

**THE REGIONAL MUNICIPALITY OF NIAGARA**  
**REGIONAL DEVELOPMENT CHARGES TASK FORCE**

**REPORT 1-2009**

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Minutes of a meeting of the Regional Development Charges Task Force held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Monday, February 2, 2009, commencing at 9:45 a.m.

**ATTENDANCE**

Members: Councillors D'Angela, Chair; Partington, Regional Chair; Badawey; Burroughs.

Staff: Mr. Bergsma, Commissioner, Corporate Services; Mr. Brothers, Commissioner, Public Works; Mr. Robson, Commissioner, Integrated Community Planning; Ms. Matthews-Malone, Director, Water & Wastewater Services; Mr. Murphy, Manager, Policy & Development; Mr. Cherrington, Manager, Engineering Planning & Development; Mr. Colosimo, Director, Development Services; Ms. Reilly, Legislative Assistant.

Others: Ms. Maclellan, Niagara Regional Housing; Mr. Kaiser, Chair, Regional Development Charges Public Advisory Group; Mr. Picard, The Westbrook Group-Agricultural task Force; Mr. Timms, President, Timbro Design Build contractors-Niagara Industrial Association.

**Quorum**

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to three members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

**MINUTES**

1. **7-2008**

Moved by Councillor Burroughs  
Seconded by Regional Chair Partington

That Report 7-2008 being the minutes of the Regional Development Charges Task Force meeting of Tuesday, December 9, 2008, be received and approved as presented.

Carried.

## **PRESENTATIONS**

### 2. Industrial Development Charges

Roy Timms, Director, Niagara Industrial Association, attended to express the Association's concerns regarding the proposed increase to Industrial Development Charges. He commented that it was their understanding that the purpose of these increases is to; compensate the Region for expenses incurred on regional projects servicing new and expanding industrial operations; and to prepare and plan for future servicing of industrial projects in the Region.

Mr. Timms advised that the association has been unable to receive the information they requested with respect to cost estimates for services that relate to industrial growth and the amount of income received by the Region from industrial development charges. They are also seeking information on the amount of industrial growth that has occurred in Niagara over the last four to five years. Mr. Timms commented that, without this information, it is difficult for the NIA to advise its membership on what they believe to be unjustifiable increases to accommodate an industrial growth projection for Niagara at a time when Niagara manufacturing needs regional support the most.

On behalf of the membership of the Niagara Industrial Association, Mr. Timms presented the following recommendations:

- i) That development charges for industrial buildings whether new or additions, be eliminated in Niagara.
- ii) That the Region of Niagara develop a unified strategy for industrial investment.
- iii) That the Region of Niagara and its municipalities develop land for industrial use through municipal or regional publicly owned industrial parks.
- iv) That existing municipal prestige industrial development parks be converted to industrial parks.

*A quorum was reached at 9:55 a.m.*

### 3. Greenhouses and Imposition of Development Charges

Rej Picard, CEO, The Westbrook Group, attended on behalf of the Agricultural Task Force, to state their position with respect to the imposition of development charges on greenhouses. Mr. Picard commented that greenhouses continue to be part of the agricultural community and historically exemption policies have been put in place to try and keep the agricultural community competitive with the global market. These charges are contrary to these policies as well as to the movement to get local food initiatives started. Mr. Picard commented that the Association believes that the location of the greenhouses within the Greenbelt

and their exposure along the Queen Elizabeth corridor has singled out greenhouses to appear as larger agricultural operations that are perceived to place a greater load on municipal infrastructure. He commented that it is a mistake to single out greenhouses because of visibility. Mr. Picard also commented that the imposition of development charges on greenhouses would be a further detriment to the agricultural community that is already experiencing the impacts of difficult economic times.

Councillor Baty also attended on behalf of the Agricultural Task Force to recommend that the Niagara Region continue to waive development charges for this sector in order to sustain the viability of the Agricultural and Framing communities.

4. Meeting of IBI Group, Cam Watson, Niagara Home Builders' Association and Region regarding Draft 2008 Development Charge Background Study

Stephen Kaiser, Chair, Regional Development Charges Public Advisory Group, apprised the Task Force of the meeting held with the Region, Cam Watson and representatives of the Niagara Homebuilders' Association to review the Draft Background Study. Mr. Kaiser summarized their concerns as they relate to Growth Forecast Planning Horizon; Grants; Reserve Funds; Costs not included in the Current Official Plan – Growth Forecast; Specific Road Projects and Water and Sewer. Some other concerns discussed relate to pumping stations expansion programs and cost sharing for Combined Sewage Overflows.

