

**THE REGIONAL MUNICIPALITY OF NIAGARA**  
**PLANNING AND PUBLIC WORKS COMMITTEE**

**REPORT 11-2007**

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Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, August 8, 2007 commencing at 1:08 p.m.

**ATTENDANCE**

- Committee: Councillors Rigby, Co-Chair; Regional Chair Partington, Badaway, Baty, Bylsma, Casselman, D'Angela, Gabriel, Goulbourne, Henderson, Hodgson, Marshall, Puttick, Timms, Trombetta.
- Staff: Messrs. Trojan, Chief Administrative Officer; Farley, Director, Planning Services; Friesen, Acting Commissioner, Public Works; Hughes, Acting Director, Transportation Services; Gohier, Acting Director, Water & Wastewater Services; Ms. Pilon, Deputy Clerk.
- Other: Councillor Greenwood; Messrs. Roberts, Executive Assistant to the Regional Chair; Nicholson, Associate Director, Policy/Implementation; Flora, Associate Director, Transportation Systems; Ms. Rae, Legal Counsel; Ms. Koz, Manager, Fleet Services.

**PRESENTATIONS**

342. Final Recommendation Report  
Regional Policy Plan Amendment 3-2007  
Sewer Line Extension  
Quaker Road and Rice Road  
City of Welland  

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**DPD 92-2007**

**Mr. Robert Clare and Mr. Don Metler**

Mr. Robert Clare and Mr. Don Metler residents of the area noted that the costs associated with the sewer line extension into their neighbourhood is too expensive (\$25K to \$30K per household), with most of the residents unable to afford such a financial outlay.

The Committee was advised that the charges should be considered by the property's frontage not on an individual basis.

Ms. Duffin

Ms. Duffin a property owner in the area advised the Committee that she is in favour of the water and sewer services being proposed for the area once the area is considered part of the Urban Area Boundary.

Ms. Duffin is willing to develop her property and would be willing to make a presentation to the City of Welland Council on the urban boundary expansion at an appropriate time.

343. Composting Facility in Niagara Region

Ms. Vajdic expressed relief on behalf of the residents of Vineland, Campden and Beamsville, now that the Niagara Region has decided to reassess the options for an organic waste processing facility in the Town of Lincoln.

Ms. Vajdic noted that composting and landfill options, while they are cheap, they represent out of date technology, they take up a lot of land and tend to cause public controversy and problems, with the potential to pollute the air and water over the long term. These technologies usually leave a legacy of contamination and are therefore, under increased scrutiny, especially by the new Niagara Peninsula Source Protection Committee, a Committee developing a source protection plan to protect sources of drinking water in the Niagara Peninsula Source Protection Area, under the Clean Water Act.

Ms. Vajdic apprised Committee of two alternative technologies for the disposal of household and mixed wastes, which appear to be viable at the present time, Bio-Digestion and Plasma Gasification Process. Bio-Digestion is being embraced in the City of Toronto, as the digesters do not require vast areas of land and are a fully enclosed process that is carried out under controlled conditions. A Bio-Digester could be located at the transfer station, which would eliminate the need to further transport our waste and the costs of trucking as well as reduce emissions from their exhausts. The methane produced by the process could be used to generate electricity or in a co-generation process, to produce heat as well. The Plasma Gasification Process is more expensive but can deal with mixed waste and also generate energy.

Niagara Region should be research other processes, as there may be other technologies of interest being used elsewhere in the world.

Ms. Vajdic urged the Committee and Regional staff to leave no stone unturned in a search for the right technology in the right location, as the residents of Niagara Region are depending on them to do just that!

Mr. Friesen advised the Committee that staff have looked at all technologies as part of the Region's search for a new composting facility. Bio-digestion technologies could have been included but none of the bidders carried that technology.

Mr. Friesen also emphasized that bio-digestion doesn't always work well, citing extreme odour problems that Toronto had faced with both of the bio-digesters built for its organics. One of the bio-digesters in the Dufferin area may still be operating under conditions of a Ministerial order from the Ministry of the Environment.

