

Future Of River Rd.

Jan. 12, 1962
HF REVIEW

A full-scale debate on the future of a considerable part of River Road developed yesterday before W. L. Greenwood of the Ontario Municipal Board at the hearing in the council chambers at the City Hall on the rezoning of two areas on that thoroughfare. One of the applications had been approved by both City Council and the Niagara Falls and Suburban Area Planning Board but the other had not. Against them were ranged many of the people who have lived for many years in that residential area.

Advocates of the rezoning argued that it is now necessary to have some commercial properties on River Road available for private business and that the area is losing its value as a residential area. Residents argued against the further encroachment of the tourist in-

dustry and pleaded that they want to remain in their own homes and not be surrounded by business establishments.

After hearing evidence and the arguments of counsel for three and a half hours, Mr. Greenwood announced that he will present it to the board for a decision. He also instructed W. J. McBurney, Q.C., city solicitor, to write to the Niagara Parks Commission at once and find out the attitude of the commissioners. Maxim T. Gray, general manager of the commission was present but explained that he could not oppose or support the applications because the commission had not given a decision on them. Mr. McBurney said that the commission had received two notices from the city on the subject.

Harold A. Logan appeared for John Gruyich in support of City Bylaw 6034 which would rezone the area between River Road and River Lane and between John and Hiram Streets from residential to Commercial 1A. The other application was from Mrs. Ella May Brown to rezone the lot on the northwest corner of River Road and John St. John J. Broderick appeared for her.

Mr. McBurney said that originally Mr. Gruyich had only applied for rezoning of the lot at River Road and Hiram St. so that it could be used as a drug store. The planning board had recommended that the part from River Lane to River Rd. should be made commercial and the bylaw had been registered on that basis. In that block, River Lane is a road allowance not an existing street.

Cites Logic For Business

Mr. Logan pointed out that the Niagara Falls Museum is across the street and west of this property is the Boyd property used practically as a motel. As need arises for more establishments to take care of the tourist business he said that it was logical for that block to become commercial. He added that the opening of the Queenston-Lewiston Bridge can be expected to greatly increase the traffic on River Rd.

Ian McCallum, 1563 River Road, argued that he wants to see the block remain residential. He admitted that he had voted for the change to commercial both as a city council member and as a planning board member last year because he believed that a small majority wanted it but that he was now stating his own case as a property owner.

He said that even the tourist homes on River Road are decreasing in number. He also added that he understands that only a pharmacist can open a drug store.

E. R. Blew, 1507 River Road, who lives in the adjoining block, said that he does not believe this kind of piecemeal planning to be healthy.

Mr. Greenwood asked if he would object to rezoning the corner lot for a drug store.

Mr. Blew said he would because the applicant is not a druggist. Mr. McBurney had already entered a long list of uses that are permitted under the classification Commercial 1A.

Fred Durdan, 1311 River Road, said that there is no need for a drug store at that

location and that it would spoil the appearance of the street. He stated that the residents of River Road prefer keeping their homes to selling them for commercial gain. He said the city hires an expert on zoning but that this can lead to haphazard development. Traffic today on River Road is only a fraction of what it once was, he said. He also argued that millions are being spent across the river to try to restore the river front there to what we already have.

He added that he understands River Road is to be widened and that it would be much cheaper to buy from the present owners than it would from the owners of commercial property. He maintained that rezoning is not in the public interest.

They Want It Commercial

James H. Fordham, 1578 Falls Ave., said that the area is now a tourist district bordered by tourist businesses and the Queen Elizabeth Way. His wife added that their property, which is back to back with the River Road property, would certainly lose value as residential. They favored commercialization.

After General Manager Gray of the Niagara Parks Commission had been heard as reported above, Mr. McBurney said that the commission has held the lots adjacent to Mr. McCallum's home for 15 or 20 years, has done nothing to develop them and pays no taxes on them.

Mr. Greenwood said it is not surprising the commission may want to keep some things considering all that it has done for Niagara Falls.

Mr. Durdan said that the

commission may want to keep the lots for the future widening of River Road.

PLANNING DIRECTOR

Conroy Dowson, planning board director, was called as a witness and questioned by Mr. McBurney and John J. Broderick, counsel for Mrs. Ella May Brown on the other application that was related to this one by the proximity of the sites.

He confirmed that all property owners within 300 feet of the properties affected had been notified by the board including the Parks Commission.

WHY HALF A BLOCK

Asked by Mr. McBurney why the planning board had favored commercializing half a block, he said that there was a certain hesitation about changing land uses in that area.

