

Development Guide 2011



Working Together to Serve Our Community!

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GREETINGS FROM THE MAYOR

Niagara Falls...a great city...for generations to come!...a place of opportunity positioned for growth. Our City Council welcomes you. We encourage and support development and know how important it is to support a vital economy and we invite you to become part of it.

We welcome you to explore Niagara Falls! Whether you are an investor, developer, business owner, resident, or one of 12 million tourists who visit us annually, there is much to offer and celebrate in this enterprising city.

Our city is known world-wide for its scenic beauty but we are renowned in the business world because of our strategic location near metropolitan areas such as Greater Toronto, Hamilton, Western New York USA, and is central to the 12 municipalities in our region providing an ideal business opportunity for national and inter-national trade.

Discover the beauty of the Falls and parklands, fine hotels and restaurants, 2 world-class casinos, incredible shopping live theatre, brand new convention centre, arenas and community centre facilities, attractions, and the list goes on!

As an entrepreneur myself, I can appreciate the hard work that goes into starting and maintaining a business. Be assured that our skilled Development Team looks forward to helping you with your business needs. I wish you every opportunity to achieve your goals for a successful and vibrant future here in Niagara Falls.

This is our Guide to help lead the way!

Jim Diodati,
Mayor

CITY OF NIAGARA FALLS



Please Note: Due to the complexity of many developments, certain portions of a development project may be handled concurrently, or in varied order. The above process flowchart is intended only as a general outline of the typical development process.

DEVELOPMENT PROCESS



Please Note: Certain steps in the development process may not be applicable to many smaller development projects. In these cases, the developer may wish to proceed directly to the most appropriate stage in the process.

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INTRODUCTION

This publication has been produced for you, the developer, as a valuable resource tool to guide you through the development process at the City of Niagara Falls.

By strengthening communication between the developer and City staff, it is our intention to make you more aware of the services the City offers and to identify the necessary steps you should be aware of.

Depending on the complexity of the project at hand, and on the approval processes of other Government Agencies, certain issues may arise that shorten or lengthen the time frame of the development.

Whether you are a developer or owner of a small business, we are here to serve you better and welcome your input and suggestions.

Inside this guide, you will find:

- A simplified flowchart depicting an example of the development process
- Information from several Departments at City Hall, aimed at improving the developer's understanding of each role in the development process
- Contact information for each Municipal Department involved in the development process

THE DEVELOPMENT TEAM

The City of Niagara Falls has assembled a Development Team that will continue to improve communication with private developers and ultimately create for a more efficient development process. Comprised of representatives from each of the appropriate departments at City Hall, this group meets monthly to communicate various issues, discuss the current progress of current developments in the City, as well as, meet with prospective developers in a team setting.

Developers can schedule attendance at these meetings to introduce qualified City staff to new projects and ask questions or talk about their concerns. This structure serves as an effective way of keeping all involved parties informed and up to date about developments taking place in Niagara Falls while providing private developers with the direction necessary to expedite the building process.

Questions pertaining to this guide or to arrange an appointment with the City of Niagara Falls Development Team, please contact:

WENDY CANAVAN
Economic Development Officer
Business Development Department
(905) 356-7521 Ext. 5002
wcanavan@niagarafalls.ca

BUSINESS DEVELOPMENT

WHAT IS THE ROLE OF BUSINESS DEVELOPMENT IN THE DEVELOPMENT PROCESS?

Business Development's strategic priority is to strengthen and promote economic development within the City of Niagara Falls - the first stop for information and advice on starting and growing a business. Located in Niagara Falls City Hall, Business Development Staff provide leadership and advice to investors, private sector business, community/government stakeholders on maintaining a healthy, diverse economic base in the city.

Business Development provides an array of services to developers, some of which are specifically listed below:

- First stop for business in Niagara Falls; staff will provide one-on-one business consultations
- Conduct corporate visitation program to address any opportunities, concerns, supplier, strategic alliances.
- Disseminate business planning information, Community profile, demographics, statistics, real estate, programs
- Assist in the development and execution of major special events.
- Work with various levels of governments in conjunction with private sector and community stakeholders to present workshops, seminars, meetings etc.
- Supportive advocate for strategic community growth initiatives to other governments/agencies
- Conduct site visits and familiarization tours with perspective investors to showcase Niagara Falls and to provide real estate/investment information

AS A DEVELOPER, WHY WILL I BE IN CONTACT WITH THE BUSINESS DEVELOPMENT DEPARTMENT?