### **ITEMS FOR DEBATE**

344. Final Recommendation Report  
Regional Policy Plan Amendment 3-2007  
Sewer Line Extension  
Quaker Road and Rice Road  
City of Welland  
**DPD 92-2007**

The Committee was advised that the City of Welland is actively pursuing a major Urban Area Boundary expansion for the entire northwest area of the city. This application to extend a sanitary sewer line outside the urban area boundary could set a major precedent, therefore, it would be more prudent to provide comprehensive sewer, water and storm water systems when and if the northwest area of Welland is approved for the inclusion within the Urban Area.

Moved by Councillor Goulbourne  
Seconded by Councillor Marshall

That Report DPD 92-2007, August 8, 2007, respecting the Final Recommendation Report, Regional Policy Plan Amendment 3-2007, Sewer Line Extension, Quaker Road and Rice Road in the City of Welland, be received;

That Regional Policy Plan Amendment 3-2007 being an application by the City of Welland to provide sewer services to about 44 residents on Quaker Road and Rice Road outside the Urban Area of Welland not be approved.

That a copy of this report be forwarded to the City of Welland.

Carried.

### **PRESENTATIONS** (Continued)

345. Fluoridation Update

Mr. Leo Gohier, Acting Director, Water & Wastewater Services provided the Committee with the presentation he made at the July 23<sup>rd</sup> and 24<sup>th</sup> Public Meetings held in the City of Welland and Regional Headquarters respectively.

The Committee also received the minutes of those meetings, where members of the public were engaged and encouraged to ask questions and comments on the fluoridation of Niagara Region's water supply.

Moved by Councillor Casselman  
Seconded by Councillor Goulbourne

That the oral report by Mr. Leo Gohier, respecting the public meetings on Fluoridation, be received.

Carried.

### **ITEMS FOR CONSIDERATION**

346. Parking Prohibition  
Regional Road 55 (Niagara Stone Road)  
Town of Niagara-on-the-Lake  
**PWA 127-2007**

Moved by Councillor Trombetta  
Seconded by Councillor Henderson

That Report PWA 127-2007, August 8, 2007, respecting Parking Prohibition, Regional Road 55 (Niagara Stone Road) in the Town of Niagara-on-the-Lake, be received;

That parking be prohibited on both sides of Regional Road 55 (Niagara Stone Road), 50 metres east and west of the entrance to the restaurant located at 2228 Niagara Stone Road;

That the Regional Clerk be requested to ensure that the appropriate amendment to Niagara Region's Traffic By-law No. 89-2000 imposing this change in prohibiting parking on Regional Road 55 (Niagara Stone Road) be presented to Council for approval on August 16, 2007.

Carried.

347. Filing of Environmental Study Report  
O'Reilly's Bridge (Structure No. 627205)  
Regional Road 627 (O'Reilly's Road)  
Over the Welland River  
In the Township of Wainfleet and Town of Pelham  
Project RC0224  
**PWA 128-2007**

The Committee noted that the following information is required before they are able to make an informed decision on this issue:

- The minutes of the Public Meetings held on this issue
- What is being done for the two residents in Wainfleet that have driveway access on O'Reilly's Road
- Has it been determined whether the O'Reilly's Bridge has historic significance? If so, does the Niagara Peninsula Conservation Authority have any interest in maintaining the bridge?
- What has been discussed about relocating the bridge to another location?
- Could the bridge be used as a pedestrian or bike route?
- Notes of any discussions held with the Township of Wainfleet staff
- Details of when the traffic counts were taken (before, during or after the closure of Becketts Bridge)

The Committee noted that the above information was required before they made an informed decision, it was therefore:

Moved by Councillor Timms  
Seconded by Councillor Augustyn

That Report PWA 128-2007, August 8, 2007, respecting Filing of Environmental Study Report, O'Reilly's Bridge (Structure No. 627205), Regional Road 627 (O'Reilly's Road), Over the Welland River in the Township of Wainfleet and Town of Pelham, Project RC0224, be deferred pending the receipt of further information.

Carried.

