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THE REGIONAL MUNICIPALITY
PLANNING SERVICES COMMITTEE
REPORT 2-2002

Minutes of a meeting of the Planning Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario on Wednesday, January 30, 2002 commencing at 2:10 p.m.

ATTENDANCE

Committee: Councillors Smeaton, Chair; Marshall, Acting Chair; Burroughs, Eke, Gabriel, Hildreth, McMullan, Nicholson, Partington, Timms, Trombetta.

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

Staff (Part Time) Messrs. Banting, Director Legal Services; Conley, Senior Planner; Semple, Senior Planner.

Councillor Marshall assumed the Chair, in Councillor Smeaton, Committee Chair and Councillor Beamer, Committee Vice-Chair absence.

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.

POLICY PLANNING

26. Final Recommendations Report
Regional Policy Plan Amendment 162
Fort Erie Racetrack Lands
Town of Fort Erie

Moved by Councillor Partington
Seconded by Councillor Eke

That Report DPD 10-2002, January 30, 2002, respecting the Final Recommendations Report, Regional Policy Plan Amendment 162, Fort Erie Racetrack Lands in the Town of Fort Erie, be received.

That Amendment 162 to redesignate the Fort Erie Racetrack lands from "Deferred Urban" to "Urban" be approved.

That the Regional Clerk ensure that a Regional Amendment By-law is prepared for Council adoption.

That notice of Council's decision to adopt Amendment 162 be circulated in accordance with Planning Act regulations.

That a copy of this report be circulated to the Town of Fort Erie and to the applicant.

Carried.

From this point in the meeting there was a quorum achieved.

27. Heritage Designation of Niagara-on-the-Lake Old Town Area
Historic Sites and Monument Board of Canada (Parks Canada)

Mr. Ron Dale, Parks Canada, provided the Committee with background information on a proposal to designate the Old Town area of Niagara-on-the-Lake as a National Heritage District by the Historic Sites and Monument Board of Canada (Parks Canada). The Old Town of Niagara-on-the-Lake has a long and outstanding heritage significance and is recognized nationally and internationally for its major role in the development and history of Canada.

Moved by Councillor Burroughs
Seconded by Councillor Eke

That Report DPD 12-2002, January 30, 2002, respecting the Heritage Designation of Niagara-on-the-Lake Old Town Area, Historic Sites and Monument Board of Canada (Parks Canada), be received.

That the Town of Niagara-on-the-Lake and Parks Canada be advised that the Regional Municipality of Niagara supports the heritage designation of the Old Town Area as a National Heritage District.

Carried.

DEVELOPMENT IMPLEMENTATION SERVICES

28. Request for Reductions in the
Planning Review Fees for
Two Subdivision Plans in the
City of Welland

Mr. Victor Muratori, solicitor for both the Gillmora Estates and Harvest Estates developers, advised the Committee that his clients have requested partial relief from Regional planning review fees for the subdivisions. Mr. Muratori is requesting the relief on the principle that there are substantial areas of both of the subdivisions that have been reserved for floodplain/environmental protection blocks and cannot be used for residential purposes and the calculation of the fees should be revised in this instance.

In Mr. Muratori's opinion, the Regional fees are inequitable and the fees should only be based on the residential portions of the subdivisions (the total areas minus the environmental protection blocks).

Mr. Farley advised the Committee that Regional Planning staff acknowledges the substantial areas of both subdivision plans designated as floodplain/environmental protection blocks, but such areas cannot be considered in isolation from the subdivision sites as a whole and that the review of these subdivisions was especially complex and time-consuming because of the issues related to the presence of Draper's Creek. Regional Planning staff is recommending that the standard planning review fees be applied in full and that the developers be requested to pay the outstanding

fees for Gillmora Estates and Harvest Estates to maintain integrity and the purpose of the fee schedule.

Mr. Cambray advised the Committee that a report will be forthcoming in the second quarter of 2002, respecting the review of the Planning Services fees.

Moved by Councillor Timms
Seconded by Councillor Partington

That Report DPD 16-2002, January 30, 2002, respecting the Request for Reductions in the Planning Review Fees for Two Subdivision Plans in the City of Welland, be received.

That the standard planning review fees be applied in full without any reductions to the Gillmora Estates and the Harvest Estates Plans of Subdivisions in the City of Welland.

That the applicants be informed of Council's decision and be requested to pay the outstanding planning review fees.

Carried.

(Refer to Staff Directions)

Councillor Smeaton assumed the Chair for the remainder of the meeting.

POLICY PLANNING (Continued)

29. Background Information Report
Regional Policy Plan Amendment 167
Dominion Road and Burleigh Road (Puppy Hut Ltd.)
Town of Fort Erie

Mr. Rick Brady advised the Committee that the "Additional Lands Owned by Applicant" shown on the site plan should be removed, so that it is designated as part of the "Other Lands Owned by Applicant" and part of the lands being dedicated to the municipality.

Moved by Councillor Eke
Seconded by Councillor Marshall

That Report DPD 11-2002, January 30, 2002, respecting the Background Information Report, Regional Policy Plan Amendment 167, Dominion Road

and Burleigh Road (Puppy Hut Ltd.) in the Town of Fort Erie, be received for information.

