

THE REGIONAL MUNICIPALITY
PLANNING SERVICES COMMITTEE

REPORT 1-2005

Minutes of a meeting of the Planning Services Committee held in the Council Chambers, at Regional Headquarters in Thorold, Ontario on Wednesday, January 12, 2005 commencing at 2:10 p.m.

ATTENDANCE

Committee: Councillors Smeaton, Chair; Baty, Bodner, Burroughs, Eke, Gabriel, Hildreth, Hodgson, Katzman, Marshall, Timms, Trombetta.

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

Staff (Part-Time): Mayor Salci; Councillor Angelone.

DEVELOPMENT IMPLEMENTATION SERVICES

1. Official Plan Amendment No. 51 and Related Planning Applications
To Redesignate an Industrial Area for Residential Use
Fernwood Development Proposal
Garner Road
City of Niagara Falls

Mr. Cambray provided the Committee with an overview of **Report DPD 2-2005**, respecting the Official Plan Amendment No. 51 and Related Planning Applications to Redesignate an Industrial Area for Residential Use, Fernwood Development Proposal, Garner Road in the City of Niagara Falls.

Mr. Cambray noted that Planning staff supports the development of the subject property as a new residential neighbourhood, however, the development should follow an appropriate policy framework to ensure that matter of municipal and Provincial interest are met. Planning staff recommends the approval of Official Plan Amendment No. 51 only in conjunction with the modifications that will appropriately address planning issues including housing diversity, woodlot protection, and constraints to development resulting from the designated corridor for Highway 420 and the Canadian National Railway lands.

Mr. Muratori, solicitor for the proponent advised the Committee that his presentation will deal specifically with the northerly woodlot, noting that there are clear differences between the easterly and westerly portions of the northerly woodlot, which have not been reflected in the Planning report. The Planning report also does not address the proponent's proposal to re-vegetate part of the property adjacent to the rail lands as park.

Mr. Muratori provided the Committee with the history of the property, noting that the Niagara Region's map does not identify the subject woodlot as being significant. The City of Niagara Falls was the former owner of the property and the twelve (12) acre woodlot on this one-hundred (100) acre property was not a designated environmental protection area.

Mr. Muratori noted that there are no designated woodlots in the City of Niagara Falls. He was of the opinion that his clients' proposal complied with the Provincial Policy Statement as well as the City's and the Region's Plans.

Mr. Muratori advised the Committee that the proponents accept many of the modifications, however, they have within the information distributed to the Committee made some modifications to them.

Mr. Muratori advised the Committee that the over one-hour allotted to him for his presentation, was not sufficient time to address all of the proponents concerns.

The Committee asked that Mr. Muratori put on paper what he was unable to cover during the time he was allotted for his presentation.

Ms. Carol Johnson, a resident of the City of Niagara Falls, noted that there is room for the trees as well as over five-hundred (500) dwellings. Trees are a vital part of the water cycle.

Mr. Ken Murphy, a resident of the City of Niagara Falls, noted that the Niagara Region, the City of Niagara Falls, the Ministry of Natural Resources and the Ministry of Municipal Affairs and Housing have expressed serious concerns with the proposal and that those concerns should be considered in the decision that is made by the Committee.

Mr. Frank Fohr, a resident of the City of Niagara Falls, advised the Committee that he hoped that the Committee accepts the modifications that have been proposed in the Planning report.

Mr. Banks, solicitor for the Grandoni's, noted that the woodlot in question is not an ordinary woodlot, this particular woodlot is considered a Carolinian Forest, with species of trees found in very few areas in the Niagara Region and that the area should have special protection.

Mr. Banks noted that the province has put in force a policy to protect these species and that policy should be adhered to without question.

Mr. Banks advised the Committee to review the April 28, 2004 letter from the Ministry of Natural Resources, as it addresses the significance of the woodlot and its appropriate protection.

Mr. Banks urged the Committee to consider whether the Niagara Region is to go back in time and destroy the woodlot or move forward into the twenty-first century and protect our heritage.

Moved by Councillor Baty
Seconded by Councillor Hildreth

That the discussion and the decision on **Report DPD 2-2005**, January 12, 2005, respecting the Official Plan Amendment No. 51 and Related Planning Applications to Redesignate an Industrial Area for Residential Use, Fernwood Development Proposal, Garner Road in the City of Niagara Falls, be adjourned at this time and reconvened on February 9, 2005 at 2:00 p.m.; and

That the two solicitors have agreed to provide the Committee with ten-minute summations on February 9, 2005, and copies of their summations in writing prior to the meeting; and

That anyone who is interested in making a presentation on February 9, 2005, be requested to forward in advance or bring copies of their presentation for the Planning Services Committee.

Carried.

2. Official Plan Amendment No. 8
Proposed Car Dealership
North of Regional Road 20
West of Industrial Park Road
Township of West Lincoln

Moved by Councillor Marshall
Seconded by Councillor Eke

That **Report DPD 3-2005**, January 12, 2005, respecting the Official Plan Amendment No. 8, Proposed Car Dealership, North of Regional Road 20, West of Industrial Park Road in the Township of West Lincoln, be received.

