

NOTL NEWS

A NEWS UPDATE FROM THE COUNCIL OF THE TOWN OF Niagara-On-The-Lake

Issue # 164 – January 6, 2009

AIRPORT PROPOSAL FOR ZONING

The Planning Advisory Committee determined to defer the recommendations of a staff report with respect to zoning regulations affecting airport lands and lands abutting the Niagara District Airport. Prior to considering the deferral requested by the Niagara District Airport Commission, Committee received a summary of the staff report including the input received from agencies including Regional Planning and Ministry of Municipal Affairs. In summary, the Airport Commission has requested four elements be addressed in the proposed comprehensive zoning by-law being: a reference change from “aviation” related commercial, institutional and manufacturing uses to “airport” related commercial, institutional and manufacturing uses; a change in the zoning of an abutting 2 acre parcel of land from ‘Agricultural’ to ‘Airport Commercial’; the requirement for an Environmental Impact Study (EIS) within 120m of a key natural heritage feature with a minimum setback of 30m be deleted; certain private land holdings designated ‘Niagara District Airport’ in the Town Official Plan be placed in an ‘Airport Holding Zone’ which would permit current uses and recognize future airport related uses with the ‘Holding’ symbol removed once compliance is achieved with certain established requirements.

The staff report provided a detailed background to the history of the airport operation and the development of a Market Study released in July 2003; a Strategic and Operating Plan for Niagara District Airport Report released in December 2003; and the preparation of the ‘Airport Master Plan’ in the early 1990’s. The staff report noted while the ‘Airport Master Plan’ is referenced in the Town’s Official Plan, it has not been fully integrated with either the Town or Regional Planning processes. The staff report further detailed the effects of the Greenbelt Plan of 2005, Provincial Policy Statement, Niagara Regional Policy Plan, and the Town’s Official Plan. It also provided analysis of the comments offered in a decision by the Ontario Municipal Board related to the refusal of a zoning amendment application for private holdings adjacent to the Niagara District Airport lands.

As a result of the discussions with the Commission, Regional Planning, and the Ministry of Municipal Affairs, the staff report recommended support of the aforementioned wording change and the zoning change from ‘Agriculture’ to ‘Airport Commercial’ of the 2 acre abutting private parcel of land. Staff cannot support the removal of the EIS requirement, although recommend a change in the minimum setback from 30m to 15m.

Regarding the request for a 'Holding' provision on adjacent lands, it is staff's position the request is premature. The staff report suggested the Town and Regional Planning and Public Work's Staff work together with the Airport Commission and effected land owners to develop a comprehensive framework to identify the tasks/steps needed, including identifying responsible parties and establishing timelines, in order to move the request of the Commission forward.

ANDERSON LANE STATUS

Pursuant to a request by Council on November 17, 2008, to review the status of Anderson Lane as a public roadway, the Public Works Advisory Committee endorsed a staff recommendation that Anderson Lane remain private as there is no appreciable advantage to making the Lane a public road. As a private, publicly-owned facility, the Town has full control of the future use of the abutting land and the configuration of internal driveways without potential objections.

SZOCKYJ DRAIN BILLING

Following up on a deputation before Council on December 1, 2008, with respect to certain questions respecting the invoice received for the Szockyj Drain project, staff prepared a response to the questions. However, there has been a further question raised with respect to allowances for land no longer suitable for agricultural purposes, and there may be a need to further revise the assessment schedule. Accordingly, the Public Works Advisory Committee determined to defer discussion on the report, and it will be brought back to the next meeting scheduled for January 19, 2009.

