

THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 2-2006

Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, February 1, 2006 commencing at 1:04 p.m.

ATTENDANCE

Committee: Councillors Rigby, Co-Chair; Smeaton, Co-Chair; Regional Chair Partington, Baty, Bentley, Bodner, Brock, Burroughs, Casselman, Eke, Gabriel, Goulbourne, Harry, Hodgson, Leavens, Mastroianni, Redekop, Salci, Timms, Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Neville, Commissioner, Public Works; Cambray, Commissioner, Planning & Development Department; Farley, Director, Planning Services; Brcic, Director, Water & Wastewater Services; Cousins, Director, Transportation Services; Sidawi, Director, Operation Support Services; Friesen, Director, Waste Management Services; Ms. Pilon, Acting Deputy Clerk.

Staff (Part Time): Messrs. Kyne, Director, Legal Services; Lockyer, Acting Commissioner, Corporate Services/Treasurer/Director, Financial Management & Planning; Robson, Director, Community Integration; Roach, Manager Public Works, Financial Services; Nicholson, Senior Policy Coordination Planner; Miller, Planner; Bergen, Transportation Planning Technologist; Barr, Transportation Project Engineer; Ms. Habermebl, Manager, Waste Collection Diversion; Ms. Murphy, Associate Director Current Capital Budget; Ms. Emeneau, Planner; Ms. Lambe, Business Partner, Strategic Communications.

PLANNING AND PRIORITIES
(STRATEGIC PLANNING/POLICY)

69. Final Recommendation Report
Regional Policy Plan Amendment 2-2005
Regional Road Allowance Policies
DPD 17-2006/PWA 14-2006

The Committee requested that the individuals, who are interested in making a presentation before the Committee respecting the Regional Road Allowance Policies, be limited to ten minutes, with their questions being responded to after all of the delegations have been heard.

Mr. Art Henry, Bowen Road, Fort Erie asked the Committee whether the proposed Regional Road Allowance would require the removal of their house.

Mrs. Violet Henry, Bowen Road, Fort Erie asked the Committee whether their house would stay on the property and, if so, would fences be constructed to protect their pets? When the highway construction was to begin? How much time are they allowed, to find another residence?

Mrs. Marion Damude, Highway 20, Pelham asked the Committee why the Niagara Region hired Professional Engineers (Delcan) to design Highway 20, to only have the Public Works staff change the plans at the taxpayers' expense.

Mrs. Damude noted that Niagara's agricultural lands should be protected and that Highway 20 would, if this amendment is adopted, look like a paved trail and that the S & T Railroad was designated for bike lanes purpose, therefore the space allotted for bike lanes should be removed from Niagara's road allowance requirement.

Mrs. Damude requested that staff and the Committee members put themselves in the property owner's places and consider whether they would accept what is being proposed.

Mr. Ed Kozicki, Four Mile Creek Road, Niagara-on-the-Lake, apprised the Committee of his property's history of expropriation through the Highway Act and Niagara Peninsula Conservation Authority.

Mr. Kozicki asked whether the surplus road allowance land where the proposed width was less than the existing width would be given back to his family.

Mr. Robert Kirk, St. Paul Street West, St. Catharines (submission included in the attachments) advised the Committee that he understands the Region's requirement

for changing the road allowances in the areas of new urban development. He, however, believes that there is of no value to the Region increasing the road allowances between Seventh and Ninth Streets and opposes it.

Mr. Kirk advised the Committee of the mature vegetation in the area, noting that any, disturbance to it would be detrimental to the ecology of the area and of the areas historical significance.

Mr. Paul Kerr, Sodom Road, Niagara Falls, a Professional Engineer advised the Committee that the acquisition of additional road allowance from his property would further erode his front yard and will result in huge costs to repair his house.

Mr. Kerr noted that he spoke at the September 7th public meeting and asked questions which were to be addressed if not at the meeting, later; he has had no further contact with staff and has retained a law firm, who has forwarded a letter on his behalf, which has also not been responded to.

Mr. Kerr advised the Committee that at the public meeting, staff indicated that the proposed road allowance was the existing road allowance and therefore felt it was dealt with, however, he is still concerned about his front and side yard with the existing setbacks, would an application for their alteration be declined due to the proposed road allowances?

Mr. Kerr advised the Committee that the process does not allow for any compensation and the costs should most definitely be covered.

Mr. John Parisee, Walts Street, Welland, advised the Committee that he is concerned about his proposed development at Highway 58 and Riverside Drive, noting that at the present time he is unsure of what impact the approval of this Amendment will have on his plans. The proposed Amendment would definitely affect property values in Niagara Region and the Committee should reconsider the implementation of the road allowances.

Mr. Tony Mete, Pinehurst Drive, Welland advised the Committee that they should take into consideration the property owners who abut Regional Roads listening to all of their concerns and comments; the protection of the fruit belt and support for Niagara's farmers.

Ms. Judy Murawski, Netherby Road, Welland advised the Committee that she cannot open her windows now, due to the truck traffic and their close proximity to her house, if this amendment is approved, it would only bring the traffic closer.

