

THE REGIONAL MUNICIPALITY OF NIAGARA
REGIONAL DEVELOPMENT CHARGES TASK FORCE

REPORT 3-2010

Minutes of a meeting of the Regional Development Charges Task Force held in CE101, Regional Municipal Building, Thorold, Ontario, on Wednesday, September 8, 2010, commencing at 4:40 p.m.

ATTENDANCE

Councillors: Councillors D'Angela, Committee Chair; Burroughs.

Councillors

Other: Councillors Greenwood; Henderson; Saracino.

Staff: Mr. Brothers, Commissioner, Public Works; Mr. Robson, Commissioner, Integrated Community Planning; Mr. Bergsma, Commissioner, Corporate Services; Mr. Dirks, Treasurer/Director, Financial Management & Planning; Mr. Weaver, Director, Community & Corporate Planning; Mr. Colosimo, Director, Development Services; Ms. Tanner, Manager, Policy Development; Mr. Johnson, Planner; Ms. Maddalena, Economist; Mr. Bain, Regional Clerk; Ms. Reilly, Legislative Assistant.

Others: Mr. Teichroeb, Niagara Economic Development Corporation; Ms. Turner, Executive Director, Mr. Bill Walters, President, and Mr. Turcotte, Operations Director, Boys and Girls Club of Niagara; Ms. Pang, Lincoln County Humane Society; Mr. Burdett, Niagara Tinting; Ms. Reinhart, Director, Port Cares; Mr. Kavazanjian, Manager and Mr. Tokadjian, President, Armenian Community Centre.

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 four members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

MINUTES

13. 2-2010 (RDC)

Moved by Councillor Burroughs
Seconded by Mr. Robson

That Report 2-2010 (RDC), being the minutes of the Regional Development Charges Task Force meeting of July 29, 2010, be received.

Carried.

PRESENTATIONS

14. Lincoln County Humane Society

Ms. Grace Pang, Lincoln County Humane Society, attended to apprise the Task Force of their request for a waiver or reimbursement of the Development Charges for their proposed addition to the Lincoln County's Humane Society's existing structure. Ms. Pang detailed the nature and purpose of the development and outlined the financial challenges of their organization, urging the Task Force to support their request for relief from the Niagara Region's Development Charges in the amount of \$36,412.50.

(A copy of Ms. Pang's presentation regarding the Lincoln County Humane Society's request is attached to these minutes.)

Moved by Mr. Brothers
Seconded by Mr. Robson

That the presentation by Grace Pang, Lincoln County Humane Society, regarding their request for relief from the Niagara Region's Development Charges, be received.

Carried.

15. Boys & Girls Club of Niagara

Ms. Joanne Turner, Executive Director, Boys & Girls Club of Niagara, attended to apprise the Task Force of the proposed new Niagara Falls Centre facility and to request relief from the Niagara Region's Development Charges in the amount of \$297,925.99. Ms. Turner outlined the programs and services provided by the Boys & Girls Club commenting that the club is an integral part of the City of Niagara Falls recreation and leisure delivery system. The Executive Director detailed the organization's financial challenges with respect to the new facility and urged the Task Force to approve their request for relief from these development charges.

(A copy of Ms. Turner's presentation regarding the Boys & Girls Club of Niagara's request is attached to these minutes.)

Moved by Councillor Burroughs
Seconded by Mr. Robson

That the presentation by Joanne Turner, Boys & Girls Club of Niagara, regarding their request for relief from the Niagara Region's Development Charges, be received.

Carried.

16. Port Cares

Councillor Bob Saracino attended to speak in support of the request by Port Cares for relief from the Niagara Region's Development Charges in the amount of \$50,137.50 for the agency's proposed renovations and expansion to their current building. Councillor Saracino advised the Task Force that Port Cares is a "not for profit" community agency which provides support for skills development, employment services, basic needs and resources to improve quality of life. The Councillor urged the Task Force to support Port Cares request for relief from these development charges.

Moved by Mr. Brothers
Seconded by Mr. Robson

That the presentation by Councillor Bob Saracino, regarding the request by Port Cares for relief from the Niagara Region's Development Charges, be received.

Carried.

17. Niagara Tinting
4480 Bridge Street, Niagara Falls

Mr. Joedy Burdett, Niagara Tinting, attended to speak to his Development Charges Act Complaint with respect to his application for refund of Regional Development Charges pertaining to Part B: Eligibility Requirements "Contribution towards the creation of a walkable neighbourhood character". Mr. Burdett advised that his complaint is against staff's decision that states that he did not meet the Smart Growth criteria to allow for an exemption from Development Charges. Mr. Burdett outlined the work completed on the site and commented that, from his interpretation of the criteria outlined in the application, that he did achieve the criteria for exemption.

