



# COUNCIL INFORMATION PACKAGE

## SUMMARY

FEBRUARY 10, 2023

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1. **C-2023-034**  
Correspondence dated February 3, 2023 from Treasury Board Secretariat, Emergency Management Ontario respecting Ontario's Provincial Emergency Management Strategy and Action Plan (PEMSAP).
2. **C-2023-035**  
Correspondence dated February 1, 2023 from the County of Huron respecting a motion calling for a review and amendments to the Cannabis Act.
3. **C-2023-036**  
Correspondence received February 6, 2023 from Niagara Region Planning and Development Services respecting a notice of Statutory Public Meeting regarding Regional Official Plan Amendment (ROPA-21-0001) Port Colborne Quarry – Proposed Pit 3 Expansion, City of Port Colborne .
4. **C-2023-037**  
Correspondence dated February 6, 2023 from the Town of Pelham to the Niagara Central Dorothy Rungeling Airport Commission respecting their appointment to the same.
5. **C-2023-038**  
Correspondence received February 7, 2023 from the City of Port Colborne respecting a notice of Public Meeting regarding Official Plan Amendment D09-02-21 and Zoning By-law Amendment D14-09-21 (Port Colborne Quarries Pit 3 Expansion).

Treasury Board Secretariat

Secrétariat du Conseil du Trésor

Emergency Management Ontario

Gestion des situations d'urgence Ontario

25 Morton Shulman Avenue  
Toronto ON M3M 0B1  
Tel: 647-329-1200

25, rue Morton Shulman  
Toronto (Ontario) M3M 0B1  
Tél.: 647-329-1200



**DATE :** February 3, 2023

**MEMORANDUM TO:** Community Emergency Management Coordinators (CEMCs)

**FROM:** Bernie Derible  
Deputy Minister and Commissioner of Emergency  
Management  
Treasury Board Secretariat

**SUBJECT:** **Ontario's Provincial Emergency Management Strategy  
and Action Plan (PEMSAP)**

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I am pleased to share Ontario's [Provincial Emergency Management Strategy and Action Plan](#), a roadmap for a whole-of-Ontario approach to keep the people of Ontario safe, practiced and prepared. The plan sets a foundation for emergency management in Ontario, informed by emergency events across the province, and placing the most vulnerable at the centre of planning, preparedness and mitigation. The action-oriented plan includes goals and actions designed to keep Ontario in a state of constant readiness and preparedness – both now and in the future.

Municipalities play a critical role in addressing emergencies at the local level and are the first line of emergency preparedness, planning, mitigation, response and recovery. The plan reinforces Emergency Management Ontario's continued partnership with municipalities to achieve our collective vision of a safe, practiced and prepared Ontario.

I would like to express my appreciation and thanks for your insights and partnership which informed the development of the plan.

Three goals guide Ontario's plan and will support municipalities to maintain a state of constant readiness and preparedness:

1. **One Window for all Ontarians** through [Emergency Management Ontario](#) to proactively coordinate and facilitate across emergency management partners.

2. **Proactive Planning and Monitoring** that is grounded in data, analytics and knowledge.
3. **Practiced and Prepared Emergency Response** through strengthened local capabilities, emergency management training and public education.

The plan will be further strengthened through ongoing engagement with municipalities to ensure that our province is in a state of constant readiness and preparedness.

If you have any questions regarding the Provincial Emergency Management Strategy and Action Plan, please contact your local field officer.

Sincerely,



Bernie Derible

Deputy Minister and Commissioner of Emergency Management  
Treasury Board Secretariat

cc: Heather Levecque, Assistant Deputy Minister, Emergency Management Strategy, Monitoring and Intelligence Division, Emergency Management Ontario, Treasury Board Secretariat

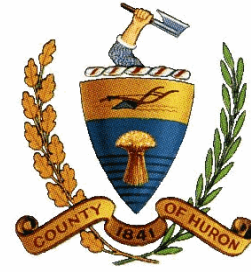
Teepu Khawja, Assistant Deputy Minister, Emergency Management Operations and Response Division, Emergency Management Ontario, Treasury Board Secretariat

Lisa Priest, Assistant Deputy Minister, Emergency Management Preparedness, Programs and Planning Division, Emergency Management Ontario, Treasury Board Secretariat

Michelle Astill, Director, Emergency Management Strategy, Monitoring and Intelligence, Emergency Management Ontario, Treasury Board Secretariat

**OFFICE OF THE WARDEN**

Corporation of the County of Huron  
1 Courthouse Square  
Goderich, Ontario N7A 1M2  
www.HuronCounty.ca  
Phone: 519.524.8394  
Toll Free: 1.888.524.8394



February 1, 2023

Received February 6, 2023  
C-2023-035

Sent via email.

