

**REGIONAL MUNICIPALITY OF NIAGARA**

**PROCEEDINGS OF COUNCIL**

**REPORT CL 17-2004**

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The Municipal Council of the Regional Municipality of Niagara met in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, October 21, 2004 commencing at 6:35 p.m.

**ATTENDANCE**

Council: Regional Chair Partington; Councillors Almas, Angelone, Bailey, Baty, Bentley, Bodner, Burroughs, Collins, Eke, Gabriel, Goulbourne, Harry, Heit, Hodgson, Katzman, Leavens, Marshall, Martin, Mastroianni, Redekop, Salci, Saracino, Smeaton, Timms, Trombetta, Zimmerman.

Staff: Messrs. Nicol, Commissioner, Human Resources/Acting Chief Administrative Officer; Bacchus, Commissioner of Corporate Services; Cambray, Commissioner, Planning and Development; Neville, Commissioner, Public Works; Ventresca, Acting Commissioner, Social Services; Locke, Superintendent Executive Services, Niagara Regional Police Service; Lockyer, Treasurer; Ms. Gilroy, Regional Clerk/Associate Director of Corporate Strategy; Dr. Sider, Associate Medical Officer of Health; Ms. Pilon, Legislative Assistant.

Other Staff  
(Part-time): Messrs. Banting, Director, Legal Services; Bowles, Executive Assistant to the Regional Chair; Taylor, Graphic Designer; Bernard, Manager, Court Services; Ms. Crossthwaite, Chair, Corporate Employee Recognition Team; Ms. Brunet, Chair, Excellence Sub-Committee; Ms. Heidebrecht, Director, Children's Services.

**CLOSED COMMITTEE OF THE WHOLE**

397. Moved by Councillor Bodner  
Seconded by Councillor Burroughs

That this Council do now move into Closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to legal, personnel and property matters.

Carried.

398. Public Health Accommodation  
573 Glenridge Avenue  
City of St. Catharines

Moved by Councillor Redekop  
Seconded by Councillor Timms

That the Joint Confidential Report PHD 71-2004/PWA 181-2004, dated October 12, 2004, respecting the Public Health Accommodation, 573 Glenridge Avenue in the City of St. Catharines, be received and the amended recommendations respecting the aforementioned report as per the October 12, 2004 Public Works and Utilities Committee minutes (Minute Item 428), be approved and adopted.

Carried.

399. Appointment of Board Members  
Niagara Regional Housing Board of Directors

Moved by Councillor Eke  
Seconded by Councillor Bailey

That the recommendation of the Niagara Regional Housing Board of Directors to re-appoint the reported Board members for another three-year term, be approved and adopted.

Carried.

### **COMMITTEE OF THE WHOLE, RISE AND REPORT**

400. Moved by Councillor Bailey  
Seconded by Councillor Leavens

That this Council do now rise with report.

Carried.

Following Committee of the Whole, Council met in regular session, commencing at 7:00 p.m. with an Invocation by Councillor Salci followed by the singing of O' Canada.

401. **CONFLICTS OF INTEREST**

Councillor Heit declared an indirect pecuniary interest with respect to any matters that deal with wireless communication as he is employed by a wireless communication company and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Smeaton declared an indirect pecuniary interest with respect to any matters relating to Seniors Homes as he is employed by a Seniors Home, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Smeaton declared an indirect pecuniary interest with respect to any matters relating to Roberts Street in the City of Niagara Falls, as his son resides in the area, and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Goulbourne declared an indirect pecuniary interest with respect to Budget Review Committee Minutes 3-2005 as he is employed by Niagara College, and he therefore took no part in the discussion of, or voting on, these matters.

### **ADOPTION OF THE AGENDA**

402. Moved by Councillor Collins  
Seconded by Councillor Katzman

That Councillor Casselman's motion respecting Niagara's Cultural Assets, Development of Committee, be deferred to the November 4, 2004 Regional Council meeting.

Carried.

403. Moved by Councillor Burroughs  
Seconded by Councillor Bentley

That Council Agenda CL 17-2004 be approved and adopted as amended.

Carried.

### **PRESENTATIONS**

404. 2004 Niagara Regional Chairman's Charity Golf Tournament  
Cheque Presentations

Regional Chair Partington presented the proceeds from his Annual Golf Tournament, raising in excess of \$95,000 to the following local charities: Niagara Community Foundation (\$57,960), West Lincoln Memorial Hospital (\$8,500), Women's Place of South Niagara – Nova House Capital Campaign (\$7,625), YMCA of Niagara – Partners with Youth Program (\$7,625), Salvation Army - Boothe Centre (\$7,625) and the Niagara Symphony Association (\$7,625).