Moved by Councillor Burroughs
Seconded by Mr. Robson

That the presentation by Joedy Burdett, Niagara Tinting, regarding his complaint under the Development Charges Act with respect to Niagara Tinting, 4480 Bridge Street, Niagara Falls, be received.

Carried.

ITEMS FOR CONSIDERATION

18. Requests for Relief from Development Charges
ICP 58-2010

Moved by Mr. Robson
Seconded by Councillor Burroughs

That Report ICP 58-2010, regarding Requests for Relief from Development Charges, be received; and

That staff be directed to provide further report(s) on the Requests for Relief from Development Charges to the appropriate committees for consideration.

Carried.

(Refer to Councillor Information Requests.)

19. RDCTF(C) 18-2010
Complaint of Development Charges Decision – Niagara Tinting

Ms. Mary Lou Tanner, Manager, Policy Development, provided a slide presentation regarding the Development Charges Act Complaint submitted by Joedy Burdett, Niagara Tinting. Ms. Tanner provided details of the complaint and staff's analysis of both the application and the complaint. An overview of the site plan and images clarifying the application of criteria was also provided. In conclusion, it was staff's determination that the request from Mr. Burdett for the additional 50% reduction in Regional Development Charges, for the reasons stated in Correspondence RDCTF(C) 18-2010 and slide presentation, does not meet the Smart Growth Criteria and the complaint cannot be supported.

Moved by Mr. Robson
Seconded by Councillor Burroughs

That Communication RDCTF(C) 18-2010 and slide presentation regarding Development Charges Act Complaint – Joedy Burdett, Niagara Tinting be received; and

That the complaint by Niagara Tinting be refused for the reasons outlined in Communication RCTF(C) 18-2010 and the slide presentation to the Task Force by Mary Lou Tanner, Manager, Policy Development.

Carried.

20. Area Specific Development Charge Work Plan
ICP 57-2010

Moved by Mr. Brothers
Seconded by Councillor Burroughs

That Report ICP 57-2010, September 8, 2010, respecting Area Specific Development Charge Work Plan, be received: and

That this Committee recommends to the Integrated Community Planning Committee and through that Committee to Regional Council:

That the Area Specific Development Charge Work Plan as outlined in the body of this report and summarized in Appendix I be endorsed.

Carried.

ITEMS FOR INFORMATION

21. Moved by Mr. Brothers
Seconded by Councillor Burroughs

That Report ICP 59-2010, September 8, 2010, respecting Development Charge Mid-year Forgone Revenue January 1, 2010 to June 30, 2010, be received; and

That this Committee recommends to the Integrated Community Planning Committee and through that Committee to Regional Council, that this report be received for information.

Carried.

22. Moved by Mr. Robson
Seconded by Mr. Brothers

That the following communications be received and dealt with as noted in these minutes:

RDCTF(C)7-2010

JoAnne Turner, Executive Director, Boys & Girls Club of Niagara, requesting that the Niagara Region waive its development charges for the new Boys & Girls Club Niagara Falls Centre Project.

--Receive and forward to staff for a report to the appropriate Committee.

- RDCTF(C) 16-2010 Letter (dated July 14,2010) to Mr. Kirk Weaver, Director of Community and Corporate Planning from Kevin Strooband, Lincoln County Human Society respecting Regional Development Fees
- Receive and forward to staff for a report to the appropriate Committee.
- RDCTF(C) 17-2010 Letter (dated August 16, 2010) to Chair and Members of the Regional Development Charges Task Force from Ms. Lynda Reinhart, Executive Director, Port Cares respecting the request to waive Regional Development fees.
- Receive and forward to staff for a report to the appropriate Committee.
- RDCTF(C) 19-2010 Letter (dated August 19, 2010) to Mr.Joedy Burdett regarding Notice of Hearing on Development Charges Complaint before the Development Charges Task Force.
- Receive.
- CSD 12-2007 Development Charges Task Force Terms of Reference & Mandate
- Receive.
- Carried.

COUNCILLOR INFORMATION REQUESTS

That staff:

- (i) Consider each organization's request for relief from Development Charges separately and prepare a report for each. (Task Force Members) Refer to minute 18, Report ICP 58-2010.
- (ii) Prepare a report for the appropriate Committee that examines payment options for Development Charges; mitigation of fees through the budget process; and determine if an interim Development Charges Policy with respect to exemptions could be brought forward earlier than the 3rd quarter of 2011 (anticipated date for the completion of the new Development Charges Policy. (Task Force Members) Refer to minute 18, Report ICP 58-2010.

ADJOURNMENT

The Regional Development Charges Task Force adjourned at 6:30 p.m. to meet again at the Call of the Chair.

Henry D'Angela
Chair

Gail Reilly
Legislative Assistant

Kevin Bain
Regional Clerk