**Re: Call to Action: Review of the Cannabis Act**

Please note that on February 1, 2023 Huron County Council passed the following motion:

Moved by: Councillor G. Finch and Seconded by: Councillor M. Anderson

THAT:

The Council of the County of Huron approve the report by CAO Meighan Wark dated February 1, 2023 titled Report to Council: Cannabis Act Information as presented;  
AND FURTHER THAT:

The Council of the County of Huron advocate for improvements to the Cannabis Act and current legislative framework for cannabis in Canada by sending the report titled *Report for Council: Cannabis Act Information*, including the correspondence found in the appendices, to the Western Ontario Warden's Caucus (WOWC) for discussion and consideration;

AND FURTHER THAT:

The Council of the County of Huron approve forwarding Call to Action Letters to the following for support:

- Federation of Canadian Municipalities (FCM)
- All Municipalities in Ontario
- Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Premier of Ontario
- Provincial Minister of the Environment, Conservation and Parks
- Provincial Minister of Agriculture
- Provincial Minister of Municipal Affairs and Housing
- Member of Parliament
- Federal Minister of Agriculture and Agri-Food
- Federal Minister of Health

CARRIED

The County of Huron calls for a review and amendments to the Cannabis Act and the current legislative framework for cannabis in Canada.

To be clear, the County of Huron is not against or opposed to cannabis and we appreciate the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed, and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to higher levels of government so that continual improvements can be made over time.

It is in this spirit that we provide the following recommendation:

As a municipal government for one of Canada's most agriculturally productive regions and a popular tourism destination, we have been in the position to observe the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, to require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community, we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs' Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost 50 years. We believe a system based on MDS would be appropriate to manage the

impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend further notice and enhanced consultation with municipal governments when drafting and implementing legislation and regulations related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases, serious issues of non-compliance with local municipal by-laws.

Sincerely,

A handwritten signature in black ink, appearing to read "Glen McNeil". The signature is written in a cursive style with a small dot at the beginning.

Glen McNeil  
Warden, Huron County  
On behalf of Huron County Council

The background of the entire page is a close-up photograph of cannabis leaves, rendered in a monochromatic blue color. The leaves are detailed, showing their serrated edges and vein structure. A vertical yellow bar is positioned to the left of the main title.

# Report for Council: Cannabis Act Information

Prepared: January 2023

# Contents

|          |                                                            |
|----------|------------------------------------------------------------|
| <b>3</b> | <b>Background</b>                                          |
| <b>3</b> | <b>Cannabis Act: Information For Municipalities</b>        |
| 3        | 1. Licensed Producers                                      |
| 4        | 2. Personal and Designated Production                      |
| <b>5</b> | <b>Community Expressed Concerns</b>                        |
| <b>5</b> | <b>Impact to the Municipality</b>                          |
| <b>5</b> | <b>Advocacy Efforts to Date</b>                            |
| <b>6</b> | <b>Recommendations for Further Advocacy</b>                |
| 6        | Call to Action Letter                                      |
| 6        | Report for Council: Cannabis Act Information (this report) |
| <b>6</b> | <b>Further Resources</b>                                   |
| 6        | The Cannabis Act: The Facts                                |
| 6        | The Cannabis Act                                           |
| 6        | Cannabis Information for Municipalities                    |
| 6        | Ontario: Cannabis Control Act                              |
| <b>7</b> | <b>Correspondence Received by Council</b>                  |
| 7        | Correspondence to Council, January 2023: Bonnie Shackelton |
| <b>7</b> | <b>Appendix A</b>                                          |
| <b>7</b> | <b>Appendix B</b>                                          |



# Background

On January 18, 2023, Huron County Council passed the following motion:

**THAT:**

The Council of the County of Huron request staff to prepare a report for Council on the Federal Cannabis Legislation Review with recommendations on options for Huron County to address their concerns with this legislation.

## Cannabis Act: Information For Municipalities

According to The Government of Canada's *Information for Municipalities - Medical Use of Cannabis* there are two approved ways medical cannabis can be grown: *Licensed Producers* and *Personal and Designate Production*

### 1. Licensed Producers

Licensed producers are individuals or companies licensed by Health Canada to produce and sell cannabis for medical purposes. Licensed producers must meet stringent health and safety security requirements before producing and selling cannabis.