405. Tender Wishes Foundation and  
How the Children of Niagara Region are Served

Mr. Florry Massi, President and Ms. Rita Maier, Second Vice-President provided Regional Council with a presentation on the Tender Wishes Foundation, a group of volunteers, that arrange special events and outings for persons under the age of eighteen (18) who have been diagnosed by a qualified medical practitioner as having a life-threatening illness.

Mr. Massi noted that this year alone, the Tender Wishes Foundation has twenty-five (25) wishes on the go, with an average cost of \$11,000 per wish. The Tender Wishes Foundation is also very proud of the fact that 97.4 cents of every dollar raised through a wide variety of ways, goes towards the Wish children.

Regional Council was advised of the foundations' current project, the refurbishing of three hospital rooms, one room in each of Niagara Region's hospitals with a Pediatric ward.

406. Debbie Zimmerman Award for Customer Service Excellence

Councillor Zimmerman presented the first recipient, Ms. Fiona Peaceful, with the Debbie Zimmerman Award for Customer Service Excellence, for her exemplary "I Can Do That" attitude in all of her relationships with staff, Councillors, and the public. Ms. Peaceful was nominated by her peers from various departments across the Region, all of whom noted her positive attitude and willingness to go the extra mile to make things happen.

407. **CHAIRMAN'S REMARKS**

The Regional Chair provided the following remarks:

Regional Chair Partington thanked Van Leeuwen Flower Farms in St. Catharines for the beautiful Alstoemeria.

Regional Chair Partington was pleased to meet with delegates from such diverse places as China, Britain, Australia, and the Czech Republic among the twenty-five (25) countries who were finalists at the Niagara hosted "LIVCOM 2004: The International Awards for Liveable Communities". Over 50 communities from all over the world came to Niagara to showcase best practices in the field of liveable communities. The event was a fantastic showcasing of what attracts people from all over the world to Niagara and provided a forum for exchanging ideas related to liveable communities.

Regional Chair Partington congratulated all of the participants in the LIVCOM 2004 school art competition, where the students were tasked with converting waste to art. The Regional Chair is looking forward to hosting these young artists at the next Council meeting and displaying their projects.

Regional Chair Partington thanked Mr. Patrick Robson, Director, Corporate Strategy for his commitment to the LIVCOM 2004 project.

Regional Chair Partington, accompanied by a number of Regional Councillors, attended the Greenhouse Tour organized by Mr. Tony Thompson of the Niagara Economic and Tourism Corporation. All attendees were impressed with the sophistication, technology, and environmental advancement of the industry, as well as the positive economic impact the greenhouse industry has for Niagara.

Regional Chair Partington had the opportunity to meet for the first time with Toronto Mayor, Mr. David Miller, on October 21, 2004. Their meeting touched upon a number of issues such as the Niagara-GTA Trade Corridor, tourism, border issues and public transit. Regional Chair Partington noted that he believed there is sufficient common ground for our communities to work together.

Regional Chair Partington will be attending the Opening of the Greater Niagara Circle Route Pavillion in Bowen Park in the Town of Fort Erie and invited Councillors to join him.

Regional Chair Partington's next week will be a busy one in terms of promoting Smart Growth and Brownfield redevelopment in Niagara with Niagara's Brownfields 2004: Setting the Agenda for Renewal workshop on October 27, 2004 hosted by Niagara Economic and Tourism Corporation and the 2004 Smart Growth "2<sup>nd</sup> Annual Showcase Tour" taking place on October 28<sup>th</sup> and 29<sup>th</sup>, 2004.

Regional Chair Partington noted that the tour and the workshop along with the recent hosting of the LIVCOM awards display Niagara's commitment to intelligent land use and smart development.

#### **APPROVAL OF MINUTES**

408. Report 16-2004

Moved by Councillor Leavens  
Seconded by Councillor Collins

That Report 16-2004, being the minutes of the Proceedings of Council of Thursday, October 7, 2004, be approved and adopted with an amendment to minute item 397 in Report 15-2004, being the minutes of Public Health Services Committee, to indicate the original motion was moved by Councillor Baty and seconded by Councillor Brock.

Carried.

**CORRESPONDENCE**

409. The following Communications were received and dealt with as follows:

Moved by Councillor Trombetta  
Seconded by Councillor Eke

That Communications C6343 to C6347 be received and dealt with as directed by this Council and as noted in these minutes.

