

THE REGIONAL MUNICIPALITY
PLANNING SERVICES COMMITTEE

REPORT 2-2005

Minutes of a meeting of the Planning Services Committee held in the Council Chambers, at Regional Headquarters in Thorold, Ontario on Wednesday, January 26, 2005 commencing at 2:10 p.m.

ATTENDANCE

Committee: Councillors Eke, Vice Chair; Regional Chair Partington, Baty, Bodner, Gabriel, Hildreth, Hodgson, Katzman, Timms.

Staff: Messrs. Trojan, Chief Administrative Officer; Cambray, Commissioner, Planning & Development; Farley, Director, Planning Services; Ms. Pilon, Legislative Assistant.

Staff (Part-Time): Mr. Gummo, Senior Planner; Ms. Donia, Planner.

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to four members, pursuant to Part II, Section 11.7 of the Procedural By-law 7174-93.

DEVELOPMENT IMPLEMENTATION SERVICES

14. Issues and Actions
Sheldrick/Modern Waste Transfer Station, Smithville
Township of West Lincoln

Moved by Councillor Hildreth
Seconded by Councillor Bodner

That Report DPD 10-2005, January 26, 2005, respecting the Issues and Actions, Sheldrick/Modern Waste Transfer Station, Smithville in the Township of West Lincoln, be deferred to the February 23, 2005 Planning Services Committee meeting.

Carried.

At this point in the meeting a quorum was achieved.

15. Appeal of Consent Application B33/2004/NF
Alfonsina and Bruno Piva
Willowdell Road, north of Schisler Road
City of Niagara Falls

Mr. Farley advised the Committee that the Regional Policy Plan permits the severance of a farm retirement lot provided the applicant is of retirement age, has farmed in Niagara for the last twenty (20) or more years and is a bona fide farmer. The applicants' property is currently not being farmed and there appears to be no physical on-site evidence to indicate that the property supported a bona fide farm operation in the past.

Mr. Gary Cook, Consulting Services for the proponents advised the Committee that Mrs. Piva is of retirement age and has provided the Committee of Adjustment with a sworn statement that states that she along with her husband, now deceased, owned the property jointly since June 29th, 1953 and that the farm operation was her only source of income except for the pension or pensions she now receives from the Government of Canada. Mrs. Piva spent the majority of her time working on the farm; however at her current age and the state of her health, it does not permit her the opportunity to continue farming the farm.

Mr. Cook advised the Committee that Mrs. Piva's son is seriously ill with leukemia and is unable to work, as is she.

Mr. Cook requested that the Committee withdraw the appeal to the Ontario Municipal Board, as the requirements to sever for a retirement lot in this case have been acquired.

Moved by Councillor Baty
Seconded by Councillor Hodgson

That Report DPD 11-2005, January 26, 2005, respecting the Appeal of Consent Application B33/2004/NF, Alfonsina and Bruno Piva, Willowdell Road, north of Schisler Road in the City of Niagara Falls, be received.

That Regional Council withdraw the appeal to the Ontario Municipal Board of the decision by the City of Niagara Falls Committee of Adjustment to grant approval to Consent Application B33/2004/NF.

That the applicants and the City of Niagara Falls be advised of Council's decision.

Carried.

16. Update on the Progress of a Site Plan Application for
Culp Transport Truck Terminal
North Service Road (Regional Road 39) and Merritt Road
Town of Lincoln

Mr. Farley advised the Committee that staff is suggesting that a meeting be scheduled between the Region, the Town of Lincoln and Culp Transport to discuss the Site plan Application for this use and the outstanding requirements in order to assist in moving this matter forward to completion.

Mr. Jim Culp, Culp Transport, advised the Committee that he is agreement with the scheduling of a meeting with the Region and the Town of Lincoln.

Moved by Councillor Hildreth
Seconded by Regional Chair Partington

That Report DPD 13-2005, January 26, 2005, respecting the Update on the Progress of a Site Plan Application for Culp Transport Truck Terminal, North Service Road (Regional Road 39) and Merritt Road in the Town of Lincoln, be received for information.