Mr. Cousins noted that there seems to be a general misunderstanding, Niagara Region is designating Regional Road allowances for the future, and Niagara Region is not acquiring property at this time. The proposed road allowances detailed in the report are road allowances the Niagara Region would like to have in

place, however, all road widenings are subject to an Environmental Assessment process.

Mr. Cousins addressed each of the delegations' questions as follows:

Mr. and Mrs. Henry, Bowen Road, Fort Erie – there is no widening planned at the present time and in the event, Bowen Road was to be widened, it would be subject to an Environmental Assessment and the property owners in the area would be notified.

Mrs. Damude, Highway 20, Pelham – the widening of Highway 20 was subject to an Environmental Assessment, recommendations were made and there were some requests for a bump up, however, approval was received. There are no plans to acquire land at Mrs. Damude's location.

Mr. Kozicki, Four Mile Creek Road, Niagara-on-the-Lake - there is no widening planned at the present time and in the event, Four Mile Creek Road was to be widened it would be subject to an Environmental Assessment. In respect to the surplus land Mr. Kozicki noted in his presentation, staff would be willing to have discussions with Mr. Kozicki and if in fact the land is surplus, staff would be willing to negotiate.

Mr. Kirk, St. Paul Street West, St. Catharines – there is an ongoing Environmental Assessment process taking place, noting that the road condition is very poor; there are safety issues, which are being addressed through proposed reconstruction. The environmental and historical sensitivity of the area is being taken into consideration and staff are considering using methods that will mitigate the effect on environment.

Mr. Kerr, Sodom Road, Niagara Falls - there is no widening planned at the present time and in the event Sodom Road was to be widened it would be subject to an Environmental Assessment.

Mr. Parisee, Walts Street, Welland - there is no widening planned at the present time and in the event Highway 58 and Riverside Drive was to be widened it would be subject to an Environmental Assessment.

Ms. Murawski, Netherby Road, Welland - there is no widening planned at the present time and in the event, Netherby Road was to be widened it would be subject to an Environmental Assessment.

Mr. Swierenga of the Ontario Federation of Agriculture advised the Committee that from an agricultural perspective Niagara Region is dealing with parcels of land, land

that would be out of bounds and in the Federation's position if Niagara Region is expropriating the society has to pay.

Moved by Councillor Brock
Seconded by Councillor Zimmerman

That Report DPD 17-2006/PWA 14-2006, February 1, 2006, respecting the Final Recommendation Report, Regional Policy Plan Amendment 2-2005, Regional Road Allowance Policies, be lifted from its current position on the agenda and dealt with at this time.

Carried.

The Committee was advised that there were three public meetings held and there were 20,000 property owners notified of the Amendment. Staff looked at a variety of road, utility, bike, and land use features of each area and determined the road allowance that was required including the features of the individual neighbourhood land use. One standard width was not used.

The Committee noted that if and when an individual/corporation contacts the Niagara Region to inquire as to the Niagara Region's plans along a Regional Roadway, the implementation of these Regional Road Allowances may be detrimental to an individual who is planning on selling their property, therefore, putting these in place is wrong and would adversely impact the property owner.

The Committee was advised that if an application for development was brought forward, these Regional Road Allowances would be taken into consideration.

The Committee was advised that in the instances where an individual is adding a garage, making an alteration to their existing dwelling, the existing local setbacks would apply and would be dealt with through the building permit.

The Amendment to the Regional Road Allowances is to deal with major development proposals.

The Committee was advised that the improvement to roads, sewers, landscaping and sidewalks is often a benefit to the property owners.

The Committee requested that sensitive areas, such as heritage highways, Niagara Escarpment should be recognized within the Amendment through heritage policies, which should be in place before Niagara Region moves forward.

The Committee was advised that each area would be dealt with on a site by site basis through the Environmental Assessment process.

The Committee also requested policies that would mitigate issues, a policy that would detail the process Niagara Region would follow to resolve issues before us, a dispute mechanism, where an individual would have the means to resolve their issues respecting the Regional Road Allowance.

The Committee noted that there are a number of outstanding issues and that those issues should be brought to the Committee's attention with the policies that are needed to mitigate the issues.

The Committee members noted their concern for the residents and their future plans.

The Committee noted that heritage should be considered and that it would be important to ensure that different landscapes are identified in a social and historical context.

The Committee was advised that "development application" refers to site plans or plans of subdivision and consents not minor variances.

Section 9.A.29, refers to "new construction", staff noted that this would apply to a new house and that the required setbacks are local regulations. The Committee noted that "new construction" could include "additions" with a value of property, therefore, and the proposed Amendment would have an inherent encumbrance on that property and would have impact on the property.

The Committee noted that some of the Regional Roads referred to in the report that cannot be widened as designated and if staff had used context sensitive solutions, staff would not be recommending the expansions in some cases.

The Committee was advised that only one section of Stevensville Road has been modified and with what is being proposed would cause a bottleneck.

The Committee noted that in the event an application was brought to the Ontario Municipal Board (OMB), the OMB would uphold the Niagara Region's Regional Policy Plan if these Regional Road Allowance Policies are in place.

