Ontario Public Register of Archaeological Reports.</u></p> <p>Response: 9.2.17 is updated.</p>
41	10.2.1.2	The policy as written does not accurately reflect the planning authority’s responsibilities regarding protection of planned corridors.	MMAH MEM	PPS Policy 3.3	<p>It is recommended that additional language be included to be consistent with the direction of PPS Policy 3.3 as follows:.</p> <p>The City shall <i>plan for and protect corridors and rights-of-way for infrastructure, including transportation, transit, and electricity generation facilities and transmission systems to meet current and projected needs. The City shall not permit</i> ensure development <i>in planned corridors that could preclude or</i> applications will not negatively affect <i>the use of the corridor for the purpose(s) for</i></p>

					<p>which it was identified. functionality of existing or planned corridors. Response: Policy 10.2.1.2 updated accordingly.</p>
42	10.2.2.12	<p>The agri-food network includes the infrastructure, services and other agri-food assets needed to sustain and enhance the prosperity of the agri-food sector, which includes transportation systems. This includes agriculturally compatible road design that focuses on accommodating the equipment and activities of agricultural operations and promoting safety.</p> <hr style="width: 20%; margin-left: 0;"/>	OMAFA	<p>PPS Policy 4.3.1, Section 8 (definition of “agri-food network”)</p>	<p>Consider adding a new sub point to 10.2.2.12 to include provisions for road designs that are compatible with agricultural operations and activities. Compatible road design may include consideration for road width and shoulders, sloping, intersection and access points, urban buffers, placement of overhead hydro/telephone lines.</p> <p>10.2.2.12 Provisions for Road Designs</p> <p>v. <i>The agri-food network through agriculturally compatible road designs which accommodate agricultural equipment, activities and promote safety.</i></p> <p>Response: A policy has been added (note – it is point vi).</p>

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43	10.2.4.5	For sensitive developments, it is recommended that noise be assessed within 500 metres of a principal main railway line. OP policies should therefore reference MECP's Environmental Noise Guideline, NPC-300.	MECP	EPA, PPS Policy 3.5	<p>Recommended to add "<u>in accordance with provincial guidelines, standards and procedures</u>" when referring to required studies.</p> <p><i>Response: Provincial guidelines, standards, do not apply to rail corridor, as it is subject to federal guidelines. The Policy was updated to include in "accordance with applicable guidelines, standards, and procedures".</i></p>
Section 11: Infrastructure and Utilities					
44	11.2.12.4	The City of Welland cannot require construction standards for buildings. This includes mandating the reduction of energy demands within buildings or the integration of green roofs.	MMAH	The <i>Protect Ontario by Building Faster and Smarter Act, 2025</i> (Bill 17), Section 35 (1) of the <i>Building Code Act, 1992</i>	<p>The City should remove the words "or require" from this policy</p> <p><i>Response: Updated.</i></p>
Section 12: <u>Northwest Secondary Plan Policies</u>					
45	12.5.1	This policy is acceptable only if the intent is that sustainable design features can be incorporated outside of the building envelope. The City cannot mandate construction standards for buildings.	MMAH	The <i>Protect Ontario by Building Faster and Smarter Act, 2025</i> (Bill 17)	<p>We would encourage the City to revise the language in this policy to ensure its clarity.</p> <p><i>Response: The policies all refer to "Should" and "encourages", there are no requirements. As such no changes are proposed.</i></p>

Section 13: <u>Area Specific Policies</u>					
Section 14: Implementation					
46	14.4.4.6.2 & 14.4.4.6.3	Sections appear to be missing uses outlined in Section 1 of O. Reg. 509/20.	MMAH	O. Reg. 509/20	It is recommended that where CBC policies are included, that it be consistent with O. Reg. 509/20. Response: Policy 14.4.4.6.3 updated to be consistent with O.Reg 509/20.
47	14.8.5	The <i>Planning Act</i> outlines matters that are within the scope of Site Plan Control.	MMAH	Planning Act, s.41(4.1)	Please ensure policies are consistent with the <i>Planning Act</i> . Response: Policy 14.8.5 updated to be consistent with the Planning Act s. 41(4.1).
48	14.13.2	Changes to the Development Charges Act includes additional exemptions.	MMAH	Bill 23, Bill 17, <i>Development Charges Act</i>	It is recommended that the section be modified to be consistent with legislation. Response: This section has been deleted.
49	14.17.1	This section is incomplete based on Section 53 and 27 of the <i>Planning Act</i> .	MMAH	<i>Planning Act</i> , s.53 s.57	Recommend modifying to " applications for consent " to be consistent with Section 53 and 27 of the <i>Planning Act</i> . Response: updated to include suggested text (now 14.16.1).

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50	14.12 Throughout OP	The official plan must outline all required supporting studies or reports that may be requested as part of a complete application submission. Report/studies not specifically included in the Official Plan may not be required as part of a complete application submission.	MMAH	<i>Planning Act</i> s.22(5), s.22, s.34, s.41, s.45, s.53, s.51, Bill 17	<p>Ensure that policies are clear on what studies/reports may be required as part of a complete application submission and remove policies that state “other studies may be required” or any other similar policy with the same effect. Please also be advised of proposed legislative and regulatory changes (ERO posting) that would limit the information and material that may be required by a municipality as part of a complete application submission for OPAs, ZBAs, Site Plan Control, Plan of Subdivision and consent applications. Specifically, it is proposed that materials and information for the following topics could not be required as part of a complete planning application:</p> <ul style="list-style-type: none"> • Sun/Shadow • Wind • Urban Design • Lighting <p>The City’s policies on studies and reports required as part of a complete application submission should be consistent with any future Minister regulation.</p> <p>Response: Regulation is not yet in effect as such no changes are proposed.</p>
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51	14.8.1	Official plan appears to be not including all exceptions per O.Reg 254/23.	MMAH	<i>Planning Act</i> , O.Reg 254/23, Bill 23	Recommended to be revised to include all exceptions. Response: To be discussed.
52	14.18.3 14.18.9 and throughout	Policies are not consistent with the <i>Planning Act</i> which make pre-consultation optional.	MMAH	Bill 185 <i>Planning Act</i> , 22 (3.1), 34(10.0.1), 51(16.1), 41(3.1)	<p>Recommend revising policies to encourage applicants to submit pre-consultation requests, not to require, and to remove any references in this section and throughout the OP to require pre-consultations as they are optional.</p> <p>Example of a suggested modification:</p> <ol style="list-style-type: none"> 1. "Prior to scheduling an optional Pre-Consultation, an applicant may submit to the Director of Planning and Development Services or their designate a completed Request for Pre-Consultation, which may include:" <p>Response: policy 14.17.3 is updated. Note 14.17.2 already stated that the Pre-Consultation is not a requirement.</p> <p>Recommend modifying to reference the appropriate section of the official plan for complete application requirements. Response: refer to response above, no changes are proposed.</p>
53	14.18.8 Throughout OP	For consistency, it is recommended to use the correct terminology when referring indigenous engagement	MMAH	PPS Policy 4.6.5	Please ensure that the official plan is consistent with PPS Policy 4.6.5, including but not limited to any

		policies.			reference to Indigenous communities and early engagement. Response: policies 2.5.2, 14.17.8 updated to be consistent with the PPS. Text updated to use Indigenous Communities as a term that includes groups such as First Nations.
Section 15: Definitions					
54	General Comment	Please review the definitions in the draft official plan to ensure they are consistent with the terminology and definitions of the PPS, 2024.	MMAH	PPS, 2024, Section 8: Definitions	Recommended to revise and update this section to align with the terminology and definitions of the PPS, 2024. For example: <i>strategic growth area, infrastructure, planned corridors, on-farm diversified uses, significant, built heritage resource, protected heritage property, heritage attributes, brownfield sites, endangered species, renewable energy system, significant, archaeological resources, urban agriculture, agricultural systems, agri-food network, agricultural impact assessment, prime agricultural area, prime agricultural lands, rural lands, individual on-site sewage services, etc.</i> Response: Updated accordingly.
55	Definition of <i>residence surplus to an agricultural operation</i>	The term and definition in the OP is not consistent with the PPS, 2024.	MMAH	PPS, 2024, Section 8: Definitions	Please update the terminology and definition to be consistent with the PPS, 2024. Response: Definition and terms throughout text are updated.
Schedules					

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56	Schedule 'B' – Land Use	The relationship between “Natural Environment System” designation and “Agricultural” requires further clarification.	OMAFA	PPS, 2024 Policies 4.1 and 4.3	<p>Review presentation of Natural Environment System in Schedule 'B' – Land Use.</p> <p>Recommend that “Natural Features and Areas” be shown as an overlay either through hatching or otherwise to indicate that the area is still designated as Agricultural and that policies for the Agricultural designation are also to apply. Response: No change to designation. We are reflecting PPS policies to protect natural heritage features.</p>
57	Schedule 'B' – Land Use	Sections of mapping in Schedule B – Land Use, indicate Open Space and Recreation (such as above highway 27, to the east of Welland Canal) when regional mapping identifies as prime agricultural area.	OMAFA	PPS, 2024 Policy 4.3	<p>Review mapping for “Parks and Open Space” as identified in Schedule B – Land Use that is overlapping with prime agricultural areas to ensure land is not being removed. Response: These lands have long been designated for Open Space Purposes. No change.</p>
58	Schedule 'B' – Land Use	Sections of mapping in Schedule B – Land Use, indicate Rural designation (such as section between highway 58 and Canal Bank St) when regional mapping identifies as prime agricultural area.	OMAFA	PS, 2024 Policy 4.3	<p>Review mapping for “Rural” as identified in Schedule B – Land Use that is overlapping with prime agricultural areas to ensure land is not being removed. Response: The “Rural” lands have always been designated as such in Official Plan.</p>
59	Schedule 'B' – Land Use	Sections of mapping in Schedule B – Land Use, indicate “Rural Employment Designation” when regional mapping identifies as prime agricultural area.	OMAFA	PS, 2024 Policy 4.3	<p>Review mapping for Rural Employment Designation identified in Schedule B – Land Use that is overlapping with prime agricultural areas to ensure land is not being</p>

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					removed. Response: These are all existing rural employment uses. No change is recommended.
60	Schedule 'C1' - Components of the Natural Environment System	The Schedule does not appear to be consistent with MNR data. For example, the Lyons Creek Wetland Complex (69877093) should be identified as PSW as opposed to 'other wetland' and the Niagara Street Cataract Road Woodlot Wetland Complex (71301447) appears to be identified as PSW in its entirety, rather than a combination of PSW and woodland.	MNR	PPS Policy 4.1	It is recommended that the municipality review and confirm they are using the most up to date data sets to assist in the development of the OP Schedules. MNR's natural heritage and natural resources geospatial data layers can be accessed through the ministry's GeoHub and Natural Resources Data Access Requests Ontario GeoHub . Response: To be discussed.
General Comments					
61	General Comment	Municipalities are required to consult with conservation authorities having jurisdiction in the municipality to which an Official Plan or Official Plan Amendment would apply.	MMAH	Planning Act (Ontario Regulation 543/06)	Recommended that the Town consult with conservation authorities having jurisdiction within the Town and that comments provided be addressed to the satisfaction of the conservation authority prior to adoption of the Official Plan. Response: Acknowledged.
62	Throughout OP	It is noted that there are references to 'MNR' throughout the Welland OP. To eliminate potential inconsistencies with future ministry name changes it is recommended 'MNR' be referred to as 'the Province.' This will also capture any	MNR	N/A	It is recommended that references to MNR be revised to ' the Province ' throughout the OP. Response: Updated throughout

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		future changes in roles and responsibilities of Ministries.			
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Notes for use:

- In the Reference to Planning Act, Provincial Plan and PPS column, please be as specific as possible when referencing policy, legislation etc.
- In the “Proposed Revision” column, recommended updates should be *italicized*, text additions should be **boldface** and deletions should be a ~~strikethrough~~.
- In instances where the “Proposed Revision” is based on missing official plan policies or it is a general comment without a specific suggested revision, the “Comments/Concerns” column can include a “See Proposed Revision” note. This is intended to prevent the same information being duplicated between both columns

Provincial One-Window Comment Table DRAFT MATTER
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Growth Strategy and Economic Development

1815 Sir Isaac Brock Way, Thorold, ON L2V 4T7
905-980-6000 Toll-free:1-800-263-7215

Via Email Only

August 27, 2024

File Number: PLOPA202400647

Nicolas Aiello, MCIP, RPP
Planning Supervisor - Policy
City of Welland
60 East Main Street
Welland, ON L3B 3X4

Dear Mr. Aiello,

**Re: Regional Comments
Draft Comprehensive Official Plan Review
City of Welland**

Thank you for the opportunity to review the City of Welland's Draft Comprehensive Official Plan (Draft OP), whose policies were received May 6, 2024 and associated schedules received May 31, 2024.