Carried.

DEVELOPMENT IMPLEMENTATION SERVICES (Continued)

30. Official Plan Amendment No. 45
From "General Commercial" to "Urban Residential"
West Main Street
Town of Fort Erie _____

Moved by Councillor Partington
Seconded by Councillor Hildreth

That Report DPD 14-2002, January 30, 2002, respecting the Official Plan Amendment No. 45, from "General Commercial" to "Urban Residential", West Main Street in the Town of Fort Erie, be received.

That Amendment No. 45 to the Town of Fort Erie Official Plan be approved.

That all parties be notified of Regional Council's decision regarding this application in accordance with Provincial regulations.

That staff issue a Declaration of Final Approval of the Amendment twenty (20) days after notice of Council's decision has been given, provided that no appeals have been lodged against the decision.

Carried.

POLICY PLANNING (Continued)

31. Preliminary Estimates of Urban Development Capacities:
Niagara Municipalities _____

Mr. Cambray advised the Committee that Report DPD 13-2002, provides information on the development capacity within the Urban Areas Boundaries by municipality in Niagara and that the figures provide estimates of the amount of development that could be accommodated within the already approved urban area boundaries.

The Committee commended staff for the excellent report and their forward thinking.

Moved by Councillor Gabriel
Seconded by Councillor Hildreth

That Report DPD 13-2002, January 30, 2002, respecting Preliminary Estimates of Urban Development Capacities: Niagara Municipalities, be received.

That this report be received for information and circulated to the Smarter Niagara Steering Committee and to the local municipalities with a request for further information that they may have, or would assemble as part of their ongoing work.

Carried.

Moved by Councillor McMullan
Seconded by Councillor Eke

That staff prepare an additional report respecting the urban boundary issue that details where Niagara is today and why; what happened in Niagara 20 years ago and why; what Niagara can expect in the next 20 years and the pressures Niagara will face in the next 20 years along with information that details taxation and the equalization of taxation across the Niagara Region.

Carried.

32. Land Use Considerations
Proposed Airport Business Plan
For Niagara District Airport
Town of Niagara-on-the-Lake

Moved by Councillor Burroughs
Seconded by Councillor McMullan

That Report DPD 20-2002, January 30, 2002, respecting the Land Use Considerations Proposed Airport Business Plan for Niagara District Airport in the Town of Niagara-on-the-Lake, be received.

That copies of the report be forwarded to the Niagara District Airport Commission, to the Town of Niagara-on-the-Lake, and to the CAO for the City

of St. Catharines who is responsible for receiving submissions from consultants.

Carried.

DEVELOPMENT IMPLEMENTATION SERVICES (Continued)

33. Official Plan Amendment No. 46
Jarvis Street/Bridgeburg Station
Community Improvement Area
Town of Fort Erie

Moved by Councillor Eke
Seconded by Councillor Burroughs

That Report DPD 15-2002, January 30, 2002, respecting the Official Plan Amendment No. 46, Jarvis Street/Bridgeburg Station, Community Improvement Area in the Town of Fort Erie, be received.

That Amendment No. 46 to the Town of Fort Erie Official Plan be approved.

That all parties be notified of Regional Council's decision regarding this application in accordance with Provincial regulations.

That staff issue a Declaration of Final Approval of the Amendment twenty (20) days after notice of Council's decision has been given, provided that no appeals have been lodged against the decision.

Carried.

34. Consent Summary
From December 20, 2001 to January 16, 2002

Moved by Councillor Hildreth
Seconded by Councillor Timms

That Report DPD 17-2002, January 30, 2002, respecting the Consent Summary from December 20, 2001 to January 16, 2002, be received.

Carried.

35. Planning Staff Comments on Development Proposals

Moved by Councillor Hildreth
Seconded by Councillor Timms

That Report DPD 18-2002, January 30, 2002, respecting the Planning Staff Comments on Development Proposals, be received for information.

Carried.

36. Municipal Service Extensions
To Resolve Health Problems
Northwest Quadrant
City of Niagara Falls

Moved by Councillor Nicholson
Seconded by Councillor Timms

That Report DPD 21-2002, January 30, 2002, respecting the Municipal Service Extensions to Resolve Health Problems Northwest Quadrant in the City of Niagara Falls, be received.

That the Region support municipal service extensions to the Church of the Redeemer, Club Italia, Shady Oakes Trailer Park and the Regency Hotel to resolve existing health problems.

That the City confirm that connections to the municipal services extensions will be provided only to the existing facilities on the properties identified above.

That any further municipal service extensions or connections be subject to Regional Policy 5.34.1 which stipulates that any further development and additional municipal services will require amendments to the Regional Policy Plan and the Niagara Falls Official Plan following the study of the broader area east of Kalar Road and north of the hydro corridor.

Carried.

