

THE REGIONAL MUNICIPALITY OF NIAGARA

COMMITTEE OF THE WHOLE

REPORT 4-2006

The Municipal Council of the Regional Municipality of Niagara met in Committee of the Whole in the Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, July 27, 2006, commencing at 4:07 p.m.

ATTENDANCE

Council: Regional Chair Partington; Councillors Almas, Angelone; Bailey; Baty; Bodner; Brock; Burroughs; Casselman; Collins; Eke; Gabriel; Goulbourne; Harry; Heit, Hildreth, Hodgson; Leavens; Marshall; Martin; Mastroianni; Rigby; Salci; Saracino; Smeaton; Timms, Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Hutchings, Commissioner, Community Services; Bergsma, Commissioner, Corporate Services Department; Cambray, Commissioner of Planning Services; Neville, Commissioner, Public Works; Nicol, Commissioner, Human Resources; Dr. Williams, Medical Officer of Health; Ms. Gilroy, Regional Clerk; Ms. Pilon, Deputy Clerk.

Staff:
(Part-Time): Messrs. Lockyer, Treasurer/Director, Financial Management and Planning; Robson, Director, Community Integration; Farley, Director, Planning Development; Weaver, Manager Special Initiatives; Gummo, Senior Planner Policy Coordination; Ms. Murphy, Associate Director, Current/Capital Budgets; Ms. Elliot, Director, Organizational Development and Compensation Services Ms. Manzer, Council Support Assistant.

CALL TO ORDER

32. Regional Chair Partington called the meeting to order at 4:07 p.m.

RESOLVE INTO COMMITTEE OF THE WHOLE

33. Moved by Councillor Smeaton
Seconded by Councillor Leavens

That this Council do now resolve into Committee of the Whole.

Carried.

PLANNING FUNCTION REVIEW

34. Interim Report and Recommendations Concerning the
Review of the Planning Function in Niagara – *A Celebration
of Past Successes and Defining Changes for Assuring Future Success*
CAO 15-2006

Mr. Robson provided the Committee of the Whole with an overview of the process the Planning Review Committee has taken to arrive at the recommendations found in Report CAO 15-2006.

Councillor Smeaton thanked all who have participated in this process, as the process itself is responsible for the recommendations in the report. A wide range of people, with varied interests and backgrounds, were engaged, with the entire process being overseen by the Planning Review Committee, a group with representation from all municipalities and the Niagara Peninsula Conservation Authority.

Members of Committee of the Whole congratulated and thanked those involved in the process, in particular Councillors Smeaton and Zimmerman for their leadership and Mr. Robson for his diligence in delivering these recommendations by the proposed deadline.

Councillor Zimmerman thanked Regional Council for their foresight, Mr. Robson for his diligence in delivering the report with the recommendations in a timely manner.

Councillor Zimmerman noted that change is always difficult, however, it has been thirty-six years since the planning process has been subject of a review, the review opens doors to planning in Niagara Region with issues being addressed in the Memorandums of Understanding. Niagara Region will be a leader in the province and possibly a leader across Canada through the planning function review process we have chosen to proceed with.

Councillor Zimmerman requested that an additional recommendation be added to the recommendations in the report as number 10, as follows: That the growth strategy review process be referred to the Planning Review Committee for review, and go forward in steps.

The Committee of the Whole was assured that the Niagara Home Builders Association and the Niagara Construction Association will be engaged in future discussions.

Regional Council requested that recommendations three (3), five (5) and ten (10) be voted on separately, it was therefore:

Moved by Councillor Smeaton
Seconded by Councillor Zimmerman

3. Delegate all land use related water functions to Niagara Peninsula Conservation Authority (NPCA), including wetlands; enforcement of Regional tree by-law to existing conservation officers; and, Region and NPCA to enter into an agreement for the NPCA to be the service delivery agent for the Region's tree planting program.

Carried.

Moved by Councillor Smeaton
Seconded by Councillor Zimmerman

5. Pursue **and investigate** negotiations with the Province a pilot for the creation of an appeal body for Niagara in keeping with the model prescribed in Bill 51 – appeal body to be appointed by Regional Council, to oversee decisions of local municipalities (as a 'check & balance' to relinquishing policing oversight) – also, begin implementing the Bill 51 prescribed 'Open House' stage of public consultation, as per Bill 51 and practice in Niagara-on-the-Lake (among other places)

Carried.

Moved by Councillor Smeaton
Seconded by Councillor Zimmerman

- 10. That the growth strategy review process be referred to the Planning Review Committee for review, and go forward in steps.**

Carried.

Regional Council then voted on the remainder of the recommendations:

Moved by Councillor Smeaton
Seconded by Councillor Zimmerman

That Report CAO 15-2006, dated July 27, 2006, respecting the Interim Report and Recommendations Concerning the Review of the Planning Function in Niagara – *A Celebration of Past Successes and Defining Changes for Assuring Future Success*, be received as **amended**.