When applying to be a licensed producer under the Access to Cannabis for Medical Purposes Regulations (ACMPR), or when applying to amend a licence, an applicant must notify:

- The municipality
- Local fire officials
- Local law enforcement

Licensed producers must also notify these local authorities, within 30 days, after the issuance of a licence or the renewal, amendment, suspension, reinstatement, or revocation of their licence. These notification requirements are intended to provide local authorities with information about activities with cannabis conducted in their jurisdiction to allow them to take appropriate measures, as applicable.

Licensed producers are expected to obey all relevant federal, provincial and municipal laws and by-laws, including municipal zoning by-laws.

## 2. Personal and Designated Production

If a person wants to produce a limited amount of cannabis for his/her own medical purposes, he/she needs to register with Health Canada. He/she can also choose to designate another person to produce a limited amount of cannabis for him/her. A person can produce a limited number of marijuana plants under a maximum of two registrations (for one other person and him/herself, or two other people). Marijuana plants may be produced under a maximum of four registrations at one address.

A registered or designated person is permitted to produce marijuana plants indoors and/or outdoors, but not both at the same time. If a person wishes to produce marijuana plants outdoors, the boundary of the land on which the production site is located cannot have any points in common with the boundary of the land on which a school, public playground, day care facility or other public place frequented mainly by persons under 18 years of age.

The number of plants a person can grow is determined by the daily amount recommended by their health care practitioner and a set of formulas in the regulations.

Health Canada also recommends that registered and designated persons be discreet with their production.

Individuals who are registered with Health Canada to produce a limited amount of cannabis for medical purposes are expected to obey all federal, provincial and municipal laws and by-laws.

## Community Expressed Concerns

Recently, some concerns regarding the Cannabis Act and local growing practices have been expressed by community members. Some of the topics of concern expressed have included:

- Excessive noise produced by ventilation units
- Serious odour impacts from production
- Health concerns from neighbouring property owners
- Questions regarding zoning requirements for Cannabis operations, particularly in regards to areas zoned residential
- The current lack of a Minimum Distance Separation (MDS) between licensed facilities/designate growers, and homes, public facilities

## Impact to the Municipality

Community concerns regarding the Cannabis Act have an impact on the municipality. These impacts include the costs associated with Council and staff time and legal fees. There is also a potential for community disruption pertaining to licenses issued under the Federal Medical Cannabis Registration process.

It is important to note that the municipality's concerns expressed in this report are not against or opposed to cannabis. The County of Huron appreciates the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to other levels of government so that continual improvements can be made over time.

## Advocacy Efforts to Date

On October 5, 2022 a letter was sent to the Cannabis Act Legislative Review Secretariat of Health Canada. The letter offered requested feedback on the Cannabis Act and a recommendation for a Minimum Distance Separation to protect residential areas.

See Appendix A.

## Recommendations for Further Advocacy

### **Report for Council: Cannabis Act Information (this report)**

Further advocacy could be accomplished by sending this report, including the correspondence found in the appendices, to the Western Ontario Warden's Caucus (WOWC) for discussion and consideration.

A Call to Action Letter could be sent on behalf of WOWC, and all WOWC member municipalities could be invited to send similar letters to the agencies and individuals outlined below.

### **Call to Action Letter**

A sample Call to Action Letter for Huron County can be found in Appendix B. Once approved by Council, letters could be sent to:

- Federation of Canadian Municipalities (FCM)
- All Municipalities in Ontario
- Ministry of Agriculture, Food and Rural Affairs (OMAFRA)
- Premier of Ontario: Doug Ford
- Provincial Minister of the Environment, Conservation and Parks: David Piccini
- Provincial Minister of Agriculture: Lisa Thompson
- Provincial Minister of Municipal Affairs and Housing: Steve Clark
- Member of Parliament: Ben Lobb
- Federal Minister of Agriculture and Agri-Food: Marie-Claude Bibeau
- Federal Minister of Health: Jean-Yves Duclos

## Further Resources

### **The Cannabis Act: The Facts**

<https://www.canada.ca/en/health-canada/news/2018/06/backgrounder-the-cannabis-act-the-facts.html>

### **The Cannabis Act**

[https://laws-lois.justice.gc.ca/eng/annualstatutes/2018\\_16/FullText.html#:~:text=The%20objectives%20of%20the%20Act,operating%20outside%20the%20legal%20framework](https://laws-lois.justice.gc.ca/eng/annualstatutes/2018_16/FullText.html#:~:text=The%20objectives%20of%20the%20Act,operating%20outside%20the%20legal%20framework)

### **Cannabis Information for Municipalities**

<https://www.canada.ca/en/health-canada/services/drugs-medication/cannabis/information-municipalities.html>