C6343 Harinder S. Takhar, Minister of Transportation, addressed to Peter Partington, Regional Chairman, (September 29, 2004) with respect to the Ministry's work to expedite the Environmental Assessment submission, and commitment to work collaboratively with both US and Canadian customs to minimize border delays at the Niagara Frontier.

Recommended Action:  
--Received.

C6344 Sylvia Sutherland, Mayor, City of Peterborough, addressed to Peter Partington, Regional Chairman, expressing deep appreciation for the Region's generous contribution of \$5,000 to their disaster relief fund.

Recommended Action:  
--Received.

C6345 John Gerretsen, Minister of Municipal Affairs and Housing, (October 7, 2004) respecting positive changes in key areas such as housing and municipal affairs.

Recommended Action:  
--Received.

C6346 Copy of letters to the Honourable Dalton McGuinty, Premier of Ontario, (October 18, 2004) and to the Honourable Gerry Phillips, Chair of Management Board of Cabinet (September 8, 2004) respecting the Relocation of Ontario Government's Shared Services Bureau Jobs from Niagara to other parts of the province (i.e. Toronto, Sudbury, Thunder Bay, and Peterborough).

Recommended Action:  
--Received for Information.

C6347 Memorandum from Shafee Bacchus, Commissioner of Corporate Services to the Regional Chair and Members of Council (October 21, 2004) respecting the 2004 Standard and Poor's Credit Rating Review.

Recommended Action:  
--Received for Information.

Carried.

### **DELEGATIONS (RELATED TO COMMITTEE REPORTS)**

410. Investing in Our Future:  
The Early Learning and Child Care Plan 2004-2007

Ms. Heidebrecht, Director, Children's Services provided Regional Council with a presentation on the Children's Services "Investing in Our Future: The Early Learning and Child Care Plan 2004-2007". The plan provides a retrospective look at the system of services for children from birth to twelve years of age as it has evolved over the past three years, the current state of the child care system, and makes recommendations for the upcoming three years.

Children's Services invited all members of Council and the residents of Niagara, in particular the parents and grandparents of children under the age of twelve, to attend one of the five open houses planned to launch the plan and receive feedback on directions that have been set. Staff would also like to attend each municipality's Council meeting to present the plan for Council's review and endorsement.

### **AGENCIES, BOARDS AND COMMISSIONS**

411. Appointment of Board Members  
Niagara Regional Housing Board of Directors

Councillor Eke congratulated Ms. Catherine Jolliffe; Mr. Alan King; Mr. George Kurzawa and Ms. Barbara Hannah on their re-appointment to the Niagara Regional Housing Board of Directors.

**COMMITTEE REPORTS**

**BUDGET REVIEW COMMITTEE**

412. Report 3-2005

Moved by Councillor Martin  
Seconded by Councillor Smeaton

That Report 3-2005, being the minutes of the Budget Review Committee meeting of Thursday, October 7, 2004, be approved and adopted.

Carried.

413. Joint Board of Management – Niagara Area Courts

Moved by Councillor Martin  
Seconded by Councillor Smeaton

That Regional Council approve and adopt the recommendation of the Budget Review Committee, at its meeting of October 21, 2004 to support the September 28, 2004 decision of the Joint Board of Management, Niagara Area Courts and authorize staff to immediately begin the recruitment process for the two additional staff positions for POA with further review by the Budget Review Committee prior to hiring.

Carried.

**CORPORATE AND FINANCIAL SERVICES COMMITTEE**

414. Report 21-2004

Moved by Councillor Martin  
Seconded by Councillor Saracino

That Report CFS 21-2004, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, October 13, 2004, be approved and adopted with an amendment to minute item 230, to indicate the original motion was seconded by Councillor Saracino.

Carried.

**COMMUNITY SERVICES COMMITTEE**

415. Report 14-2004

Moved by Councillor Almas  
Seconded by Councillor Marshall

That Report CSC 14-2004, being the minutes of the Community Services Committee meeting of Monday, October 18, 2004, be approved and adopted.

Carried.

**HUMAN RESOURCES COMMITTEE**

416. Report 9-2004

Moved by Councillor Collins  
Seconded by Councillor Mastroianni

That Report HR 9-2004, being the minutes of the Human Resources Committee meeting of Tuesday, October 12, 2004, be approved and adopted with the amendment to the time of adjournment to 11:05 a.m.

Carried.

