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THE REGIONAL MUNICIPALITY OF NIAGARA

PUBLIC WORKS AND UTILITIES COMMITTEE

REPORT 8-2004

Minutes of a meeting of the Public Works and Utilities Committee held in Committee Room 4, Regional Municipal Building, Thorold, Ontario, on Tuesday, March 9, 2004 commencing at 1:35 p.m.

ATTENDANCE

Committee: Councillors Rigby, Chair; Regional Chair Partington; Bailey, Bodner, Burroughs, Goulbourne, Harry, Hodgson, Leavens, Redekop, Salci.

Staff: Messrs. Cousins, Director, Transportation Services; Brcic, Director, Water & Wastewater Services; Sidawi, Director, Operational Support Services; Bousfield, Manager, Property and Facilities Management; Ms. Pilon, Legislative Assistant.

Staff (Part-Time): Messrs. Banting, Director, Legal Services; McQueen, Transition Manager, Niagara Ambulance Communication Service; Ms. Habermebl, Manager, Waste Collection & Diversion Operations.

ADMINISTRATION

For Committee Consideration

The Committee considered the following staff recommendations contained in the PWA Summary and Addendum, March 9, 2004:

97. Comments on Industry Canada's
Telecommunication Towers/Antennas Policy
PWA 42-2004 (DPD 33-2004)

That Report PWA 42-2004 (DPD 33-2004), March 9, 2004, respecting the Comments on Industry Canada's Telecommunication Towers/Antennas Policy, be received.

That Industry Canada be advised of Regional Niagara's policy on the location of telecommunication tower/antenna facilities in agricultural areas as set out in the Regional Policy Plan.

That Industry Canada be requested that they ensure that applicants for the approval of telecommunication tower/antenna facilities contact Regional Niagara early in the review process, as had been agreed to previously.

That this report be sent to the local municipalities requesting that they inform Regional Niagara about applications for telecommunication tower/antenna facilities.

98. Electronic Land Registration (e-reg)
Authorization for Registration of Electronic Documents

PWA 43-2004 (CSD 38-2004)

That Report PWA 43-2004 (CSD 38-2004), March 9, 2004, respecting the Electronic Land Registration (e-reg), Authorization for Registration of Electronic Documents, be received.

That the Region's Director of Legal Services and Legal Services Assistant be authorized to electronically authorize, sign and register all necessary and appropriate real estate transaction documents in the Electronic Land Registration System, in accordance with legal requirements.

(Please note that Report PWA 43-2004 (CSD 38-2004) is attached to the Corporate and Financial Services Committee minutes)

99. Renaming of Part of Lincoln Street
City of Welland

PWA 44-2004

That Report PWA 44-2004, March 9, 2004, respecting the Renaming of Part of Lincoln Street in the City of Welland, be received.

That the Regional Municipality of Niagara consent to the City of Welland's request that an approximately 2 kilometre length of Regional Road 29 (Lincoln Street), extending from Riverside Drive to the City's west limit, be renamed as Regional Road 29 (Webber Road); and

That, in accordance with Section 47 of the Municipal Act, 2001, staff be authorized to advertise the proposed renaming of that portion of Regional Road 29 (Lincoln Street), extending from Riverside Drive to the City's west limit, as Regional Road 29 (Webber Road); and

That in this instance, in accordance with Section 251 of the Municipal Act, 2001, Regional Council considers that it is reasonable and adequate to provide reasonable notice through the placement, for one time only, of an advertisement within the Welland Tribune, wherein the public are notified of the proposed name change and are invited to comment on the proposal at, or before, the time and date indicated in the advertisement.

100. Agreement for Occupation of Regional Roads
Niagara Regional Broadband Network Limited (NRBN)
Fibre Optic Project – Region of Niagara
PWA 45-2004

That Report PWA 45-2004, March 9, 2004, respecting the Agreement for Occupation of Regional Roads, Niagara Regional Broadband Network Limited (NRBN), Fibre Optic Project – Region of Niagara, be received.

That the Regional Chair and Clerk be authorized to execute a Communication Access Agreement for the installation and maintenance of a fibre optic network by Niagara Regional Broadband Network Limited (NRBN) within Regional road allowances;

That the Regional Clerk be directed to ensure that the appropriate by-laws are prepared for presentation to Regional Council.

101. Reduced Load Restrictions on Regional Highways
PWA 46-2004

That Report PWA 46-2004, March 9, 2004, respecting the Reduced Load Restrictions on Regional Highways, be received.