ADMINISTRATION

37. Shared Costs with the Town of Pelham
Ontario Municipal Board Hearing
Lookout Point Golf Practice Facility
Town of Pelham

Moved by Councillor Hildreth
Seconded by Councillor Eke

That DPD 19-2002, January 30, 2002, respecting the Sharing Costs with the Town of Pelham, Ontario Municipal Board Hearing, Lookout Point Golf Practice Facility in the Town of Pelham, be received.

That payment be authorized from the Region's account for Outside Solicitors to the Town of Pelham in the amount of \$7,797.05 to cover the Region's portion of consulting costs at an Ontario Municipal Board Hearing regarding Lookout Point Golf Course's practice facility.

Carried.

Councillor Nicholson requested that he be recorded as opposed to the above resolution.

38. A Change in the Committee-Council Meeting Cycle

Moved by Councillor Hildreth
Seconded by Councillor Eke

That Report CLK 4-2002, January 28, 2002, respecting A Change in the Committee-Council Meeting Cycle, be received.

That status quo be continued with respect to the Committee-Council Meeting Cycle and that the summer schedule consist of one week of standing committee meetings, followed by a Council meeting the same week and that all relevant materials be distributed to members of Council, the week prior to the meetings; and

That the schedule of meetings include all Ad Hoc/Advisory/Sub Committees.

Carried.

(**Please note:** Report CLK 4-2002 is attached to the Corporate & Financial Services Committee Minutes)

(Refer to Staff Directions)

39. Minutes of the Smarter Niagara Steering Committee Meeting of Wednesday, January 16, 2002

Moved by Councillor Timms

Seconded by Councillor McMullan

That the minutes of the Smarter Niagara Steering Committee meeting of Wednesday, January 16, 2002, be received and the recommendations contained therein be approved.

Carried.

40. Minutes of the Welland Canals Parkway and Trails Coordinating Committee Meeting of Wednesday, January 16, 2002

Moved by Councillor Timms
Seconded by Councillor Burroughs

That the minutes of the Welland Canals Parkway and Trails Coordinating Committee meeting of Wednesday, January 16, 2002, be received; and

That PD 16-2002, a letter from SuperBuild respecting the application for Greater Niagara Circle Route funding, be received; and

That the Regional Chair be requested to provide a follow up letter to SuperBuild before February 15, 2002, as part of the second round of funding applications.

Carried

CORRESPONDENCE

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

Moved by Councillor Eke
Seconded by Councillor McMullan

PD 12-2002 Letter from Donald Ziraldo, Inniskillin Wines, opposing the proposed Westbrook manufacturing warehouse and office facility on unique agricultural land in the Town of Lincoln

- - Received and referred to staff for report on the proposed Policy Plan amendment

PD 13-2002 Newsletter from the Waterfront Regeneration Trust and the Urban Design Project at the University of Buffalo summarizing the October, 2001 "Rethinking Niagara" symposium that focussed on opportunities for heritage tourism development in the Niagara River bi-national region.

The newsletter references the Regional Chair's announcement concerning a Welland Canal Heritage Park, as well as Regional Planning Department's involvement in mapping and protecting Niagara's green infrastructure.

- - Received for information.
- PD 14-2002 Letter from MetCap Living withdrawing Regional Policy Plan Amendment application to permit a private long-term care facility for seniors on the Niagara Parkway in the City of Niagara Falls
 - - Received, the application file is to be closed and the members of public are to be notified.
- PD 15-2002 Minutes of the Transportation Strategy Steering Committee for Tuesday, January 15, 2001
 - - Received.
- PD 17-2002 Letter from Dave Wiley, Lake's Edge Vineyards, requesting to make a presentation to Council on greenhouses
 - - Received and Mr. David Wiley is to be invited to the February 13, 2002 Planning Services Committee meeting.

Carried.

(Refer to Staff Directions)

STAFF DIRECTIONS

Staff was requested to:

- include in the report reviewing the Planning Review fees the fees for Subdivision Plans with Environmental Protected Areas (EPA) and the costs for Planning staff to perform the work. (Refers to Minute Item # 28)
- prepare a report with information that details residential development costs in relation to the amount of taxes collected on those properties and noting the assessment formula now in use. (Refers to Minute Item # 31)
- re-circulate the policy plan and the map that illustrates where growth should take place in Niagara. (Refers to Minute Item # 31)

- begin scheduling bus tours for the Committee (Refers to Minute Item # 31)
- invite Niagara Economic and Tourism Corporation to attend a Planning Services Committee meeting and advise the Committee on how they are promoting the Region of Niagara. (Refers to Minute Item # 31)
- advise the Regional Chair and Chief Administrative Officer of the Committee's concerns respecting the increased work load for both the Councillors' and staff; and that a think tank approach should be taken to resolve the current situation. (Refers to Minute Item # 38)
- provide Regional Council with a copy of the "Rethinking Niagara" handout at the February 7, 2002 Council meeting. (Refers to Minute Item # 41)

ADJOURNMENT

The Committee adjourned at 4:35 p.m., to meet again on February 13, 2002, at 2:00 p.m. in Committee Room 4.

Bill Smeaton
Chair

George Marshall
Acting Chair

Janet Pilon
Legislative Assistant

Pam Gilroy
Acting Regional Clerk