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**Subject:** Miller's Creek Marina

**Report to:** Planning and Economic Development Committee

**Report date:** Monday, November 9, 2020

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## **Recommendations**

1. That this report **BE RECEIVED** by Planning and Economic Development Committee for information.

## **Key Facts**

- The purpose of this report is to provide information with regards to Miller's Creek Marina.
- There is an established history of support from the Town of Fort Erie and the Region for the development of Miller's Creek Marina.
- The Regional Official Plan includes policy that supports development and redevelopment of Miller's Creek Marina.

## **Financial Considerations**

Not applicable.

## **Analysis**

Miller's Creeks Marina is owned by the Niagara Parks Commission (NPC). It is located on the Niagara River, along the Niagara Parkway, in Fort Erie. The facility includes 110 seasonal boat slips and minor amenities that support boating, a small restaurant and active and passive recreation facilities. As of April 2020, reports indicated that the NPC suspended the marina operations for the boating season and that investment was required to update facilities and infrastructure, this also coincided with the closure of NPC facilities due to covid.



Figure 1: Miller's Creek Marina

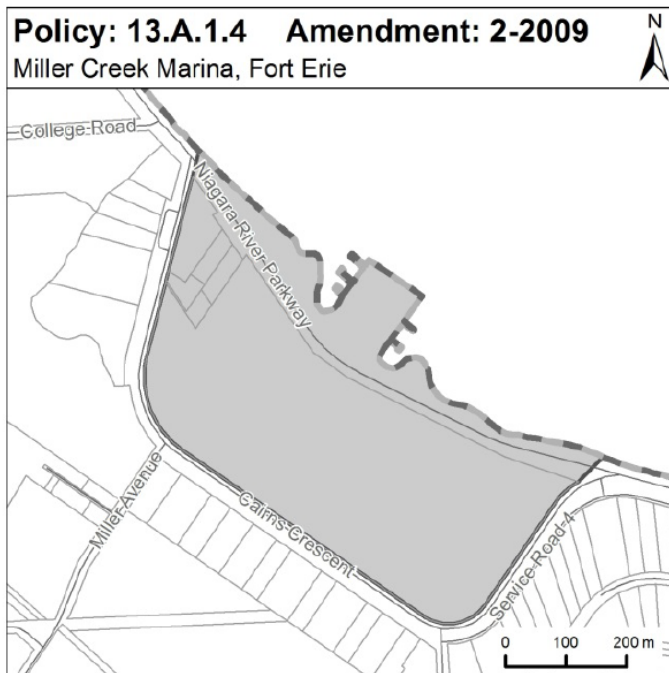


Figure 2: Miller's Creek Marina – Area covered by Regional Official Plan policy.

## Economic Development

The NPC released Requests for Proposals for the redevelopment of the marina in 2005, 2012 and 2017, all were unsuccessful. At Planning and Economic Development Committee on January 10, 2018, Memorandum ED-C 01-2018 (attached) prepared by the Director of Economic Development provided “*context to support and endorse the motion approved by The Town of Fort Erie regarding the Niagara Parks Commission (NPC) proposed expansion and enhancement of Miller’s Creek Marina.*”

At the Regional Council meeting on January 18 2018, the following motion was passed in relation to Memorandum ED-C 01-2018:

*That Correspondence Item ED-C 01-2018, being a memorandum from D. Oakes, Director, Economic Development, dated January 10, 2018, respecting Niagara Parks Commission’s Proposed Expansion and Enhancement – Marina and Resort Development at Miller’s Creek, **BE RECEIVED**; and*

*That the resolution passed by Council for the Town of Fort Erie respecting Niagara Parks Commission’s Proposed Expansion and Enhancement – Marina and Resort Development at Miller’s Creek **BE ENDORSED and Niagara Region coordinate a meeting with the Town of Fort Erie and NPC to determine how the Region and Town can best support the project moving forward.***

The redevelopment of Miller’s Creek Marina has the potential to become a major tourism asset contributing significantly to the regional economy through the investment itself, the creation of new, well paying jobs and local supplier opportunities. A development in excess of \$100 million would not only revitalize and expand the existing marina infrastructure, but play an important role in the growth of the Town as a vibrant and liveable community.

## Planning and Development

Policy 13.A.1.4 of the Regional Official Plan provides support for the development of Miller’s Creek Marina. A development proposal that is submitted would be assessed by Regional planning staff based on the policy that is provided below.