The Committee noted that fair market value should be put in place in the event the Amendment is implemented.

The Committee requested that if the report is considered at today's meeting, the following amendments be made:

Policy 9.A.29 be deleted and a policy be put in place that would require that the Region provide compensation for additional road allowances.

The Committee made note of the importance of having the policies in place in order to provide for safe roadways and all of the amenities required, however, the cost to the Niagara Region and the homeowners needs to be clear.

The Committee was advised that when the desirable Regional Road allowances is to be used in the widening of a roadway, the Region will negotiate to purchase the property or expropriate when necessary where there is no development proposal.

The Committee was advised that the Smarter Niagara Steering Committee requested inclusion of the Model Urban Design Guidelines referenced in the policies.

The Committee requested that the Proposed Policy 9.A.26, which in its present state takes away from the local municipality, be revised to note that the Region and the local municipality will work cooperatively.

The Committee noted that if the policy destabilizes what Niagara's residents own, Niagara Region should not be proceeding.

The Committee also noted that the absence of a policy would not undermine good planning in Niagara Region.

The Committee was advised that the Niagara Region does acquire dedications; however, some are challenged, due to the lack of a policy within the Regional Policy Plan.

The Committee was advised that in most cases the Regional Road Allowances is as it exists today.

The Committee noted that there would be nothing on the title of the property and that until such time as Niagara Region is widening a Regional Road, then the property owner would be entitled to compensation.

The Committee noted that once the Amendment is approved the proposed Regional Road Allowances would be subject to an Environmental Assessment process.

The Committee was advised that as a commenting agency, Niagara Region would comment on the proposed Regional Road Allowances, if involved an Environmental Assessment or if there was knowledge of a pending project.

The Committee noted that 9.A.39 contradicts the previous explanation, which states that the Region shall protect their designated Regional Road allowances from development.

The Committee requested that staff prepare a schedule of road allowances confined to where there is development potential (vacant land within the urban boundary) or a major highway corridor that needs to be protected.

The Committee requested that 9.A.39 "not yet owned" be reviewed; that Highway 20, be reviewed; that 9.A.29, which is unclear, be made clearer; that 9.A.39, needs to be made clearer; that the fact that the implementation of the policy adds strength to the Region's argument at the OMB, needs to be clearly stated and the reconsideration of Policy 9.A.24, naming corridors and limited roadways and identifying heritage highways and future highways.

The Committee suggested that the policy should have a preamble that identifies the goals and a map that shows which roads have potential for change.

The Committee requested that staff include the current widths as well as what is being proposed.

Moved by Councillor Salci
Seconded by Councillor Mastroianni

That Report DPD 17-2006/PWA 14-2006, February 1, 2006, respecting the Final Recommendation Report, Regional Policy Plan Amendment 2-2005, Regional Road Allowance Policies, be referred to staff to review and clarify the items of concern.

Carried.

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to ten members, pursuant to Part II, Section 11.7 of the Procedural By-law 7174-93.

PRESENTATION

70. 2006 Current Budget: Rate Programs

Mr. Lockyer provided the Committee with a brief overview of the 2006 Rate Programs for Waste Management and Water and Wastewater, which have been separate from the tax levy discussions so far and require a separate budget approval and rate setting process due to the different method of raising funds.

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to eleven members, pursuant to Part II, Section 11.7 of the Procedural By-law 7174-93.

71. 2006 Operating Budget – Waste Management

Mr. Friesen provided the Committee with a brief overview of the 2006 Waste Management Services Division Current Budget noting the department's mission, major goals, inventory of Waste Management facilities and 2005 Program Highlights.

The Committee was apprised of the department's challenges for 2006; the program changes and cost drivers; expenditures and revenues with an overall total increase of 5.56% increase and the impact to the Reserve Fund.

Mr. Friesen advised the Committee that the 2006 Municipal Requisitions recovers the nest waste management costs from the tax base (similar to Water and Wastewater rates); reflects the change of charging per household rather than assessment and reflects the change in the allocation for base waste collection costs for the Region as a whole, rather than per collection area.

Mr. Friesen also reviewed the reasons for changes to the Municipal Requisitions and the comparisons of 2006 versus 2005 cost per households.

The Committee was provided with Budget Scenarios and Projections, as well as additional budget considerations, which proposed a tipping fee increase with comparisons of other Regional and private landfill site fees.

The Committee was advised that the reference to "will be unable to complete" would be revised to state "may be unable to complete", although it may mean consultant costs, Niagara Region will continue to complete the various mandated programs by the Ministry of Environment.

(Refer to Staff Directions)

At this point in the meeting a quorum was achieved.

OPERATIONS
(STATUS REPORTS)

72. 2006 Waste Management Services Division
Operating Budget
PWA 32-2006

Moved by Councillor Burroughs
Seconded by Councillor Leavens

That Report PWA 32-2006, February 1, 2006, respecting the 2006 Waste Management Services Division, Operating Budget, be received.

That the Waste Management Services Division's 2006 Operating Budget of \$39,454,066, be approved;

That the landfill tipping fee be increased from \$60 per tonne to \$70 per tonne, effective June 1, 2006.

