

REGIONAL MUNICIPALITY
PLANNING SERVICES COMMITTEE

REPORT 11-2005

Minutes of a meeting of the Planning Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario on Wednesday, July 13, 2005 commencing at 2:05 p.m.

ATTENDANCE

Committee: Councillors Smeaton, Chair; Regional Chair Partington, Bodner, Eke, Hildreth, Hodgson, Timms.

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

Staff (Part Time): Messrs. Robson, Director, Office of Corporate Strategy; Gedge, Chief Executive Officer, Niagara Economic Development Corporation; Brickell, Expeditor, Niagara Economic Development Corporation; Gummo, Senior Policy Coordinator Planner; Romanin, Senior Business Development Officer.

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

POLICY PLANNING

164. Proposed Changes to Agricultural and Rural Area Policies
Regional Policy Plan Amendment 6-2005
Conformity with the Greenbelt Plan and the
Provincial Policy Statement

Moved by Councillor Eke
Seconded by Councillor Hildreth

That Report DPD 93-2005, July 13, 2005, respecting the Proposed Changes to Agricultural and Rural Area Policies, Regional Policy Plan Amendment 6-2005, Conformity with the Greenbelt Plan and the Provincial Policy Statement, be received.

That the proposed changes to the Regional Policy Plan set out in this report be received.

That a copy of the report be circulated for comment to all local municipalities, the Ministry of Municipal Affairs and Housing and to all affected agencies for comment.

That public meetings to receive comments and answer questions be arranged in three locations throughout the Region.

Carried.

(Refer to Staff Directions)

165. VIA Rail Service between Toronto and Niagara

Moved by Regional Chair Partington
Seconded by Councillor Hodgson

That Report DPD 94-2005, July 13, 2005, respecting the VIA Rail Service between Toronto and Niagara, be received.

That this report be approved and forwarded to the Regional Transportation Strategy Steering Committee.

That a letter be sent to VIA Rail thanking them for the increased service during the summer and indicating that Niagara would like to maintain, and preferably improve, existing service levels between Toronto and Niagara.

Carried.

166. Status of Provincially-Significant Wetland Mapping in Niagara

Moved by Councillor Hildreth
Seconded by Regional Chair Partington

That Report DPD 95-2005, July 13, 2005, respecting the Status of the Provincially-Significant Wetland Mapping in Niagara, be received and circulated to the local municipalities for information.

Carried.

DEVELOPMENT IMPLEMENTATION SERVICES

167. Consent Summary
From June 4, 2005 to June 24, 2005

Moved by Councillor Bodner
Seconded by Councillor Eke

That Report DPD 96-2005, July 13, 2005, respecting the Consent Summary from June 4, 2005 to June 24, 2005, be received.

Carried.

168. Regional Comments on Development Proposals
From June 4, 2005 to June 24, 2005

Moved by Councillor Bodner
Seconded by Councillor Eke

That Report DPD 97-2005, July 13, 2005, respecting the Regional Comments on Development Proposals from June 4, 2005 to June 24, 2005, be received for information.

Carried.

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

ADMINISTRATION

169. Up-date on the *Smarter Niagara* Incentives Program

Mr. Cambray provided the Committee with an overview of the report, which advises Regional Council of the achievements and status of the *Smarter Niagara* Incentives Program, and makes recommendations for the continuous improvement of the Program in partnership with the local municipalities as the Community Improvement Plans are completed, as well as Provincial changes.

Mr. Paul Chapman, Manager of Planning Services, City of St. Catharines, indicated support for this initiative and the emphasized the importance of the need for ongoing financial commitment from the Region to allow projects to proceed and to align programs in order to provide for an efficient delivery of the programs to applicants.

Mr. Chapman provided the Committee with information on the applications the City of St. Catharines is currently processing within their Community Improvement Areas for financial assistance. The applications received to date represent the creation of a total of one hundred and fifty two (152) new residential units, composed of seventy (70) units that are conversion of vacant and underutilized space, and eighty-two (82) units that are new construction. Noting that the forty-one (41) of the one hundred and fifty-two (152) units have received Provincial Approval under the Affordable Housing Program administered by Niagara Regional Housing.

Mr. Chapman suggestion for alignment noted that the Niagara Region modify its program to allow them to be either grant or loan programs dependent upon what the local municipality uses, in the City of St. Catharines' case, all of the City's programs are grant programs.