That Schedule “Y” and “Z” of By-law 89-2000, regulating the maximum vehicle weight to five tones per axle, be amended by adding or deleting the highways listed in this report;

That the Regional Clerk be requested to ensure the necessary by-law amendment is presented to Council on March 18, 2004.

102. Retention of Consulting Services for the
Treatment of Wastewater from the
Community of Port Robinson
City of Thorold
PWA 47-2004

That Report PWA 47-2004, March 9, 2004, respecting the Retention of Consulting Services for the Treatment of Wastewater from the Community of Port Robinson in the City of Thorold, be received.

That the consulting engineering firm of Associated Engineering (Ont.) Ltd. be retained to provide engineering services for the treatment of wastewater from the Community of Port Robinson in the City of Thorold.

That the engineering fee be calculated on a time plus expenses basis estimated to an upset limit of \$317,694.00 exclusive of GST.

That the Regional Clerk be directed to ensure that the appropriate by-law is prepared for submission to Regional Council authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of the Regional Municipality of Niagara.

That the costs associated with this project be charged against Project ID SW0215.

103. Niagara-Hamilton WastePlan
Request for Provincial Action in the Areas of
Diversion and Environmental Assessment
PWA 48-2004

That Report PWA 48-2004, March 9, 2004, respecting the Niagara-Hamilton WastePlan, Request for Provincial Action in the Areas of Diversion and Environmental Assessment, be received.

That the Minister of Environment for the Province of Ontario be requested to recognize the need to adopt legislation and policies that support Ontario municipalities in the implementation of integrated waste management systems to maximize diversion of waste from landfill and allow for the approval and implementation of disposal alternatives to manage the waste that remains after diversion through the following actions:

- (i) Immediately designate organic materials under the Waste Diversion Act to enable discussions to begin on how to best fund the diversion of organic materials from landfill, in recognition of the Minister's objective to achieve 60% diversion from landfill and ban landfilling of organic materials and current municipal efforts to establish organics diversion programs.
- (ii) Immediately adopt the Canadian Council of Minister's of the Environment (CCME) guidelines for compost for Ontario as part of an overall review and update of the Composting regulations in the Province to support the diversion of source separated organics.
- (iii) Designate household hazardous waste and electronic waste under the Waste Diversion Act.
- (iv) Undertake a formal review of the Environmental Assessment Act and approvals processes to develop a streamlined Environmental Assessment (EA) process that fulfils the original intent of the amendments to the Act that came into effect January 1, 1997, potentially resulting in either:
 - a) amendments to the Act; or
 - b) the development of Regulations under the Act

That copies of the resolution be forwarded to local MPPs, Association of Municipalities of Ontario and Waste Diversion Ontario.

That the Association of Municipalities of Ontario be requested to forward this resolution to its member municipalities for consideration and request that municipal Councils pass similar resolutions.

104. Approval of Request for Additional Scoped Items
Under the Niagara Water Quality Protection Strategy (NWQPS)
PWA 53-2004

That Report PWA 53-2004, March 9, 2004, respecting the Approval of Request for Additional Scoped Items Under the Niagara Water Quality Protection Strategy (NWQPS), be received.

Approval be granted for payment to MacViro Consultants Inc., in the amount of \$143,822, for the cost of professional consulting services related to additional work, outside the scope of the Region's Engineering Agreement (August 27, 2002) for the Niagara Water Quality Protection Strategy.

105. Moved by Councillor Burroughs
Seconded by Councillor Harry

That the PWA Summary and Addendum, dated March 10, 2004, and the foregoing recommendations of Reports PWA 42-2004 to PWA 48-2004 inclusive and PWA 53-2004, be received and accepted.

Carried.

CORRESPONDENCE

106. Communications listed in Report PWC Summary, dated March 9, 2004, were received and dealt with as follows:

PWC 11-2004 – (February 10, 2004) – **Denise Labelle-Gelinas**, Clerk, City of Cornwall, requesting Ontario Municipal support for a proposed bylaw amendment by the Provincial and Federal Governments to regulate wheelchairs operation on city streets and sidewalks.

-- Received.

107. Moved by Councillor Bailey
Seconded by Councillor Salci

That the contents of the PWC Summary, March 9, 2004, be received and dealt with as directed by this Committee and as noted in these minutes.

Carried.