*Policy 13.A.1.4*

*A marina with ancillary rural land uses is permitted on approximately 19 hectares, including water lots, east of Cairns Crescent in the Town of Fort Erie. The marina use, the marina redevelopment, and the ancillary uses are considered to be a resource-based rural recreational use which meets the policy objectives of the Growth Plan for the Greater Golden Horseshoe and the Provincial Policy Statement 2014. The rejuvenation and redevelopment of the marina is encouraged to support the tourism and boating economy on the Niagara River. The following special policies shall apply to the development and redevelopment of the marina:*

*a) The marina is the principal land use.*

*b) Ancillary uses including, the management or use of resources, resource-based recreational uses (including recreational dwellings), home occupations and home industries, limited residential development, cemeteries, and other rural land uses are permitted.*

*c) With regard to recreational dwellings and residential development, the following shall apply:*

- i. All forms of tenure will be permitted for new, expanded or redevelopment of the marina property*
- ii. Accommodation units within the marina property will be made available to the travelling public and will provide ongoing services and recreational facilities normally provided in a commercial setting.*

*d) Development and redevelopment shall be subject to the following being satisfactorily addressed:*

- i. The scale, size and density of development*
- ii. Compatibility of use*
- iii. Site characteristics*
- iv. Water quality*
- v. Protection of shoreline*
- vi. Environmental features and policies*
- vii. Navigability of the Niagara River*
- viii. Servicing*
- ix. Transportation*

*e) Details of the development and redevelopment shall be addressed through the Town of Fort Erie Official Plan and Zoning By-law and in accordance with the provisions of this Plan.*

*f) Policy 11.C.1 b) iii) shall not apply. (Policy 11.C.1 b) iii) there shall be no overnight accommodation for users or guests of the facility.)*

### **Alternatives Reviewed**

Not applicable.

### **Relationship to Council Strategic Priorities**

This development would relate to the following Council Strategic Priority:

- Supporting Businesses and Economic Growth

### **Other Pertinent Reports**

- ED-C 01-2018

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**Prepared by:**  
Doug Giles  
Acting Commissioner  
Planning and Development Services

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**Prepared by:**  
Valerie Kuhns  
Acting Director  
Economic Development

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**Submitted by:**  
Ron Tripp, P.Eng.  
Acting Chief Administrative Officer

### **Appendix**

Appendix 1 ED-C 01-2018 Niagara Parks Commission's Proposed Expansion and Enhancement – Marina and Resort Development at Miller's Creek

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## MEMORANDUM

ED-C 01-2018

**Subject: Niagara Parks Commission's Proposed Expansion and Enhancement – Marina and Resort Development at Miller's Creek**

**Date: December 15, 2017**

**To: Planning and Economic Development Committee**

**From: David Oakes, Director Economic Development**

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The purpose of this memo is to provide Planning and Economic Development Committee with context to support and endorse the motion approved by The Town of Fort Erie regarding the Niagara Parks Commission (NPC) proposed expansion and enhancement of Miller's Creek Marina.

Economic development staff have been working in collaboration with Fort Erie Economic Development and Tourism Corporation (FEDTC) on supporting the NPC in their pursuit to redevelop Miller Creek Marina as a major tourism asset of regional significance. Town and regional staff met with NPC officials throughout the process to provide advice while offering support by providing the opportunities to business networks and answering any questions on the project relating to issues outside the jurisdiction of Niagara Parks Commission. Request from both Regional and Town staff to be directly involved in the procurement process was respectfully denied. As a result, the Niagara Parks Commission was the lead on the procurement process, which resulted in zero submissions.

Discussions with FEDTC have indicated that Warren DAC Investments Limited remains interested in proceeding to develop the marina and adjacent lands at Miller's Creek Marina. As a result, a motion (attached) approved by the Town of Fort Erie is requesting that the NPC enter direct discussions with Warren DAC Investments Limited to move forward with the marina and resort development at the Miller's Creek Marina. Economic development staff support the intent of the Town motion and would recommend that Regional Council endorse.

Respectfully submitted and signed by

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David Oakes EC.D., CEcD, MAES  
Director, Economic Development



# Community Services

## Legislative Services

December 12, 2017

Sent via email:  
[jthomson@niagaraparks.com](mailto:jthomson@niagaraparks.com)

Janice Thomson, Chair  
The Niagara Parks Commission  
7400 Portage Road South  
Niagara Falls, ON, L2E 6T2  
Canada

Dear Chair Thomson:

**Re: Niagara Parks Commission’s Proposed Expansion and Enhancement - Marina and Resort Development at Miller’s Creek**

Please be advised the Municipal Council of the Town of Fort Erie at its meeting of December 11, 2017 passed the following resolution:

**Whereas** the Niagara Parks Commission (“NPC”) considered options for the operation or closing of its marina on the Niagara River in Fort Erie, near Miller’s Creek, and