Notify Business Development staff if you are pursuing a development in the City of Niagara Falls. Staff can assist developers with their business plan, location, market research, and networking opportunities, and city contact information to make the development process as fluent as possible.

WHEN IN THE PROCESS CAN I EXPECT TO DEAL WITH THE BUSINESS DEVELOPMENT DEPARTMENT?

The Business Development department should be the first contact for a business in the City of Niagara Falls. From that point, a meeting can be scheduled with the developer and the City's Development Team. During the development process and beyond, the Business Development department offers ongoing consultation for existing and new businesses in the City.

ARE THERE ANY FORMS AND/OR FEES ASSOCIATED WITH THE BUSINESS DEVELOPMENT DEPARTMENT'S SERVICES?

No, there are no forms or fees directly associated with the Business Development department.

For more information please contact 905-356-7521:

SERGE FELICETTI, Ext. 5102
Director of Business Development
sfelicetti@niagarafalls.ca

WENDY CANAVAN, Ext 5002
Economic Development Officer
wcanavan@niagarafalls.ca

ANGELA DAVIDSON, Ext. 5001
Small Business Consultant
adavidson@niagarafalls.ca

PLANNING, BUILDING & DEVELOPMENT

WHAT IS THE ROLE OF THE PLANNING, BUILDING & DEVELOPMENT DEPARTMENT IN THE DEVELOPMENT PROCESS?

The Planning and Development Division is responsible for land use management in Niagara Falls. Planning & Development administers long-range planning through the Official Plan and implements development through zoning by-laws. The department also conducts site plan review, advises on environmental and heritage related issues, and processes applications for the division of land through subdivision and severance processes.

A brief overview of the Planning & Development's responsibility in the development process is as follows:

- Provide confirmation on zoning compliance for any proposed land use, building, or structure.
- Direct all development proposals through the appropriate application process.
- Coordinate development of subdivisions in accordance with Secondary and Neighbourhood Plans.
- Coordinate the review and approval of site plans.
- Provide access to statistics, environmental databases, development inventories, information on natural and man-made environmental features and heritage data.

AS A DEVELOPER, WHY WILL I BE IN CONTACT WITH THE PLANNING, BUILDING & DEVELOPMENT DEPARTMENT?

Planning, Building & Development can provide information on availability of land and building lots for any particular use proposed, and provide guidance on policies and regulations affecting your proposal. Planning will identify the need for an Environmental Impact Study or Tree Saving Plans which should be undertaken prior to preparing a site drawing. All zoning issues must be reviewed by planning staff and addressed prior to the preparation of construction drawings and proceeding with your development.

Each property proposed to be developed for commercial, industrial, or multi-unit housing is subject to Site Plan Control and requires an agreement with the City. In addition, new housing areas are developed by plans of subdivision. Further, for any hotel proposed in excess of ten storeys, Architectural Peer Review is required. It is necessary for you to consult with Planning for direction on these processes.

Planning will also inform you about any Municipal grant or loan programs for Community Improvement Areas or Brownfields lands. Contact Bob Bolibruck, Manager of Community Improvement & Development Projects at Ext 4298.

You should contact the Planning, Building & Development Department as soon as you start to investigate establishing a use, alter, or otherwise develop a property. Zoning information should be obtained before you apply for any Municipal licence or permit.

ARE THERE ANY FORMS AND/OR FEES ASSOCIATED WITH PLANNING, BUILDING & DEVELOPMENT?

Yes, the City has adopted a user-pay system for applications, and fees are set accordingly. Applications for Official Plan Amendment, Zoning By-law Amendment, Minor Variance, Site Planning, or Sign Variance may be required before permits can be issued. For more information please contact:

KEN MECH, Manager of Current Planning, Planning & Building Development
(905) 356-7521 Ext. 4107 or email: kmec@niagarafalls.ca

BUILDING & INSPECTION DIVISION

WHAT IS THE ROLE OF BUILDING & INSPECTION DIVISION IN THE DEVELOPMENT PROCESS?

Building & Inspection Division is responsible for ensuring that all regulations set out in the Ontario Building Code and Municipal By-laws are satisfied prior to the issuing a Building Permit.