Regional staff, City staff, and the Project Team at SGL Planning & Design Inc. met on July 24, 2024, to review the Region's preliminary comments on the Draft OP. Following this meeting, a preliminary comment letter was sent to City staff on July 31, 2024, to specifically discuss policies and mapping needed for conformity with the Region's Natural Environment System as applied to the City of Welland.

As a follow-up to our meeting, Regional staff have prepared detailed comment matrices (**Appendix 1** and **Appendix 2**). These appendices and the following general comments are intended to identify policy matters within the Draft OP that can be strengthened or revised to better meet the intent of Regional and Provincial policy, and to ensure comprehensive and effective planning strategies are implemented.

Changes to Provincial Policy and Legislation

The Ministry of Municipal Affairs and Housing (MMAH) has announced the release of the new Provincial Planning Statement, 2024 (PPS 2024), which comes into effect October 20, 2024. The PPS 2024 will replace the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe (Provincial Growth Plan).

MMAH is currently consulting on transition regulations for the implementation of the PPS 2024. Given the timing of these changes, the comments previously provided for the Draft OP's natural environment system policies, as well as those outlined in **Appendix 1** and **Appendix 2** to this report, are based on the Provincial and Regional policies currently in force (i.e. the Provincial Policy Statement, 2020, the Provincial Growth Plan, and the Niagara Region Official Plan).

Further, MMAH has previously indicated that changes to the Region's responsibilities under the *Planning Act, 1990*, is anticipated to be proclaimed and come into force later this year. Should proclamation of these provisions occur prior to the adoption and approval of the Draft OP, it is recommended that the City and Region meet to further discuss the incorporation of relevant policies and mapping of the Niagara Region Official Plan, including those related to regional infrastructure planning.

Conclusion

Regional staff look forward to the development of the City's Draft OP and are available to meet once more should you have any questions or wish to discuss these comments. Please feel free to contact undersigned at alexandria.tikky@niagararegion.ca or at extension 3593 at any time.

Respectfully submitted,



Alexandria Tikky, MCIP, RPP
Senior Policy Project Manager
Growth Strategy and Economic Development
Niagara Region

Attachment(s):

Appendix 1 – Detailed Regional Comments on the Draft City of Welland Official Plan
Appendix 2 – Regional Comments on the Draft Schedules of the Welland Official Plan

cc: Angela Stea, Director, Corporate Strategy & Community Sustainability, Niagara Region
Erik Acs, Manager, Community Planning, Niagara Region
Grant Munday, Director of Planning and Development, City of Welland

Appendix 1 – Detailed Regional Comments on the City of Welland Draft Official Plan (“Draft OP”)

NOP Policy #	Niagara Official Plan (NOP) Policy Text	Included?	Section of Local Official Plan	Regional Comments
2.2.2.13	The strategic growth areas identified in Policy 2.2.2.1 a) shall be planned by secondary plan, or equivalent work, in accordance with Section 6.1.	Partially	4.1.2.1 14.3.1	<ul style="list-style-type: none"> The direction to complete a secondary plan for the Downtown area has been removed from Section 4.1.2.1 of the Draft OP. While new Draft OP Policy 14.3.1 (iii) states that “examples of situations which may warrant a secondary plan include” the Regional Growth Area, it is recommended that stronger language is used in line with the direction of NOP Policy 2.2.2.13.
2.2.5.3	<p>Settlement area boundaries may be adjusted through a Local official plan conformity exercise by amendment to this Plan outside of a municipal comprehensive review, provided:</p> <ul style="list-style-type: none"> a) there would be no net increase in developable land within settlement areas; b) the adjustment would support the Local Area Municipality’s ability to meet the intensification targets and density targets established in this Plan; c) the location of any lands added to the settlement area will satisfy Provincial policy and any applicable Regional policy and guidelines; d) the affected settlement area is not a rural settlement or in the Greenbelt Plan area; and e) the settlement area is serviced by municipal water and wastewater systems/services and there is sufficient reserve infrastructure capacity to service the lands. 	No	3.4.2.4 3.5.1 3.5.2 3.6.1	<ul style="list-style-type: none"> Draft OP Policy 3.5.2 allows for “40 hectare expansions” in advance of a municipal comprehensive review (MCR). While Provincial Growth Plan Policies 2.2.8.5 and 2.2.8.6 allow for such expansions, it is Regional staff’s understanding that they were to be limited to the previous MCR process. As such, equivalent “40 hectare expansion” policies were not included in the NOP. It is recommended that these permissions be removed from the Draft OP. There does not appear to be any policy language within the Draft OP with regards to settlement area boundary adjustments in keeping with NOP Policy 2.2.5.3 and Growth Plan Policy 2.2.8.4. It is recommended that these policies be added to the Draft OP.
2.2.5.6	Secondary plans shall be developed for the urban area expansions identified in Appendix 2, pursuant to Policies 6.1.4.2 and 6.1.4.4.	Partially	14.3.1	<ul style="list-style-type: none"> While Draft OP Policy 14.3.1 (i) states that “examples of situations which may warrant a secondary plan include” new designated greenfield areas of 15 ha or larger, it is recommended that stronger language is used in line with the direction of NOP Policy 2.2.2.13.
N/A	N/A	N/A	5.1.2.2	<ul style="list-style-type: none"> The Green Energy Act was repealed by the Province in 2018. As such, the City should remove the following wording from the Draft OP Section 5.1.2.2: “Production of energy from renewable resources on agricultural lands are permitted provided that the proposed operations comply with the requirements of the Green Energy Act.”
4.1.3.7	Where agricultural uses and non-agricultural uses interface, land use compatibility shall be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating adverse impacts on the agricultural	Partially	5.1.1.5	<ul style="list-style-type: none"> While Draft OP Section 5.1.1.5 states that conflicts between agricultural and non-agricultural activities will be discouraged, Regional staff recommend that the additional wording from NOP Policy 4.1.3.7 be incorporated for further direction.

NOP Policy #	Niagara Official Plan (NOP) Policy Text	Included?	Section of Local Official Plan	Regional Comments
	system, by incorporating measures as part of new or expanding non-agricultural uses, as appropriate, within the area being developed.			
4.1.4.2	<p>Proposed residential lots being considered under sections 4.1.5 and 4.1.6 for a consent within the agricultural land base must meet the following conditions:</p> <ul style="list-style-type: none"> a) the size of any new lot shall be an area of 0.4 hectares except to the extent of any additional area deemed necessary to support an on-site private water supply and long-term operation of a private sewage disposal system as determined by Provincial and Regional requirements; b) any new lot has an adequate groundwater or other water supply, in compliance with Provincial requirements; c) any new lot has sufficient frontage on an existing publicly-maintained road; d) where possible, joint use should be made of the existing road access to the farm operation; e) road access to any new lot does not create a traffic hazard because of limited sight lines on curves or grades or proximity to intersections; and f) proposed lots shall be located and configured to minimize impacts on surrounding farming operations. 	Partially	5.1.3.1.2	<ul style="list-style-type: none"> • Draft OP 5.1.3.1.2 should be updated to align with the criteria and other requirements outlined in NOP Policy 4.1.4.2. • Further, Draft OP Policy 5.1.3.1.2 ii) states that newly created lots outside of settlement areas shall connect to existing municipal water service, or alternatively ensure appropriate private servicing is provided. NOP Policy 5.2.3.3, however, states that new development outside of urban settlement areas are to be serviced by private sewage and water systems, with connections to municipal services only permitted to address a health problem on existing lots of record. <p>As such, Regional staff recommend that the City review this policy for alignment with the NOP, and ensure that language is added to clarify that private lateral connections to Regional infrastructure is not permitted, especially outside of the urban area.</p>
4.1.6.1	<p>In prime agricultural areas outside of specialty crop areas, consents to convey may be permitted only in those circumstances set out in the following provisions and the general consent provisions of Policy 4.1.4.2:</p> <ul style="list-style-type: none"> a) the consent is for agricultural uses, subject to the following criteria: <ul style="list-style-type: none"> i. the resulting parcels are both for agricultural uses; ii. the minimum lot size for the severed and retained lot is 40 ha, the resulting parcels meet the Local official plan and agriculture zoning provisions, and: <ol style="list-style-type: none"> 1. is appropriate for the farming activities proposed; 2. is suited to the particular location and common in the area; and 3. provides some flexibility for changes in the agricultural operation. [...] 	Partially	5.1.3.1.1	<ul style="list-style-type: none"> • The City should ensure that that NOP Policy 4.1.6.1 ii) (1., 2., and 3.) are reflected in Draft OP Policy 5.1.3.1.1. • Further, Draft OP Policy 5.1.3.1.1 i), bullet point three should be updated to read “Where merging of two lots is not possible, the retained farm parcel shall be zoned in perpetuity to preclude its use for residential purposes.”