**PLANNING SERVICES COMMITTEE**

417. Report 16-2004

Moved by Councillor Eke  
Seconded by Councillor Baty

That Report PSC 16-2004, being the minutes of the Planning Services Committee meeting of Wednesday, October 13, 2004, be approved and adopted.

Carried.

**PUBLIC HEALTH SERVICES COMMITTEE**

418. Report 17-2004

Moved by Councillor Timms  
Seconded by Councillor Redekop

That Report PHSC 17-2004, being the minutes of the Public Health Services Committee meeting of Monday, October 18, 2004, be approved and adopted as amended with respect to Minute Item #186 the Public Health Accommodation, 573 Glenridge Avenue in the City of St. Catharines.

Carried.

**PUBLIC WORKS AND UTILITIES COMMITTEE**

419. Report 20-2004

Moved by Councillor Redekop  
Seconded by Councillor Baty

That Report PW 20-2004, being the minutes of the Public Works and Utilities Committee of Tuesday, October 12, 2004, be approved and adopted.

Carried.

**JOINT MEETING – PUBLIC HEALTH SERVICES AND PUBLIC WORKS AND UTILITIES COMMITTEES**

420. Report PHSC 16-2004/PW 21-2004

Moved by Councillor Timms  
Seconded by Councillor Redekop

That Report PHSC 16-2004/PW 21-2004, being the minutes of the Joint Public Health Services Committee and Public Works and Utilities Committee of Tuesday, October 12, 2004, be approved and adopted.

Carried.

**CHIEF ADMINISTRATIVE OFFICER'S REPORT**

421. Niagara Regional Housing – Affordable Rental Housing Initiative And Other Housing Programs

Moved by Councillor Eke  
Seconded by Councillor Timms

That Report CAO 22-2004, October 21, 2004, respecting the Niagara Regional Housing – Affordable Rental Housing Initiative and other Housing Programs, be received.

That the Objects of Niagara Regional Housing be expanded to include the powers to:

- (a) establish, fund and administer programs for the provision of residential accommodation; and
- (b) undertake all activities in connection with cost-shared federal-provincial or provincial housing programs.

That the Regional Chair and Clerk be authorized to execute an agreement amending the Operating Agreement between the Region and Niagara Regional Housing to recognize Niagara Regional Housing's expanded Objects and its powers to establish, fund and administer programs for the provision of residential accommodation and to undertake all activities in connection with cost-shared federal-provincial or provincial housing programs.

That the Regional Chair and Clerk be authorized to execute all documents as may be necessary to achieve the above.

That the Regional Chair and Clerk be authorized to execute the Service Manager Administration Agreement with the Province in respect of the Affordable Rental Housing Initiative, as well as appropriate assignment agreements with Niagara Regional Housing, if such should be necessary to preserve the Affordable Rental Housing Initiative.

That the Clerk prepare the necessary by-law to accomplish the above.

Carried.

### **CONFLICTS OF INTEREST**

Councillor Redekop declared an indirect pecuniary interest with respect to the matter of the Welland Land Registry Office as he is a lawyer who uses the land registry office and he therefore took no part in the discussion of, or voting on, these matters.

Councillor Almas declared an indirect pecuniary interest with respect to the matter of the Welland Land Registry Office as he is a lawyer who uses the land registry office and he therefore took no part in the discussion of, or voting on, these matters.

### **OTHER BUSINESS**

#### 422. Welland Land Registry Office

Moved by Councillor Leavens  
Seconded by Councillor Goulbourne

That the requirement of the Procedural By-law 7174-93, to include a notice of motion in the Blue Book with the Council agenda, be waived, and Council consider the following resolution at this time.

Carried.

Moved by Councillor Mastroianni  
Seconded by Councillor Marshall

Whereas there has been a land registry office in Welland County, now South Niagara, since before Confederation; and

WHEREAS Minister Watson has announced the closure of the land register office and the Ontario Business Connects Centre at Welland and the transfer of those services to St. Catharines; and

WHEREAS the Welland land registry office and Business Connects Centre provide essential services to the residents and businesses of South Niagara; and

WHEREAS no regional public transportation infrastructure presently exists in Regional Niagara which would permit residents throughout South Niagara to travel to and from St. Catharines; and

WHEREAS the City of Welland and the City of Port Colborne are designated areas under the French Languages Services Act; and

WHEREAS Minister Watson's decision was made without consultation with the residents businesses and municipalities most directly affected thereby.

THEREFORE BE IT RESOLVED THAT Regional Council urges Minister Watson and the Ontario Government to re-examine the decision to close the land registry office and the Ontario Business Connects Centre at Welland, and to do so in full and open consultative process with the residents, businesses and municipalities of South Niagara.