That Regional Council direct Planning staff to meet with the owners of the Culp Transport truck terminal use and the Town to discuss the Site Plan Application for this use and the outstanding requirements in order to assist in moving this matter forward to completion.

That a copy of this report be sent to the Town of Lincoln, the applicant and other interested parties.

Carried.

17. Consent Summary
From January 1, 2005 to January 15, 2005

Moved by Councillor Hildreth
Seconded by Councillor Baty

That Report DPD 14-2005, January 26, 2005, respecting the Consent Summary from January 1, 2005 to January 15, 2005, be received.

Carried.

CONFLICT OF INTEREST

Councillor Baty declared an indirect pecuniary interest with respect to Report DPD 15-2005, Regional Comments on Development Proposals, Town of Pelham, Cherry Ridge Extension Subdivision Phase II, as he owns property adjacent to this property, and therefore, took no part in the discussion of or voting on this matter.

18. Regional Comments on Development Proposals

Moved by Regional Chair Partington
Seconded by Councillor Katzman

That Report DPD 15-2005, January 26, 2005, respecting the Regional Comments on Development Proposals, be received.

Carried.

The Committee discussed the Port Dalhousie project and the Smarter Niagara Steering Committee's concern with respect to commenting on specific projects.

The Committee, therefore, suggested the possibility of adding the Niagara Economic and Tourism Corporation (NETCorp) to list of commenting agencies. There would be no need, however, for NETCorp to comment on all planning application, it was therefore:

Moved by Councillor Timms
Seconded by Councillor Bodner

That staff initiate discussion with Niagara Economic and Tourism Corporation to determine whether they would be willing to comment on proposals and what types and report back to this Committee.

Carried.

19. N.E.C. Development Permit Decisions from November 1, 2004 to December 31, 2004

Moved by Councillor Baty
Seconded by Councillor Hodgson

That Report DPD 16-2005, January 26, 2005, respecting the N.E.C. Development Permit Decision from November 1, 2004 to December 31, 2004, be received.

Carried.

POLICY PLANNING

20. Final Recommendations Report
Regional Policy Plan Amendment 193
Sparrow Lakes Golf Course Expansion
Town of Pelham

Mr. Cambray provided the Committee with a brief overview of the report, noting that staff is recommending that the application be approved.

Ms. Rita Gabrail, Upper Canada Consultants, advised the Committee that the changes that have been made to the plans, have taken into consideration all of the abutting property owner's concerns, however, Ms. Gabrail was not aware of whether or not formal consent from the abutting property owners has been obtained.

Moved by Councillor Gabriel
Seconded by Councillor Baty

That Report DPD 17-2005, January 26, 2005, respecting the Final Recommendations Report, Regional Policy Plan Amendment 193, Sparrow Lakes Golf Course Expansion in the Town of Pelham, be received.

That Regional Policy Plan Amendment 193 to permit an expansion to Sparrow Lakes Golf Course in the Town of Pelham be approved.

That an Amendment By-law be prepared for adoption by Council.

That staff give notice of Council's decision in accordance with The Planning Act requirements.

That a copy of this report be forwarded to the applicant and to the Town of Pelham.

Carried.

21. Update on the Model Site Alteration By-law
for the Niagara Community

Moved by Councillor Bodner
Seconded by Councillor Katzman

That Report DPD 18-2005, January 26, 2005, respecting the Update on the Model Site Alteration By-law for the Niagara Community, be received for information.

Carried.

(Refer to Staff Directions)

ADMINISTRATION

22. Planning Projects and Priorities for the Year 2005:
Agenda for Action

The Committee requested that the Priority on item 7.1 Transportation Planning, The West St. Catharines Transportation Study, be amended to Priority A from its current status.

Moved by Councillor Baty
Seconded by Councillor Timms

That Report DPD 1-2005, January 12, 2005, respecting the Planning Projects and Priorities for the Year 2005: Agenda for Action, be received and supported as amended and a progress report be presented in September.

Carried.

23. Smart Growth Examples in Ontario's Communities:
2nd Annual Smart Growth Showcase Tour
October 28-29, 2004

Ms. Donia, provided the Committee with a slide presentation of this year's Smart Growth Showcase Tour that was held in Southern Ontario on October 28th and 29th, 2004.