### **Ontario: Cannabis Control Act**

<https://www.ontario.ca/laws/statute/17c26>

## Correspondence Received by Council

### **Correspondence to Council, January 2023: Bonnie Shackelton**

<https://agendas.huroncounty.ca/agendapublic/AttachmentViewer.ashx?AttachmentID=7134&ItemID=5394>

## Appendix A

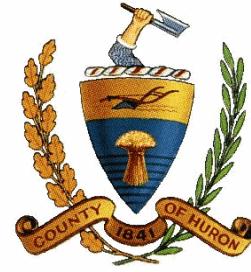
Copy of the letter sent to the Cannabis Act Legislative Review Secretariat of Health Canada on October 5, 2022

## Appendix B

Sample Call to Action Letter

**OFFICE OF THE WARDEN**

Corporation of the County of Huron  
1 Courthouse Square  
Goderich, Ontario N7A 1M2  
www.HuronCounty.ca  
Phone: 519.524.8394  
Toll Free: 1.888.524.8394



October, 5, 2022

**To:** Cannabis Act Legislative Review Secretariat  
Health Canada  
Address locator 03021  
Ottawa, Ontario  
K1A 0K9

On October 5, 2022, Huron County Council passed the following motion:

**THAT:**

The Council of the County of Huron send correspondence to Health Canada requesting consultation when implementing legislation on cannabis regulation as there is a direct impact on municipal operations and sometimes non compliance to municipal by-laws;

**AND FURTHER THAT:**

The Council of the County of Huron recommends the inclusion of a system of Minimum Distance Separation to protect residential areas;

**AND FURTHER THAT:**

This correspondence be circulated to Huron County local municipalities for support.

Thank you for requesting feedback on the Cannabis Act and the current legislative framework for cannabis in Canada. As a municipal government for one of Canada's most agriculturally productive regions, and a popular tourism destination, we have been in the position to observe areas for improvement during the last several years of legal cannabis production under the Cannabis Act as managed by Health Canada.

Under the current legislative and regulatory framework, we have observed, and continue to observe, serious odour impacts on local communities and residents from cannabis production facilities; including concerns from local medical practitioners about these impacts. Most often, these odour impacts arise from properties used for 'The Production of Cannabis for Own Medical Purposes by a Designated Person'.

In our local municipal experience, these facilities are often established without complying with local municipal zoning and nuisance by-laws, often contain hundreds

of cannabis plants for each of the four assigned individuals, and usually do not include adequate odour controls to manage impacts on surrounding homes, public facilities, and the community at large.

To help manage public impacts of cannabis production facilities, we request that all production facilities, including facilities used by a designated person to produce cannabis for an individual's medical purposes, require confirmation from the local municipality that the facility/site selected complies with all local municipal by-laws and regulations prior to an application being approved by Health Canada. We also request that Health Canada implement a system of minimum setbacks between cannabis production facilities and sensitive odour receptors, including homes and public facilities.

As an agricultural community we have had extensive experience with the Ontario Ministry of Agriculture, Food and Rural Affairs Minimum Distance Separation (MDS) Formula, an approach which has been used to successfully manage land use conflicts resulting from odour between livestock facilities and sensitive receptors for almost fifty years. We believe a system based on MDS would be appropriate to manage the impacts of Health Canada's approved cannabis facilities, including both licensed commercial producers and designated growers for individuals.

In conclusion, we strongly recommend enhanced consultation with municipal governments and request further notice and consultation with the County of Huron when drafting and implementing legislation and regulations dealing with matters related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases serious issues of non-compliance with local municipal by-laws.

Sincerely,



Glen McNeil  
Warden, Huron County  
On behalf of Huron County Council

**OFFICE OF THE WARDEN**

Corporation of the County of Huron  
1 Courthouse Square  
Goderich, Ontario N7A 1M2  
www.HuronCounty.ca  
Phone: 519.524.8394  
Toll Free: 1.888.524.8394



{insert date}

**To:** {insert recipient}

**Re:** Call to Action: Review of the Cannabis Act

On {insert date}, Huron County Council passed the following motion:

**THAT:**

{insert motion}

**AND FURTHER THAT:**

{insert motion}

The County of Huron calls for a review and amendments to the Cannabis Act and the current legislative framework for cannabis in Canada.

To be clear, the County of Huron is not against or opposed to cannabis and we appreciate the role that both the federal and provincial governments provide in assisting municipalities. However, when new legislation is implemented, it is often at the municipal level that the impacts of change can be observed, and notations can be made for areas of improvement. It is vital that municipal governments pay attention and provide information and recommendations to higher levels of government so that continual improvements can be made over time.

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In conclusion, we strongly recommend further notice and enhanced consultation with municipal governments when drafting and implementing legislation and regulations related to cannabis production, as there is a direct impact on local municipal operations, local residents, and in some cases, serious issues of non-compliance with local municipal by-laws.