348. Transfer of Approved Millennium Partnerships  
Funding Between Projects  
**PWA 130-2007**

The Committee was advised that these funds have to be used by March 31, 2008, and Niagara Region would be unable to use these funds for the Wainfleet Water & WasteWater Servicing Project by that deadline, therefore, staff is recommending that the projects listed in the report, be designated to receive the funds that were allotted to the Wainfleet project.

The Committee noted that the \$6 million that has been budgeted for Combined Sewer Overflows this year (the first year of a fifteen year commitment by Regional Council), be put into the reserves for the Wainfleet project, rather than using both the Millennium Partnerships Initiative funding and the \$6 million this year. This provision would ensure that Niagara Region has taken the necessary steps required to fund the Region's portion of the Wainfleet project.

The Committee noted that the following information is required prior to making a decision on this report:

- West Street project in Port Colborne, what does that consist of?
- The evaluation matrix used to determine which capital projects would be completed and to determine whether there are other capital projects that should have gone forward over the projects selected.
- A summary showing in detail all of the capital projects; the impact on the capital program; the spending cap that is created through the use of provincial funds; what it creates in the overall capital project?
- What is the capital budget? How is it created? How will we be using the capital?
- What are the ramifications of earmarking reserve funds?
- How does the earmarking of reserve funds to a project affect Provincial funding?
- If Niagara Region is not going to put the \$6 million in the reserves for the Wainfleet project as suggested, How will the \$6 million that has been allotted to CSO's be spent (a breakdown would be acceptable)?
- What has changed in the scope of the Port Robinson project?

The Committee noted that they were unable to make an informed decision on this issue without receiving the above information, it was therefore:

Moved by Councillor Trombetta  
Seconded by Councillor Casselman

That Report PWA 130-2007, August 8, 2007, respecting Transfer of Approved Millennium Partnerships, Funding Between Projects, be referred to the August 16, 2007 Regional Council meeting pending the receipt of the further information requested by Committee.

Carried.

349. Request for Approval of Tunnel Extension under  
Contract RN 06-16 Oxford Atlas Wellington Sanitary Sewer  
City of Welland  
Project ZSW0204/SW0416  
**PWA 133-2007 (CSD 134-2007)**

The Committee noted that this report requires the approval of Report PWA 130-2007, which has been referred to the August 16, 2007 Regional Council, it was therefore:

Moved by Councillor Gabriel  
Seconded by Councillor Casselman

That Report PWA 133-2007 (CSD 134-2007), August 8, 2007, respecting Request for Approval of Tunnel Extension under Contract RN 06-16 Oxford Atlas Wellington Sanitary Sewer in the City of Welland, Project ZSW0204/SW0416, be referred to the August 16, 2007 Regional Council meeting.

Carried.

*(Please note that Report PWA 133-2007 (CSD 134-2007) can be found behind the JNT RPTS Blue Book Tab)*

350. Financial Information Requested on  
The Greater Niagara Circle Route Trails System  
**DPD 90-2007 (CSD 128-2007)**

Moved by Councillor Badawey  
Seconded by Councillor Trombetta

That Report DPD 90-2007 (CSD 128-2007), August 8, 2007, respecting the Financial Information Requested on The Greater Niagara Circle Route Trails System, be received for information.

Carried.

*(Please note that Report DPD 90-2007 (CSD 128-2007) can be found behind the JNT RPTS Blue Book Tab)*

351. PD 53-2007

Moved by Councillor Trombetta  
Seconded by Councillor Puttick

That Correspondence Item PD 53-2007, a letter from Sullivan Mahoney respecting the Township of West Lincoln's request for staff assistance at the upcoming OMB Hearing, be received and approved.

Carried.