An overview of Building Inspection Services responsibilities in the development process is as follows:

- Issue permits and conduct inspections of building activities on private and city-owned property
- Process, approve and inspect all construction - ensuring compliance with the Ontario Building Code (which now incorporates Plumbing Code) and related By-laws i.e. Sewer By-law)
- Lot grading control compliance
- Administration of Municipal Plumbing By-law i.e. Standards, tests, and licensing of Master Plumbers
- Enforce Property Standards By-law
- Issue Permits for signs

AS A DEVELOPER, WHY WILL I BE IN CONTACT WITH BUILDING & INSPECTION DIVISION?

Regardless of the scope of your development, you will need to obtain a permit from the Building Division before starting to build. This division also needs to verify that your plan adheres to all relevant codes and by-laws. The Building Division can direct you to other government agencies that you may need to consult with regarding regulations you may have not met, or if your plan needs to be amended.

WHEN IN THE PROCESS CAN I EXPECT TO DEAL WITH BUILDING DIVISION?

Depending on the scope of the project at hand, the Building Division usually becomes more involved after the Planning, Municipal Works, and Fire Departments have received your initial plan. This ensures that all regulations have been met, and all areas of concern addressed before your building permit application is processed.

ARE THERE ANY FORMS AND/OR FEES ASSOCIATED WITH THE BUILDING DIVISION?

Yes, there is a building permit fee payable to the The City of Niagara Falls. The cost of this permit depends on the type of development being pursued. Municipal development charges are also collected by the Building Division. Building Division is also responsible for collecting Regional Development Charges and Parkland Dedication fees.

For more information please contact:

LYNN KARNER
Permit Application Clerk
Building & Inspection Services
Planning, Building & Development Department
(905) 356-7521 Ext. 4252
Fax (905) 374-7500

MUNICIPAL WORKS

WHAT IS THE ROLE OF THE MUNICIPAL WORKS DEPARTMENT IN THE DEVELOPMENT PROCESS?

The Municipal Works Department is comprised of Engineering Services, Transportation Services, and Parks Division, and is responsible to advise on the availability of the City's parks, roadways, sanitary sewers, storm drainage, and water distribution systems. The Department is also responsible for evaluating the impact of new development projects on the existing infrastructure.

An overview of the Municipal Works Department's responsibilities in the development process is as follows:

- Provide technical engineering support for the City's parks, water distribution, sewage collection, drainage, and transportation systems.
- Review, analyze, and comment on new development.
- Review, update, and administer policies and procedures related to new development.
- Plan, analyze, and monitor the performance of the various infrastructure systems and to recommend replacements or upgrades.

AS A DEVELOPER, WHY WILL I BE IN CONTACT WITH THE MUNICIPAL WORKS DEPARTMENT?

Every developer needs to address issues relating to sewer capacity, traffic and parks impacts, drainage and water volume/pressure as they apply to the property in question. The Municipal Works team is responsible for properly handling these issues and ensuring that your site is properly serviced and meets all necessary regulations, etc. There may also be existing constraints which will affect the design, density, or feasibility of the project, and need to be reviewed by the various Divisions of the Municipal Works Department. Failure to address these important issues could create substantial delays in the process.

WHEN IN THE DEVELOPMENT PROCESS CAN I EXPECT TO DEAL WITH MUNICIPAL WORKS?

Although it depends on the scope of the development in question, the Municipal Works Department usually becomes more involved during the site selection process. Their involvement is also essential during the review process by the Planning Department. Municipal servicing issues must then be properly addressed before your plans are finalized.

ARE THERE ANY FORMS AND/OR FEES ASSOCIATED WITH MUNICIPAL WORKS SERVICES?

During the review process, there are no forms or fees directly related to the Municipal Works Department services. Cost-sharing connection fees, and development charges can be discussed once the scope of the project has been confirmed.

For more information please contact:

Rick Volpini
Project Manager
Municipal Works Department
(905) 356-7521 Ext. 4221
Fax (905) 356-2354

TRANSPORTATION SERVICES

WHAT IS THE ROLE OF THE TRANSPORTATION SERVICES DEPARTMENT IN THE DEVELOPMENT PROCESS?

The Transportation Services Department is responsible for anticipating and evaluating the traffic impacts that new development projects have on the City's road network. In addition to ensuring that a satisfactory level of service is maintained on roads, proposals are reviewed to ensure that adequate traffic control devices are in place to ensure the safety of all road users.

An overview of the Transportation Services responsibilities in the development process is as follows:

- Assess whether a traffic impact study is required given the additional traffic generated by the proposal.
- Provide technical engineering support for the transportation system.
- Review, analyze and comment on new and redeveloped properties.