Sincerely,



Glen McNeil  
Warden, Huron County  
On behalf of Huron County Council

## Notice of Statutory Public Meeting

Received February 6, 2023  
C-2023-036

### Regional Official Plan Amendment (ROPA-21-0001)

#### Port Colborne Quarry – Proposed Pit 3 Expansion, City of Port Colborne

**Take Notice** that the Regional Municipality of Niagara will hold a Statutory Public Meeting for Regional Official Plan Amendment (Application No. ROPA-21-0001) – Port Colborne Quarry – Proposed Pit 3 Extension. The purpose of the Statutory Public Meeting will be for Regional Council to hear and consider public comments related to the proposed Regional Official Plan Amendment (ROPA), in accordance with the provisions of Section 17 of the *Planning Act R.S.O. 1990*, as amended.

The Statutory Public Meeting is scheduled for **Wednesday March 8, 2023 at 1:00 p.m.** and will be held as part of the Region's Planning and Economic Development Committee Meeting. **A hybrid meeting allowing both in-person and virtual attendance is planned.** The in-person meeting will be held in Niagara Region Council Chambers, 1815 Sir Isaac Brock Way, Thorold, ON.

#### **HAVE YOUR SAY:**

Your feedback on the proposed amendment is welcomed and encouraged. Any person or agency may attend and make representation at the Statutory Public Meeting and/or make written submissions.

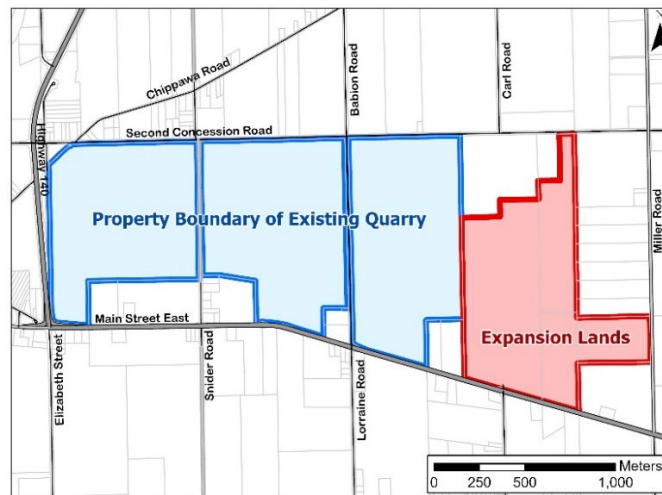
To provide input orally at the public meeting, either virtually or in-person, please pre-register with the Regional Clerk by sending an email to [clerk@niagararegion.ca](mailto:clerk@niagararegion.ca) before 9:00 a.m. on **Friday March 3, 2023.**

To provide written input to be considered at the public meeting, please either mail your comments to the Office of the Regional Clerk, Niagara Region, 1815 Sir Isaac Brock Way, Ontario, L2V 4T7, or send an email to [clerk@niagararegion.ca](mailto:clerk@niagararegion.ca) by 9:00 a.m. on **Friday March 3, 2023.** Any written comments received either by mail or email and staff for Council consideration, and will become part of the public record regarding the ROPA application.

To view a live-stream of the meeting proceeding, without the ability to provide oral submissions, please visit [Watch Council/Committee Videos](http://www.niagararegion.ca/government/council) (<http://www.niagararegion.ca/government/council>)

**SITE LOCATION:**

The proposed ROPA affects lands which are immediately to the east of the existing Port Colborne Quarry operation. Legally the lands are described as Part Lot 17, 18, 19, Concession 2, and located on the north side of Main Street East/Highway 3, south of Second Concession Road, and west of Miller Road. The total area proposed to be licensed and of the ROPA is 80.3 hectares.

**PURPOSE AND EFFECT OF THE APPLICATION:**

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

The *Planning Act* requires that all complete applications be processed and a Statutory Public Meeting to be held. No decision has been made regarding this application.

**ASSOCIATED APPLICATIONS:**

Concurrent applications for a Local Official Plan Amendment (LOPA) and a Zoning By-law Amendment (ZBLA) have also been submitted to the City of Port Colborne. The LOPA is proposed to change the designation of the subject lands to Mineral Aggregate Operation and add a Special Policy Area to permit the proposed quarry operation. The ZBLA is proposed to rezone the subject lands from Agriculture to Mineral Aggregate Operation, to reduce the minimum setback from a Provincial Highway from 90 metres to 30 metres, and to include additional permitted uses to allow the retention of three existing residences.