Carried.

PRESENTATIONS (Continued)

73. 2006 Operating Budget – Water and Wastewater

Mr. Brcic provided the Committee with a brief overview of the 2006 Water and Wastewater Services Division Operating Budget noting the department's strategic values, inventories of the Regional Water and Wastewater Systems, Water and Wastewater Program Objectives and Successes, operating costs, 2006 key cost drivers, program changes; budget scenarios (3% and beyond 3%) with the risks associated; 2006 Capital Program; future budget impacts; expenditure rate impacts and program summaries.

(Refer to Staff Directions)

OPERATIONS (Continued)
(STATUS REPORTS)

74. 2006 Water and Wastewater Uniform Wholesale Rates

PWA 33-2006

Moved by Councillor Bentley
Seconded by Councillor Burroughs

That Report PWA 33-2006, February 1, 2006, respecting the 2006 Water and Wastewater Uniform Wholesale Rates, be received.

That the Planning and Public Works Committee recommend to Regional Council that the following be approved:

A) Water System

Water Works expenditures totalling \$37,662,000 be approved for 2006.

The Water Works capital expenditure totalling \$26,150,000 be approved for 2006.

The uniform rate charged to the area municipalities for the production of water be established at \$0.491 per cubic meter, representing an increase of 10%, for the period of March 1, 2006 to February 28, 2007

Regional Development Charges, totalling \$2 million, be used towards financing growth-related capital costs as identified for the 2006 water capital program.

B) Wastewater System

The Wastewater Works expenditure totalling \$54,851,000 be approved for 2006.

The Wastewater Works capital expenditure totalling \$29,090,000 net (\$32,690,000 gross) be approved for 2006.

The uniform rate charged to area municipalities for wastewater treatment for 2006 be established at \$0.608 per cubic meter, representing a 5.0% change, for the period March 1, 2006 to February 28, 2007.

Regional Development Charges, totalling \$1.0 million, be used towards financing growth-related capital costs as identified for the wastewater capital program.

C) Multi-year Plan

The 2007 Wastewater and Water Works financial details be approved in principle as part of the multi year plan.

	2007	
	Wastewater	Water
Total Expenditures	\$57,520,000	\$41,189,000
Capital Expenditures	\$37,685,000	\$33,690,000
Rate (\$ per cubic meter)	\$0.638	\$0.540
Rate Increase	5.00%	10.00%
Development Charge Reserve fund	\$1,000,000	\$2,000,000
Debenture Issue to be approved	\$0	\$0
Substitution of Unfunded Debt	\$0	\$0

- D) That the rate setting and rate structure approach be reviewed, by staff of the Region and Area Municipalities, to determine if a possible alternate method could be put in place for the year 2007.
- E) Regional Clerk be directed to ensure that the appropriate by-laws be prepared for presentation to Regional Council.
- F) This report be circulated to the Area Municipal Treasurers and Clerks for information.

Carried.

75. Tender Award for Contract RN 05-54
Port Robinson Sewage Works
Cities of Thorold and Welland
Project ID SW0215

PWA 15-2006 (CSD 22-2006)

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWA 15-2006 (CSD 22-2006), February 1, 2006, respecting the Tender Award for Contract RN 05-04, Port Robinson Sewage Works, Cities of Thorold and Welland, Project ID SW0215, be received.

That previously approved Long Term financing in the amount of \$170,000 be transferred from Project ZSW0216/SW0216 Sanitary Manhole Repair Program to Project ZSW0215/SW0215 Decommissioning of Port Robinson Lagoon.

That previously approved Wastewater Capital Reserve financing in the amount of \$198,000 be transferred from Project ZSW0217/SW0217 Decommissioning of Front Street Pumping Station to Project ZSW0215/SW0215 Decommissioning of Port Robinson Lagoon.

The previously approved Long Term financing in the amount of \$639,000 be transferred from Project ZSW0115/SW0115 Emergency Sewer and Forcemain Replacement Program to Project ZSW0215/SW0215 Decommissioning of Port Robinson Lagoon.

That Contract RN 05-054, Port Robinson Sewage Works, be awarded to Ranking Construction Inc., at their bid price of \$2,938,952.00.

That a contingency amount of \$300,000.00 be provided for this project.

That the Regional Clerk be directed to ensure that the appropriate by-laws are 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 ZSW0215/SW0215.

Carried.

(Please note that Report PWA 15-2006 (CSD 22-2006) can be found behind the JNT RPTS Blue Book Tab)

76. Tender Award for Contract RN 05-35-
Fourth Avenue Trunk Watermain from Vansickle Road to Nineteenth Street
City of St. Catharines and Town of Lincoln
Project ZCW0405/CW0414

PWA 16-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWA 16-2006, February 1, 2006, respecting the Tender Award for Contract RN 05-35, Fourth Avenue Trunk Watermain from Vansickle to Nineteenth Street in the City of St. Catharines and Town of Lincoln, Project ZCW0405/CW0414, be received.

That Contract RN 05-35, Fourth Avenue Trunk Watermain from Vansickle to Nineteenth Street, be awarded to Baiocco Construction Corp. at their bid price of \$4,594,815.50.

