



COUNCIL INFORMATION PACKAGE

SUMMARY

AUGUST 28, 2020

1. **C-204-2020**

Correspondence received August 28, 2020 from Sara Premi of Sullivan Mahoney respecting Concessi's, the Hungry Putter and 905 Rentals Beach Parking.

2. **C-205-2020**

Correspondence received August 28, 2020 from the Honourable Steve Clark, Minister of Municipal Affairs and Housing respecting amendments to A Place to Grow: Growth Plan for the Greater Golden Horseshoe.

SULLIVAN | MAHONEY LLP
LAWYERS

August 28, 2020

Via Email: adashwood@wainfleet.ca

Please reply to St. Catharines Office
SARA J. PREMI
(905) 688-8039 (Direct Line)
sjpremi@sullivanmahoney.com

Mayor Kevin Gibson and Members of Council
Township of Wainfleet
31940 Highway 3, P.O. Box 40
Wainfleet, ON L0S 1V0

Dear Mayor and Members of Council:

**Re: Concessi's, the Hungry Putter and 905 Rentals
Beach Parking**

We act as solicitors to the three above-noted entities.

Our clients are the owners of lands in the Augustine Beach area of the Township of Wainfleet as follows:

Concessi's	12190 Lakeshore Road, Wainfleet
Hungry Putter	12203 Brawn Road, Wainfleet
905 Rentals	12180 Lakeshore Road, Wainfleet

On August 4, 2020, Council for the Township of Wainfleet ("Council") passed the following motion which was directed at our clients' business uses:

"That Staff be given direction to enforce the Township's Zoning By-law with respect to parking on private property in the Lakeshore area."

This correspondence is in response to that motion as it relates to our clients' properties. We respectfully request that this correspondence be provided to Members of Council and that it forms part of the agenda package for the September 1, 2020 meeting.

Our clients have two points they wish to make in this correspondence which are set out below.

Client Committed. Community Minded.

40 Queen Street, P.O. Box 1360, St. Catharines, ON L2R 6Z2 t: 905.688.6655 f: 905.688.5814

4781 Portage Road, Niagara Falls, ON L2E 6B1 t: 905.357-3334 f: 905.357.3336

sullivanmahoney.com



First, in 2015, Council took steps to make beach access more accessible. As part of the initiative, our clients were approached by the Township with the specific request of offering parking in their lots to alleviate congestion issues in the area. Paid parking has continued, therefore, not only with the knowledge of the municipality, but at its behest.

A 2015 Planning Staff report provides as follows:

“Improved public access to the Lake Erie shoreline is a goal of the Township’s Official Plan as well as the Recreational Master Plan. Long Beach is a prime area for improved access, especially -Township funds available. Local businesses would benefit from improved beach access, which would increase business for them. In addition, paid parking would address on-going Township issues with illegal parking in the areas.

Concessi’s was approached by staff in December 2014 with this idea and have demonstrated their support in writing, as was DJ’s restaurant (see Appendix C). They expressed a willingness to provide parking, host Township-supplied and maintain washroom facilities, as well as constructing other amenities that will seek to increase their business.”

Having reached out to our clients as community partners in this initiative and both encouraging and facilitating the use of land for commercial parking, Council is now taking a completely opposite position. This is completely inappropriate given that the Township not only permitted the parking use, it promoted it.

Second, we do not accept what appears to be the new position of the Township that the paid parking use is not permitted on our clients’ lands. In addition to the issue of legal uses, the above-noted properties enjoy legal non-conforming rights with respect to paid parking uses. The use has existed for decades. Our clients are in the process of gathering empirical evidence to support this assertion.

The current crisis that we are all in has presented many difficult challenges, including economic challenges for the businesses in the community. While other municipalities are taking steps to assist its business community during these difficult times, our clients are very dismayed to see Township Council moving in what appears to be the opposite direction.

We understand that the motion that was passed on the 4th of August, 2020 is in response to the difficult issue of beach congestion that has been experienced over the past few months. In our respectful submission, trying to address this issue by taking away our clients’ rights (and simply creating a parking spillover) is not the answer.

Please be advised that any attempt to interfere with our clients' land use permissions will be vehemently defended.

Our clients welcome the opportunity to discuss this matter with staff and look forward to a solution to the beach congestion issue that is in the best interests of the community.

We look forward to hearing from you.

Yours very truly

Sullivan Mahoney LLP

Per:

A handwritten signature in black ink, appearing to read 'Sara J. Premi', with a long horizontal line extending to the right.

Sara J. Premi

SJP:bj
cc—Mr. William Kolasa

From: Minister Steve Clark <mah@ontario.ca>
Sent: August 28, 2020 12:52 PM
To: Amber Dashwood
Subject: Letter from the Honourable Steve Clark, Minister of Municipal Affairs and Housing

La version française suit.

**Ministry of
Municipal Affairs
and Housing**

**Ministère des
Affaires municipales
et du Logement**



Office of the Minister

Bureau du ministre

777 Bay Street, 17th Floor
Toronto ON M7A 2J3
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234-2020-3404

August 28, 2020

Mayor Kevin Gibson
Township of Wainfleet

Mayor Gibson:

On June 16, 2020, our government consulted on Proposed Amendment 1 to **A Place to Grow: Growth Plan for the Greater Golden Horseshoe (A Place to Grow)**. As part of the COVID-19 economic recovery efforts, the proposed changes included updates to the population and employment forecasts and related policy changes; a change to the Plan horizon year; a change to address Major Transit Station Areas within Provincially Significant Employment Zones (PSEZ); and other policy revisions that support our government's objectives to increase housing supply, create more jobs, attract business investments and better align infrastructure. Our government also consulted on a new Land Needs Assessment methodology concurrently. Both consultation periods closed on July 31, 2020.

