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THE REGIONAL MUNICIPALITY
PLANNING SERVICES COMMITTEE
REPORT 19-2001

Minutes of a meeting of the Planning Services Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario on Wednesday, November 28, 2001 commencing at 2:00 p.m.

ATTENDANCE

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

Staff: Messrs. Cambray, Commissioner, Planning & Development; Trojan, Chief Administrative Officer; Farley, Director, Planning & Development; Conley, Senior Planner; Goldsworthy, Planner; Robson, Manager, Shared Services Department; Semple, Senior Planner; Ms. Pilon, Legislative Assistant.

POLICY PLANNING

280. Final Recommendations Report
Expansion to Vineland Quarry
Fly Road in the Town of Lincoln
Regional Policy Plan Amendment 141
Aggregate Resources Act License Application and
Niagara Escarpment Plan Amendment

Mr. Cambray provided the Committee with a brief overview of the lengthy report and noted the receipt of the letter from the Ministry of Natural Resources noting that they do not have any objection with the quarry's proposed expansion.

Mr. Glen Barker, BLS Planning advised the Committee that Vineland Quarry is in support of the report and has responded to the concerns of the surrounding

residents and has made concessions in the event that the quarry affects the residents in an adverse manner.

Mr. Korinek an area resident provided the Committee with readings from his own equipment on the noise levels from the equipment being used in the quarry, the levels far exceed the acceptable limits. Mr. Korinek also advised the Committee that the dust from the quarry is unacceptable and that the vibration from the equipment has damaged his residence severely.

Mr. Shoemaker a resident and grape grower located directly east of the expansion area, advised the Committee that he is not satisfied with the testing performed by the quarry and he is very concerned about his farming operation.

Moved by Councillor Beamer
Seconded by Councillor Marshall

That Report DPD 154-2001, November 28, 2001, respecting the Final Recommendations Report, Expansion to Vineland Quarry, Fly Road in the Town of Lincoln, Regional Policy Plan Amendment 141, Aggregate Resources Act License Application and Niagara Escarpment Plan Amendment, be received.

That a peer review be initiated at the expense of the applicant and that it pertain to the dust, water supply, noise and vibration issues related to Mr. Shoemaker's and Mr. Korinek's presentations and that an alternate dispute mechanism also be addressed.

Carried.

DEVELOPMENT IMPLEMENTATION SERVICES

281. Official Plan Amendment No. 13
Avondale Stores Limited
Recognize Three Existing Dwellings in Commercial Area
221, 223 and 239 Carlton Street at Dunlop Drive
City of St. Catharines

Moved by Councillor Marshall
Seconded by Councillor Nicholson

That Report DPD 158-2001, November 28, 2001, respecting the Official Plan Amendment No. 13, Avondale Stores Limited, Recognize Three Existing Dwellings in Commercial Area, 221, 223 and 239 Carlton Street at Dunlop Drive in the City of St. Catharines, be received.

That Official Plan Amendment 13, City of St. Catharines be approved.

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

That Regional Planning staff issue a declaration of final approval for Amendment 13 once the twenty-day appeal period has expired and no appeals against the decision have been lodged.

Carried.

282. Official Plan Amendment 14
Home Improvement Store (The Building Box)
Vansickle Road and Burbank Drive
City of St. Catharines

Moved by Councillor Partington
Seconded by Councillor Eke

That Report DPD 159-2001, November 28, 2001, respecting the Official Plan Amendment 14, Home Improvement Store (The Building Box), Vansickle Road and Burbank Drive in the City of St. Catharines, be received.

That Official Plan Amendment 14, City of St. Catharines be approved.

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

That Regional Planning staff issue a declaration of final approval for Amendment 14 once the twenty-day appeal period has expired and no appeals against the decision have been lodged.

Carried.

283. Appeal of Decision to Approve a Condominium Conversion
450-456 Carlton Street
File: 26CD-10-01004
Carlton Co-ownership (K. Pedwell)
City of St. Catharines

Mr. Pedwell advised the Committee that this building is owned by an incorporated corporation and he has already sold forty-one units.