That a contingency amount of \$400,000.00 be provided for this project.

That the engineering assignment with Earth Tech Canada Inc. be extended to provide contract administration and construction supervision services in the amount of \$69,615.20.

That the Regional Clerk be directed to ensure that the appropriate by-laws are 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 ZCW0405/CW0414.

Carried.

77. Recommendations of Surface Emissions Survey
Former Glenridge Quarry Landfill Site, St. Catharines
PWA 22-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWA 22-2006, February 1, 2006, respecting Recommendations of Surface Emissions Survey, Former Glenridge Quarry Landfill Site in the City of St. Catharines, be received.

That Comcor Environmental Limited be retained to carry out the repair works to the Landfill gas collection system recommended in the Surface Emissions Survey carried out at the former Glenridge Quarry Landfill Site in St. Catharines at an estimated cost of \$45,500.

That the cost of said works be charged against Capital Project No. ZGL0406 Facility/Site Works; and

That the Clerk be directed to ensure that the appropriate by-laws are prepared for submission to Regional Council on February 9, 2006 authorizing the Chair and Clerk to execute the contract on behalf of the Regional Municipality of Niagara.

Carried.

78. Emergency Repairs to Remediate Leachate Seeps
Former Glenridge Quarry Landfill Site, St. Catharines

PWA 23-2005

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWA 23-2005, February 1, 2006, respecting the Emergency Repairs to Remediate Leachate Seeps at the Former Glenridge Quarry Landfill Site in the City of St. Catharines, be received.

That the amount of \$110,080.23 expended to carry out emergency repairs to remediate leachate seeps at the former Glenridge Quarry Landfill Site in St. Catharines be charged against Capital Project No. ZGL0519 Leachate Management Works – South Slope.

Carried.

79. Supply & Delivery of Ferric Chloride & Ferrous Chloride, Tender #2005-T-29
PWA 27-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWA 27-2006, February 1, 2006, respecting the Supply & Delivery of Ferric Chloride & Ferrous Chloride, Tender #2005-T-29, be received.

That this Committee recommend to Regional Council that a two (2) year contract (January 1, 2006 to December 31, 2008) be awarded to the sole bidder, Eaglebrook Inc. of Canada for the supply and delivery of Ferric Chloride and Ferrous Chloride, at a cost, including tax, of \$1,530,756.82.

Carried.

80. Agreement with Merritton Mills Redevelopment Corporation Disposal of Brownfield Soil at Regional Landfill Sites
PWA 29-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWA 29-2006, February 1, 2006, respecting the Agreement with Merritton Mills Redevelopment Corporation, Disposal of Brownfields Soil at Regional Landfill Sites, be received.

That the Niagara Region accept an additional 10,000 tonnes of soil from Merritton Mills Redevelopment Corporation under the same terms and conditions of the Agreement dated April 7, 2005; and

That Merritton Mills Redevelopment Corporation provide financial security in the amount of \$80,000 for maintenance and reinstatement of Winger Road.

Carried.

81. Supply & Delivery of Liquid Aluminum Sulphate,
Clar⁺Ion A7 and A10, Tender 2006-T-30
PWA 31-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWA 31-2006, February 1, 2006, respecting the Supply and Delivery of Liquid Aluminum Sulphate, Clar⁺Ion A7 and A10, Tender 2006-T-30, be received.

That this Committee recommend to Regional Council that Tender for Supply and Delivery of Liquid Aluminum Sulphate, Clar⁺Ion A7 and A10 be awarded to the low bidder, General Chemical Performance Products Ltd. at a total cost, including tax, of \$1,365,690.36.

Carried.

82. Official Plan Amendment No. 55
Niagara River Golf Course
Town of Fort Erie
DPD 13-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report DPD 13-2006, February 1, 2006, respecting the Official Plan Amendment No. 55, Niagara River Golf Course in the Town of Fort Erie, be received.

That based on Regional Council's decision on Regional Policy Plan Amendment 188, Amendment No. 55 to the Town of Fort Erie Official Plan be approved and this decision not take effect until Regional Policy Plan Amendment 188 has been approved by the Ontario Municipal Board.

That all parties be notified of Regional Council's decision on this application in accordance with Provincial regulations.

That staff issue a declaration of final approval if no appeals are received and after Regional Policy Plan Amendment 188 has been approved by the Ontario Municipal Board.

Carried.

83. Tender Award for Contract RN 05-33
Trunk Watermain to Interconnect the
Jordan, Vineland and Victoria Storage Facilities
Town of Lincoln
Project ZCW0113

PWA 17-2006 (CSD 23-2006)

Moved by Councillor Leavens
Seconded by Councillor Goulbourne

That Report PWA 17-2006 (CSD 23-2006), February 1, 2006, respecting Tender Award for Contract RN 05-33, Trunk Watermain to Interconnect the Jordan, Vineland and Victoria Storage Facilities in the Town of Lincoln, Project ZCW0113, be received.