Mr. Brickell advised the Committee that the program is well received and has sparked interest from other municipalities throughout the Province and that the Province is also learning from Niagara Region and has asked Niagara Region to coordinate meetings with other two-tier municipalities.

Councillor Eke advised the Committee that the granting of Heritage funds is a concern.

Mr. Cambray advised the Committee that a separate report on Heritage application from the Town of Niagara-on-the-Lake would be forthcoming.

Moved by Councillor Timms
Seconded by Regional Chair Partington

That Report DPD 98-2005 (CSD 101-2005), July 13, 2005, respecting the Up-date on the *Smarter Niagara* Incentives Program, be received as **amended**.

That Council recommend there be an allocation of monies set aside for the Smarter Niagara Incentives Program and that consultation take place with area municipalities and CIPs to ensure the appropriate amount is allocated.

That subject to certification by the Regional Treasurer in respect to a sufficient annual repayment limit, the Region activate the incentive loans program provided within the *Smarter Niagara* Incentives Program, with interest charged to the *Smarter Niagara* Incentives Program.

That the 75/25 central area/design principles weighting of the development charge waiver/exemption be reviewed and reported back to Committee and Council with recommendation.

That Regional Planning, Regional Corporate Services and the Niagara Economic Development Corporate jointly coordinate a multi-disciplined Development Support Team providing proponents of large scale and/or complex developments with early stage consultation.

That the area municipalities be encouraged to give substantial consideration to public realm improvements in their Community Improvement Plans.

That the *Smarter Niagara* incentive program be reviewed by staff to address challenges faced by non-for-profit housing providers in accessing the incentives program.

That the Region continue to encourage the Provincial government to allow the implementation of a development permit system in Niagara.

That the Region encourage the Provincial government to provide enhanced funding for municipal programs that support Provincial objectives such as intensification and brownfield redevelopment.

That this report be circulated to the area municipalities **for their comment** with a renewed invitation to further partner with the Region in the *Smarter Niagara* initiative.

That consultation with the relevant staff take place to create a reserve fund within the budget specifically for the Smarter Niagara Incentives Program.

Carried.

(Please note that Report DPD 98-2005 (CSD 101-2005) can be found behind the JNT RPTS Blue Book Tab)

Councillor Eke requested that he be recorded as opposed to the aforementioned motion.

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

170. Regional Chairman's Agricultural Task Force
Issuance of an RFP for the Preparation of an
Action Plan for Agricultural Viability

Moved by Councillor Hodgson
Seconded by Councillor Hildreth

That Report DPD 99-2005, July 13, 2005, respecting the Regional Chairman's Agricultural Task Force Issuance of an RFP for the Preparation of an Action Plan for Agricultural Viability, be received.

That the list of deliverables identified in the Request for Proposals (RFP) presented in Appendix 1 of this report be supported.

That the Regional Chairman's Agricultural Task Force be delegated responsibility to oversee the issuance of the RFP, to guide the preparation process, and to present the eventual Action Plan to this Committee and Council for approval.

That this report be circulated to the local municipalities for information.

Carried.

171. Regional Support to Increase the License Fee Levy
Under the **Aggregate Resources Act**

Moved by Councillor Hildreth
Seconded by Councillor Timms

That Report DPD 100-2005, July 13, 2005, respecting Regional Support to Increase the License Fee Levy Under the **Aggregate Resources Act**, be received.

That the Ministry of Natural Resources be requested to amend the regulations under the **Aggregate Resources Act** to reflect an annual increase of 14.5 cents/tonne for each tonne of mineral aggregate extracted with 12 cents from that share being equally divided between lower and upper tier host municipalities.

That the Ministry of Natural Resources be requested to form a task force to review and make recommendations on the suitability of the aggregate levy and its apportionment. Representatives on that task force should be comprised of the Association of Municipalities of Ontario, the Aggregate Producers Association of Ontario, the Ministry of Natural Resources and the Ministry of Municipal Affairs and Housing.

That copies of the report be circulated to the Town of East Gwillimbury, all Niagara area municipalities, the Association of Municipalities of Ontario, the Ontario Aggregate Resources Corporation and the Aggregate Producers Association of Ontario.

Carried.

172. Aggregate Producers' Association
Mineral Aggregate Operation Tour
Friday, June 17, 2005

Councillor Timms noted his concern surrounding the preservation of access to the Walker Bros. Niagara Falls Quarry land that abuts the Seaway Land.