CHAUTAUQUA AREA TRAFFIC INVESTIGATION

The Planning Advisory Committee received a traffic analysis prepared by Delcan Transportation regarding the perceived problem of unwanted tourist/visitor traffic entering the Chautauqua Neighbourhood and directed that staff host an open house to provide the results of the investigation to the residents and to receive public comment. The consultant's report prepared at a cost of \$8,000 is based on traffic counts taken on a Saturday afternoon in July and found that traffic, thought to be visitor/tourist generated, is modest in comparison with the base traffic generated by the neighbourhood itself. Speeding was not evident on the streets measured. Calming techniques or traffic diversions are not supported. The report provides that 40% of the extraneous traffic is either local or from within the Region leaving a small number of vehicles (5 per hour in each direction of travel) for which an impediment may be a deterrent that otherwise effect 94% of the traffic which is residence-based. The report concluded there is not sufficient benefit to offset the negative consequences or justify capital costs of implementing a physical barrier.

COUNCIL SUMMARY – DECEMBER 15, 2008

Lord Mayor Gary Burroughs opened the meeting noting the success of the Candlelight Stroll and Christmas Parade events and congratulated the many volunteers who worked so hard to make these events a success. He noted the Parade is experiencing financial challenges, but is hopeful these will be resolved in time for next year's event. The Lord Mayor commented on the number of persons who have signed up for assistance with the Town's snow removal program to have their snow removed during the winter months. He noted there is a shortage of volunteers to remove the snow and hopes capable residents will come forward and volunteer to assist with the program.

Ms. Kari Cullen of Project Niagara made a presentation to Council regarding the recently released feasibility study in support of the proposal to be located on the former DND lands now under the control of Parks Canada. She advised Council the report had been prepared in an effort to determine if the project is feasible and sustainable before moving to the next steps of fundraising and construction. The report had been commissioned by a number of agencies and boards, including an interim review board having local representation, Ontario Ministry of Tourism and Recreation, Falls Management Corporation, Niagara Economic Development Corporation, Toronto Sympathy Orchestra, National Arts Centre, and the Ontario Lottery and Gaming Commission. All of these groups have reviewed the report and endorsed its conclusions. She advised the report is available online at www.projectniagara.ca. Ms. Cullen provided Council with a background to the concept of the proposal and the process used to determine the recommended site for the Project. She noted the site is well situated for artistic and cultural activity and provides an opportunity for historical interpretation related to the events of the War of 1812 and its significance to Canada. The area is well placed as a gateway to the province; located in a catchment area containing significant population; is a key to future tourism growth; and fits well with current visitor profiles associated with Shaw and the estate winery industry. She summarized the proposed festival as an event operating from June through to the end of September, offering a number of concerts with the Toronto Sympathy as the host orchestra and will include an association with a number of visiting orchestras offering jazz and pop concerts, dance presentations and musical theatre. The site will provide a number of amenities including interpretation centres, food and wine outlets, automobile and bus parking, extensive landscaping, and a performing pavilion with amphitheatre seating for approximately 5,000 to 7,000 patrons. Project Niagara estimates approximately 250,000 annual visitors to the event. She advised the site has undergone sound testing and through the use of grading and landscape features sound levels can be easily maintained at an acceptable level. Ms. Cullen advised that ownership will remain with Parks Canada and they have entered into a memorandum of understanding to work together for the site's development. She provided detail on the proposed funding arrangements to include one-third contributions from provincial, federal and private fundraising efforts to meet the estimated \$76.5 million site construction costs. It is estimated the proposal will create an equivalent of 500 full time jobs during the

construction phase, and provide an equivalent of 707 full time jobs and a \$93 million annual economic impact. In conclusion of the presentation to Council, Ms. Cullen advised that Project Niagara is committed to public involvement and further noted there are a number of benefits to the community and to the Region related to tourism, economic development, and infrastructure improvements. She noted a traffic impact study is required and Project Niagara is prepared to fund the study. She requested the Town work with the Niagara Region in developing a suitable terms of reference to move the traffic study forward. Regarding funding approvals, she advised the other levels of government need to understand the Town and Region are still supportive of Project Niagara. Council members posed a number of questions related to the proposal, the approval process, public involvement, and infrastructure requirements. Council directed staff to work with the Niagara Region staff to develop a terms of reference for a traffic study and prepare a report and recommendations for public consultation based on Project Niagara's feasibility study.