That the previously approved Long Term Financing in the amount of \$2,313,000.00 be transferred from Project ZCW0204 / CW0529 Welland Water Treatment Plant Upgrade to Project ZCW0113 CW0113 Reservoir Interconnect – Jordan, Vineland and Victoria Storage facilities.

That Contract RN 05-33, Trunk Watermain to Interconnect the Jordan, Vineland and Victoria Storage Facilities in the Town of Lincoln, be awarded to D'Orazio Infrastructure Group Limited at their bid price of \$4,665,525.50, subject to obtaining the necessary approvals from the Ministry of Environment and Niagara Escarpment Commission.

That a contingency amount of \$400,000.00 be provided for this project.

That the engineering assignment with Totten Sims Hubicki Associates be extended to provide contract administration and construction supervision services in the amount of \$39,820.00.

That the Regional Clerk be directed to ensure that the appropriate by-laws are 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 ZCW0113/CW0113.

Carried.

(Please note that Report PWA 17-2006 (CSD 23-2006) can be found behind the JNT RPTS Blue Book Tab)

84. Moved by Councillor Brock
Seconded by Councillor Casselman

That Communication PWC 07-2006, Town of Niagara-on-the-Lake resolution (December 15, 2005) approving the recommendations of Report PW 05-0062, Report of the Water Strategy Expert Panel. (Council Correspondence C6734 – referred to Planning and Public Works Committee January 19, 2006), be received.

Carried.

85. Regional Niagara Bicycling Committee
November 17, 2005

Moved by Councillor Leavens
Seconded by Councillor Baty

That the minutes of the Regional Niagara Bicycling Committee meeting held on November 17, 2005, be received and the recommendations contained therein be approved.

Carried.

PLANNING AND PRIORITIES (Continued)
(STRATEGIC PLANNING/POLICY)

86. Water and Wastewater Strategy
Organizational Sustainability Review
PWA 218-2005

Moved by Councillor Redekop
Seconded by Councillor Zimmerman

That the request to extend the deadline for comments respecting the Water and Wastewater Strategy, Organizational Sustainability Review, be referred to the February 9, 2006 Regional Council meeting.

Carried.

87. Regional Inter-Municipal Specialized Transit
Single-Source Delivery of Services
PWA 24-2006

Moved by Councillor Eke
Seconded by Councillor Baty

That Report PWA 24-2006, February 1, 2006 respecting a Regional Inter-Municipal Specialized Transit, Single-Source Delivery of Services, be received.

That the following report and recommendations, approved by the Transportation Strategy Steering Committee at its January 10, 2006 meeting, be recommended to Regional Council.

That staff be authorized to negotiate the delivery of the Inter-Municipal Specialized Transit Services with St. Catharines Transit for the Niagara communities in the north and Welland Transit for the Niagara communities in the south;

That during the negotiations, should either Welland Transit or St. Catharines Transit no longer wish to continue in the process, staff then be authorized to continue the negotiations with the remaining Transit system;

That staff be authorized to negotiate on “overflow” and an “out-of-the-Region” agreement with the Canadian Red Cross (Niagara Area Branch);

That 2/3 of the vehicle cost (\$284,000) be funded from the Federal Gas Tax Revenue for Environmentally Sustainable Municipal Infrastructure (ESMI) and the remaining 1/3 (\$141,000) be funded from the Provincial “Ontario Transit Vehicle Program”, and

That the cost (\$100,000) for the computerized scheduling and dispatching system be funded from the Federal Gas Tax Revenue for Environmentally Sustainable Municipal Infrastructure (ESMI).

Carried.

88. Niagara Inter-Municipal Specialized Transit Service
Eligibility Criteria
PWA 25-2006

Moved by Councillor Eke
Seconded by Councillor Baty

That Report PWA 25-2006, February 11, 2006, respecting the Niagara Inter-Municipal Specialized Transit Service, Eligibility Criteria, be received.

That the following report and recommendations, approved by the Transportation Strategy Steering Committee at its January 10, 2006 meeting, be recommended to Regional Council.

That the “Eligibility Criteria” for the Inter-Municipal Specialized Transit Service as outlined in Appendix A be approved; and

That the members of the Transportation Strategy Steering Committee present the “Eligibility Criteria” for the Inter-Municipal Specialized Transit Service to their respective Municipal Councils for information.

Carried.

89. Special Events Recycling Program 2005
PWA 28-2006

Moved by Councillor Brock
Seconded by Councillor Gabriel

That Report PWA 28-2006, February 1, 2006, respecting the Special Events Recycling Program 2005, be referred back to staff to report back to the Waste Management Planning Steering Committee with additional information respecting the costs of permits.

Carried.

90. Transportation Strategy Steering Committee
January 10, 2006

Moved by Councillor Baty
Seconded by Councillor Bentley

That the minutes of the Transportation Strategy Steering Committee meeting held January 10, 2006, be received and the recommendations contained therein be approved.

Carried.

91. Proposed Modifications to
Policy Plan Amendment No. 170
Proposed Land Use Policies
Willoughby Area – City of Niagara Falls
DPD 18-2006

Moved by Councillor Salci
Seconded by Councillor Eke

That Report DPD 18-2006, February 1, 2006, respecting the Proposed Modifications to Policy Plan Amendment No. 170, Proposed Land Use Policies, Willoughby Area – City of Niagara Falls, be received.

