

# Council rejects staff recommendations for King Street

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The Local  
Local Journalism  
Initiative Reporter

Niagara-on-the-Lake town council has determined the position it will take at an upcoming Ontario Land Tribunal hearing regarding a three-storey residential development on King Street — it is turning down the recommendations of staff, and will argue that the property should remain under its current designation for low-density housing.

That density does not allow for a 17-unit apartment

building, a local developer's proposal which drew strong opposition from neighbours.

The discussion was held at a special meeting on Wednesday evening, with council first discussing the proposal in closed session before hearing from seven members of the public who voiced their concerns over the project.

Legal counsel and planners representing developer Josh Bice also spoke at the meeting.

This project has previously been discussed at several closed-door sessions, much to the chagrin of residents, but the majority of Wednes-

day's agenda was in the open, where councillors explained their stance on what they would like the town to argue at the three-day tribunal hearing set to begin Feb. 28.

In late October, Bice filed an appeal to the tribunal, saying council had not made decisions on the application within the time period outlined in the Planning Act, which is 120 days since the Official Plan and zoning by-law amendment applications.

A motion was put on the table by Coun. Sandra O'Connor Wednesday that ahead of the tribunal process, the town "not redesignate" the property as the developer had requested, asking for zoning bylaw and Official Plan amendments, and that the town hire an outside planner to support this position at the tribunal.

"I do not feel it follows our Official Plan," said O'Connor, reiterating an argument made by a number of the residents who stepped up to the podium earlier in the special meeting.

She also said the development "doesn't fit with the neighbourhood," and that she has issues with parking and access.

Earlier in the meeting, Aaron Butler from NPG

Planning Solutions said the project should be seen as a way for the town to achieve provincially-mandated targets related to housing intensification.

O'Connor said the municipality is already on its way to hitting its mark and she believes this project doesn't need to be part of that equation.

"We will not do it at the expense of our heritage," she said, referring to the building being pitched in the Old Town, on King Street south of Cottage Street.

Coun. Wendy Cheropita agreed with O'Connor, saying the project is incompatible with its surroundings. "I think this is really the wrong area for it," she said.

Planning director Kirsten McCauley explained that a decision on this matter will be up to the tribunal and that the purpose of the report before council Wednesday was to choose what argument legal counsel would be presenting during that process.

Lord Mayor Gary Zalepa, before voting against O'Connor's motion, admitted he has concerns about drainage and water related to the project, but that he was hoping for a "more robust conversation" before council swiftly endorsed O'Connor's motion.

He said moving ahead with O'Connor's recommendation is "telling a group of people what they want to hear," and that critics of the project may be disappointed when and if the tribunal rules in favour of the development.

Coun. Adriana Vizzari was the only other vote against O'Connor's motion. She asked staff to comment

on how emergency vehicles will access the site, considering a narrow laneway is being proposed as the main corridor to the building, and was told by McCauley that the fire department has no concerns, and that those details will also be worked on during the site plan process.

Vizzari told The Local she believes, "whether we like it or not, the staff planning report is in line with current provincial legislation. I look forward to having more conversations to achieve what is best for our town within our parameters," she said, "but I do not believe this motion accomplishes that. I would rather work hard to make amendments that support residents rather than spending taxpayers' money to hire an outside planner along with lawyers to fight this at the OLT."

Couns. Tim Balasiuk, Gary Burroughs, Wendy Cheropita, Maria Mavridis and O'Connor voted in favour of her motion against approving staff recommendations. Couns. Nick Ruller and Erwin Wiens were not at the meeting.

Butler, the planner representing the property owner, told council that the project offers something not currently available in town — an apartment or condo-style building which could be appealing to some potential occupants.

"What this project does is provide that additional housing choice and housing mix," he said.

Coun. Gary Burroughs said there could be other places in town where this development would be better suited, and that he doesn't see

it being needed for the town to meet growth requirements. "We don't have any issue with meeting any provincial targets assigned to us," he said.

Why this location? This was a question Burroughs asked Butler, who again reiterated it being an "additional" choice for people.

One recurring argument made by delegates who opposed the project was that the town should follow its own Official Plan and not make adjustments for a developer.

"You have an Official Plan. Please respect it," said Patrick Gedge, who lives on Meritage Lane next door to the proposed apartment. He said council should also be following the position of the town's urban design committee, that the project should be only two storeys high.

One of the provisions the developer is asking for is that they are not required to create a children's play area. King Street resident Jason Quesnelle said he doesn't know why the rules are being "bent and broken" on this, and that because there are more than 10 units, a playground should be part of the plans.

Resident David Saunders suggested neighbours would not have been opposed to townhouses or a couple of homes. Council should just simply turn down the proposal, he said, and called the project a "utilitarian rectangular three-storey block" that doesn't fit into the neighbourhood.

Staff have recommended approving a lot frontage reduction, that a children's play area not be required, and that an ornamental iron fence be permitted, not the wooden one usually required.

The town's committee of adjustment approved a minor variance last October to permit an increase in lot coverage, and three lots were consolidated into one.

The site is currently vacant and consists of 3,248 square metres of property.



Sandra O'Connor made a motion to disregard staff recommendations to permit a three-storey apartment building on King Street and the majority of councillors agreed. (Kris Dube)

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