

NOTLINE NEWS

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

Issue # 172 – May 20, 2009

2009 BUDGET

The Corporate Services Advisory Committee revisited the staff report addressing Council amendments to the 2009 Budget. The report was deferred from the May 4 Council meeting. Committee discussed a number of adjustments to the budget and made several changes. Committee also endorsed a change to the parking rate for a 25 cent per hour fee increase.

Subsequent to the Corporate Services meeting, staff prepared a summary of the Committee changes which was considered during the Special Council meeting on May 14, 2009. Council endorsed the revised budget resulting in a final net tax levy of \$6,780,737 which represents a change in the tax rate of 9.75%, a change of \$21.36 in taxes paid per \$100,000 of assessment, and a 1.8% change in the overall tax bill.

The 2009 Special Area Levy Budgets were also approved during the Special Council meeting.

WATER AND WASTEWATER RATES

The Corporate Services Advisory Committee endorsed a staff recommendation to establish the 2009 rates for the provision of water and the charges for treatment of wastewater. The staff report detailed the costs associated with providing the service to customers in the Town and noted the Regional costs for water represents 50 percent of the Town's water budget and 55 percent of the wastewater budget. The report notes the average water user will see an increase of \$8.01 per month or 10.25%. Furthermore, no changes were recommended to the 2008 wastewater rates indicating the variable rate will remain at \$0.7745 per cu.m. and the fixed portion will stay at \$21.39/month.

Committee also directed to have the Region approached about revisiting their methodology regarding rate calculations due to the impacts on the Town for the loss of the Cangro production facility located in St. Davids. When Council met during the Special Council meeting on May 14, 2009, Council approved the water and wastewater rates as recommended by staff.

PUBLIC WORKS ADVISORY COMMITTEE

The Public Works Advisory Committee accepted the tender bids for the guardrail installation program and for road repairs.

In regards to stop signs on Line 3 Road, Committee deferred action on staff recommendations related to improvements on pavement markings, wayfinding, and guidance signage at the Line 3 Road/Concession 2 and 3 locations. Council would like to meet with the Traffic Safety Advisory Committee in a workshop session to discuss potential improvement

options for the intersections. The staff recommendations were based on the collision data available and noted the evidence indicates the majority of collisions at both intersections involve vehicles which initially stop, yet proceeded through the intersection when it is not safe to do so. Committee noted many vehicles have been observed not stopping at the intersections and the report's conclusions may be based on skewed data. It was suggested additional data needs to be obtained, possibly through the use of a video camera.

PICTON STREET PROPOSAL

The Planning Advisory Committee considered the issuance of a Heritage Permit for a proposed hotel development at 66-76 Picton Street. The proposed development is described as a 3-storey hotel consisting of 84 suites, including a restaurant, central courtyard, and underground parking. The Municipal Heritage Committee (MHC) recommended approval of a Heritage Permit for the proposal subject to additional Heritage Permits being required for a landscape plan and any further changes to the design. An archaeological survey is also required for 66 Picton Street. The staff report noted a decision is required on the Heritage Permit application within 90 days of its receipt or the application is deemed to be approved. The application was received on February 17, 2009.

The staff report further noted the proposal is required to obtain a minor variance for a reduction in parking spaces, building height, and a stairway encroachment into a required yard. The site plan control process is required and the development is also dependent on negotiations to develop the Town-owned laneway for access.

The staff report concluded the proposal was premature as there are a number of outstanding issues and noted if Council supported the MHC recommendation to issue the Heritage Permit, approval should be subject to minor variances, site plan control, and a development agreement for the laneway opening.

Committee received several deputations from residents who were in opposition of the proposal due to the scale and intensity of the development, the massing of the building, the underground valet parking, operational challenges for visitors accessing the site, as well as its impact in the Heritage District. A resident and developer in the Old Town spoke in support of the Heritage Permit noting the proponent is proceeding through a process established by the Town and expressed concern about the message to the development community should the Town not support its established process.

The Planning Committee called on the owner to respond to Committee's questions based on the public's input. The owner indicated the project design has gone through a number of design adjustments. He understands this is a step in the process and is preparing for the other approvals including the site plan and minor variance requirements.

Committee considered two reports related to the proposed development. Firstly, and as previously noted, should Committee support the MHC recommendation to issue the Heritage Permit, staff recommended several conditions be added to the issuance. Committee determined to defeat the recommendation.

Due to the length of the meeting, Committee of the Whole adjourned and reconvened on Thursday, May 14, 2009, to deal with the remaining items on the Planning Advisory agenda.