John Stainsby, Superintendent of Secondary Schools, District School Board of Niagara, made a presentation to Council regarding the various initiatives undertaken to enhance enrollment at NDSS. The committee, with representation from the Board, faculty, Council, parents and students, has been meeting regularly and working through a number of issues with NDSS. He advised the school has been improved aesthetically with painting and landscaping work, and the triple 'A' program has been promoted locally and throughout the Board's schools. There has also been a number of visitations made to area elementary schools providing information on NDSS, its programs and advantages. He further advised there have been regular discussions with the Town's CAO and with representation of the Friends of NDSS. He provided background to discussions regarding the golf academy proposal and on the International Baccalaureate (IB) Program. He advised the discussions will continue and noted an open house is scheduled for January 13, 2009.

In a related matter, Council considered a staff report regarding funding for the IB program. The staff report pointed out the IB program will not be funded by DSBN and, therefore, funding in the average amount of approximately \$50,000 per year must be found from other sources. The staff report identified funding commitments from the Virgil Business Association, Rotary Club, Lord Mayor's Fundraising Dinner, and Niagara-on-the-Lake Classic Golf Tournament. These sources coupled with private and corporate donations will meet the financial needs of the IB program. There is no anticipated contribution from the general tax rate. Council endorsed the recommendation to enter into an agreement with DSBN to provide the necessary funding for the IB program.

Council endorsed a motion to appoint Mr. Clive Buist, Director of Parks and Recreation, as the Interim Chief Administrative Officer for the Town until such time as a new CAO is engaged.

In review of the Planning Advisory Committee recommendations, a minor change was made to the recommendations regarding the draft plan of condominium approval for 233 King Street adding the payment of taxes as a requirement prior to registration of the agreement.

The Corporate Services Advisory Committee minutes included a recommendation to approve development charges in the amount of \$444,624 for the retirement home at Niagara Stone Road and Niven Road if paid before December 22, 2008. If not paid by that time, the 2009 development charge rates will be applied.

The balance of the recommendations of the Committee of the Whole were adopted without change.

Council endorsed a staff report regarding the adoption of a Registry of Non-designated properties pursuant to the Heritage Act (NOTL News, Issue # 154). The Registry is a list of properties which includes the Heritage Character Statements developed for each property and maintained by the Clerk. The recommendations provide for the annual review of the Registry at which time properties may be added or removed from the list and direction to the Municipal Heritage Committee to consider the concept of designing and presenting plaques for the listed properties. The staff report advised notice had been forwarded to all properties and discussions had taken place with many owners. Although there was general support for the program, those owners who objected to having their properties placed on the Registry had their properties removed from the list. Staff noted this action is in keeping with Council's continued practice of voluntary property designation.

Council endorsed the new Committee chairs and vice-chairs for 2009 as follows:

- Corporate Services: Chair Councillor A. Kaiser-Nelson and Vice-Chair Councillor M. Mazza
- Planning and Development: Chair Councillor T. Flynn and Vice-Chair Councillor G. Zalepa
- Public Works: Chair Councillor J. Collard and Vice-Chair Councillor A. Viola
- Parks and Recreation: Chair Councillor J. Lowrey and Vice-Chair Councillor D. Dick

Council appointed Mr. Grant Sauder to the Committee of Adjustment to fill the current vacancy.

Council rose from an in-camera personnel session and endorsed the hiring of a personnel firm to conduct a search to engage a new Chief Administrative Officer.

The next Council meeting is scheduled for January 12, 2009. Additional information on meeting schedules and deputation procedures may be obtained by contacting the Clerk's Department or visiting the Town's website at www.notl.org.

Lord Mayor Gary Burroughs, Councillors: Jim Collard, Dennis Dick, Terry Flynn, Andrea Kaiser, Jack Lowrey, Martin Mazza, Art Viola, Gary Zalepa