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4.1.7.6	<p>On-farm diversified uses shall be:</p> <ul style="list-style-type: none"> a) located on a farm; b) secondary to the principal agricultural use of the property; c) limited in area; and d) compatible with, and shall not hinder, surrounding agricultural operations. 	No	5.1.2.2 5.1.3.6	<ul style="list-style-type: none"> • To supplement Draft OP Sections 5.1.2.2 and 5.1.3.6, it is recommended that “on-farm diversified uses” are described within Draft OP Section 5.1 in alignment with NOP Table 4-1 and NOP Policy 4.1.7.6. It is also recommended that a definition of “on-farm diversified uses” be added as a definition to Draft OP Section 15.
4.1.9.2	<p>Proposals for non-agricultural residential development on rural lands must meet the following criteria and the general consent provisions in Policy 4.1.4.2, in addition to the other requirements of this Plan, the Niagara Escarpment Plan and the Local official plan:</p> <ul style="list-style-type: none"> a) maximum of three new lots (in addition to the retained lot) may be permitted on each lot in existence as of June 16, 2006; b) the minimum size of the proposed and retained lots shall each be one hectare unless it is determined through a hydrogeological study, that considers potential cumulative impacts, that a smaller size lot will adequately accommodate private water and sewage treatment facilities for long-term operation but not be less than 0.4 hectares; [...] 	No	5.4.3.3	<ul style="list-style-type: none"> • Draft Section 5.4.3.3 (iii) states that lot creation is permitted when there is a minimum usable lot area of 0.5 hectares, whereas NOP Policy 4.1.9.2 states that a minimum lot size of 1 hectare will be used for proposed and retained lots unless it is demonstrated through a hydrogeological study that a smaller size lot will adequately accommodate private services. As such, this policy should be updated to reflect the Regional requirement. • Additionally, the City may wish to include an additional policy for rural lands outside of the agricultural area that permits a maximum of three new lots (in addition to the retained lot) on each lot in existence as of June 16, 2006 in accordance with NOP Policy 5.4.3.3 (b).
4.1.10.2	<p>Expansions to existing buildings and structures, accessory structures and existing uses, as well as conversions or redevelopment of legally existing uses that bring the use more into conformity with this Plan, are permitted subject to demonstration of the following: [...]</p> <ul style="list-style-type: none"> d. for conversions or redevelopments only, the completion of an agricultural impact assessment by a qualified professional; [...] 	Partially	14.4.1.3	<ul style="list-style-type: none"> • Draft OP Section 14.4.1.3 should be updated to include the following language from NOP Policy 4.1.10.2 (d): “for conversions or redevelopments only, the completion of an agricultural impact assessment by a qualified professional”.
4.2.4.9	<p>Local Area Municipalities should encourage intensification on designated employment lands, where appropriate, through zoning and economic development initiatives, including:</p> <ul style="list-style-type: none"> a) expansion to employment uses and/or land operations; and b) reuse of buildings and infrastructure for new employment uses. 	Partially	4.3.1.6	<ul style="list-style-type: none"> • Draft OP Section 4.3.1.6 states that the City will promote intensification and redevelopment in Employment Areas. It is recommended that the policy be expanded to includes employment lands outside of Employment Areas to ensure alignment with NOP Policy 4.2.4.9.
4.3	<p>Section 4.3 of the NOP outlines policies related to the use and regulation of mineral aggregate resources and mineral aggregate operation.</p>	Partially	5.3	<ul style="list-style-type: none"> • While understanding that there are no active or planned mineral aggregate operations within the City, Draft OP Section 5.3 with regards to aggregate resource policies should be updated to reflect relevant policies of the PPS, Growth Plan, and Section 4.3 of the NOP.

NOP Policy #	Niagara Official Plan (NOP) Policy Text	Included?	Section of Local Official Plan	Regional Comments
5.1.2.5	<p>Lands near existing or planned frequent transit service or higher order transit facilities, including facilities within the Greenbelt Plan that have been approved through a Municipal Class Environmental Assessment, and where such lands are located within settlement areas, will be planned to:</p> <ul style="list-style-type: none"> a) provide transit-supportive uses that enable opportunities for improved transit service integration; b) facilitate multimodal connections that encourage a more evenly distributed modal share; and c) support active transportation. 	Partially	10.2.3.3 10.2.3.4	<ul style="list-style-type: none"> • Together, Draft OP Sections 10.2.3.3 and 10.2.3.4 generally meet the intent of NOP Policy 5.1.2.5; however, the City may wish to supplement these policies to include key language in NOP Policy 5.1.2.5 (a) and (c) with regards to transit-supportive uses and support for active transportation.
5.1.3.1	<p>Comprehensive active transportation networks will be integrated into the transportation system to:</p> <ul style="list-style-type: none"> a) enable safe and convenient inter-municipal and intra-municipal travel for active transportation users; and b) provide continuous linkages from neighbourhoods to strategic growth areas, major trip generators, employment land, tourism destinations, public service facilities, post-secondary institutions and transit stations, including sidewalks and dedicated lane spaces for cyclists on the major street network, or other safe and convenient alternatives. 	No	10.3.1.3, 10.3.1.5, Appendix 4	<ul style="list-style-type: none"> • Draft OP Policy 10.3.1.5 refers to the future creation of a City Transportation Master Plan, which will have regard for active transportation connections. The City should supplement this policy by incorporating the wording in NOP Policy 5.1.3.1.
5.1.4.3	<p>In the absence of Local <i>complete streets</i> guidelines or equivalent, Local Area Municipalities should refer to the Region's Complete Streets Design Manual and Guidelines for the design, refurbishment or reconstruction of their existing and planned Local street network.</p>	No	N/A	<ul style="list-style-type: none"> • There does not appear to be any policies within the Draft OP regarding the implementation of a complete streets approach in line with NOP Policy 5.1.4.3. The City may wish to include a similar policy direction is provided within the Draft OP.
5.1.6.1	<p>Major goods movement facilities and corridors shall be protected for the long term. Development proposals for sensitive land uses in proximity to major goods movement facilities and corridors shall be subject to Policies 4.2.4.2 and 4.2.4.3.</p>	Partially	4.3.1.13, 10.2.4.6.1	<ul style="list-style-type: none"> • While Draft OP Policy 10.2.4.6.1 states that the City recognizes the importance of protecting land near major goods movement facilities and corridors, it should be updated to state that development proposals within proximity to these corridors will be subject to the compatibility requirements outlined in Draft OP Section 4.3.3.9.
5.2.1.19	<p>Local Area Municipalities will develop <i>stormwater master plans</i> or equivalent for serviced <i>settlement areas</i> that:</p> <ul style="list-style-type: none"> a) are informed by watershed planning or equivalent; b) protect the quality and quantity of water by assessing existing stormwater facilities and systems; 	No	N/A	<ul style="list-style-type: none"> • There does not appear to be any policies within the Draft OP regarding the development of stormwater management plans in line with NOP Policy 5.2.1.19. The City should ensure that similar policy direction is provided within the plan.

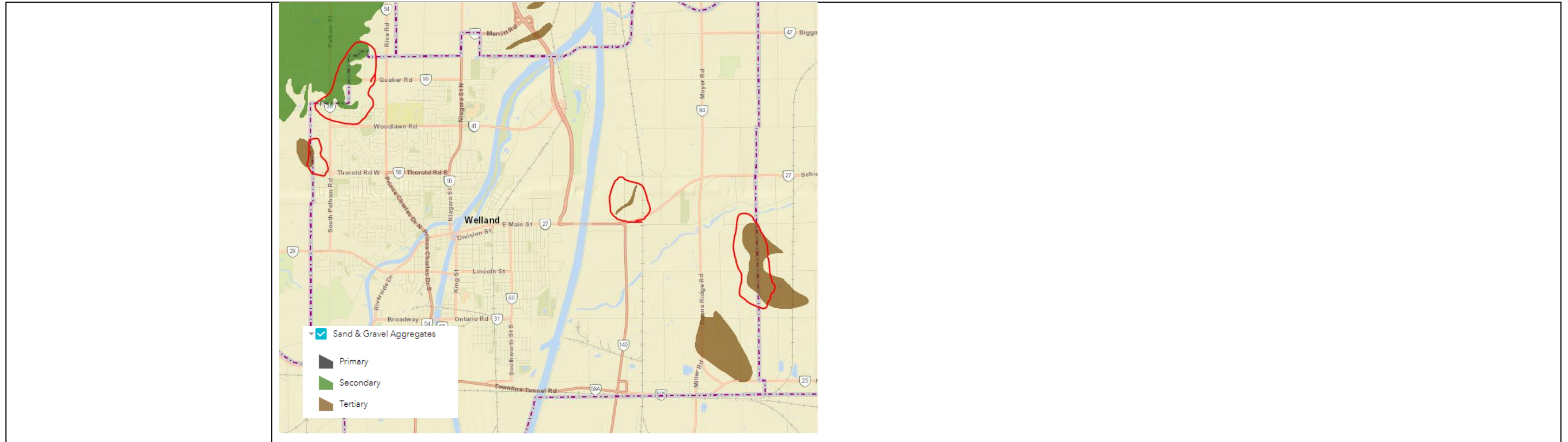
NOP Policy #	Niagara Official Plan (NOP) Policy Text	Included?	Section of Local Official Plan	Regional Comments
	<p>c) characterize existing environmental conditions;</p> <p>d) examine the cumulative environmental impacts of stormwater from existing and planned development, including an assessment of how extreme weather events will exacerbate these impacts and the identification of appropriate adaptation strategies;</p> <p>e) incorporate appropriate low impact development and green infrastructure;</p> <p>f) identify the need for stormwater retrofits, where appropriate;</p> <p>g) identify the full life-cycle costs of the stormwater infrastructure, including maintenance costs, and develop options to pay for these costs over the long-term; and</p> <p>h) include an implementation and maintenance plan.</p>			
5.2.2.13	Any extensions of the existing water supply or sewage disposal systems must have approval through the current water licenses and sewage disposal system approvals from both the Local Area Municipality and Region.	No	N/A	<ul style="list-style-type: none"> There does not appear to be any policies within the Draft OP regarding water licenses and sewage disposal system approvals in line with NOP Policy 5.2.2.13. The City should ensure that similar policy direction is provided within the plan.
5.2.3.3	<p>All development outside the urban areas shall be serviced by sustainable individual on-site water services and individual on-site sewage services, except an existing lot of record outside the urban areas may be permitted to connect to existing municipal services subject to the following:</p> <p>where municipal sewers or water supply mains have been extended outside the urban areas to correct an existing health problem as determined by the Medical Officer of Health or where there is a clean-up order from the Ministry of Environment, Conservation and Parks.</p>	Partially	5.4.3.2	<ul style="list-style-type: none"> Draft OP Section 5.4.3.2 largely reflects the language in NOP Policy 5.2.3.3; however, for clarity, it is recommended that the policy be revised to state that development outside the urban areas are subject to these requirements and criteria.
5.2.4.5	During the development review process, the Local Area Municipality will promote enhanced waste reduction, composting and recycling initiatives, and the identification of new opportunities for energy generation from waste, source reduction, reuse, and diversion, where appropriate. Consideration shall be given to increased convenience and access for waste diversion collection programs to promote participation.	Partially	8.1.5	<ul style="list-style-type: none"> Draft OP Policy 8.1.5 aligns with the first portion of NOP Policy 5.2.4.5; however, this policy does not include language regarding “opportunities for energy generation from waste, source reduction, reuse, and diversion, where appropriate” nor consideration for increased convenience to promote participation in waste diversion collection programs. The City should ensure that this language is reflected within the Draft OP.
5.2.5.4	Proposals for large-scale <i>development</i> proceeding by way of a secondary plan, plan of subdivision, vacant land plan of condominium or site plan will be supported by a stormwater management plan or equivalent, that:	Partially	14.12.4.3	<ul style="list-style-type: none"> Draft OP Policy 14.12.4.3 generally reflects the language in this policy, however it seems to be missing the requirements of NOP Policy 5.2.5.4 (a). Please refer to comments previously provided by Regional staff regarding the natural environment system policies of the Draft OP, and consider the