That the proposed revised provisions of Regional Policy Plan Amendment 170 be received and further detailed review supported.

That the revised Amendment be circulated for comment to affected agencies and a public meeting be held pursuant to Planning Act requirements.

That copies of the report be circulated to the City of Niagara Falls for information and comment.

Carried.

92. Background Information Report
Regional Policy Plan Amendment 7-2005
Proposed Expansion to the Urban Area Boundary
Portage Road and Stanley Avenue
City of Niagara Falls
DPD 19-2006

Moved by Councillor Salci
Seconded by Councillor Gabriel

That Report DPD 19-2006, February 1, 2006, respecting the Background Information Report, Regional Policy Plan Amendment 7-2005, Proposed Expansion to the Urban Area Boundary, Portage Road and Stanley Avenue in the City of Niagara Falls, be received for information.

Carried.

93. Comments on the (U.S. Based)
Niagara National Heritage Area Study Report
DPD 20-2006

Moved by Councillor Casselman
Seconded by Councillor Baty

That Report DPD 20-2006, February 1, 2006, respecting the Comments on the (U.S. Based) Niagara National Heritage Area Study Report, be received **as amended**.

That staff continues to pursue opportunities for collaboration in planning efforts across the international boundary, efforts related to culture and heritage, environment and tourism, among others; and

That a copy of this report be sent to the sponsors of the Niagara National Heritage Area Study Report, the U.S. National Parks Service's Northeast Region Office in Boston, MA **and the Greater Niagara Circle Route Committee**.

Carried.

94. Moved by Councillor Leavens
Seconded by Councillor Bodner

That Communication PD 6-2006, a letter from David White representing the Reeb Quarry proposal on Highway 3 in the Township of Wainfleet requesting a referral of the Regional Policy Plan Amendment, be received and forwarded to the Ontario Municipal Board and that staff prepare a final recommendation report for the Committee's consideration.

Carried.

PUBLIC MEETINGS

95. Joint Public Meeting
Regional Policy Plan Amendment 9-2005
ZOOZ Theme Park
Town of Fort Erie

Date: Monday, February 6, 2006
Time: 6:00 p.m.
Place: Town of Fort Erie Council Chambers

Councillors: Baty, Eke, Timms, Mastroianni.

96. Regional Policy Plan Amendment 6-2005
Changes to the Agricultural and Rural Area Policies and
Mineral Resource Policies

Date: Wednesday, February 1, 2006
Time: 7:00 p.m.
Place: Town of Lincoln Council Chambers

Councillors: Hodgson, Leavens, _____.

97. Regional Policy Plan Amendment 6-2005
Changes to the Agricultural and Rural Area Policies and
Mineral Resource Policies

Date: Wednesday, February 8, 2006
Time: 7:00 p.m.
Place: City of Niagara Falls Council Chambers

Councillors: Smeaton, Angelone, _____.

98. Regional Policy Plan Amendment 6-2005
Changes to the Agricultural and Rural Area Policies and
Mineral Resource Policies

Date: Wednesday, February 15, 2006

Time: 7:00 p.m.
Place: Township of Wainfleet Council Chambers

Councillors: Baty, Leavens, Bodner

99. Joint Public Meeting
Regional Policy Plan Amendment 5-2005
Proposed Urban Boundary Expansion
Town of Grimsby
Date: Tuesday, February 28, 2006
Time: 7:00 p.m.
Place: Town of Grimsby Council Chambers
- Councillors: Zimmerman, _____, _____.

INFORMATION

100. Water and Sewage Quantities
By Municipality – Report for 3rd Quarter 2005
PWP 09-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWP 09-2006, February 1, 2006, respecting the Water and Sewage Quantities by Municipality – Report for 3rd Quarter 2005, be received for information.

Carried.

101. Construction Progress Report
Waste Management Services Capital Projects
PWP 10-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWP 10-2006, February 1, 2006, respecting the Construction Progress Report, Waste Management Services Capital Projects, be received.

Carried.

102. Water and Sewage Quantities
By Municipality – Report for 4th Quarter 2005
PWP 11-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWP 11-2006, February 1, 2006, respecting the Water and Sewage Quantities by Municipality – Report for 4th Quarter 2005, be received for information.

Carried.

103. Project Activity Report
Transportation Services
PWP 12-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWP 12-2006, February 1, 2006, respecting the Project Activity Report, Transportation Services, be received for information.

Carried.

104. Compost Technology Information Day and
Composting Processing Update
PWP 14-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report PWP 14-2006, February 1, 2006, respecting the Compost Technology Information Day and Composting Processing Update, be received for information.

Carried.

105. Moved by Councillor Casselman
Seconded by Councillor Eke

That Communication PWC 05-2006, a letter from Russ Howell, Manager of Fleet Services (January 12, 2006) to Dean Ostryhon, Director of Operations, Township of Wainfleet, respecting Chainsaw Certification Training, be received.

Carried.