**A separate Statutory Public Meeting in regards to the LOPA and ZBLA will be held by the City of Port Colborne on Tuesday March 7<sup>th</sup>, 2023. Separate notice of this meeting will be distributed by the City of Port Colborne.**

In addition, the applicant has also filed an application for a Category 2 (Below Water Quarry) - Class A Licence to the Ministry of Natural Resources and Forestry under the *Aggregate Resources Act*. The *Aggregate Resources Act* application process includes a separate public consultation and notification process. Any comments submitted to the Region or City of Port Colborne in regards to the *Planning Act* application should also be submitted in response to the *Aggregate Resources Act* notices.

**MORE INFORMATION:**

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

Additional information on the proposed ROPA is posted on the Region's website at [Regional Official Plan Amendments](https://www.niagararegion.ca/living/icp/policy-plan/default.aspx) (<https://www.niagararegion.ca/living/icp/policy-plan/default.aspx>) under "ROPA 20".

For more information about the proposed ROPA, including information on appeal rights, please contact:

**Sean Norman, PMP, MCIP, RPP**

Senior Planner

Regional Municipality of Niagara

1815 Sir Isaac Brock Way, PO Box 1042

Thorold, Ontario L2V 4T7

Phone: 905-980-6000 ext. 3179

Email: [sean.norman@niagararegion.ca](mailto:sean.norman@niagararegion.ca)

File Number: ROPA-21-0001

If you require any accommodations for a disability in order to participate in meetings or events, please let us know in advance so that arrangements can be made in a timely manner. Special accessibility accommodations and materials in alternate formats can be arranged by contacting Niagara Region's Accessibility Advisory Coordinator at 905-685-4225 ext. 3252 or [accessibility@niagararegion.ca](mailto:accessibility@niagararegion.ca).

**LEGAL NOTICE:**

**The Planning Act**

- i. If you wish to be notified of the decision of the Council of the Regional Municipality of Niagara on the proposed official plan amendment, you must make a written request to the Clerk c/o Regional Clerk, Niagara Region, 1815 Sir Isaac Brock Way, P.O. Box 1042, Thorold, Ontario, L2V 4T7, or email [clerk@niagararegion.ca](mailto:clerk@niagararegion.ca) Such requests must include the name and address to which such notice should be sent.
- ii. If a person or public body would otherwise have an ability to appeal the decision of the Council of the Regional Municipality of Niagara to the Ontario Land Tribunal but the person or public body does not make oral submissions at the public meeting or make written submissions to the Regional Municipality of Niagara before the proposed Regional Official Plan Amendment is adopted, the person or public body is not entitled to appeal the decision.
- iii. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Regional Municipality of Niagara before the proposed Regional Official Plan Amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.
- iv. Any personal information is collected under the authority of the Planning Act, R.S.O. 1990, c. P. 13 and may be used in an appendix of a staff report, published in the meeting agenda, delegation list and/or the minutes of the public meeting and made part of the public record. The Region collects this information for the purposes of making informed decisions on the relevant issues and to notify interested parties of Council's decisions. It may also be used to serve notice of an Ontario Land Tribunal hearing. Information collected, used and disclosed is in accordance the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA). Questions about this collection and disclosure should be directed to the Access and Privacy Office at 905-980-6000, ext. 3779 or [FOI@niagararegion.ca](mailto:FOI@niagararegion.ca)

Dated this 6<sup>th</sup> day of February 2023.

February 6, 2023

Received February 6, 2023  
C-2023-037

Niagara Central Dorothy Rungeling Airport Commission  
C/O Nicole Rubli, Acting Clerk, Town of Port Colborne

Via email: Nicole.Rubli@portcolborne.ca

**Appointment to the Niagara Central Dorothy Rungeling Airport  
Commission (NCDRA)**

We are pleased to inform you that at their Regular Meeting of January 30, 2023 Council for the Town of Pelham appointed Councillor Kevin Ker to the Niagara Central Dorothy Rungeling Airport Commission. The Councillor's contact information is as follows:

Councillor Kevin Ker  
Phone: 905-931-9571  
Email: [kker@pelham.ca](mailto:kker@pelham.ca)

We kindly request you reach out to Councillor Ker and advise of your meeting place and schedule.

Yours very truly,



Holly Willford, BA  
Town Clerk

cc. Town of Pelham, Councillor Kevin Ker  
Town Clerk, City of Welland, Tara Stephens [tara.stephens@welland.ca](mailto:tara.stephens@welland.ca)  
Deputy Clerk, Township of Wainfleet, Meredith Ciuffetelli  
[mciuffetelli@wainfleet.ca](mailto:mciuffetelli@wainfleet.ca)



## Notice of Public Meeting Proposed Official Plan and Zoning By-law Amendment

Official Plan Amendment D09-02-21  
Zoning By-law Amendment D14-09-21  
Port Colborne Quarries Pit 3 Expansion  
Applicant: David R. Sisco of IBI Group  
Owner: Port Colborne Quarries Inc.