NOP Policy #	Niagara Official Plan (NOP) Policy Text	Included?	Section of Local Official Plan	Regional Comments
	a) conforms with watershed planning policies in Section 3.2; [...]			inclusion/coordination of watershed planning as part of large-scale development.
5.2.6.2	<p>The joint use of rights-of-way and corridors is encouraged wherever feasible for various facilities in order to:</p> <p>a) lessen the impact on the environment of uncoordinated alignments of various single purpose authorities; and</p> <p>b) avoid land use and <i>development</i> conflicts associated with such rights-of-way and alignments.</p>	No	N/A	<ul style="list-style-type: none"> There does not appear to be any policies within the Draft OP regarding the joint use of rights-of-way and corridors in line with NOP Policy 5.2.6.2. The City may wish to include similar policy direction within the Draft OP.
5.2.6.4	Necessary public utilities will be provided in accordance with the servicing needs of existing and future development and with economic, safety and environmental considerations.	Partially	11.1.4	<ul style="list-style-type: none"> While Draft OP Policy 11.1.4 states that the City “recognizes the [...] Public Utilities Policies in the Regional Official Plan, as amended from time to time”, it is recommended that the wording of NOP Policy 5.2.6.4 be included directly within the Draft OP.
5.2.7.3	Subject to Provincial requirements, the Region and Local Area Municipalities will review the siting of all renewable energy generation facilities within the context of all policies of this Plan.	Partially	N/A	<ul style="list-style-type: none"> There does not appear to be any policies within the Draft OP regarding the siting of renewable energy facilities in line with NOP Policy 5.2.7.2. The City should include similar policy direction within the Draft OP.
5.2.4.4	In collaboration with the Region, Local Area Municipalities should ensure that their official plan, zoning by-law, plan of subdivision approvals and site plan approvals for new <i>development</i> comply with the Region’s requirements for waste collection to ensure safe and efficient waste collection and diversion and includes support for the resource recovery of food and organic waste for their residents.	No	N/A	<ul style="list-style-type: none"> The City may wish to include similar language to NOP Policy 5.2.4.4 within the Draft OP to ensure new development is appropriately designed for waste collection and diversion.
6.1.4.5	Prior to preparing a secondary plan, the Local Area Municipality shall prepare a terms of reference in consultation with the Region, and Conservation Authority where applicable, that sets out the project scope, and required supporting technical studies.	No	N/A	<ul style="list-style-type: none"> There does not appear to be any policies within the Draft OP regarding the completion of a terms of reference for secondary plans in line with NOP Policy 5.2.6.2. The City may wish to include similar policy direction within the Draft OP.
6.1.4.6	Privately initiated secondary plans shall require a terms of reference approved by the Local Area Municipality, in consultation with the Region and Conservation Authority where applicable, prior to development of the secondary plan.	Partially	14.3.5	<ul style="list-style-type: none"> While Draft OP Policy 14.3.5 generally meets the intent of NOP Policy 6.1.4.6, the City should ensure that language regarding coordination with the Region and NPCA is also included in line with Regional policy.
8.12.1	<p>Notwithstanding other policies of this Plan, the following applies to the lands generally located on the north side of Forks Road, east of Highway 58 in the City of Welland:</p> <p>The lands north of Forks Road, immediately east of Highway 58, shall be designated in this Plan as prime agricultural area. No permissions</p>	Partially	13.3, 13.3.1, Schedule B	<ul style="list-style-type: none"> Draft OP Policy 13.3.1 should be revised to reflect the exact language in NOP Policy 8.12.1 with regards to the site-specific permissions for the Froude lands development.

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	<p>other than those provided in Section 4.1 “The Agricultural System” of this Plan are permitted for these lands.</p> <p>The lands north of Forks Road, east of the above-referenced prime agricultural area, shall be designated in this Plan as rural area.</p> <p>For the lands designated rural area, development may be permitted on approximately 13.24 hectares (32.72 acres) by way of a plan of condominium to create a maximum of eight lots for single detached residential use on individual private water and sewage systems.</p> <p>Prior to approval of the Plan of Condominium, the applicant shall submit supporting studies. The required studies will be determined at the pre-consultation meeting pursuant to the policies of this Plan.</p>			
Chapter 9 - Glossary of Terms	The Glossary of Terms provides definitions of terms that are used and italicized throughout the NOP.	No	15	<ul style="list-style-type: none"> • The following definitions within Draft OP Section 15 do not align with those listed in Chapter 9 (Glossary of Terms) of the NOP and should be reviewed for consistency/conformity with Regional and Provincial policy: <ul style="list-style-type: none"> ○ Areas of Natural and Scientific Interest ○ Adjacent lands ○ Agricultural uses ○ Agriculture-related uses ○ Conserved ○ Cultural heritage landscape ○ Fish habitat ○ Flooding hazard ○ Floodway ○ Habitat of Endangered and Threatened Species ○ Hazardous lands ○ Heritage attributes ○ Individual on-site sewage services ○ Major Office ○ Municipal sewage services and Municipal water services ○ Natural heritage features and areas ○ Natural heritage system ○ Negative impacts ○ Planned corridors ○ Protected heritage property ○ Quality and quantity of water ○ Regional market area ○ Renewable energy systems ○ Residence surplus to a farming operation ○ Threatened species ○ Transportation systems ○ Utilities ○ Value-Added ○ Water Resource System ○ Woodlands

Appendix 2 – Detailed Regional Comments on the Draft Schedules of the Welland Official Plan

Draft OP Schedule #	Regional Comments
General Comments	<ul style="list-style-type: none"> The City may wish to include a label for the Welland Canal on all applicable schedules of the Draft OP. For clarity, it is recommended that the road labels on all schedules of the Draft OP be edited and/or resized for better legibility. The City may wish to revise the base map legend items so they are consistently ordered between schedules of the Draft OP. Schedule C2 is referenced in Draft OP Policy 6.9.1, however there does not appear to be a Schedule C2 included within the Draft OP. The City should review and revise this policy as appropriate.
Schedule 'A' - City Structure	<ul style="list-style-type: none"> For consistency with Provincial and Regional policy, it is recommended that the “Greenfield Areas” label be renamed “Designated Greenfield Areas”. Further, it is recommended that colours used to indicated both the Built Boundary and Designated Greenfield Areas be revised for better distinction between the two designations. Agricultural and Rural Areas are not identified in Schedule A as noted in Draft OP Policy 3.4.3.3. It is recommended that the policy and/or schedule be updated for alignment
Schedule 'B' - Land Use	<ul style="list-style-type: none"> The “Natural Heritage System Open” layer in Schedule B should be renamed to align with the naming conventions used in the draft policies.
Schedule 'C' - Core Natural Heritage System	<ul style="list-style-type: none"> “Core” is no longer used in the polices of the Draft OP nor is it used in the patch label for the schedule (“Natural Heritage System). As such, staff suggest removing “core” from the title of Schedule C. The watercourses and waterway/waterbody layer in Schedule C reflect the permanent and intermittent streams layer identified by the Region. Permanent and intermittent streams are recognized as a component of the Natural Heritage System (NHS) in Draft OP Policy 6.3.2. As such, Regional staff recommend that this layer be included in the NHS aggregate layer and be renamed “Permanent and Intermittent streams” to align with the terminology of the Draft OP. It is recommended that Schedule C be expanded to also include mapped features of the water resource system. Alternatively, a second schedule could be developed should the City decide not to integrate the NHS and WRS into a single natural environment system layer.
Schedule 'C1' - Components of the Core Natural Heritage System	<ul style="list-style-type: none"> The watercourse label/patch in Schedule C1 is not included under Natural Heritage Components header. As previously noted, Regional staff suggest that the watercourse label under the Natural Heritage Components heading be moved and re-name to “Permanent and intermittent streams” to align with the Draft OP.
Appendix '3' - Mineral Aggregate Area	<ul style="list-style-type: none"> There appear to be missing areas of secondary and tertiary resource areas in Appendix 3, as circled in red below.



Growth Strategy and Economic Development

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Via Email Only

July 31, 2024

File Number: PLOPA202400647

Nicolas Aiello, MCIP, RPP
Planning Supervisor - Policy
City of Welland
60 East Main Street
Welland, ON L3B 3X4

Dear Mr. Aiello

**Re: Regional Preliminary Comments
Comprehensive Official Plan Review
Draft Natural Environment System Policies
City of Welland**

Thank you for the opportunity to review the City of Welland's Draft Comprehensive Official Plan ("Draft OP"), which was received May 6, 2024.

Regional staff, City staff, and the Project Team at SGL Planning & Design Inc., met on July 24, 2024, to review the Region's preliminary comments on the Draft OP, including those related the Region's natural environment system (NES).

Following this meeting, Regional staff were requested to provide detailed preliminary comments regarding the City's environmental policies. These comments are outlined below and are intended to identify areas where additional information and/or revisions are required to ensure alignment with Provincial and Regional policy.

Integrated Natural Environment System

The Niagara Region Official Plan (NOP) includes new direction for an integrated NES, which structures policy requirements around individual features and areas identified in the region's natural heritage and water resource systems, as well as the policies and mapping for the Provincial Natural Heritage System (NHS) located in Niagara.

To simplify alignment between the Draft OP and the NOP and ensure the City is planning for this integrated NES, Regional staff recommend the policies in Chapter 6 of the Draft OP be structured similar to those in NOP Section 3.1, as outlined below:

1. Lands within the Provincial Natural Heritage System (see NOP Section 3.1.5)
2. Lands outside of the Provincial Natural Heritage System (Within and Outside of Settlement Areas) (see NOP Section 3.1.9)
3. Specific Features (see NOP Sections 3.1.10 through 3.1.23.).

Regional staff also recommend that the City include the associated components, identification criteria and definitions for the NES outlined in Schedule L of the NOP as part of their conformity review.

Further, since the City of Welland is situated within the jurisdiction of *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (Growth Plan), only the policies of the Growth Plan NHS will apply within areas of the Provincial NHS.

Policy Specific Comments

The following table generally outlines the Regional comments for policies currently included within Draft OP Chapter 6 (Natural Environment System).

As noted above, a revised structure of the Draft OP that more closely aligns with NOP Section 3.1 is recommended and will simplify the conformity review; however, please note that this may alter the applicability of the comments provided below as the structure and contents of these policies may be greatly adjusted in the revised draft.

Draft OP Policy #	Regional Comments
6.3.2 (Natural Heritage System)	<ul style="list-style-type: none"> • Draft OP Section 6.3.2 identifies the Growth Plan NHS as a component of the overall NHS for the City. Regional staff note that the Growth Plan NHS itself includes a number of individual components (e.g. key natural heritage features, key hydrologic features, adjacent areas, vegetation protection zones), each of which is governed by its own set of polices. The applicable sections of the NOP and Growth Plan should be reviewed to understand the full set of polices that apply within this area. • Regional staff also note that the NOP includes a number of exemptions for agricultural uses and minor residential uses in the NES beyond what was included in the Growth Plan. It is recommended that these additional permissions and exemptions be included in the Draft OP.
6.3.2 (Natural Heritage System)	<ul style="list-style-type: none"> • The following revisions should be made to the list of individual components in Draft OP Section 6.3.2: <ul style="list-style-type: none"> ○ “Supporting features and areas” should be revised to state “supporting features and areas including enhancement areas”

	<ul style="list-style-type: none"> ○ “Other wetlands” should be revised to state “other wetlands and non-provincially significant wetlands” ○ “Areas of Natural and Scientific Interest (Earth Science and Life Science ANSI)” should be added. ○ “Habitat of special concern species” should be removed. This feature applies only in the Niagara Escarpment Plan area. Habitat of Special Concern species may be afforded protection under the Significant Wildlife Habitat Technical Guide for 7E which will be screened for during the preparation of an Environmental Impact Study (EIS).
6.3.3 (Permitted Uses)	<ul style="list-style-type: none"> ● Draft OP Section 6.3.3 should be revised to state that “expansion or alteration of buildings is directed away from the feature to the maximum extent possible” in alignment with NOP Policy 3.1.5.5 (h) i.
6.3.7 (Delineation or Modification of Features)	<ul style="list-style-type: none"> ● Draft OP Policy 6.3.7 should be updated to align with NOP Section 3.1.4, including references to the Region’s EIS Guidelines as per NOP Policy 3.1.4.2 ● The term “Environmental Protection Area” is no longer used within the NES, and as such, it is recommended that the last sentence be revised to reflect this. ● Regional staff note that the NOP does not require an amendment for any boundary adjustments within the NES, not just minor boundary adjustments. The City may choose to be more restrictive on this matter.
6.3.7, 6.3.8 (Mapping of the NES)	<ul style="list-style-type: none"> ● Draft OP Section 6.3.7 and 6.3.8 should be revised to reflect the language within NOP Policies 3.1.3.1 and 3.1.3.2 with regards to mapping and mapping refinements of the NES.
6.3.10 (Assessment of Linkages)	<ul style="list-style-type: none"> ● The linkage policies included within Draft OP Section 6.3.10 should be expanded to include the full set of policies within NOP Section 3.1.17.
6.3.12 (Development and Site Alteration within Provincially Significant Wetlands)	<ul style="list-style-type: none"> ● In addition to provincially significant wetlands, the NOP also prohibits development and site alteration within the significant woodlands feature. The Draft OP should be updated to reflect this level of protection as outlined in NOP Policy 3.1.9.5.1.
6.3.13 (Development and Site Alteration of Fish Habitat)	<ul style="list-style-type: none"> ● Draft OP Section 6.3.13 should be revised by adding the following sentence in alignment with NOP Policy 3.1.12: “In order to determine whether fish habitat is present, proponents of development or site alteration shall be required to screen for the presence of fish habitat to the satisfaction of the Region.”