The Committee was advised that the Region's policy refers only to rental units and this is a co-operative ownership and therefore, the Region's policy does not apply.

Moved by Councillor Partington
Seconded by Councillor Timms

That Report DPD 160-2001, November 28, 2001, respecting the Appeal of Decision to Approve a Condominium Conversion, 450-456 Carlton Street, File: 26CD-10-01004, Carlton Co-ownership (K. Pedwell) in the City of St. Catharines, be received.

That Council withdraw the appeal to the Ontario Municipal Board, of the approval by the City of St. Catharines of the condominium conversion of four existing apartment buildings at 450-456 Carlton Street.

That the City of St. Catharines, the owner and other interested parties be advised of Regional Council's decision.

Carried.

284. Moved by Councillor Marshall
Seconded by Councillor Hildreth

That staff request clarification from the Ontario Property Assessment Commission on the taxation differences between condominiums and multi residential units.

Carried.

285. Appeal of Consent Application B51/2001-NF
Michael and Mary Maloney
Northeast Corner of the Intersection of
Ridge Road and Morris Roads
City of Niagara Falls

Mr. Farley advised the Committee that the application is for the creation of a new non-farm residential dwelling that does not conform with the agricultural policies of the Regional Policy Plan and the Provincial Policy Statement. Mr. Farley also advised the Committee that staff has undertaken the study requested by this Committee to review the status of this area for agricultural and non-farm uses and the report is expected to be presented to this Committee at the first meeting in January 2002.

Mr. Sinclair appeared before the Committee as Michael and Mary Maloney's legal representative. Mr. Sinclair requested that the Committee withdraw the appeal, as there are a number of non-farm dwellings in the vicinity of this site and that the withdrawal of the appeal will only result in infilling.

Moved by Councillor Eke
Seconded by Councillor Marshall

That Report DPD 163-2001, November 28, 2001, respecting the Appeal of Consent Application B51/2001-NF, Michael and Mary Maloney, Northeast Corner of the Intersection of Ridge Road and Morris Roads in the City of Niagara Falls, be deferred until the report on the Southeast Niagara Agricultural Study is received.

Carried.

ADMINISTRATION

286. Brownfields Case Study on the
Cytex Site and Gallaher Paper Mill Site
Ryerson Students

Regional Chair Zimmerman welcomed the Ryerson students on behalf of the Committee.

Mr. Robson advised the Committee that the students initiated the study without knowing what the planning framework would be and they have produced a great piece of work. The students have exceeded our expectations and their research will help inform the public and Regional Council.

Mr. Robson also thanked Professor David Amborski, for assisting his students in completing the study successfully.

The complete report will be part of the web launch following the Smarter Niagara Summit on November 29, 2001.

Mr. Seamus Dawson and Mr. Andrew Currie thanked Mr. Robson for his support and direction; Regional Chair Zimmerman for the opportunity and their Professor David Amborski for guiding them through the process.

The students were tasked with providing the Smarter Niagara initiative with a set of recommendations to achieve Brownfield redevelopment, noting the constraints and opportunities available through the remediation of two sites (Cytec and Gallaher Paper Mill).

Their objective was to identify policies and regulations that could be applied to Brownfields in Niagara Region; to demonstrate how the application of the various Smart Growth tools could encourage Brownfield redevelopment in Niagara; to make recommendations for improving the methods and strategies for municipalities to bring redevelopment projects to fruition.

In conclusion, municipalities must be pro-active; they must utilize the opportunities presented to them by Smart Growth tools; public investment coupled with private initiative will maximize the real value of brownfields and take the next step to obtain financial and legislative assistance from the upper levels of government.

Regional Chair Zimmerman presented each of the Ryerson students; Jason Taylor; Angeline Petropoulos; Michael Mozarowski; Patricia Liscio; Carmela Liggio; Seamus Dawson; Andrew Currie; Michael Collins-Williams and Professor David Amborski with certificates of appreciation. The Committee responded warmly with congratulations to all.