AS A DEVELOPER, WHY WILL I BE IN CONTACT WITH THE TRANSPORTATION SERVICES DEPARTMENT?

Transportation Services staff carries out an assessment of your development application including, but not limited to, the number of vehicles expected to enter and exit the land use, number and layout of parking spaces including disabled parking, number and location of driveways, garbage pickup, deliveries and general vehicle and pedestrian circulation. Larger and more complex developments will normally require a traffic report to be submitted as part of the application.

WHEN IN THE DEVELOPMENT PROCESS CAN I EXPECT TO DEAL WITH THE TRANSPORTATION SERVICES DEPARTMENT?

Transportation in the City, whether it be by car, bus, bicycle, or on foot, is an important component to consider in any business venture. The ease of clientele to be able to reach your business and the likeliness that they will visit once again, is vital to its success. You can expect staff from the Transportation Services Department to help you with your application from the preliminary concept plan so that you can incorporate best-practices in your proposal.

ARE THERE ANY FORMS AND/OR FEES ASSOCIATED WITH THE TRANSPORTATION SERVICES DEPARTMENT?

There are no forms or fees directly related to the Transportation Services Department staff review.

For more information please contact:

Marzenna Carrick, C.E.T.
Manager of Transportation Engineering
Transportation Services Department
(905) 356-7521 Ext. 5204
Fax (905) 356-7404

LEGAL DEPARTMENT

WHAT IS THE ROLE OF THE LEGAL DEPARTMENT IN THE DEVELOPMENT PROCESS?

Due to the sensitive nature of Legal issues, it is strongly recommended that all developers obtain professional legal advice, and that contact is made with the Legal Department through a lawyer. The following information is not intended as legal advice, rather it is presented for the purpose of familiarizing developers with the Legal Department's role in the development process. The City of Niagara Falls Legal Department does not provide legal advice to developers.

WHAT IS THE ROLE OF THE LEGAL DEPARTMENT IN THE DEVELOPMENT PROCESS?

The Legal Department works with the developer's lawyers to ensure proper handling of all legal issues related to a new development in the City of Niagara Falls. The role of the office is especially important in cases involving the sale and/or development of city-owned property. A brief list of the role of the Legal Department in the development process is as follows:

- Act for the City on all property transactions, including purchases, leases, licences of industrial and surplus properties.
- Act for the City in the preparation of subdivision agreements and all other applicable agreements including circulation to various departments, forwarding agreement to applicant for execution, review and approval of documentation to be registered, Letters of Credit and Certificate of Insurance, preparation of by-laws and attendance at Registry Office for registration.

AS A DEVELOPER, WHY WILL I BE IN CONTACT WITH THE LEGAL DEPARTMENT?

Once again, it is advised that you make contact with the Legal Department through a lawyer. You will need to contact the Department for assistance with subdivision agreements, site plan agreements, encroachment agreements, and other required legal documentation. Your legal needs will depend on the nature of your development.

ARE THERE ANY FORMS AND/OR FEES ASSOCIATED WITH THE LEGAL DEPARTMENT?

Yes, there are several fees that may apply to the documentation required for your development.

Please see the City's Schedule of Fees for Services Guide.

For more information please contact:

Ken Beaman
City Solicitor
Legal Department
(905) 356-7521 Ext. 4242
kbeaman@niagarafalls.ca

CLERK'S DEPARTMENT

WHAT IS THE ROLE OF THE CLERK'S DEPARTMENT IN THE DEVELOPMENT PROCESS?

Certain businesses operating within the municipality require a business licence. The Clerk's department issues such licences.

AS A DEVELOPER, WHY WILL I BE IN CONTACT WITH THE CLERK'S DEPARTMENT?

If your development project is part of a new business venture, you will need to contact the Clerk's Department to learn whether or not your business requires a municipal licence (By-law 2001-31). If so, you will submit the appropriate application to the Clerk's Department. If the application is in order, the Clerk's Department will issue you a business licence.

The municipality has authority under the Municipal Act to require a licence for businesses operating within the municipality for the following purposes: health & safety, nuisance control, and consumer protection.

WHEN IN THE DEVELOPMENT PROCESS, CAN I EXPECT TO DEAL WITH THE CLERK'S DEPARTMENT?

The issuance of a business licence is usually the last step in the development process after Zoning, Building, Fire, and Health requirements have been met. Of course, the wise developer will probably investigate early in the process, whether a business licence is required to operate the business in question.