106. Moved by Councillor Casselman

Seconded by Councillor Eke

That Communication PWC 06-2006, a letter from Ron Davidson, Associate Director, Transportation Operations (January 12, 2006) to Ms. Lorraine Cordner, Chair, Green Committee, PROUD Port Dalhousie respecting PROUD's proposal to contribute towards a tree planting program on Main Street in Port Dalhousie with Forestry staff's recommended species for consideration, be received.

Carried.

107. N.E.C. Development Permit Decisions
From July 16, 2005 to December 31, 2005
DPD 14-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report DPD 14-2006, February 1, 2006, respecting the N.E.C. Development Permit Decisions from July 14, 2005 to December 31, 2005, be received for information.

Carried.

108. Consent Summary
From December 19, 2005 to January 15, 2005
DPD 15-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report DPD 15-2006, February 1, 2006, respecting the Consent Summary from December 19, 2005 to January 15, 2005, be received for information.

Carried.

109. Regional Comments on Development Proposals
From December 19, 2005 to January 15, 2005
DPD 16-2006

Moved by Councillor Casselman
Seconded by Councillor Eke

That Report DPD 16-2006, February 1, 2006, respecting Regional Comments on Development Proposals from December 19, 2005 to January 15, 2005, be received for information.

Carried.

110. Moved by Councillor Casselman
Seconded by Councillor Eke

That Communication PD 7-2006, a letter to the Ontario Municipal Board regarding a notice of appeal received concerning Regional Council's decision to permit a rural residential lot in the City of Port Colborne – Official Plan Amendment 79, be received.

Carried.

CLOSED SESSION

111. Moved by Councillor Bodner
Seconded by Councillor Bentley

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

Carried.

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to nine members, pursuant to Part II, Section 11.7 of the Procedural By-law 7174-93.

112. License Agreement with Ministry
Partial Use of Facility
City of Niagara Falls
PWA 18-2006 (CSD 20-2006) CONFIDENTIAL

Moved by Councillor Leavens
Seconded by Councillor Salci

That Confidential Report PWA 18-2006 (CSD 20-2006), February 1, 2006, respecting the License Agreement with Ministry, Partial Use of Facility in the City of Niagara Falls, be received and the recommendations contained therein be approved.

Carried.

113. Extension of License Agreement

City of Welland
PWA 19-2006 CONFIDENTIAL

Moved by Councillor Gabriel
Seconded by Councillor Eke

That Confidential Report PWA 19-2006, February 1, 2006, respecting Extension of License Agreement in the City of Welland, be received and the recommendations contained therein be approved.

Carried.

114. License Renewal
City of Niagara Falls
PWA 26-2006 (COM 07-2006) CONFIDENTIAL

Moved by Councillor Bentley
Seconded by Councillor Leavens

That Confidential Report PWA 26-2006 (COM 07-2006), February 1, 2006, respecting the License Renewal in the City of Niagara Falls, be received and the recommendations contained therein be approved.

Carried.

115. Collection Contracts
PWA 35-2006 (CSD 25-2006) CONFIDENTIAL

Moved by Councillor Eke
Seconded by Councillor Salci

That Confidential Report PWA 35-2006 (CSD 25-2006), February 1, 2006, respecting Collection Contracts, be received and the recommendations contained therein be approved.

Carried.

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced eight members, pursuant to Part II, Section 11.7 of the Procedural By-law 7174-93.

116. Status Report – Official Plan Amendment Appeals

City of Niagara Falls
DPD 21-2006 CONFIDENTIAL

Moved by Councillor Salci
Seconded by Councillor Eke

That the Confidential Report DPD 21-2006, February 1, 2006, respecting the Status Report – Official Plan Amendment Appeals in the City of Niagara Falls, be received for information.

That staff be authorized to negotiate with the assistance of the City of Niagara Falls' staff and report back at the March 15, 2006 Planning and Public Works Committee meeting.

Carried.

117. Moved by Councillor Gabriel
Seconded by Councillor Leavens

That this Committee do now rise with report.

Carried.

STAFF DIRECTIONS

Staff was requested to:

- provide Council with information that shows the increase of chargebacks on a uniform basis showing the manner in which the calculations were made; information that shows the position Waste Management would be in, if Niagara was to move to the \$80.00 per tonne rate rather than the \$70.00 per tonne rate proposed; information on the old recycling facility, whether the Region benefited from its sale, etc; a breakdown of the tasks that are to be performed by the proposed staff addition; for the February 9, 2006 Regional Council meeting. (Refers to Minute Item # 71)
- consider utilizing the local municipality's students for grounds maintenance on a chargeback basis. (Refers to Minute Item # 73)
- a list of projects that are considered unfunded debt and how they correlate to debt, when they were approved and when they will move forward. (Refers to Minute Item # 73)

ADJOURNMENT

The Committee adjourned at 5:55 p.m., to meet again in Council Chambers, February 22, 2006 at 1:00 p.m.

Tim Rigby
Co-Chair

Bill Smeaton
Co-Chair

Janet Pilon
Acting Deputy Clerk

Pam Gilroy
Regional Clerk