Mr. McBurney pointed out

that the museum is next to this property and, south of the museum, all of River Road is commercial or park development on property belonging to the Niagara Parks Commission, the Department of Highways and the Niagara Falls Bridge Commission.

Mr. Dowson agreed to that.

ENOUGH COMMERCIAL

Mr. Greenwood then asked him if there is enough land zoned for commercial use in the city. He said the board has noted a tendency across the province to zone too much property commercial.

Mr. Dowson replied that he is satisfied that there is enough land zoned commercial here.

"This is not just an ordinary city street. I wonder what danger there is of spoiling it?" said Mr. Greenwood.

Argues Residential Worth

Mr. Dowson said that he feels it will be many years before there is a real demand for a commercial development there. It is a fine residential area.

areas and roads not residences was it not.

Mr. Dowson agreed that it was.

NATURE OF AREA

"Are the houses around this

"Is the area south of Hiram St. not solidly commercial?" asked Mr. Broderick.

"There is one vacant lot next to the museum," Mr. Dowson replied.

Would Thwart Future Growth

Mr. Logan said that this application had been given very careful consideration by both the council and the planning board. He said that Mr. Broderick had well brought out that there is practically no commercial land in that area. "We would be thwarting development to keep it residential although I admit there are some fine residences there."

At that time, Mr. Greenwood instructed Mr. McBurney to write at once to the Parks Commission and ask for an immediate answer.

Mr. Broderick said he did not think it would sit well with the Parks Commission to object when it has control of the property from this area to the Falls and beyond them.

BROWN APPLICATION

In the application of Mrs. Ella May Brown for the rezoning of the lot at John St. and River Road, Mr. McBurney pointed out that it is a completely different case that was not approved by the planning board and that therefore was not approved by City Council.

Mr. Broderick said the lot has been owned by Mrs. Brown since 1947. Several offers have been made for it as a commercial site, but none for residential purposes. He called Mrs. Edward Mulligan, daughter of the owner to the witness stand. Mrs. Brown is presently in Texas.

Mrs. Mulligan corroborated what Mr. Broderick had told the board member. She said that the property had been in the hands of several real estate dealers.

PRICE IS \$30,000

Mr. McBurney asked her what her mother is asking for it.

Mr. Greenwood promptly ruled

that she need not answer that question unless she desired.

Mrs. Mulligan said she had no objection to answering it. She believed the price is \$30,000.

Edward Holt of McDonald and Holt, realtors, was then called. He testified that he has had no inquiries for River Road residential property for a long time.

Questioned by Mr. Broderick, he said that it is hard to find purchasers for residential property there. Asked for the reasons, he said that many of the homes are getting old. If there are children, there is no school unless they walk across the railway tracks. Some of the houses there are offered for sale but few are sold, he said. He thought it was uncertain what is going to happen to this area but that a change to commercial is inevitable in the long run and that will be the best use. He also testified that the Gruyich property had been offered to the Parks Commission who rejected it.

"I think you will agree that \$30,000 is not a fit price for residential property," said Mr. McBurney.

Mr. Holt agreed.

"Do you think that the reason you can not sell River Road lots is that people are seeking commercial prices?" Mr. McBurney asked.

"I think that the best use of property there is the use conforming to the area," said Mr. Holt.

"You mean the use that is best for the owner not the use that is best for the area, do you not," asked Mr. McBurney.

"No. Best for the area," said Mr. Holt.

"Do you not mean the use that will get the best price for

the owner?" persisted Mr. Burney.

"He has answered that. I object to repeating the question," said Mr. Broderick.

OTHER AREAS

"Are there general residential developments in this area Mr. Logan then asked Mr. F

"Yes, but they are outside city."

"Are there any on R Road?"

"No."

"When was River Road developed?"

"I would say 30 or 40 years ago."

"Do you think its residential character can be maintained," asked Mr. Logan

"No," said Mr. Holt.

"Do you know how many cant lots there are between area and the Lower Bridge," asked Mr. McBurney.

"I believe five or six," Mr. Holt.

Mr. Greenwood pointed out Mr. Holt that the present residential development is beautiful.

Mr. Holt agreed but said big houses are getting hard to maintain.

PLANNERS' OBJECTIONS

Recalled to the stand, Conroy Dowson said that the planning board's objection to rezoning Mrs. Brown's lot were (1) zoning; (2) a bad precedent and (3) weakening the confidence of the other residential owners in their area.

Mr. Logan asked him if he would not agree that the character of River Road housing is changing and that much of it is becoming apartments or tourist homes.

Mr. Dowson agreed.