<p>6.3.15 (Development and Site Alteration within the NHS)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.3.15 should be updated to align with the language of the PPS and NOP, which require development and site alteration meet the policy test of “no negative impacts”. • This section states that it applies “within the natural heritage system outside of features listed in 6.3.12, 6.3.13, 6.3.14”; it is inaccurate to indicate that all features of the NHS are subject to the same set of policies. For example, other wetlands, linkages, and supporting features and areas are all subject to feature specific policies. It is recommended that Chapter 3 of the NOP be reviewed to understand the extent of the feature specific policies that are required for conformity.
<p>6.3.16 (General Development and Site Alteration of lands adjacent to the NHS)</p>	<ul style="list-style-type: none"> • Draft OP Table 6-1 conforms to Table 3-1 of the NOP, however, it should be revised to clarify that these distances only apply to lands outside of the Growth Plan NHS and outside of settlement area boundaries. • Additional policies related to adjacent lands in NOP Sections 3.1.9.7.1 and 3.1.9.7.2 should also be included.
<p>6.3.17 (Waiving an Environmental Impact Study)</p>	<ul style="list-style-type: none"> • The purpose and intent of Draft OP Section 6.3.17 should be reviewed in conjunction with the range of other changes that are required for conformity, including NOP Section 3.1.33.3.
<p>6.3.19 (Buffers in Urban Areas)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.3.19 should be expanded to include the full set of policies for buffers in settlement areas included in NOP Section 3.1.9.9.
<p>6.3.20 (Buffers outside the Urban Area)</p>	<ul style="list-style-type: none"> • The title of Draft OP Section 6.3.20 should state that this also applies outside of the Growth Plan NHS. Within the Growth Plan NHS, buffers are known as “vegetation protection zones (VPZ)” and have distances prescribed by the Growth Plan and NOP. • This section should also be revised to include the ANSI minimum buffer as well as the uses listed in NOP Policy 3.1.9.8.4.
<p>6.3.21 (Development and Site Alteration within the Core Natural Heritage System and Adjacent Lands)</p>	<ul style="list-style-type: none"> • The wording within Draft OP Section 6.3.21 appears to be a legacy from the previous version of the plan. It is recommended that this section be reviewed once more to confirm its inclusion.
<p>6.3.30 (Compensation Plan)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.3.30 allows for compensation for the removal of features within the NHS, which is not supported by NOP Policy 3.1.9.5.5. This policy should be removed from the Draft OP.

<p>6.3.32 (Implementation of Minimum Vegetation Protection Zones in the Zoning By-law)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.3.32 should be revised to include “or mandatory buffer” in addition to VPZs and minimum buffers.
<p>6.3.34 (Native Species Plantings)</p>	<ul style="list-style-type: none"> • Within Draft OP Section 6.3.34, "encouraged" should be changed to “required” in line with NOP Policy 3.1.28.1. • Please also note that Draft OP Section 6.6.6 (Use of Native Species) appears to be a duplicate and should either be removed or also changed accordingly.
<p>6.3.40 (Residential Lot Creation)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.3.40 should be revised to align with NOP Policies 3.1.4.8 to 3.1.4.10. • The term “Environmental Conservation Area” is no longer used within the NES, and as such, it is recommended that the term be removed from the second paragraph.
<p>6.3.42 (Linear Uses)</p>	<ul style="list-style-type: none"> • The references to “essential public uses” within Draft OP Section 6.3.42 is ambiguous and may not be consistent with the PPS or conform to the NOP. Please review the policy for alignment with Regional and Provincial policy. • Please note that within the NOP, references to Municipal Class Environmental Assessment (EA) approvals are included as necessary when referencing other exemptions, and a stand alone exemption is not required.
<p>6.5.1 (Water Resource System)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.5.1 should be updated to include the components listed in NOP Section 3.1.1.2.
<p>6.6.1 (Forest Cover)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.6.1 should be revised to state that woodland cover shall be maintained or enhanced by 2051 in alignment with NOP Policy 3.1.25.1.
<p>6.8.1 (Development and Site Alteration)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.8.1 should be revised to include the following wording, in alignment with NOP Section 3.1.14: “applications for development and site alteration which have the potential for negative impacts shall be accompanied by an earth science heritage evaluation which shall be reviewed in consultation with the Provincial Ministry with jurisdiction.”
<p>6.8.2 (Linear Public Utilities)</p>	<ul style="list-style-type: none"> • Draft OP Section 6.8.2 should be adjusted to align with NOP Policy 3.1.5.5 (c) for lands within the Provincial NHS and NOP Policy 3.1.9.6.3 for lands outside of the Provincial NHS.

6.9 (Natural Hazards)	<ul style="list-style-type: none"> Draft OP Section 6.9 should be updated to align with NOP Section 3.1.23. The policies in this section currently contradict Regional policies required for key hydrologic features.
6.9.2 (Development and Site Alteration in Hazard Land)	<ul style="list-style-type: none"> Draft OP Section 6.9.2 should be updated to reflect the requirements within NOP Policy 3.1.23.3
8.2.7 (Hazardous Land)	<ul style="list-style-type: none"> It is recommended that Draft OP Section 8.2.7 be included with the other hazard land policies in Draft OP Section 6.9.
11.2.7.7 (Guidelines)	<ul style="list-style-type: none"> Please note that the Region also maintains stormwater management guidelines, which would apply in certain circumstances.
14.6.4 (Extensions of Draft Approval)	<ul style="list-style-type: none"> Draft OP Section 14.6.4 should be reviewed and updated to include the direction of NOP Sections 3.1.30.3.4 and 3.1.30.3.5.
14.8.5 (Evaluation of Site Plan Applications)	<ul style="list-style-type: none"> The City is encouraged to review NOP Policy 3.1.32. There are a number of other considerations that could be included within the evaluation of site plan applications that could contribute towards the City’s goal of becoming a “Sustainable City”.
14.12.2 (Subwatershed Plans)	<ul style="list-style-type: none"> Draft OP Section 14.12.2 regarding subwatershed planning should be informed by and conform to NOP Section 3.2.
14.12.4.1 (Need for a Stormwater Management Plan)	<ul style="list-style-type: none"> The Niagara Region maintains stormwater management guidelines which apply in certain circumstances. As such, it is recommended that the Region be added as a consulting agency to Draft OP Section 14.12.4.1.
14.2 (Planning Studies)	<ul style="list-style-type: none"> Draft OP Section 14.2 should be reviewed and updated to conform with NOP Section 3.1.33 with regards to the EIS review process.
Schedule “B” (Land Use)	<ul style="list-style-type: none"> The “Natural Heritage System Open” layer should be renamed to align with the naming conventions used in the Draft OP.
Schedule “C” (Core Natural Heritage System)	<ul style="list-style-type: none"> It is recommended that title of Schedule C be changed to better align with the naming used in the policies of the plan. The term “core” is no longer used within the NES. It is also recommended that this schedule be expanded to also include mapped features of the water resource system. Alternatively a second schedule could be developed should the

	City decide to integrate the NHS and water resource system into a single NES.
Schedule “C1” – Components of the Core Natural Heritage System	<ul style="list-style-type: none"> Watercourses and Waterway/Water Body are shown on Schedule C1. It is unclear if these are base layers of the map, or if they are natural features for which Official Plan policies and protections would apply. The City should consider using the term “permanent and intermittent stream” for natural features and/or water resource system components.
Appendix “2” – Vulnerable Groundwater Areas	<ul style="list-style-type: none"> It is recommended that Appendix 2 be made into to a “schedule” and that policies for highly vulnerable aquifers (HVAs) and significant groundwater recharge area (SGRAs) be included in the plan. Both HVAs and SGRAs are important components of the water resource system and important key hydrologic areas as required by the Growth Plan.

Additional Information

Policy 3.1.30.6.1 of the NOP requires that Local Municipalities incorporate the mapping and policies of the NES into their Official Plans in a manner that implements the NOP. The following table is intended to provide a list of the remaining policy matters to be included within the Draft OP to satisfy the requirements for approval.

NOP Section	NOP Policies
The Natural Environment	3.1.1.1; 3.1.1.3; and 3.1.1.4
Refinements to the Limits of the Natural Environment System	3.1.4.4; 3.1.4.5; 3.1.4.6; and 3.1.4.7
Lands within the Provincial Natural Heritage System	3.1.5.2; 3.1.5.3; 3.1.5.6; 3.1.5.7.1; 3.1.5.7.2; 3.1.5.7.3; 3.1.5.7.4; 3.1.5.7.5; 3.1.5.7.6; 3.1.5.7.7; 3.1.5.8.1; 3.1.5.8.3; and 3.1.5.8.4
Lands Outside of a Provincial Natural Heritage System and Outside of the Niagara Escarpment Plan Area	3.1.9.1; 3.1.9.2; 3.1.9.3; 3.1.9.4; 3.1.9.5.1; 3.1.9.5.2; 3.1.9.5.3; 3.1.9.5.4; 3.1.9.5.5; 3.1.9.5.6; 3.1.9.6; 3.1.9.8.2; 3.1.9.8.3; 3.1.9.8.5; 3.1.9.9.2; 3.1.9.9.3; and 3.1.9.9.4
Key Hydrologic Areas, Key Hydrologic Features, and Other Important Water Resources	3.1.10.1; 3.1.10.2; 3.1.10.3; 3.1.10.4; 3.1.10.5; 3.1.10.6; 3.1.10.7; and 3.1.10.8
Other Woodlands	3.1.11.1; 3.1.11.2; 3.1.11.5; and 3.1.11.6
Fish Habitat	3.1.12.2

Habitat of Endangered Species and Threatened Species	3.1.13.2; 3.1.13.3; and 3.1.13.4
Provincially and Regionally Significant Earth Science Areas of Natural and Scientific Interest	3.1.14.2
Supporting Features and Areas	3.1.15.1; 3.1.15.2; and 3.1.15.3
Enhancement Areas	3.1.16.1; 3.1.16.2; 3.1.16.3; and 3.1.16.4
Natural Features that have been Disturbed	3.1.18.1
Cultural and Regenerating Woodlands	3.1.19.1; 3.1.19.2; and 3.1.19.3
Enhancement to the Natural Environment	3.1.20.2
Aquatic Species at Risk	3.1.21
Cumulative Impacts	3.1.22.1 and 3.1.22.2
Natural Hazards	3.1.23.1; 3.1.23.2; and 3.1.23.5
Wildland Fires	3.1.24.1; 3.1.24.2; 3.1.24.3; and 3.1.24.4
Wetland Cover	3.1.26.1
Riparian Vegetation Cover	3.1.27.1
Transition and Implementation	3.1.30.3.1; 3.1.30.3.2; 3.1.30.3.3; 3.1.30.3.6; 3.1.30.3.7; 3.1.30.4.1; 3.1.30.4.2; and 3.1.30.4.3
Land Securement Strategy	3.1.31.2 and 3.1.31.3
Informing Land Use Planning	3.2.10.1
Roles and Responsibilities	3.2.11.5 and 3.2.11.8
Subwatershed Planning	3.2.12.1; 3.2.12.2; 3.2.12.3; and 3.2.12.4
Recognize and Manage Excess Soil	3.7.1.1; 3.7.1.2; and 3.7.1.3

Conclusion

These preliminary comments are intended to identify matters within the Draft OP that will need to be strengthened or revised to ensure conformity with Regional and Provincial policy as it relates to the natural environment.