Mr. Cambray advised the Committee that staff has completed a substantial amount of work on the Smart Growth initiative and that they are currently in the process of compiling an inventory of Brownfields and infilling in Niagara.

287. Smarter Niagara

Mr. Cambray provided the Committee members with a copy of the discussion paper that will be distributed to those attending the Smarter Niagara Summit and posted on the web site that is also being launch November 29, 2001. The discussion paper has been design to initiate public discussion and feedback.

Moved by Councillor Timms
Seconded by Councillor Hildreth

That the Smarter Niagara discussion paper, be received for information.

Carried.

POLICY PLANNING (Continued)

288. Background Information Report
Regional Policy Plan Amendment 165
Westbrook Greenhouse Systems Ltd.
Town of Lincoln

Moved by Councillor Eke
Seconded by Councillor Hildreth

That Report DPD 155-2001, November 28, 2001, respecting the Background Information Report, Westbrook Greenhouse System Ltd., Regional Policy Plan Amendment 165 in the Town of Lincoln, be received for information.

Carried.

289. The Toronto Waterfront Plan and a Lake Ontario Ferry

Councillor Hildreth noted that for a Lake Ontario Ferry to be successful in Niagara Region, there will have to be infrastructure built around it, to accommodate parking and transportation for tourist from the dock to the various tourist attractions throughout Niagara Region.

Moved by Councillor Hildreth
Seconded by Councillor Timms

That Report DPD 157-2001, November 28, 2001, respecting The Toronto Waterfront Plan and a Lake Ontario Ferry, be received for information and circulated to the Transportation Strategy Steering Committee for information.

Carried.

DEVELOPMENT IMPLEMENTATION SERVICES (Continued)

290. Official Plan Amendment No. 16
Dock Area Community Plan
Town of Niagara-on-the-Lake

Moved by Councillor Gabriel
Seconded by Councillor Eke

That Report DPD 161-2001, November 28, 2001, respecting the Official Plan Amendment No. 16, Dock Area Community Plan in the Town of Niagara-on-the-Lake, be received.

That Amendment No. 16 to the Town of Niagara-on-the-Lake 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.

291. Official Plan Amendment 27
Frontage and Area Requirement for
Rural Residential Lots
Town of Lincoln

Moved by Councillor Hildreth
Seconded by Councillor Timms

That Report DPD 162-2001, November 28, 2001, respecting the Official Plan Amendment No. 27, Frontage and Area Requirements for Rural Residential Lots in the Town of Lincoln, be received.

That Amendment No. 27 to the Town of 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.

292. Consent Summary from October 25 to November 14, 2001

Moved by Councillor McMullan
Seconded by Councillor Partington

That Report DPD 164-2001, November 28, 2001, respecting the Consent Summary from October 25 to November 14, 2001, be received.

Carried.

ADMINISTRATION (Continued)

293. Minutes of the Welland Canals Parkway and Trails Coordinating Committee Meeting of Wednesday, November 7, 2001

Moved by Councillor Timms
Seconded by Councillor Partington

That the minutes of the Welland Canals Parkway and Trails Coordinating Committee meeting of Wednesday, November 7, 2001, be received and the recommendations contained therein be approved.

Carried.

294. Minutes of the Smart Growth Community Steering Committee Meeting of Wednesday, November 7, 2001

Moved by Councillor Eke
Seconded by Councillor Partington

That the minutes of the Smart Growth Community Steering Committee meeting of Wednesday, November 7, 2001, be received.

Carried.

295. SMART GROWTH Update

Moved by Councillor McMullan
Seconded by Councillor Eke

That Report DPD 165-2001, November 28, 2001, respecting the SMART GROWTH Update, be received for information; and

That Niagara Region solicit the support of our local M.P.P.s in taking Niagara Region's concerns in regards to the Smart Growth Management Councils to the Provincial government.

Carried.

296. Funding to Undertake Waterfront Trail Construction
Under "SuperBuild"

Moved by Councillor Timms
Seconded by Councillor Hildreth

That Report DPD 156-2001 (CSD 120-2001), November 28, 2001, respecting the Funding to Undertake Waterfront Trail Construction Under SuperBuild, be received.