**Whereas** in 2005, the NPC agreed to work with the Town of Fort Erie to permit the Fort Erie Economic Development & Tourism Corporation (“EDTC”) to undertake a Request for Proposals process for the expansion and enhancement of the marina and potential development of the lands between the Niagara Parkway and Cairns Crescent, and

**Whereas** as a result of the cooperative efforts of the NPC, Town of Fort Erie and the EDTC, the submission of a successful proponent for expansion and enhancement of the marina and the development of a resort on the adjacent lands was accepted by the NPC and a Memorandum of Understanding (“MOU”) was executed by the NPC and Warren DAC Investments Limited (“WDAC”) on February 18, 2007, and

**Whereas** over the next 4 years, WDAC fulfilled its responsibilities pursuant to the MOU, including operating the marina, obtaining appropriate land use approvals and in-water engineering works, and

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Mailing Address:

The Corporation of the Town of Fort Erie  
1 Municipal Centre Drive, Fort Erie ON L2A 2S6  
Phone: (905) 871-1600 FAX: (905) 871-4022

Office Hours 8:30 a.m. to 5:00 p.m.

Web-site: [www.forterie.ca](http://www.forterie.ca)

**Whereas** since 2012, the NPC has embarked on a number of processes with a view to proceed with a marina/resort development at the Miller's Creek Marina, and

**Whereas** over the next 4 years, WDAC fulfilled its responsibilities pursuant to the MOU, including operating the marina, obtaining appropriate land use approvals and in-water engineering works, and

**Whereas** the NPC did not extend the MOU, which it has claimed expired on or about January 26, 2012, despite WDAC's desire to continue with the MOU and the development of the marina and adjacent land; and

**Whereas** since 2012, the NPC has embarked on a number of processes with a view to proceed with a marina/resort development at the Miller's Creek Marina, and

**Whereas** the NPC's most recent initiative resulted at the end of August 2017 in no proponent submitting a response to the NPC's Request for Proposals for development at the marina, and

**Whereas** the NPC maintains that it continues to be committed to marina enhancements and development on the adjacent lands, but there seems to be no forward progress in that direction, and

**Whereas** the Council of the Town of Fort Erie understands that WDAC remains interested in proceeding to develop the marina and adjacent lands at Miller's Creek Marina.

**Now therefore be it resolved,**

**That:** Council of the Town of Fort Erie reiterates its continuing support for the expansion and enhancement of the marina and a resort development on the adjacent lands at the NPC's Miller's Creek Marina, and further

**That:** Council urges the NPC to engage with WDAC to move forward with the marina and resort development at the Miller's Creek Marina without any further delays, and further

**That:** A copy of this resolution be forwarded to the Chair of the NPC for action, and further

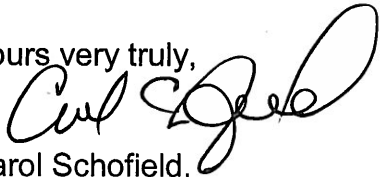
**That:** A copy of this resolution be forwarded to the Premier of the Province of Ontario, the Minister of Tourism, Culture and Sport, the Minister of Infrastructure, the Chair of the Region of Niagara, the M.P.P.'s in Niagara, the Honourable Rob Nicholson, M.P., and Warren DAC Investments Limited, and further



**That:** A copy of this resolution be circulated to the mayors of the local municipalities in Niagara for their support.

We thank you for your attention to this very important matter.

Yours very truly,



Carol Schofield,  
Interim Manager, Legislative Services/Clerk  
[cschofield@forterie.ca](mailto:cschofield@forterie.ca)

CS:dlk

cc: The Honourable Kathleen Wynne, Premier of Ontario, *Sent via email:* [kwynne.mpp@liberal.ola.org/premier@ontario.ca](mailto:kwynne.mpp@liberal.ola.org/premier@ontario.ca)  
The Honourable Eleanor McMahon, Minister of Tourism, Culture and Sport *Sent via email:* [eleanor.mcmahon@ontario.ca](mailto:eleanor.mcmahon@ontario.ca)  
The Honourable Bob Chiarelli, Minister of Infrastructure *Sent Via Email:* [bob.chiarelli@ontario.ca](mailto:bob.chiarelli@ontario.ca)  
Alan Caslin, Chair, Niagara Region *Sent via email:* [Alan.caslin@niagararegion.ca](mailto:Alan.caslin@niagararegion.ca)  
Mr. Wayne Gates, MPP-Niagara Falls, Legislative Assembly of Ontario *Sent via email:* [wqates-co@ndp.on.ca](mailto:wqates-co@ndp.on.ca)  
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Bob, O'Dell, Warren DAC Investments Limited *Sent via email:* [bob@robertodell.com](mailto:bob@robertodell.com)  
Niagara Area Mayors *Sent via email*