Received February 7, 2023  
C-2023-038

### Proposed Change

The City of Port Colborne has received complete applications for an Official Plan and Zoning By-law Amendment on the lands legally known as Part of Lots 17, 18, 19, Concession 2, formerly in the Township of Humberstone, now in the City of Port Colborne, Regional Municipality of Niagara, and located on the north side of Main Street East/Highway 3, south of Second Concession Road, and west of Miller Road. See the reverse side of this notice for a map showing the property.

The application for Official Plan Amendment proposes to change the designation of the subject lands from Agricultural to Mineral Aggregate Operation. The application also proposes to add a Special Policy Area to permit the proposed expansion of the quarry.

The application for Zoning By-law Amendment proposes to change the zoning of the subject lands from Agricultural (A) to Mineral Aggregate Operation (MAO), as well as to reduce the minimum setback from a Provincial Highway from 90 metres to 30 metres.

### Public Meeting

Date: Tuesday, March 7, 2023

Time: 6:30 pm

Place: City Hall, 66 Charlotte Street –  
Third Floor Council Chambers

**\*Virtual participation is also available via Zoom\***

(Contact the Deputy Clerk below for meeting details)

### Associated Applications

An application for a Regional Official Plan Amendment (ROPA) has also been submitted to the Niagara Region. The ROPA application proposes text and schedule changes to add the subject lands to the Site Specific Policies of the Niagara Official Plan in order to facilitate an expansion of the existing quarry.

**A separate Statutory Public Meeting regarding the Regional Official Plan Amendment (ROPA) application will be held by the Niagara Region on Wednesday, March 8, 2023. A separate notice for this meeting will be distributed by the Niagara Region.**

In addition, the applicant has also filed an application for a Category 2 (Below Water Quarry) - Class A Licence to the Ministry of Natural Resources and Forestry under the *Aggregate Resources Act*. The *Aggregate Resources Act* application process includes a separate public consultation and notification process. Any comments submitted to the Region or City of Port Colborne regarding the *Planning Act* application should also be submitted in response to the *Aggregate Resources Act* notices.

### More Information

All materials submitted as part of this application such as proposed plans and reports can be obtained on the Port Colborne Quarries website at [portcolbornequarries.ca](http://portcolbornequarries.ca)

For more information about this matter, including information about appeal rights, please contact:

#### David Schulz, MCIP, RPP

Senior Planner

City of Port Colborne

66 Charlotte Street

Port Colborne, ON L3K 3C8

Phone: (905) 835-2900 x202

Email: [david.schulz@portcolborne.ca](mailto:david.schulz@portcolborne.ca)

File Numbers: D09-02-21 & D14-09-21

**NOTE:** If you are receiving this notice as the owner of land that contains multiple residential units, please post this in a location that is visible to all tenants.