That Amendment No. 8 to the Township of West Lincoln Official Plan be approved.

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

That staff issue a declaration of final approval for the Amendment if no appeals are lodged against Council's decision within twenty (20) days of giving notice of that decision.

Carried.

3. Consent Summary
From November 16, 2004 to December 31, 2004

Moved by Councillor Hildreth
Seconded by Councillor Marshall

That **Report DPD 4-2005**, January 12, 2005, respecting the Consent Summary from November 16, 2004 to December 31, 2004, be received.

Carried.

4. Regional Comments on Development Proposals

Moved by Councillor Hildreth
Seconded by Councillor Marshall

That **Report DPD 5-2005**, January 12, 2005, respecting the Regional Comments on Development Proposals, be received.

Carried.

POLICY PLANNING

5. Implementation of Smarter Niagara Incentive Programs
Local and Regional Partnerships
City of Port Colborne
Brownfield Remediation/Redevelopment Strategy/
Community Improvement Plan

Moved by Councillor Gabriel
Seconded by Councillor Marshall

That **Report DPD 6-2005**, January 12, 2005, respecting the Implementation of Smarter Niagara Incentive Programs, Local and Regional Partnerships, City of Port Colborne, Brownfield Remediation/Redevelopment Strategy/Community Improvement Plan, be received.

That the Brownfield Remediation/Redevelopment Strategy/Community Improvement Plan for the City of Port Colborne be supported, and that staff participation on a project steering committee and funding at the benchmark level of \$25,000 for local community improvement plans, be approved.

That a copy of this report be sent to all the local municipalities for information.

Carried.

6. Implementation of Smarter Niagara Incentive Programs
Local and Regional Partnerships
Town of Fort Erie
Brownfields Community Improvement Plan

Moved by Councillor Timms
Seconded by Councillor Baty

That **Report DPD 7-2005**, January 12, 2005, respecting the Implementation of Smarter Niagara Incentive Programs, Local and Regional Partnerships, Town of Fort Erie, Brownfield Community Improvement Plan, be received.

That the Brownfields Community Improvement Plan for the Town of Fort Erie be supported, and that staff participation on a project steering committee and funding at the benchmark level of \$25,000 for local community improvement plans, be approved.

That a copy of this report be sent to all the local municipalities for information.

Carried.

7. Economic Benefits of Trails and Bikeways

Moved by Councillor Hildreth
Seconded by Councillor Marshall

That **Report DPD 8-2005**, January 12, 2005, respecting the Economic Benefits of Trails and Bikeways, be received and circulated to the Ministry of Tourism, local municipalities, the Regional Niagara Bicycling Committee, the Waterfront Trust, Regional Public Works and Public Health Departments and NETCorp for information.

Carried.

8. Niagara Residential Energy Efficiency Project (REEP) Update

Moved by Councillor Hildreth
Seconded by Councillor Eke

That **Report DPD 9-2005**, January 12, 2005, respecting the Niagara Residential Energy Efficiency Project (REEP) Update, be received and referred for consideration during the budget discussion of the request for a \$10,000 contribution towards the creation of a Niagara REEP and a \$35 contribution per home energy evaluation to encourage the take up for the program.

Carried.

ADMINISTRATION

9. Minutes of the Tree By-Law Advisory Committee Meeting of Thursday, December 2, 2004

Moved by Councillor Hildreth
Seconded by Councillor Marshall

That the Minutes of the Tree By-Law Advisory Committee meeting of Thursday, December 2, 2004, be received.

Carried.

10. Minutes of the Smarter Niagara Steering Committee Meeting of Wednesday, December 8, 2004

Moved by Councillor Hildreth
Seconded by Councillor Marshall

That the Minutes of the Smarter Niagara Steering Committee meeting of Wednesday, December 8, 2004, be received.

Carried.

11. Minutes of the Transportation Strategy Steering Committee Meeting of Wednesday, December 15, 2004 – PD 2-2005

Moved by Councillor Hildreth
Seconded by Councillor Marshall

That PD 2-2005, being the minutes of the Transportation Strategy Steering Committee meeting of Wednesday, December 15, 2004, be received.

Carried.

CORRESPONDENCE

12. Moved by Councillor Hildreth
Seconded by Councillor Marshall

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

PD 1-2005 Memo to Planning Services Committee on an invitation to tour Aggregate Operations in Niagara on Friday morning, June 10, 2005

-- Received and accepted (The Committee was also advised that representatives of the local municipalities are also being invited.)

Carried.

ACCOUNTS

13. Moved by Councillor Bodner
Seconded by Councillor Timms

That the accounts list for the period ending November 30, 2004 in the amount of \$4,888.48, be approved for payment.

Carried.

ADJOURNMENT

The Committee adjourned at 4:47 p.m., to meet again at 2:00 p.m. on January 26, 2005 in Committee Room 4, at Regional Headquarters.

Bill Smeaton
Chair

Janet Pilon
Legislative Assistant

Pam Gilroy
Regional Clerk/Associate
Director of Corporate Strategy