

THE REGIONAL MUNICIPALITY OF NIAGARA
REGIONAL DEVELOPMENT CHARGES TASK FORCE

REPORT 4-2009

Minutes of a meeting of the Regional Development Charges Task Force held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, May 27, 2009, commencing at 2:05 p.m.

ATTENDANCE

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

Staff: Mr. Brothers, Commissioner, Public Works; Mr. Robson, Commissioner, Integrated Community Planning; Ms. Matthews-Malone, Director, Water & Wastewater Services; Mr. Murphy, Manager, Policy & Development; Ms. Rae, Legal Counsel; Mr. Colosimo, Director, Development Services; Mr. Steele, Associate Director, Strategic Business Management; Mr. Weaver, Director, Community & Corporate Planning; Mr. Baker, Associate Director, Water & Wastewater Engineering; Mr. Bendell, Financial Analyst; Ms. Reilly, Legislative Assistant.

Others: Mr. Gordon, Rolling Meadows Land Development; Mr. Richardson, Sullivan Mahoney; Mr. Handley, Rudan Holdings/Danny Chin; Mr. Kaiser, Chair, Regional Development Charges Public Advisory Group; Mr. C. Clark, Walker Industries.

PRESENTATIONS

28. G. Gordon
Rolling Meadows Land Development Corporation

Mr. Glen Gordon, Rolling Meadows Land Development Corporation, attended to request that the Region include \$4.3 million in its Development Charges By-law to upgrade the Peel St. Pumping Station to serve the east side of the City of Thorold. Mr. Gordon asked the Region to assist the City in exchanging sanitary sewer capacity from lands on Hwy. 20 for the development of 60 units of the first Phase of the Rolling Meadows project. Mr. Gordon commented that 100% of the CSO should be considered growth related and included in the DC By-law. Mr. Gordon provided background information on the Neighbourhoods of Rolling Meadows planning process to date and subsequent costs incurred by his development company in order to move this project forward.

29. T. Richardson, Sullivan, Mahoney
Re: The Neighbourhoods of Rolling Meadows

Mr. Richardson, Sullivan Mahoney, attended on behalf of The Neighbourhoods of Rolling Meadows Development project. Mr. Richardson referred to sections highlighted in the "Book of Exhibits" which identified the various commitments made to Mr. Gordon to advance the Thorold infrastructure in a timely manner to meet the requirements of The Neighbourhoods of Rolling Meadows Development. He noted four occasions when staff indicated construction of the CSO tank is development related and should be included in the Development Charges By-law. Mr. Richardson also referred to sections of the Secondary Plan which indicated facilities such as combined sewer overflow (CSO) storage would be included in the Development Charges.

In closing, Mr. Richardson requested that the Task Force include \$4.3 million in its Development Charge By-law for the upgrading of the Peel Street Pumping Station in 2009-2010 to serve the east side of the City of Thorold and that the costs associated with the Growth related component of Combined Sewer Overflow (CSO) tanks also be included.

30. S. Kaiser, Chair, Regional Development Charges Public Advisory Group
Re: Proposed Draft Development Charges By-law

Stephen Kaiser, Chair, Public Advisory Group attended to reiterate his concerns on the state of the building industry and the economic impact related to the cost of growth. Mr. Kaiser, on behalf of the Public Advisory Group requested that the Region freeze its charges until such time as the industry returns to the level of business experienced last year. Mr. Kaiser advised that it is the opinion of the Public Advisory Group that the CSO tank is not growth related and should not be included in the Development Charges By-law and that the Industries, Region and municipalities should work together to find a solution to put the infrastructure in place to move the Rolling Meadows Development project forward.

31. Jim Handley, Rudan Holdings/Danny Chin

Jim Handley, Rudan Holdings/Danny Chin, attended to reiterate his previous request that the upgrading of the Peel Street Pumping Station, as detailed in the Northeast Area Wastewater Servicing Study, be completed to allow for his development of 300 acres of vacant land in that area. Mr. Handley commented that while the new CSO tank will have some benefit to addressing basement flooding, it is unlikely that it will eliminate flooding in a significant manner. The presenter reiterated his previous request that the Region move forward with the necessary servicing upgrades.