Staff from the Region's Growth Strategy and Economic Development Department are available to meet to discuss these comments and/or provide further insight as to the structure and function of the Region's NES policies. Please feel free to contact Alexandria Tikky at extension 3593 or Angela Stea, Director of Corporate Strategy and Community Sustainability at extension 3518.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'A. Tikky', with a large, sweeping flourish at the bottom.

Alexandria Tikky, MCIP, RPP
Senior Policy Project Manager
Community and Long Range Planning
Niagara Region

cc.

Angela Stea, Director of Corporate Strategy and Community Sustainability, Niagara Region
Erik Acs, Manager of Community Planning, Niagara Region
Sean Norman, Senior Planner, Community Planning, Niagara Region
Grant Munday, Director of Planning and Development, City of Welland

From: [Tikky, Alexandria](#)
To: [Nicolas Aiello](#)
Cc: [Norman, Sean](#)
Subject: FW: Draft Welland OP - Intake Protection Zones
Date: June 13, 2024 10:39:28 AM
Attachments: [NOP - Schedule E.pdf](#)

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Hi Nicolas,

We are in the process of reviewing the City's Draft Official Plan, and had a question with regards to the source water protection policies within Section 6.5.

When the source water protection work was updated in ~2015-2017 three intake protection zones (IPZs) were identified in the Region (Decew, Niagara Falls, and Port Colborne). See attached Schedule E.

Policy 6.5.4 of your draft states "The Welland Water Treatment Plant is located on Merritt Island in between the Welland River and the Old Welland Canal. The Niagara Peninsula Conservation Authority's Source Water Protection Study identified an Intake Protection Zone covering the areas to the north and west of the Treatment Plant."

Can you advise if there is an background information to support this? Or is this a holdover from the previous version of the plan?

Regards,

Alexandria Tikky, MCIP, RPP

Senior Policy Project Manager
Growth Strategy and Economic Development
Niagara Region

1815 Sir Isaac Brock Way, P.O. Box 1042
Thorold, ON L2V 4T7

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Toll-free: 1-800-263-7215

www.niagararegion.ca

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Ireland Worrall

From: Nicolas Aiello
Sent: August 7, 2024 9:55 AM
To: Ireland Worrall
Subject: FW: Backyard hens

Hi Ireland,

Can this be saved as PDF and included in the spreadsheet?


Thanks,

Nick



CITY OF
Welland

Nicolas Aiello, HBA, MCIP, RPP
Planning Supervisor - Policy
Planning and Development Services
60 East Main Street, Welland, Ontario L3B 3X4

 Phone: 905-735-1700 x2132

 welland.ca

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From: Roger Pelissero <rpelisseroeggs@gmail.com>

Sent: Thursday, August 1, 2024 7:01 AM

To: Official Plan <officialplan@welland.ca>

Subject: Backyard hens

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Nicolas Aiello, Planning Supervisor
City of Welland
60 East Main Street

Welland, ON
L3B 3X4

Dear Mr. Aiello,

We appreciate the opportunity to provide our views and input to help inform the official plan for the City of Welland, as it relates to the ability to house hens on residential properties.

As local egg farmers, we are committed to producing fresh, high-quality eggs of local production, all while ensuring the welfare and well-being of the hens under our care. We work hard to care for the over 1 million hens in our area that produce over 29 million eggs a year, with a farm gate value of \$78 million per year. We know first-hand that producing food is a great source of pride, but it is also a significant responsibility that needs to be carefully considered.

As the City considers an approach for our municipality, we encourage thoughtful consideration of the following areas:

To raise poultry in a residential environment one needs to consider many things. For example, hens require nutritionally balanced feed, clean water, protection against predators and an appropriate shelter to protect them against inclement weather, including a heated enclosure during winter months. When hens are sick, they also require care from qualified veterinarians. Backyard flock owners must be well-positioned to both access and offer these items to meet the basic needs of the hens in their care.

Properly taking care of hens in a residential environment often requires some physical adaptations to a typical backyard, a daily time commitment to tend to the flock, and a great deal of expertise. Owners must also know how to monitor and identify illnesses that affect the health of hens, such as mites, highly pathogenic avian influenza and infectious laryngotracheitis. These parasites and viral infections can spread quickly among birds—to neighbouring flocks and commercial operations in the area—and can result in sudden mortalities. Swift action is required by owners to identify issues, contain the outbreak and disinfect the premises, sometimes in accordance with specific protocols outlined by the Canadian Food Inspection Agency.

Proper vaccinations can help reduce the spread of disease within poultry flocks; however, accessing commercially available vaccines can be difficult for backyard flock owners and vaccination programs can often be costly. Vaccination strategies would be an essential point for backyard chicken owners to discuss with their hatchery or business they purchase their birds from to ensure they are well-informed, consider their options and address matters of importance.

Strict biosecurity protocols are paramount in mitigating the risk of serious diseases or pathogens that affect hens, chickens and other poultry. These steps also help reduce the risk of accidentally exposing residents to an animal disease or pathogen. We, along

with every registered Ontario egg farmer, follow comprehensive on-farm animal care and food safety programs with routine inspections to ensure the hens are receiving the care that they need, every day, and that effective biosecurity protocols are followed by all those who come in contact with the birds. While some guidance towards biosecurity protocols for backyard chicken owners can be found online, these measures may not take into consideration the unique characteristics of a region or have means to ensure adequate application of the measures.

All commercial eggs are graded to ensure the highest quality is offered to Ontario consumers. However, eggs from backyard flocks are not graded and it is difficult to guarantee that the egg is fresh, free from contamination and safe to eat. This puts unknowing consumers at risk of becoming ill!

From a human health standpoint, protocols for handling soiled or cracked eggs or contaminated carcasses must be in place to ensure human health. In addition, to be environmentally sustainable, all farmers, regardless of size, must also have plans in place for the removal and disposal of waste products, including manure and carcasses.

Attached you will find a resource that has been put together by Dr. Mike Petrik, an Ontario poultry veterinarian. This outlines the many areas of consideration required for backyard flocks to ensure the health of not only the flock, but the residents of our municipality. Finally, we would also encourage the City to seek guidance from the Ontario Ministry of Agriculture, Food and Agribusiness. Their Provincial Poultry Specialist, Al Dam, has significant experience in working with municipalities as they work through consultations like this and can provide valuable guidance. In conclusion, we appreciate the opportunity to share our perspective as egg farmers, as the City of Welland considers this important topic.

Roger Pelissero
Egg Farmers of Canada
905-984-0279

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Ireland Worrall

From: Kory Preston <Kory.Preston@ontariochicken.ca>
Sent: August 12, 2024 1:22 PM
To: Official Plan
Subject: Urban Hens - Section 4.2.2.2.5

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Good Afternoon,

Thank you for reaching out to Chicken Farmers of Ontario regarding small flock chicken farmers.

Should the City of Welland select to permit Urban Hens, we would encourage the municipality to include a requirement for participants to register with Chicken Farmers of Ontario's (CFO) Family Food Grower Program as part of a licensing process.

Since 2010, CFO has required all Family Food growers to register their flocks. Registration is facilitated through familyfoodgrower.ca, and provides growers with access to resources about how to keep their birds healthy, as well as regulatory information.

The Family Food Program is an important aspect of CFO's emergency management plan as it allows for rapid location and identification of small flocks to help manage and contain disease incidents. All growers registered in the Family Food Program, who have provided their digital contact information, receive emergency alert communications when an infectious disease incident occurs in the local area.

As you may be aware, Ontario's poultry farmers have recently been faced with challenges from poultry diseases, namely Infectious Laryngotracheitis (ILT) and Avian Influenza (AI), being present in the environment and posing a threat to the birds in our care, poultry farms, and the food supply chain. When AI is detected in the environment, chicken farmers implement even stricter biosecurity measures to prevent the disease from entering the barn and spreading between farms.

Effective and timely implementation of mitigation measures is necessary or else this vulnerability can lead to hardship for supply-managed poultry farmers and their industry partners and has the potential to create significant supply chain and trade disruptions. Prevention and preparation are the best way to mitigate the risk of disease spread.

We appreciate this opportunity to provide perspectives on behalf of Chicken Farmers of Ontario's 1,300 family-run farms across the province.

Should you have any questions, please don't hesitate to contact me at kory.preston@ontariochicken.ca.

Sincerely,

Kory Preston



Kory Preston

Senior Manager, Communications and Public Affairs
289.288.4233

Connect with CFO Digitally at ontariochicken.ca

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November 6, 2025

Policy Name: Official Plan
DOCA Project Number: 2021-0899
Proponent: City of Welland

Dear Nicolas Aiello,

This letter is to confirm receipt of the project-related correspondence sent by the City of Welland, on October 31, 2025, regarding its Official Plan Update.

The Mississaugas of the Credit First Nation (MCFN) are the Treaty Holders of the land on which the City of Welland is located – specifically, the Between the Lakes Treaty #3 (1792). The MCFN holds Indigenous and Treaty Rights specific to the location and its environs. The Department of Consultation and Accommodation (DOCA) is designated by MCFN to handle consultation matters on its behalf.

The DOCA consultation team has reviewed the policy-related correspondence identified above. **This policy has been flagged for review.**

Given the large number of requests for consultation that are received and processed by DOCA, we have prepared some standard information to share with you for your knowledge and to inform the development of this policy. Please see the “Municipal Official Plan Input Document”, attached.

To begin, we would like to request an introductory meeting. This meeting can be held virtually or at the DOCA office. Please let us know your preference and some suggested dates and times for this meeting. At the introductory meeting, we welcome your thoughts on how the key elements of the “Municipal Official Plan Input Document” have been or will be incorporated into the Official Plan.

At its discretion, DOCA may request capacity funding for its consultation and engagement activities relating to this policy review. We are happy to discuss this item in further detail at the upcoming introductory meeting.

DOCA expects to be notified of any and all future updates and/or changes regarding Welland’s Official Plan.

If you have any questions for the DOCA consultation team, please feel free to contact us.



Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225



Thank you,

Megan DeVries

Megan DeVries
Manager of Consultations
Department of Consultation and Accommodation
Phone: 905-768-4260
Email: megan.devries@mncfn.ca

Attachments
MCFN Municipal Official Plan Input Document

CC
Abby (LaForme) Lee, Consultation Coordinator, abby.laforme@mncfn.ca
Cindy Agius, Policy Analyst, cindy.agius@mncfn.ca



Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225





Mississaugas of the Credit First Nation (“MCFN”)
Municipal Official Plan Input Document
January 17, 2025

The purpose of this document is to streamline MCFN’s participation in the review of municipal Official Plans, Official Plan reviews, Official Plan amendments, and other related municipal policy undertakings. It does this by providing language that can be inserted into policy to help guide municipal planning and better inform planners and developers about our rights and interests.