That this report be approved and forwarded to the Waterfront Regeneration Trust and the Ontario SuperBuild Corporation.

That funding in the amount of \$910,000 for Regional Niagara's Waterfront Trails projects listed in Appendix II be included in the 2002 capital budget submission for the Planning and Development Department so that the projects listed on the original SuperBuild application can be completed.

That copies of this report be circulated for information purposes to the Regional Public Works Department, all Provincial and Federal Members of Parliament for Niagara, the local trail partners in Grimsby, Lincoln, St. Catharines, Niagara-on-the-Lake, Port Colborne, Fort Erie, Wainfleet and the Niagara Peninsula Conservation Authority.

That this report be referred to the Budget Review Committee for consideration with the overall 2002 consolidated budget.

Carried.

297. Possible Funding Shortfall from the Provincial SuperBuild
Application for the Greater Niagara Circle Route

Moved by Councillor Timms
Seconded by Councillor Hildreth

That Report DPD 166-2001 (CSD 122-2001), November 28, 2001, respecting the Possible Funding Shortfall from the Provincial SuperBuild Application for the Greater Niagara Circle Route, be received.

That the additional funds required as a result of an expected reduction in the amount provided by the Province through the SuperBuild program be provided either through:

- The Private Sector Fundraising Campaign which is expected to raise approximately \$3 million, of which \$535,000 is already earmarked to repay a loan from Capital Levy Reserve.
- An increase of \$620,000 to the 2002 capital budget submission of \$1 million for project ZPL9710, Welland Canals Parkway System which is financed primarily through debenture financing and Capital Levy.

That this report be referred to the Budget Review Committee for consideration with the overall 2002 consolidated budget.

Carried.

CORRESPONDENCE

298. 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 98-2001 Staff letter to the Ministry of Transportation requesting consideration of Ministry funding for the Bruce Trail pedestrian bridge over the QEW at Sand Plant Hill

- - Received.

PD 99-2001 Notice of December 4th Open House on the planning and design study for the Waterfront Trail through the Prudhommes area, Town of Lincoln

- - All of the Councillors were invited.

PD 100-2001 Memo from Bruce Banting, Legal Services, to Mike Trojan, CAO, giving an update on the November 13th to 16th OMB Hearing for Lookout Point Golf Practice Facility, Town of Pelham

- - Received.

PD 101-2001 Minutes of the Transportation Strategy Steering
Committee for Tuesday, October 23, 2001

- - Received.

PD 102-2001 Minutes of the Transportation Strategy Steering
Committee for Tuesday, November 6, 2001

- - Received.

Carried.

PUBLIC MEETINGS

299. Regional Policy Plan Amendment 166
Private Long Term Care Facility for Seniors
Niagara River Parkway at Marshall Road
City of Niagara Falls
Date: Wednesday, December 12, 2001
Time: 7:00 p.m.
Place: Niagara Falls Council Chambers

Councillors: Eke, Timms, _____.

300. Regional Policy Plan Amendment 161
Miller Road Estate Residential Development
City of Niagara Falls
Date: Wednesday, December 12, 2001
Time: 8:00 p.m.
Place: Niagara Falls Council Chambers

Councillors: Eke, Timms, _____.

301. Joint Public Meeting
Regional Policy Plan Amendment 168
Twenty Valley/Jordan Harbour Planning Policies
Town of Lincoln
Date: Thursday, December 13, 2001
Time: 7:00 p.m.
Place: Town of Lincoln Council Chambers

Councillors: Hildreth, McMullan, Partington.

ACCOUNTS

302. Moved by Councillor Timms
Seconded by Councillor Hildreth

That the following accounts list be approved for payment:

for the period ending October 31, 2001 \$23,601.02

Carried.

ADJOURNMENT

The Committee adjourned at 5:45 p.m., to meet again on December 12, 2001,
at 2:00 p.m. in Committee Room 4.

Bill Smeaton
Chair

Janet Pilon
Legislative Assistant

Thomas R. Hollick
Regional Clerk