**ITEMS FOR CONSIDERATION**

5. 290 Oakdale Avenue, St. Catharines  
- Development Charge Waiver Request

Maryellen Maclellan, Manager, Community Programs, provided background information to the Task Force on the Affordable Housing Program project located at 290 Oakdale Avenue in St. Catharines. Regional Planning staff, in discussion with the City of St. Catharines, reviewed the application for waiver/exception of regional development charges by the proponent, Mr. Venazio Pingue and denied the exemption as it was not considered a brownfield or within the exemption area set out in the Region's Development Charges By-law.

Mr. Murphy advised that pursuant to Section 110 of the Municipal Act 2001 Despite the Development Charges Act, 1997, the council of a municipality may exempt from the payment of all or part of the development charges imposed by the municipality under that Act, land or a portion of it on which municipal capital facilities are located.

Moved by Councillor Burroughs  
Seconded by Regional Chair Partington

That a project specific application of development charge waiver be applied to 290 Oakdale Avenue in St. Catharines.

Carried.

(Refer to Councillor Information Requests.)

6. Review of Regional Development Charges  
By-law and Related Policies

John Murphy, Manager, Policy & Development, advised that as there are still some issues to resolve with respect to Greenhouses and Self Storage Units and proposed changes in Development Charge cost recovery policies, that Task Force members may want to refer the report on the Review of Regional Development Charges By-law and Related Policies to the next Task Force meeting for final review.

Moved by Councillor Badawey  
Seconded by Regional Chair Partington

That the report on the Review of Regional Development Charges By-law and Related Policies be referred to the next Regional Development Charges Task Force meeting.

Carried.

(Refer to Councillor Information Requests.)

7. Changes to the Development Charges Exemption Area  
Oakdale Moffatt Area, City of St. Catharines

Moved by Regional Chair Partington  
Seconded by Councillor Burroughs

That the draft report respecting Changes to the Development Charges Exemption Area, Oakdale Moffatt Area, City of St. Catharines, be received.

That staff be directed to amend the Niagara Region's Development Charges by-law No. 90-2004 so as to add the Development Charges Exemption/Waiver area for the Oakdale Moffatt Area in the City of St. Catharines as outlined in Schedule "A" of Appendix II to this report.

That the attached amending by-law be received and made available for public review.

That this report be adopted as satisfying the requirements for a background Study pursuant to the Development Charges Act, 1997.

That the City of St. Catharines be advised of Council's decision on this matter.

Carried.

(Refer to Councillor Information Requests.)

### **ITEMS FOR INFORMATION**

8. Timetable for Passing New Development Charges By-law

Moved by Councillor Badawey  
Seconded by Councillor Burroughs

That the timetable for passing the new Development Charges By-law be amended to reflect approval of the By-law in July 2009.

Carried.

(The revised timetable is attached to the minutes.)

### **CORRESPONDENCE**

9. Moved by Councillor Badawey  
Seconded by Councillor Burroughs

That the following communications be received:

RDCTF 1-2009 Tom Richardson, Sullivan Mahoney (January 8, 2009) regarding The Bethlehem Not-For-Profit Housing Projects of Niagara

RDCTF 2-2009 Randy Grimes, Director, IBI Group (January 15, 2009) regarding Region of Niagara – Draft 2008 Development Charge Background Study

RDCTF 3-2009 Roy Timms, Director, Niagara Industrial Association, regarding Industrial Development Charges.

Carried.

### **COUNCILLOR INFORMATION REQUESTS**

That staff:

- (i) Further examine and discuss the impact of waiving development charges fees as it relates to the Region's Capital Program and 10 year forecast and subsequent revenue shortfalls. (Refer to minute 5.)
- (ii) Ensure that any reports to Council regarding exemptions detail the full impact of these exemptions. (Refer to minute 5.)
- (iii) Provide further information on the impact of Development Charges By-laws as it relates to Greenhouses for the Chatham-Kent and Leamington areas. (Refer to minutes 3 and 6.)
- (iv) Provide a map of the Niagara Region illustrating "exempt" areas. (Refer to minute 7.)

**ADJOURNMENT**

The Task Force adjourned at 11:45 a.m. to meet again at the call of the Chair.

Henry D'Angela  
Chair

Gail Reilly  
Legislative Assistant