That Regional Council:

1. Endorse the four priority Objectives and related action items laid out by the Technical Review Team in its Strategic Planning Report (March, 2006), subject to specific actions and related timelines as defined in this report and the balance of its recommendations. The specific Objectives to be endorsed are:
 - *To identify respective roles and reduce duplication with regard to planning functions;*
 - *To develop effective, efficient collaborative processes for policy development and development review;*
 - *To develop a communication protocol for Regional and Local planners to work together more effectively and efficiently; and,*
 - *To hear and understand what the community wants. To ensure that community aspirations are considered and communicated in the planning process. To develop a transparent, easily understood process of community engagement*
2. Area planners to develop a Memorandum of Understanding (MOU) for role clarity in light of recommendations herein. The MOU to address, at a minimum and subject to securing appropriate Ministerial approval under Sections 5, 15, 17 of the Planning Act:
 - Region exempt all site specific local Official Plan Amendments within the urban area boundaries from Regional Approval in order to reduce the time frame for approval of local Official Plan Amendments
 - Local municipalities not be required to circulate site-specific Zoning By-law Amendment, Consent and Minor Variance applications within the urban area to the Region unless the local municipality determines that such applications would benefit from Regional input
 - Local municipalities not be required to circulate requests for extensions of draft approval unless the local municipality determines that such extension requests would benefit from Regional input
 - emphasis for a regional planning function will be on policy development and representing Niagara's municipalities' interests in

- planning-related discussions with senior government and away from planning administration and oversight:
- the MOU to be subject to a regular review and updating process (e.g. once every electoral term or such other time frame as deemed appropriate)
4. In consultation with local municipal Committee of Adjustment Secretary-Treasurers, enter into a partnership agreement with one or more of the local municipalities to deliver the remaining Land Division Committee (LDC) oversight and that the CAO investigate reassignment of that resource in accordance with one or more of the following priorities – monitoring compliance/appeal body secretary, community engagement and/or coordination of planning functionality
 6. Area planners develop a standardized ‘plain language’ public advertisement format, aided by communications resource persons from the Region, NPCA and area municipalities
 7. Move immediately to place all land use-based information into web-based GIS function available to all
 8. In the upcoming Growth Management Study that has been authorized by Council, have the outcomes of that Study endorsed by the local municipalities, prior to any recommendations coming forward to Regional Council. Further, in order to respond to a clear demand for greater public engagement in the planning process (and to address the Technical Review Team’s related objective), employ visioning technology as an integral part of Council’s approved Growth Management Study
 9. That the structure that was put in place to oversee the review of the planning function to date, the component parts of which include the Review Committee, stakeholder engagement, area planners working as the Technical Review Team, remain in tact to address the ‘Next Steps’ items.

Carried.

2007 BUDGET

35. Considerations for the 2007 Budget

Mr. Bergsma provided Committee of the Whole with a presentation on Considerations for the 2007 Budget, the budget principles to be applied to the 2007 Budget process would provide value for the taxpayer; apply sustainability principles; guidelines that focus on the typical taxpayer and have an integrated approach.

The approach to be taken would require an understanding of Niagara's taxation trends; determine a sustainability target; use the target as a guide for 2007 budget development; work "lever" to manage tax burden (income & assessment growth and program priorities, etc.) and make considerations beyond the target.

Mr. Bergsma provided the Committee of the Whole with graphs that illustrated the 2006 typical taxpayer household (net average income; property taxes; consumption taxes and income and employment taxes); the cumulative Regional portion of burden increase (levy and rate); the total municipal average annual increase and the 2006 versus the 2011 typical taxpayer household.

Mr. Bergsma noted that sustainability depends on the ability of taxpayers to pay; ability to promote assessment growth; ability to manage costs; ability to prioritize programs, etc and the ability to generate other revenues, which will be considered the "lever" in the process.

The sustainability approach will take into account two significant factors that support a sustainable budget: the taxpayer income growth and the assessment growth.

Mr. Bergsma proposed that the budget preparation will focus on sustainability; integrate levy, rates, Current, Capital and Multi-year budget; reduce staff budget work and that the sustainability target for the 2007 Budget should not exceed 3.5%.

Moved by Councillor Martin
Seconded by Councillor Burroughs

That Regional Council receive the presentation respecting the Considerations for the 2007 Budget and adopt in principle the budget guidelines as presented.

Carried.

RISE FROM COMMITTEE OF THE WHOLE

36. Moved by Councillor Bodner
Seconded by Councillor Bailey

That this Council do now rise from Committee of the Whole.

Carried.

ADJOURNMENT

The Committee of the Whole adjourned at 6:15 p.m.

Peter Partington
Regional Chairman

Janet Pilon
Deputy Clerk

Pam Gilroy
Regional Clerk