In consideration of the second report relating to the Picton Street proposal, Committee determined to modify the recommendations of the MHC directing the Heritage Permit to not be considered approved until certain conditions are satisfied, including the necessary minor variances, a site plan control agreement, and a development agreement to open the existing laneway or other suitable access as agreed to by the applicant and Council. Also, the recommendations include a requirement for a public meeting when the site plan and development agreements are to be considered, an archaeological assessment for 66 Picton Street, and the applicant must return to MHC for the landscape design and to address any changes in building detail.

During the Special Council meeting later in the evening, Council endorsed the recommendations of the Planning Advisory Committee as it is necessary for Council to act within 90 days of the Heritage Permit application or the application is considered approved.

PLANNING ADVISORY COMMITTEE

Due to the length of previous Committee meetings on April 27 and May 11, 2009, the Planning Advisory Committee reconvened on Thursday, May 14, 2009, and considered a number of items remaining on the agenda including the following:

- Adoption of new building and planning fees effective June 1, 2009
- Recommended adoption of the Employment Land Needs study to support an Official Plan Amendment application for alternate land uses for employment lands in St. Davids, consultants completing the necessary planning documents to permit logistics, warehousing and distribution operations in Glendale, future zoning of private lands adjacent to the airport addressed through the comprehensive zoning by-law, and staff reporting back on the next steps in the process of an Official Plan amendment respecting the Cangro lands
- Revisions to the Conflict of Interest requirements for the Urban Design Committee
- Request of a one year extension to bring the Town's Official Plan into conformity with the Provincial Places to Grow Growth Plan
- Adoption of the Facility Accessibility Design Standard for the construction of new municipal buildings
- Receipt of two updates related to Project Niagara, including notice stating the Terms of Reference for the Traffic Impact Analysis has been finalized and the Analysis is anticipated to be completed late May or June
- Receipt of a report addressing Bill 150, an Act to enact the Green Energy and Green Economy Act, 2009, to build a green economy, and to direct a copy of the Town's Official Plan Amendment No. 36 and Zoning By-law 500UP-08 regarding wind energy systems to be forwarded to the Minister of Energy and Infrastructure for inclusion in the regulations with respect to wind energy systems

COUNCIL SUMMARY – MAY 4, 2009

The Lord Mayor advised of the recent functions he attended over the last couple of weeks and noted the great success of the events. He also spoke of the session held at the Community Centre on April 22, 2009, where business owners and tenants expressed how Council and Town staff could work together.

He also noted the Town's Earth Day Barbecue on April 25, and the Special Heritage Council Meeting which took place on April 29 at Navy Hall.

In review of the Corporate Services Advisory Committee recommendations, the 'Proposed Council Amendments to the 2009 Current Budget' (Report CS-09-016) was deferred to the May 11, 2009, Committee of the Whole meeting. The Director of Corporate Services was not in attendance at the May 4 Council Meeting, and therefore Council chose to consider the budget report at a future meeting. Council also moved to defer the Parking Advisory Committee Minutes and Recommendations (Report CS-09-014) to the May 11 Committee of the Whole meeting as it relates to budget matters.

Council endorsed the recommendations of the Planning Advisory Committee to approve the Application for Zoning By-law Amendment for 901 East & West Line Road. The amendment allows for farm equipment repair, fabrication and sales of landscaping equipment within an existing accessory building for a temporary period of three years.

A recommendation of the Public Works Advisory Committee was reviewed regarding the Carlton Street Standpipe and Siphon Repairs. Council requested a sign to be installed at the Carlton Street overhead filling station to give users notice of its closing unless they come forward with a rehabilitation and payment plan within three weeks.

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

Following Council's request to have staff develop a plan to bring an amendment to the DSBN's closure motion, Council approved Chief Administrative Officer's Report CAO-09-006 which recommended that Council form an NDSS Planning Committee as outlined in the Report and immediately meet to discuss the DSBN's closure motion.

Under New Business, discussion took place regarding the property standards order on 1213 Lakeshore Road. Council approved a motion in which the Town's By-law Enforcement Officer will monitor the clean-up operation on a daily basis, and as long as progress is being made, the Town will hold off with bringing in heavy equipment. Once the progress ceases, the Town may recommence the clean-up.

Furthermore, Council also requested Town Staff or the Lord Mayor to set up a meeting with the new NDSS Planning Committee, MPP Kim Craitor, and the Minister of Education as soon as possible. Discussion also took place regarding International Baccalaureate (IB) presentations, the billeting of students, and the football program at NDSS.

The next Council meeting is scheduled for May 25, 2009, at 7:00 p.m. The next Committee of the Whole meeting is scheduled for June 1, 2009, at 7:00 p.m. Additional information on meeting schedules and deputation procedures may be obtained by contacting the Clerk's Department or by visiting the Town's website at www.notl.org.