## How to participate?

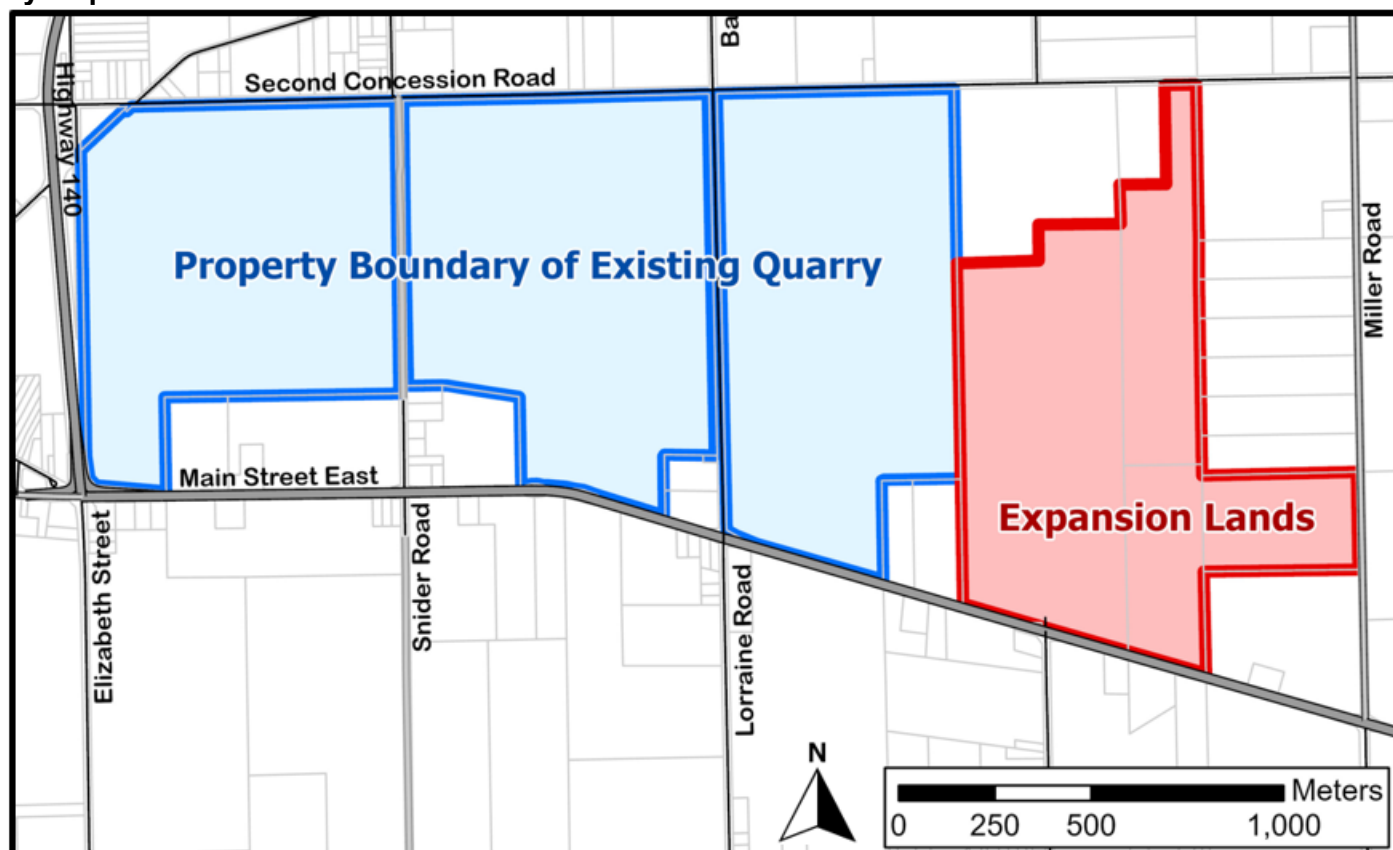
**Observe the meeting:** Any interested members of the public can attend the meeting in-person, or watch the meeting live on the City's YouTube channel at <https://www.youtube.com/user/cityofportcolborne>

**Submit a written comment:** Written comments can be submitted through email to [deputyclerk@portcolborne.ca](mailto:deputyclerk@portcolborne.ca) or by mail or drop-off to the Deputy Clerk at 66 Charlotte Street, Port Colborne, ON, L3K 3C8. Written comments must be received by no later than noon on Tuesday, March 7, 2023, in order to be included in the addendum package and circulated to City Council. All written comments will become part of the public record.

**Orally participate in-person:** Oral comments can be provided at the public meeting. Pre-registration is not required; however, it is encouraged. The Mayor will call on registered delegates prior to opening the floor to non-registered participants. Speakers will be permitted up to 10 minutes to provide their oral comments.

**Orally participate virtually via Zoom:** Oral comments can be provided virtually through the Zoom meeting. Pre-registration is required for this method. Interested participants must pre-register with the Deputy Clerk by no later than noon on Tuesday, March 7, 2023.

## Key Map



## Legal Notice

### Ontario Regulation 543/06

If you wish to be notified of the decision of the Council of the City of Port Colborne on the proposed Official Plan Amendment, you must make a written request to the City of Port Colborne City Clerk, 66 Charlotte Street, Port Colborne, ON L3K 3C8 or [cityclerk@portcolborne.ca](mailto:cityclerk@portcolborne.ca)

If a person or public body would otherwise have an ability to appeal the decision of the Council of the City of Port Colborne to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before the proposed official plan amendment is adopted, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before the proposed official plan amendment is adopted, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.



**Ontario Regulation 545/06**

If you wish to be notified of the decision of the Council of the City of Port Colborne on the proposed zoning by-law amendment, you must make a written request to the City of Port Colborne City Clerk, 66 Charlotte Street, Port Colborne, ON L3K 3C8 or [cityclerk@portcolborne.ca](mailto:cityclerk@portcolborne.ca)

If a person or public body would otherwise have an ability to appeal the decision of the Council of the City of Port Colborne to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the City of Port Colborne before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Port Colborne before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Dated at the City of Port Colborne this 6<sup>th</sup> day of February, 2023.