The tour took place in Southern Ontario and visited Hamilton, Port Credit Village, Downtown Oakville, Kitchener/Waterloo and Cambridge, focusing on the downtown core; redevelopment of housing; housing varieties; innovative parking accommodations; live/work units; mixes of uses; pedestrian friendly environments; re-use from industrial to housing; the diversity of architecture; re-use from industrial to commercial; the re-use of historical resources and the importance of the public realm.

The Committee thanked Ms. Donia for her interesting presentation and asked about its availability for use in other forums.

24. Minutes of the Smarter Niagara Steering Committee Meeting of Wednesday, January 12, 2005

Moved by Councillor Timms
Seconded by Councillor Bodner

That the Minutes of the Smarter Niagara Steering Committee meeting of Wednesday, January 12, 2005, be received and the recommendations therein approved.

Carried.

(Refer to Staff Directions)

25. Minutes of the Regional Agricultural Sub-Committee Meeting of Tuesday, November 30, 2004

Moved by Councillor Baty
Seconded by Councillor Hodgson

That the Minutes of the Regional Agricultural Sub-Committee meeting of Tuesday, November 30, 2004, be received.

Carried.

CORRESPONDENCE

26. Provincial Greenbelt Legislation Presentation

Regional Chair Partington and Councillor Zimmerman will be making a fifteen (15) minute presentation to the Standing Committee on the Provincial Greenbelt Legislation in the Town of Grimsby on Wednesday, February 2nd, 2005 at 2:45 p.m.

Councillor Hodgson will be making a fifteen (15) minute presentation at the same meeting at 2:15 p.m. and they will be meeting prior to making the presentation to coordinate their comments and ensure there is no duplication of comments.

Moved by Councillor Hildreth
Seconded by Councillor Hodgson

That Correspondence item PD 3-2005, a Memo to Planning Services Committee on two items in the Greenbelt Plan, be received; and

That Niagara Region add to its comments for the February 2nd, 2005 presentation:

That Niagara Region support a twenty-five (25) acres minimum local acreage farm size from the proposed fifty (50) acres minimum, in order to support the diversity types of Niagara's special agriculture; and

That Niagara Region support the formation of a special Greenbelt Advisory Committee for Niagara.

Carried.

(Refer to Staff Directions)

27. Moved by Councillor Hodgson
Seconded by Councillor Timms

That the following communications be received and dealt with as directed by this Committee at this time:

PD 4-2005 Letter from Brian Duxbury, Solicitor for the Skylon Tower, appealing Regional Council's decision to approve Amendment No. 56 to the Niagara Falls, Official Plan to permit the Hilton Hotel expansion.

-- Received and staff authorized to send required information to the Ontario Municipal Board

PD 5-2005 Winter, 2005 Issue of "Planning Niagara" Regional Planning and Development Newsletter

-- Received and Circulate

PD 6-2005 Article by Gord Miller, Environmental Commissioner of Ontario, on aggregates, need, reuse and effects.

-- Received

Carried.

ACCOUNTS

28. Moved by Councillor Timms
Seconded by Councillor Baty

That the accounts list for the period ending December 31, 2004 in the amount of \$6,733.53, be approved for payment.

Carried.

STAFF DIRECTIONS

Staff was directed to:

- provide Councillor Timms with the information pertaining to the City of St. Catharines (Refers to Minute Item 21)
- attach the Smarter Niagara Steering Committee Terms of Reference to the February 9, 2005 minutes, for the Committee's review. (Refers to Minute Item 24)
- review the existing Provincial tax policies affecting municipalities and their relationship to the Greenbelt Plan and Legislation. (Refers to Minute Item 26)

ADJOURNMENT

The Committee adjourned at 4:45 p.m., to meet again at 2:00 p.m. on February 9, 2005 in Committee Room 4, at Regional Headquarters.

Dave Eke
Vice Chair

Janet Pilon
Legislative Assistant

Pam Gilroy
Regional Clerk/Associate
Director of Corporate Strategy