Carried.

423. Great Lakes Water Basin

Councillor Zimmerman requested that the Commissioner of Public Works bring forward information to Regional Council and the area municipalities respecting the Great Lakes Water Basin issue.

424. Stanley Avenue/Dunn Street Property  
City of Niagara Falls

Councillor Salci's requested that Regional Council hold the property located at Stanley Avenue/Dunn Street and not dispose of it for a period of one year.

Moved by Councillor Bentley  
Moved by Councillor Zimmerman

That the hold on the property located at Stanley Avenue/Dunn Street, be referred to the Public Works and Utilities Committee for further discussion.

Carried.

425. U.S. Trade Act – New Regulations

Councillor Martin advised Regional Council of the U.S. Trade Act's new regulations as of November 15, 2004, which will require any commercial vehicle passing through the U.S. border to give one hours notice of its arrival. The new regulations have facilitated a cooperative effort between the Town of Fort Erie; Peace Bridge Authority; Ministry of Transportation; Transport Canada; Ontario Provincial Police and Niagara Regional Police Service to move the Commercial Vehicle Processing Centre from the Peace Bridge itself, to the Fort Erie Truck and Travel Centre, in the event notice has not been provided. This will also require new signage along the Queen Elizabeth Way to direct the commercial vehicles who have not given the required notice, to the Fort Erie Truck and Travel Centre for processing.

426. Changes to the City of St. Catharines' Water Bills

Councillor Collins noted the number of e-mails members of Regional Council have received respecting the change to the City of St. Catharines water bills. A portion of the sewage costs has been moved to the water bill, with a charge remaining on the tax bill for sewage. Numerous residents have requested clarification of the charges.

Councillor Marshall requested that the Corporate Services Department prepare an explanation of the sewage charge that remains on the tax bill, as a response to the e-mails being received by members of Regional Council.

427. Accessibility Advisory Committee  
Inter-Municipal Meeting

Councillor Collins advised Regional Council that Minister Marie Bountrogianni, Ministry of Children and Youth Services/Ministry of Citizenship and Immigration, attended the Accessibility Advisory Committee, Inter-Municipal meeting which took place at the Sheraton Four Points on October 26, 2004. The Minister provided the Committee members with an update on the proposed Accessibility for Ontarians with Disabilities Act, 2004.

428. "Lock Lips @ Lock 7"  
Longest Kiss Contest  
Thorold's Kissing Rock

Councillor Gabriel invited everyone to visit the City of Thorold on October 22, 2004 at Noon for a chance to be in the Guinness World Book of Records and become famous by participating in the "Lock Lips @ Lock 7", Longest Kiss Contest. The event is being hosted at Thorold's Kissing Rock. Visit the event anytime during the thirty-one hour contest to cheer on the participants.

429. Canal Bank Shuffle "Blues Festival"  
City of Thorold

Regional Council was invited to attend the City of Thorold's Canal Bank Shuffle taking place October 21 to October 23, 2004.

430. Staff Attendance at  
Standing Committee Meetings

In response to a question about the number of senior staff in attendance at committee meetings, Mr. Nicol suggested that this matter be referred to the Corporate Management Team and the Council Organization Review Committee for discussion.

### **BY-LAWS**

431. Moved by Councillor Mastroianni  
Seconded by Councillor Marshall

That the following bills be now read and do pass:

#### **Bill 126**

A by-law to authorize debenture financing (1-10 years) in the amount of \$400,000 for project ZSW0303, Sewer Cleaning Program from the 2004 Wastewater Capital Budget.

#### **Bill 127**

A by-law regarding the powers of Niagara Regional Housing.

#### **Bill 128**

A by-law to provide for the adoption of amendment 184 to the Official Plan for the Niagara Planning Area to permit a number of mini soccer fields outside the Urban Area Boundary in the City of St. Catharines.

Bill 129

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 21<sup>st</sup> day of October 2004.

Carried.

432. Moved by Councillor Bailey  
Seconded by Councillor Gabriel

That the following bill be now read and do pass:

Bill 130

A by-law to establish part of lots 2346 and 2347, Corporation Plan No. 2, in the City of St. Catharines as part of Regional Road No. 50 (Glenridge Avenue)

Carried.

**ADJOURNMENT**

The Council meeting adjourned at 8:50 p.m.

Peter Partington  
Regional Chairman

Janet Pilon  
Legislative Assistant

Pam Gilroy  
Regional Clerk/Associate  
Director of Corporate Strategy