32. Carey Clark, Property Manager, Walker Industries

Carey Clark, Property Manager, Walker Industries, attended in support of Mr. Gordon's position with respect to The Neighbourhoods of Rolling Meadows, commenting that Walker Industries owns four parcels of land adjacent to the Gordon property and urged the Region to do what is required to move the development of these lands forward.

33. Moved by Councillor Burroughs
Seconded by Councillor Badawey

That the presentations from G. Gordon, Rolling Meadows Land Development Corporation; T. Richardson, Sullivan, Mahoney; S. Kaiser, Public Advisory Group; R.M. J. Handley, Rudan Holdings/Danny Chin; and Carey Clark, Walker Industries, be received.

Carried.

MINUTES

34. 3-2009

Moved by Councillor Badawey
Seconded by Regional Chair Partington

That Report 3-2009 being the minutes of the Regional Development Charges Task Force meeting of Monday, April 27, 2009, be received.

Carried.

ITEMS FOR CONSIDERATION

35. Request for Servicing
The Neighbourhoods of Rolling Meadows - City of Thorold
Amended Resolution to Report PWA 56-2009 (ICPPWC meeting
of May 20, 2009)

PWA 56-2009

Mr. Colosimo, together with Ms. Matthews-Malone provided an overview of Report PWA 56-2009, Request for Servicing The Neighbourhoods of Rolling Meadows – City of Thorold, with was dealt with at the Integrated Community Planning and Public Works Committee meeting of May 20, 2009.

The Report addresses Thorold Council's request for the Region to:

- Assist the City in exchanging sanitary sewer capacity from lands on Hwy. 20 to allow first phase of 60 units in Rolling Meadows.
- Include \$4.3 million in its Development Charges By-law to upgrade the Peel St. Pumping Station to serve the east side of the City

Mr. Colosimo advised that the ICPPWC considered the report and approved the following recommendations of the report, **as amended**:

- That exchanging sewer capacity recommended by the City of Thorold is not a concern for the Niagara Region provided that a Combined Sewer Overflow (CSO) storage facility is built by the City to accommodate the up to 500 units planned for The Neighbourhoods of Rolling Meadows Subdivision.
- That this report be forwarded to the Regional Development Charges Task Force as background information for its consideration of Thorold's request to include the Peel Street Pumping Station, as well as the related trunk sewer network upgrades, **and costs associated with the Growth related component of Combined Sewer Overflow (CSO) tanks**, in the 2009 Development Charges Study.
- That the City consider options for development restrictions in Thorold South until its inflow and infiltration study is completed by Associated Engineering.

A map was provided of The Neighbourhoods of Rolling Meadows Community on the east side of Thorold which will eventually have mixed uses including over 2,100 housing units. It was noted that substantial servicing costs are necessary to accommodate development.

Mr. Colosimo highlighted the Regional Policy Plan, Thorold Official Plan and The Neighbourhoods of Rolling Meadows Secondary Plan relating to the future development of the Rolling Meadows Community and the major issues that need to be addressed.

Ms. Matthews-Malone clarified the roles and responsibilities of the local Area Municipalities and Region as follows:

- Local municipalities are responsible for: Collection and Storm Water Management
- Region is responsible for Interceptors for Water & Wastewater treatment
- CSO – Opportunity for a 50/50 partnership between the Region and Local Area Municipalities

Ms. Matthews-Malone noted the 10 Year Capital Growth Forecasts of \$44 million for Water and \$129 million for Wastewater will need to be considered in future development.

Mr. Colosimo highlighted the Draft Plan of Subdivision for Rolling Meadows which was "draft approved" by the City of Thorold for 2,109 residential units, commercial blocks, park/open space and institutional on 395 acres of land, subject to a total of 56 conditions. This represents all of the developer's lands. Regional staff only supported draft approval for an initial phase of development for up to 500 residential units, subject to a variety of conditions, due to servicing deficiencies and the need for further study to provide direction in servicing this community.