Moved by Councillor Bodner
Seconded by Councillor Hildreth

That Report DPD 101-2005, July 13, 2005, respecting the Aggregate Producers' Association, Mineral Aggregate Operation Tour of Friday, June 17, 2005, be received for information.

Carried.

(Refer to Staff Directions)

173. Minutes of the Greater Niagara Circle Route Committee
Wednesday, June 29, 2005

Moved by Councillor Timms
Seconded by Councillor Bodner

That the minutes of the Greater Niagara Circle Route Committee meeting held Wednesday, June 29, 2005, be received and the recommendations therein be approved.

Carried.

(Refer to Staff Directions)

174. Additional Information on the Ontario Heritage Act, 2005
(re: DPD 85-2005 and memo dated June 9, 2005)

Moved by Councillor Timms
Seconded by Councillor Bodner

That Correspondence Item PD 47-2005, respecting additional information on the Ontario Heritage Act, 2005, (re: DPD 85-2005 and memo dated June 9, 2005), be received for information.

Carried.

CORRESPONDENCE

175. Moved by Councillor Hildreth
Seconded by Councillor Bodner

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

PD 48-2005 Notice of Provincial appointment of a 9 member Greenbelt Council which includes Dr. John Middleton from Brock University and Donna Lailey a grape grower in Niagara-on-the-Lake

-- Received.

PD 49-2005 City of Port Colborne's Establishment of a Safety and Risk Assessment Study Steering Committee for the Proposed Port Colborne's Energy Park

-- Received and staff was authorized to sit on the Committee.

PD 50-2005 Bill 136 - Places to Grow Act, 2005
This Bill received Third Reading and Royal Assent on June 13, 2005. Another draft Growth Plan for the Greater Golden Horseshoe is expected this summer

-- Received.

PD 51-2005 Letter of appreciation to Planning Staff from Joan Larocque, The Larocque Group, for assistance in registration of "Peaceacres" Subdivision in the Town of Niagara-on-the-Lake

-- Received.

- PD 52-2005 Two letters of appeal of Regional Policy Plan Amendment 188 on the Niagara River Golf Course in the Town of Fort Erie. One is from the Ministry of Municipal Affairs and Housing and the other is from the Niagara River Area Property Owners Group
- Received and staff was directed to prepare information for the Ontario Municipal Board.
- PD 53-2005 Staff report from the Niagara Escarpment Commission summarizing the changes in the 2005 Niagara Escarpment Plan as approved on June 1, 2005. Some of the changes involve permitting some food service and wine serving facilities at wineries; a minimum 4 ha. parcel size for a new winery and prohibiting new golf courses, conference centres and public restaurants
- Received.
- PD 54-2005 Memo on Meeting Dates for various Planning-related Committees to the end of 2005
- Received.
- PD 55-2005 Letter from the Town of Niagara-on-the-Lake informing Regional Niagara of the passing of a local municipal Site Alteration By-law
- Received and Congratulations was extended to the Town of Niagara-on-the-Lake
- PD 56-2005 Letter to the Niagara Escarpment Commission advising that the Region is not opposed to Amendment PB 154 04 to the Niagara Escarpment Plan to recognize a building lot formed by two testamentary devise lots
- Received.
- PD 57-2005 Letter and report from the Town of Niagara-on-the-Lake on Heritage Restoration and Improvement Incentive Programs
- Received and considered with DPD 98-2005.

Carried.

(Refer to Staff Directions)

STAFF DIRECTIONS

Staff was directed to:

- advise Councillor Timms whether the Groundwater study currently underway by the Niagara Peninsula Conservation Authority would also provide detail on the soil conditions for agriculture. (Refers to Minute Item 164)
- schedule a tour of the Walker Bros. Niagara Falls Quarry, early Autumn. (Refers to Minute Item 172)
- advise Councillor Timms of the process that has been initiated to join Cambridge to support for an Amendment to the Occupiers Liability Act to exempt municipalities and volunteers from any liability resulting from the use of trails by the public. (Refers to Minute Item 174)
- forward the schedule (PD 54-2005) to the Clerk's Department for their inclusion on the weekly Notice of Meetings (Refers to Minute Item 175)

ADJOURNMENT

The Committee adjourned at 3:30 p.m. to meet again at 2:00 p.m. on August 3, 2005, in Committee Room 4, at Regional Headquarters.

Bill Smeaton
Chair

Janet Pilon
Legislative Assistant

Pam Gilroy
Regional Clerk/ Associate Director
of Corporate Strategy