Similar to the *Provincial Planning Statement*, which sets the minimum standards that Municipal Official Plans must align with to comply with provincial planning requirements, these key elements represent our minimum standards for inclusion in all municipal Official Plans within our Territory.

1. Recognition of MCFN and MCFN’s Territory as an Integral Component of the Planning Context

MCFN has Aboriginal and treaty rights over our Territory which spans much of southern Ontario and the area now known as the Greater Golden Horseshoe region. We are the original owners and stewards of the land to which your Official Plan will apply. Our community and our rights form an integral component of the regional context within which land use planning and planning decisions will occur.

The following language can be included in any introductory section in your Official Plan that describes the geographic and historical background within which municipal planning takes place:

MCFN is an Indigenous community and Aboriginal people within the meaning of section 35 of the Constitution Act, 1982, with inherent, Aboriginal, and treaty rights throughout their Territory. As further outlined below, MCFN has treaty rights over some areas of their Territory, and these areas are occasionally referred to as MCFN’s Treaty Territory. Other areas (such as the Rouge River Valley, and the waters, beds of water, and floodplains) have never been subject to a treaty between MCFN and the Crown and so MCFN has Aboriginal title to these areas, which may be referred to as their Territory or Traditional Territory. For the purposes of this document, all of these areas are included within the definition of MCFN’s Territory.

MCFN’s Territory commences at Long Point on Lake Erie and extends eastward along the shore of the Lake to the Niagara River and down the River to Lake Ontario. It further extends northward along the shore of Lake Ontario to the Rouge River east of Toronto,



then up the Rouge River to the dividing ridge. From the dividing ridge, it extends to the headwaters of the River Thames, then southward to Long Point, where it began. MCFN's Territory encompasses, among other places, present-day Waterloo, Kitchener, Guelph, Brantford, Niagara Falls, Fort Erie, Hamilton, Mississauga, Oakville, Milton, Brampton, Vaughan, and Toronto, as well as the lands and waters between and surrounding these places. Moreover, MCFN are the original owners and stewards of the lands and waters that make up what is now known as the Greater Golden Horseshoe region. Their Territory has defined and sustained MCFN for countless generations and must continue to do so for generations to come.

Between 1781 and 1820, MCFN entered into various treaties with the Crown, establishing treaty rights throughout their Territory. In addition to treaty rights, MCFN has Aboriginal rights and title to the waters, beds of water, and floodplains in their Territory, including the lakebeds of Lake Erie and Lake Ontario, as well as Aboriginal title to their lands in the Rouge River Valley. In 2015 and 2016, MCFN requested to enter into negotiations with the governments of Canada and Ontario aimed at reconciling their Aboriginal title with the present-day use and occupation of their title land and waters by the Crown and the public. MCFN is currently engaged in negotiations with Canada to explore new approaches to understanding and implementing their rights and title.

Please see the attached map of MCFN's Territory.

2. Recognition of MCFN Rights and Interests

MCFN's rights and interests with respect to the lands, waters, and resources in our Territory should be explicitly acknowledged and accounted for in Municipal Official Plans and planning decisions.

a. Recognition of MCFN Stewardship and Protection of the Land and Water

MCFN has a responsibility to be stewards of our Territory, and to sustain and protect our lands and waters for generations to come.

Where a Municipal Official Plan deals with the natural environment, MCFN's stewardship responsibilities and our rights to actively protect land and water in our Territory for future generations should be recognized.

A description of MCFN's stewardship responsibilities for the lands, waters, and resources of our Territory, and MCFN's rights to protect the same for future generations, can be inserted into your Official Plan as follows:

Corresponding to and arising from MCFN's Aboriginal and treaty rights, MCFN has a responsibility to act as stewards of their Territory, including to sustain the lands, waters, and resources for the benefit of generations to come. MCFN's responsibility to act as



stewards of the lands, waters, and resources must be considered in all development proposals.

Moreover, where your Official Plan addresses the management and protection of water, MCFN's title to waters, beds of waters, and floodplains should be recognized. A description of MCFN's title to waters, beds of water, and floodplains can be inserted in any such section as follows:

Aboriginal title refers to the inherent Aboriginal right to land or a territory, including water. The Canadian legal system recognizes Aboriginal title as a sui generis, or unique collective right to the use of and jurisdiction over a group's ancestral territories. MCFN has Aboriginal title to the Rouge River Valley, and to the waters, beds of water, and floodplains within their Territory. These lands and waters have been used by MCFN for generations and were never surrendered by their ancestors to the Crown.

The rights that flow from MCFN's Aboriginal title are similar to those associated with fee simple title and include: the right to decide how the land or waters will be used; the right of enjoyment and occupancy of the lands and waters; the right to possess the land or waters; the right to the economic benefits of the lands and waters; and the right to protectively use and manage the land and waters for the future.

These rights must be considered and respected as a part of planning decisions that could affect MCFN's Aboriginal title to the waters and lands underwater in the future.

b. Protection of MCFN Cultural Heritage Resources

MCFN's cultural heritage and archeological resources must be protected for the benefit of future generations. As much of MCFN's Territory has been—and continues to be—subject to heavy urbanization and development, all MCFN's cultural heritage resources are of utmost importance and require special care and consideration to protect and preserve for future generations.

Where your Official Plan addresses cultural heritage and/or archaeology, or if you consider developing a separate archaeological plan or strategy to support your planning activities, it should recognize the critical importance of our cultural heritage resources and refer to our *Archaeological Standards and Guidelines* which we developed specifically to help ensure that our rights and interests are protected. The following language can be used:

The Mississaugas of the Credit First Nation (MCFN) must be consulted on any work to that could potentially impact cultural heritage or archaeological resources within MCFN's Territory and to develop policies for the management of these resources following any identification. The extensive urbanization and development of MCFN's Territory that has occurred over the last several decades has resulted in the loss of



countless archaeological and other cultural heritage resources. Considering this, any remaining resource or artifact is of the utmost significance to MCFN.

Proponents of development or redevelopment proposals throughout the Municipality shall engage with the MCFN Department of Consultation and Accommodation (DOCA) prior to submission of an application for development. Proof of engagement shall be provided as part of a complete application.

Every planning application that has the effect of soil disturbance will be circulated to DOCA for review. As part of this review, it may be identified by the MCFN-DOCA that an archaeological assessment and/or study be required as part of the requirement for an application. Should this occur, the application will be put on hold until such time as an archaeological assessment and/or study is completed. Where appropriate, as determined by municipal staff in consultation with the MCFN-DOCA, a condition of approval may be utilized in lieu of placing the application on hold.

Additionally, archeologists, proponents, and others who are conducting archaeological assessment activities within MCFN Territory must refer to and follow MCFN's Standards and Guidelines for Archaeology.

These Standards and Guidelines guide engagement and involvement of MCFN in archaeological activities, including that by MCFN's Field Liaison Representatives. Adherence to MCFN's Standards and Guidelines facilitates the identification of MCFN cultural heritage resources and areas of particular significance, and will help ensure that MCFN history, culture, rights, and interests are properly protected.

c. Protection of MCFN's Right to be Sustained by Our Territory

MCFN's Aboriginal and treaty rights fundamentally entitle us to share in the wealth and other benefits generated from our Territory. While the ways in which we are sustained by our Territory have changed over time and evolved to reflect more modern economies and realities, the importance of our Territory to our community and our right to be sustained by it—even while we work to sustain it—must continue into the future.¹

Where your Official Plan deals with economic growth and sustainability, MCFN's right to sustain—economically, culturally, and spiritually—by our Territory should be acknowledged and incorporated. The following language can be used:

¹ The Supreme Court of Canada has recognized how this broader context—which for MCFN includes the intense urbanization and development of your Territory—must inform the scope of the duty to consult (and also therefore whether accommodation is required): “it may be impossible to understand the seriousness of the impact of a project on s. 35 rights without considering the large context. Cumulative effects of an ongoing project, and historical context, may therefore inform the scope of the duty to consult. This is not “to attempt the redress of past wrong. Rather, it is simply to recognize an existing state of affairs,



MCFN's Territory has defined and sustained the MCFN community for countless generations and must continue to be able to do so for generations to come in new and evolving ways. MCFN has Aboriginal and treaty rights over their Territory that include the rights to be sustained by their Territory—economically, culturally, and spiritually. These rights and responsibilities to be sustained by their Territory must be distinctly considered as a part of land-use management and planning decisions, including economic growth planning and opportunities for involving and providing benefits to the MCFN community.

3. Clear Triggers for MCFN Consultation and Engagement

MCFN's Aboriginal and treaty rights entitle us to be consulted on planning decisions—such as development proposals—made under an Official Plan that could adversely impact our Territory or our rights and interests. Official Plans should therefore contain an explicit requirement to that effect.

Where your Official Plan deals with consultation and engagement, a requirement that MCFN be consulted on planning decisions that may affect our rights and interests should be included. This will help to foster the constructive and co-operative relationship encouraged by the *Provincial Planning Statement*, and to ensure that we are properly consulted.² The following language can be used (with yellow highlighted sections updated as appropriate):

[Municipality] will engage and consult with MCFN, and engage with MCFN as appropriate, when considering planning matters, planning applications, and when making planning decisions that may affect MCFN's rights and interests, including but not limited to under:

- *Section [insert reference to section of Official Plan that speaks to MCFN stewardship] and MCFN's responsibility as stewards of their Territory;*
- *Section [insert reference to section of Official Plan that deals with MCFN's title to waters] and MCFN's Aboriginal title to waters, beds of water, and floodplains in their Territory; and*
- *Section [insert reference to section of Official Plan that speaks to cultural heritage and archeology, or to other archeology plan or policy] and cultural heritage and archeological resources within MCFN's Territory.*

More specifically, public and private developers are required to give notice to MCFN's Department of Consultation and Accommodation via email to abby.laforme@mncfn.ca

and to address the consequences of what may result from" the project." (See *Chippewas of the Thames First Nation v. Enbridge Pipelines Inc.*, 2017 SCC 41, at para 42)

² The Provincial Planning Statement (PPS), 2024 is a streamlined province-wide land use planning policy framework that replaces both the [Provincial Policy Statement, 2020](#) and [A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2019](#). It came into effect October 20, 2024.



or by Canada Post to 2789 Mississauga Road, Hagersville, ON, N0A1H0, whenever a development proposal may impact MCFN's rights and interests, including but not limited to their rights and interests with respect to stewardship, lands, waters, and archaeological or heritage resources.

4. Summary of MCFN Consultation Process

In addition to the proposed language above, the following basic process can be inserted into your Official Plan, which describes how MCFN will respond to development proposals that may impact our rights and interests.

Once MCFN has been notified of a development proposal, MCFN will conduct an initial assessment to determine if the proposal is of particular concern or interest and notify the developer as to its determination. If the proposal is of particular concern or interest to MCFN, MCFN will further specify a process to be followed for more fulsome consultation. MCFN may also specify a process for consultation on proposals of less concern. In most cases a consultation process for proposals of particular concern will involve, at a minimum, a meeting between MCFN and the developer to discuss project-specific processes, information and capacity needs, and how to proceed in a manner that will respect MCFN's rights and interests.



Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



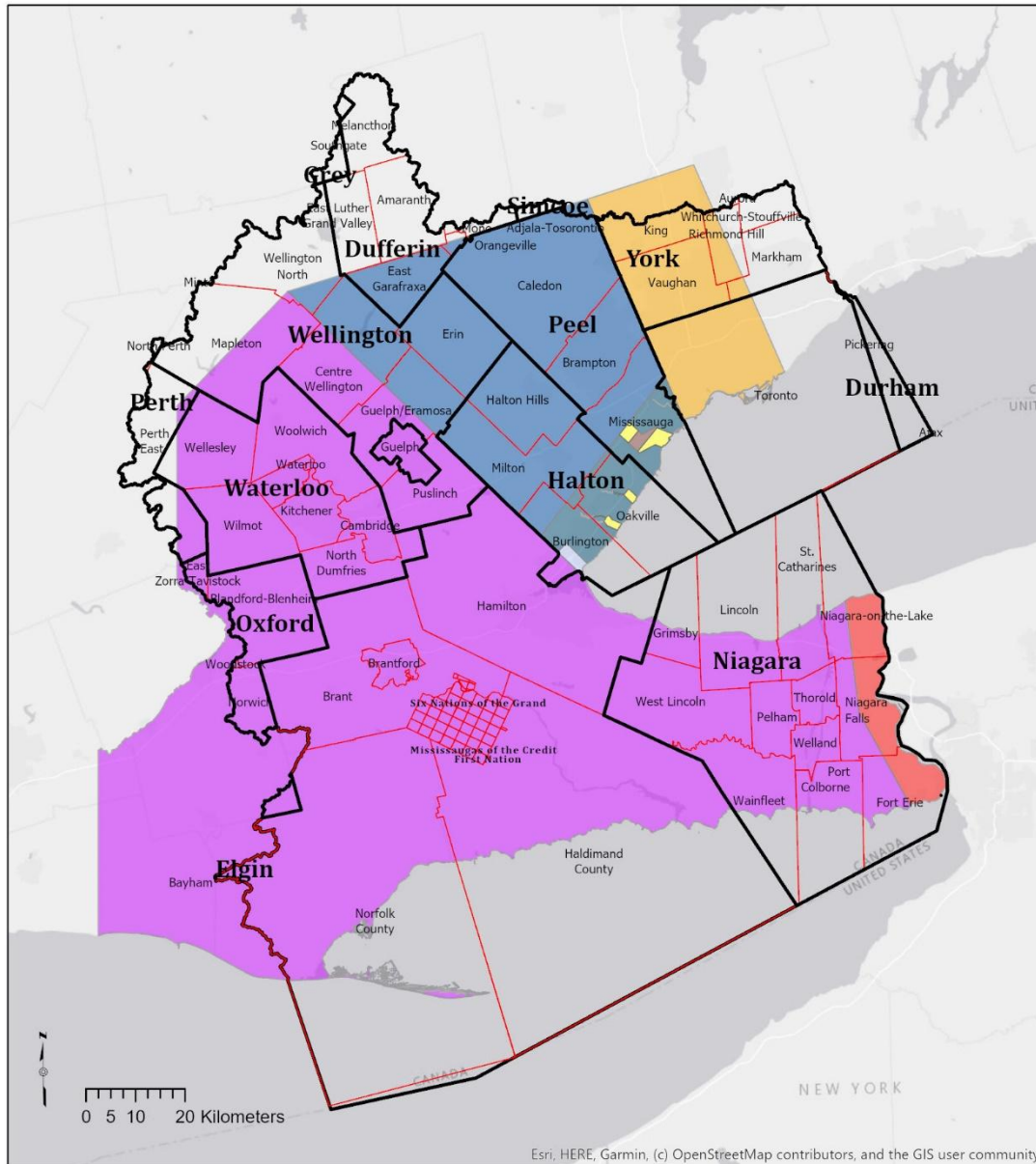
Phone: (905) 768-1133
Fax: (905) 768-1225



Mississaugas of the Credit First Nation (“MCFN”)

MCFN Treaty Lands and Territory

January 17, 2025



UPPER AND LOWER TIER MUNICIPALITIES WITHIN MCFN TREATY LANDS AND TERRITORY



- UPPER TIER MUNICIPALITIES
- LOWER TIER MUNICIPALITIES
- MCFN TERRITORY
- MISSISSAUGAS TREATY AT NIAGARA NO. 381 (1781)
- BETWEEN THE LAKES TREATY, NO. 3 (1792)
- BRANT TRACT TREATY, NO. 8 (1797)
- TORONTO PURCHASE TREATY, NO. 13 (1805)
- HEAD OF THE LAKE TREATY, NO. 14 (1806)
- AJETANCE TREATY, NO. 19 (1818)
- TREATY 22 (1820)
- TREATY 23 (1820)



Mississaugas of the Credit First Nation
2789 Mississauga Road, Hagersville, Ontario N0A 1H0



Phone: (905) 768-1133
Fax: (905) 768-1225



From: [Peter Graham](#)
To: [Nicolas Aiello](#)
Subject: RE: City of Welland Official Plan Update - Statutory Meetings
Date: October 31, 2025 12:18:13 PM

Welland Security Warning: This is an external email. Please do not click links or open attachments unless you are sure they are safe!

Good afternoon Nicolas,

We would like language along the following lines, per Brant County’s OP, to ensure compliance with PPS 6.2.2: “Proponents of development or redevelopment proposals throughout the County shall engage with Indigenous Communities being the Six Nations of the Grand River and the Mississaugas of the Credit First Nation prior to submission of an application for development or redevelopment. Proof of engagement shall be provided as part of a complete application.”

Thank you, Peter

From: Nicolas Aiello <nicolas.aiello@welland.ca>
Sent: October 31, 2025 12:14 PM
Subject: [External] City of Welland Official Plan Update - Statutory Meetings

Good Afternoon,

Please find the attached notice concerning the City of Welland Official Plan Update.

Should you have any questions regarding this matter, please do not hesitate to reach out to me.

Kind Regards,



Nicolas Aiello, HBA, MCIP, RPP
Manager of Policy Planning
Planning and Development Services
60 East Main Street, Welland, Ontario L3B 3X4
 Phone: 905-735-1700 x2132
 [welland.ca](#)
 [engagewelland.ca](#)


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Six Nations of the Grand River Value Statement

Indigenous Peoples view the world in a particular way. Our Original Instructions when we were created tell us that as the youngest members of creation, it is our responsibility to protect and to care for our elder siblings, which is we must care for the natural world. We were taught, and still believe that we have a reciprocal relationship with all of creation, as they take care of us too. Our world view consists of the values, traditions, and stories from our ancestors, family, and community. This world view also helps us to identify ourselves as a unique peoples with a strong connection to the land.

A respectful relationship with Mother Earth is central to Haudenosaunee (Rotinonshíon:ni) people and necessary for us to have healthy minds, bodies and spirits. We were given the teachings of the Ganq̄honyq̄hk (Thanksgiving Address) so we could know how to respect all the different parts of Mother Earth. The teachings remind us that she is where we came from and that we are part of her creation. In addition, they remind us that we are all connected and what is done to one is done to the whole.

We give thanks to the People in our lives for all that they bring to our lives.

We give thanks to our Mother, the Earth for all that she provides for the sustenance of our lives.

We turn to the Waters and we give thanks for the life sustaining attributes of water.

We acknowledge the Fish in the waters and give thanks to them for helping to keep the water clean.

The fish however, cannot do it alone. When we consider how human interference is impacting those fish and that water, we must stand up for them and ensure that they are no longer being impacted negatively by the daily activities of the human population.

We give thanks to the Plant people, the Food plants, the Medicine plants and we acknowledge the strawberry as the leader of the plant people.

We are losing agricultural land at a phenomenal rate. Where do we look for the provision of food if our plants are destroyed?

We turn our attention to the Animals. We are very grateful for all that they provide for the sustenance of our lives. We acknowledge the Deer, the leader of the animals, who has been with us since time immemorial and who is still providing for us today.

We cannot continue to allow the removal and destruction of the natural habitat of the animals or other non-human beings. We cannot survive without them.

We now give thanks to the Trees. We are very grateful that the Trees provide oxygen for us to breathe, provide wood for our shelters and fires. We would especially like to acknowledge the Maple, the leader of the Tree people who has also provided for us since time immemorial and continues to provide for us today.

This land was once covered with rich, lush forests and the few that are remaining are being diminished daily. We need to save and enhance the forests that are remaining to ensure the sustenance of our own lives. We need the tree people to survive.

We acknowledge the Birds with their beautiful plumage and songs. We turn our attention to the Eagle who is the leader of the bird people. The Eagle flies high in the sky above us, watching over us. We are so grateful that the Eagle has returned to watch over us again. We almost lost the Eagle to pollution. We need to learn the lesson from that near extinction and change our ways.

We now turn our attention to the Four Winds. We are grateful to hear their voices as they bring us fresh air to purify our surroundings.

We are grateful for our Grandfathers, the Thunder Beings. We celebrate their return in the spring as they bring with them the water that renews and cleanses the drabness of the receding winter.

We now give thanks to our Elder Brother the Sun. He is the source of all life and we are grateful that he continues to greet us each day.

Of course we also give thanks to our Grandmother Moon. She is the leader of all women and we honour and respect her.

We send greetings to the Stars, who along with Grandmother Moon lights the night sky so that we may find our way.

Climate Change is creating destructive weather anomalies that are not so anomalous any longer. The winds are getting stronger, the sun is hotter, and the skies are being polluted to such an extent that we can no longer see the stars. We need to take responsibility that it is human activity that is causing climate change and we need to change our ways to stop those effects..

When we forget how to live in harmony, the Enlightened Teachers guide us and lead us on the right path. We send greetings and thanks to them now.

We now turn our thoughts and our gratitude to the Creator for all of the gifts of Creation. Everything we need to sustain our lives has been provided by the Creator and we are so thankful for his wisdom and love.

If we have forgotten to give thanks for any part of creation we do so now. It is not our intent to leave anything out.

Indigenous people of Turtle Island created a treaty with one another. The Dish with One Spoon Treaty is an important treaty to understand. It was made as a measure to outline our responsibilities to share the land with one another. The basic tenets of the Dish with One Spoon Treaty are: take only what you need for sustenance, be sure to leave something in the dish for others, and keep the dish clean. This treaty was made not only between Indigenous Nations, it also included the natural environment, and it was like a promise to our non-human brothers and sisters.

Since settlers arrived on Turtle Island, forests have been decimated and waters have been poisoned. Animals have been destroyed to near extinction. It wasn't so long ago that our ancestors could collect clean water from the Grand River. Never did anyone have to wonder if it was safe to eat the fish they caught or to breathe the air around them.

When Europeans first arrived in North America, Indigenous Peoples helped them to survive. The Five Nations' original treaty with Dutch Settlers, the Two Row Wampum, indicated that the relationship between the European people and the Original people was to be not like the relationship between a father and a son, but like that of two brothers, each travelling along the river in separate vessels, a canoe for the Indigenous people and a boat for the settlers - neither steering the other's vessel.

In the time since that first treaty, settlers have paved over floodplains, excluded Indigenous people from harvesting on lands and in waters that we have always relied on, and have not taken care of Mother Earth in a way that would allow her to provide for us.

It is time for all humans, not just Indigenous people to begin to extend to the non-human people the same moral consideration that they would extend to themselves, recognising that all species, rivers, ecosystems, have a right to exist free of pollution and unnecessary development and that their existence continues to sustain us. We must sustain them in return.

Mother Earth is a living breathing entity and every building, every highway, every source of her destruction is permanent destruction. She is fighting for her life and she will continue to fight back until we change our ways and remember that we are all connected. What is done to one is done to the whole.

Another responsibility that we have according to our Original Instructions is to use a good mind in making decisions and to think of the effect that our decisions and actions have on the generations yet to come. We must ask ourselves everyday, "How is what I am doing impacting the earth for the use of the next seven generations into the future?" "Is what I am doing leaving the world in a better place than what it was when I was born?" We must consider whether we will be proud of what we are leaving our future generations and if the answer is no, then we must reconsider what we are doing, why we are doing it, how we are doing it and can we do better.