Regional staff can support the initial phase of development for 60 units now being proposed, as well as the 254 units approved for servicing by the MOE, provided that the CSO storage tank is built by Thorold. If the CSO storage tank is not built, there may be risks of basement flooding and flows from the development could be seen as increasing this problem or contributing to CSO discharges to the environment.

Ms. Matthews-Malone referred to the City of Thorold's 'second' request "Include \$4.3 million in 2009 development charges by-law to upgrade the Peel St. Pumping Station to serve the east side of the City".

Committee was apprised of the following Pump Station and Downstream Sewer Requirements:

- 2009 DC Study will most likely need to be updated by (or before) 2014
- Thorold's Inflow and Infiltration study will be completed by 2010 and opportunities to recapture capacity will be identified. This will be subject to prioritization and affordability of required works.
- Region's Master Service Plan update will be started in 2009 following GMS adoption and estimated completion in 2011. Growth related infrastructure needs will be identified complete with timing and cost estimates.
- There will be an opportunity to revisit Pumping Station & Sewer timing requirements for Rolling Meadows within the next five years.

Mr. Colosimo referred to the City of Thorold's 'first request' "Assist the City in exchanging sanitary sewer capacity from lands on Hwy. 20 to allow first phase of 60 units in Rolling Meadows by construction of CSO facility. Include \$3.2/3.4 million for CSO facility in 2009 Development Charges By-law".

Mr. Brothers, Commissioner, Public Works, recommended that options to construct the CSO Storage Tank be considered with respect to who pays: Thorold, Developers; Partnerships; Development Charges taking into consideration affordability; transparency; defensible and consistent application.

Following discussion and consideration of the City of Thorold's first request with respect to the inclusion of \$3.2/3.4M for CSO facility in 2009 Charges By-law, it was:

36. Moved by Regional Chair Partington
Seconded by Councillor Burroughs

That interim CSO facilities should not be part of the Development Charge By-law;
and

That the Commissioner of Public Works and staff work with the developers and the City of Thorold to seek a resolution to permit the development to proceed.

Carried.

Following discussion and consideration of the City of Thorold's second request to include \$4.3 million in 2009 Development Charges By-law to upgrade the Peel St. Pumping Station to serve the east side of the City, it was:

37. Moved by Regional Chair Partington
Seconded by Councillor Burroughs

That the \$4.3 million to upgrade the Peel Street Pumping Station to serve the east side of the City, not be included in the Development Charge By-law; and

That once the Master Servicing Plan is completed, that this committee revisit the inclusion of the \$4.3 million to upgrade the Peel Street Pumping Station and other infrastructure issues.

Carried.

38. Proposed Draft Development Charge By-law

John Murphy, Manager, Policy and Planning, provided an overview of the proposed draft Development Charge By-law, highlighting the various changes.

Moved by Regional Chair Partington
Seconded by Councillor Burroughs

That the presentation by Mr. John Murphy, Manager, Policy and Development and the proposed draft Development Charge By-law, be received.

Carried.

39. Timetable to passing the Development Charges By-law

Mr. Murphy highlighted the revised timetable for the passing of the Development Charges By-law.

Moved by Councillor Burroughs
Seconded by Regional Chair Partington

That the revised timetable for the passing of the Development Charges By-law, be received.

Carried.

CORRESPONDENCE

40. Moved by Councillor Burroughs
Seconded by Regional Chair Partington

That Communication RDCTF 6-2009, from Thomas A. Richardson, Sullivan Mahoney, regarding The Neighbourhoods of Rolling Meadows, be received.

Carried.

ADJOURNMENT

The Regional Development Charges Task Force adjourned at 3:35 p.m. to meet again at the call of the Chair.

Henry D'Angela
Chair

Gail Reilly
Legislative Assistant