If other requirements are satisfied, the issuance of a business licence should happen quickly. A business licence may be delayed indefinitely if other requirements have not been met.

ARE THERE ANY FORMS AND/OR FEES ASSOCIATED WITH THE CLERK'S DEPARTMENT?

Yes, if you require a business licence, you must purchase it from the Clerk's Department. Most business licences are relatively inexpensive. Please refer to the City's Schedule of Fees for Services Guide.

You will be required to fill out a business licence application form. There may be a need to provide proof of insurance or other applicable licences depending on the nature of the business.

For more information please contact:

Lydia Picca
Vital Statistics and Licensing Clerk
Business Development Department
(905) 356-7521 Ext. 4283
lpicca@niagarafalls.ca

FIRE DEPARTMENT

WHAT IS THE ROLE OF THE FIRE DEPARTMENT IN THE DEVELOPMENT PROCESS?

The Fire Department (Fire Prevention Division) is responsible for verifying all requirements of the Ontario Fire Code, Fire Protection and Prevention Act, and the Ontario Building Code (fire alarm systems, voice communications, detection systems, sprinkler systems, standpipe and hose systems, fire extinguishers, and commercial cooking systems). Municipal By-laws as well as other Provincial, National, and International Codes and Standards as required are satisfied prior to the start of any development.

An overview of the Fire Department's responsibilities in the development process is as follows:

- Review Draft Plan of Subdivision
- Review Niagara Escarpment Development Permit application
- Review Zoning Amendments and Committee of Adjustment applications regarding fire safety concerns.
- Review Site Plans and issue comments regarding safety concerns
- Review Building Permit plans regarding specific areas (fire protection systems, devices, fire department access, water supply, and other fire safety issues
- Conduct Site Inspections to verify compliance with applicable codes/standards/by-laws.

AS A DEVELOPER, WHY WILL I BE IN CONTACT WITH THE FIRE DEPARTMENT?

Applications that are reviewed for compliance may require alterations in the design stages that will alleviate the need for costly alterations in later phases of development. Contact with the Fire Department (Fire Prevention Division) at the earliest stage will streamline the process.

Plans submitted at the time of building permit application at the Building Department are reviewed by the Fire Prevention Division (fire alarm systems, voice communications, detection systems, sprinkler systems, standpipe and hose systems, fire extinguishers, and commercial cooking systems).

WHEN IN THE PROCESS CAN I EXPECT TO DEAL WITH THE FIRE DEPARTMENT?

During review of the permit plans, Fire Prevention verifies compliance to the Ontario Building Code and the Ontario Fire Code with regard to the specific areas mentioned above. Inspections are conducted upon receiving a request from the contractors/owners at various stages of construction.

ARE THERE ANY FORMS AND/OR FEES ASSOCIATED WITH THE FIRE DEPARTMENT?

Yes, the fees are included within the building permit fee payable at the Building Department.

For more information please contact:

TODD MAIURI
Director of Fire Prevention
Fire Department
(905) 356-7521 Ext. 2232
tmaiuri@niagarafalls.ca

PUBLIC SERVICES CONTACT

BELL CANADA - Business Consultant Liaison Program
Ontario - 1-866-687-0933
- General 310-BELL

COGECO CABLE SOLUTIONS - Customer Service
1-866-427-7451

ENBRIDGE CONSUMERS GAS - Call Centre
1-877-362-7434

NIAGARA PENINSULA ENERGY - 905-356-2681

TELUS - Mobility Business Service - 1-866-366-0229

REGIONAL NIAGARA - 905-685-1571

MINISTRY OF LABOUR - Employment Standards
1-800-521-5551
- Occupational Health & Safety
1-800-268-8013 or 416-326-3835

MINISTRY OF TRANSPORTATION - 1-800-268-4686 or
416-235-4686

ONTARIO POWER GENERATION - 905-357-0322
1400 Niagara Parkway, Niagara Falls

CITY OF NIAGARA FALLS - 905-356-7521...

BUSINESS DEVELOPMENT - EXT 5002
- SMALL BUSINESS ENTERPRISE CENTRE - EXT 5001
CLERKS BUSINESS LICENCING - EXT 4283
FINANCE - TAX DEPT - EXT 4214
FIRE CHIEF - EXT 2203
FIRE PREVENTION - EXT 2207
LEGAL - EXT 4240
MUNICIPAL WORKS - EXT 4212
PLANNING BUILDING & DEVELOPMENT - EXT 4235
- BUILDING DIVISION - PERMITS - EXT 4252



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