As a result of our recent consultation, our government has amended **A Place to Grow** and released a new market-based Land Needs Assessment methodology. The Environmental Registry of Ontario decision notices can be found at:

- Amendment 1 to **A Place to Grow: Growth Plan for the Greater Golden Horseshoe**: [019-1680](#)
- Land Needs Assessment Methodology for **A Place to Grow: Growth Plan for the Greater Golden Horseshoe**: [019-1679](#)

An office consolidation version of Amendment 1 to **A Place to Grow** can be found [here](#) and the new market-based approach to Land Needs Assessment Methodology can be found [here](#).

These changes will help municipalities anticipate and plan for growth, as well as support economic recovery from the COVID-19 outbreak. The amendments work together to provide more flexibility to your municipality as you do your long-term planning to address demographic, employment, market demand, and housing affordability trends in the Greater Golden Horseshoe. As well, following feedback received from Indigenous partners, environmental and agricultural stakeholders, we are no longer moving forward on new mineral aggregate operation policies.

These changes will come into effect today, August 28, 2020. The date by which upper and single-tier municipalities must update their official plans to conform with the policies in **A Place to Grow** will remain July 1, 2022. For lower-tier municipalities, the deadline for conformity with this Plan will continue to be one year after the relevant upper-tier conformity amendment takes effect.

Should you or your staff have any questions about **A Place to Grow** or any of these changes, please feel free to contact the Ontario Growth Secretariat at growthplanning@ontario.ca.

Thank you for your ongoing commitment to strengthening the quality of life and the economic growth of your community and the province of Ontario.

Sincerely,



Steve Clark
Minister

c: Sarah Ivins
Planner
Township of Wainfleet

Amber Dashwood

Le 28 août 2020

Mayor Kevin Gibson:

Le 16 juin 2020, notre gouvernement a mené une consultation sur la proposition de modification n° 1 pour le plan **En plein essor : Plan de croissance de la région élargie du Golden Horseshoe (En plein essor)**. Dans le cadre des efforts de relance économique consécutifs à la COVID-19, les changements proposés incluaient une mise à jour des prévisions sur le plan démographique et de l'emploi et des modifications aux politiques connexes, une modification à l'horizon du Plan, un changement touchant les zones de grande station de transport en commun dans les zones d'emploi d'importance provinciale, ainsi que des révisions à d'autres politiques pour appuyer les objectifs de notre gouvernement d'accroître l'offre de logements, de créer plus d'emplois, d'attirer les investissements des entreprises et de mieux aligner l'infrastructure. Notre gouvernement a aussi mené une consultation en parallèle sur une nouvelle méthode d'évaluation des besoins en terrains. Les deux périodes de consultation ont pris fin le 31 juillet 2020.

À la suite de notre récente consultation, le gouvernement a apporté des modifications au plan **En plein essor** et dévoilé une nouvelle méthode d'évaluation des besoins en terrains en fonction du marché. Les avis du Registre environnemental de l'Ontario peuvent être consultés en cliquant sur les liens suivants:

- Modification n° 1 pour le plan **En plein essor: Plan de croissance de la région élargie du Golden Horseshoe**: [019-1680](#)
- Méthode d'évaluation des besoins en terrains pour le plan **En plein essor: Plan de croissance de la région élargie du Golden Horseshoe** : [019-1679](#)

Une version sous forme de codification administrative de la modification n° 1 pour le plan **En plein essor** est accessible [ici](#), alors que l'approche en fonction du marché associée à la méthode d'évaluation des besoins en terrains peut être consultée [ici](#).

Ces modifications aideront les municipalités à prévoir et à planifier la croissance, ainsi qu'à soutenir la relance économique dans la foulée de la COVID-19. Les modifications agissent en synergie afin de fournir aux municipalités une plus grande souplesse dans le cadre de la planification à long terme en fonction des tendances sur le plan démographique, de l'emploi, de la demande du marché et de l'abordabilité du logement dans la région élargie du Golden Horseshoe. En outre, à la suite des observations reçues de la part des partenaires autochtones et des parties prenantes œuvrant dans le domaine de l'agriculture et de l'environnement, nous n'allons pas poursuivre les nouvelles politiques sur l'exploitation des agrégats minéraux.

Ces changements entreront en vigueur aujourd'hui, le 28 août 2020. a date à laquelle les municipalités de palier supérieur et à palier unique devront avoir actualisé leurs plans officiels pour les rendre conformes aux politiques énoncées dans le plan **En plein essor** est encore fixée au 1^{er} juillet 2022. Pour les municipalités de palier inférieur, la date limite de mise en conformité avec le plan est toujours un an après l'entrée en vigueur des modifications aux fins de conformité apportées par la municipalité de palier supérieur correspondante.

Si vous avez des questions sur le plan **En plein essor** ou les modifications apportées, veuillez communiquer avec le Secrétariat des initiatives de croissance de l'Ontario à growthplanning@ontario.ca.

Je vous remercie de votre engagement continu à améliorer la qualité de vie et à consolider la croissance économique dans votre collectivité et dans la province.

Veuillez agréer mes sincères salutations.

Le ministre,



Steve Clark

c. c. Sarah Ivins

Planner

Township of Wainfleet

Amber Dashwood

Administrative Assistant to the Mayor and CAO

Township of Wainfleet