CONFLICT OF INTEREST

Regional Chair Partington declared an indirect pecuniary interest with respect to PWP 12-2004, Public Works Staff Comments on Development and Related Proposals, March 9, 2004, City of St. Catharines, Official Plan Amendments, Regional Policy Plan Amendments on Page 32 of the report, regarding the Niagara North Health Complex, as the property owners are clients of his law firm; and he therefore took no part in the discussion of, or voting on, this matter.

PROGRESS REPORTS

108. Public Works Staff Comments on Development and Related Proposals

Moved by Councillor Harry
Seconded by Councillor Leavens

That Report PWP 12-2004, March 9, 2004, respecting the Public Works Staff Comments on Development and Related Proposals, be received for information.

Carried.

109. Public Works Staff Comments on Municipal Servicing Applications

Moved by Councillor Harry
Seconded by Councillor Leavens

That Report PWP 13-2004, March 9, 2004, respecting the Public Works Staff Comments on Municipal Servicing Applications, be received for information.

Carried.

MINUTES

110. Waste Management Steering Committee Meeting of Tuesday, February 24, 2004

Moved by Councillor Burroughs
Seconded by Councillor Goulbourne

That the minutes of the Waste Management Steering Committee meeting, of Tuesday, February 24 2004, be received and the recommendations contained therein be approved.

Carried.

111. Master Servicing Plan/Niagara Water
Quality Protection Strategy Implementation Committee
Meeting of Tuesday, February 24, 2004

Moved by Councillor Salci
Seconded by Councillor Bailey

That the minutes of the Master Servicing Plan/Niagara Water Quality Protection Strategy Implementation Committee meeting, of Tuesday, February 24, 2004, be received and the recommendations contained therein be approved.

Carried.

CLOSED SESSION

112. Moved by Councillor Goulbourne
Seconded by Councillor Bodner

That this Committee do now meet in Closed Session for the purpose of receiving information of a confidential nature relating to property matters.

Carried.

113. Niagara EMS
Facilities & Lease of Office Space

Moved by Councillor Redekop
Seconded by Councillor Burroughs

That Report PWA 52-2004 (PHD 22-2004), March 9, 2004, respecting the Niagara EMS – Facilities & Lease of Office Space, be deferred pending further information.

Carried.

114. Lease Renewal
3250 Schmon Parkway
City of Thorold

Moved by Regional Chair Partington
Seconded by Councillor Bodner

That Report PWA 49-2004, March 9, 2004, respecting the Lease Renewal, 3250 Schmon Parkway in the City of Thorold, be received and the recommendations therein approved.

Carried.

115. Property Acquisition
For the Roberts Street Gateway Project
City of Niagara Falls

Moved by Councillor Bailey
Seconded by Councillor Salci

That Report PWA 5-2004, March 9, 2004, respecting the Property Acquisition for the Roberts Street Gateway Project in the City of Niagara Falls, be received.

That to facilitate the proposed Roberts Street Gateway Project the Region undertake the purchase of the property reported, for the purchase price as contained within the report; and

That the Regional Clerk be directed to ensure that the appropriate by-law is prepared for submission to Regional Council authorizing the Regional Chair and Clerk to execute the necessary documents.

Carried.

116. Per Diem License Agreement with
Her Majesty the Queen
P.O.A. Court – 4635 Queen Street
City of Niagara Falls

Moved by Councillor Redekop
Seconded by Councillor Burroughs

That Report PWA 51-2004 (CLK 05-2004), March 9, 2004, respecting the Per Diem License Agreement with Her Majesty the Queen, P.O.A. Court – 4635 Queen Street in the City of Niagara Falls, be received and the recommendations therein approved.

Carried.

117. Moved by Councillor Burroughs
Seconded by Councillor Bodner

That this Committee do now rise with report.

Carried.

ADMINISTRATION (Continued)

118. Niagara EMS
Facilities & Lease of Office Space

Moved by Councillor Harry
Seconded by Councillor Bodner

That Regional Council request a meeting with the Hotel Dieu Hospital Board, to include the Regional Chair, Chair and Vice-Chair of the Public Health Services Committee, Mayor Rigby and Minister Jim Bradley, to discuss the hospital's plans with respect to the use of the Ontario St. Ambulance Station; and

That a copy of this request be forwarded to the Minister of Health.

Carried

ADJOURNMENT

The Committee adjourned at 1:50 p.m., to meet again in Committee Room 4, March 23, 2004 at 1:30 p.m.

Tim Rigby
Chair

Janet Pilon
Legislative Assistant

Pam Gilroy
Acting Regional Clerk