**PUBLIC MEETINGS**

352. Regional Policy Plan Amendment 5-2007

Proposed Wind Energy Policies

Date: Wednesday, August 15, 2007  
Open House: 6:00 p.m.  
Public Meeting: 7:00 p.m.  
Place: Regional Council Chambers

Councillors: Marshall, \_\_\_\_\_, \_\_\_\_\_

353. Regional Policy Plan Amendment 6-2007

Proposed Amendment to the Road Allowance Policies

Date: Wednesday, September 5, 2007  
Time: Public Meeting 7:30 p.m.  
Place: Town of Pelham  
Town Hall, Council Chambers  
20 Pelham Town Square, Fonthill

Councillors: Baty, \_\_\_\_\_, \_\_\_\_\_

354. Regional Policy Plan Amendment 6-2007

Proposed Amendment to the Road Allowance Policies

Date: Wednesday, September 12, 2007  
Time: Public Meeting 7:30 p.m.  
Place: City of Port Colborne  
City Hall, Council Chambers  
66 Charlotte Street, Port Colborne

Councillors: Badawey, \_\_\_\_\_, \_\_\_\_\_

**ITEMS FOR INFORMATION**

355. Moved by Councillor D'Angela  
Seconded by Councillor Badawey

That the following items be received for information:

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| PWP 49-2007 | Green Initiative and Alternative Fuel Options<br>For the Regional Fleet  |
| PWP 50-2007 | Chief Drinking Water Inspector Annual Report   |
| PWP 51-2007 | Wainfleet Water and Wastewater Servicing Strategy<br>New Meeting Date for Public Meeting   |
| PWP 52-2007 | Specialized Transit Performance Numbers<br>January to May 2007   |
| PWP 53-2007 | Niagara Specialized Transit<br>Presentation to the Town of Grimsby   |
| PWP 54-2007 | 2007 Environment Days  |
| PWP 55-2007 | 2007 Second Quarter Collection<br>Contractor Performance Report  |
| DPD 91-2007 | Partnership on Tree Planting Program: Land Care<br>Niagara, Regional Niagara, and the TD Friends of the<br>Environment Foundation                        |
| PWC 32-2007 | Letter from Ann Vajdic of Vineland, dated July 18, 2007<br>respecting Walker's proposal for a compost facility at<br>Spring Creek in the Town of Lincoln |
| PWC 33-2007 | Public Notice Re: Temporary Road Closure of Regional<br>Road 27 (River Road) between Hewitt Road and Gents<br>Road in the Township of Wainfleet          |
| PWC 34-2007 | Implementation of the Niagara Water Strategy –<br>Beach Postings Investigations Study  |

Carried.

356. Moved by Councillor Badawey  
Seconded by Councillor Hodgson

That the following items be received for information:

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|------------|--|
| PD 51-2007 | Correspondence to West Lincoln Committee of Adjustment regarding a variance to the Minimum Distance Separation formula.  |
| PD 52-2007 | Appeal of Regional Policy Plan Amendment 7-2005 Urban Area Expansions North of Portage Road, West of Stanley Avenue, City of Niagara Falls.                              |
| PD 54-2007 | Letter from Bill Matson, Record & Elections Coordinator, City of Niagara Falls, dated July 31, 2007 respecting the National Heritage Designation for the Welland Canals. |

Carried.

357. Moved by Councillor Casselman  
Seconded by Councillor Trombetta

That the following items be received for information:

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| Minutes | Smarter Niagara Steering Committee<br>For Wednesday, July 11, 2007    |
| Minutes | Greater Niagara Circle Route Committee<br>For Wednesday, July 4, 2007 |
| Minutes | Culture Committee<br>For June 18, 2007                                |

Carried.

### **OTHER BUSINESS**

358. Wainfleet Water & WasteWater Servicing Project – Public Meeting

Councillor Henderson encouraged all Regional Councillors to attend the public meeting on August 11, 2007 from 9:00 a.m. to Noon.

The Committee was advised that the final decision would be put before Regional Council and the Township of Wainfleet Council. The decision is based on infrastructure. The total project costs will be shown; the cost sharing formula and once we have established what the preferred solution is for Wainfleet, we will be looking at the residents' options for paying for the preferred solution. The costs are based on the development currently approved.

Councillor Badawey noted that the "big pipe" solution will be brought into the Port Colborne system and Wainfleet should be paying for that capacity, which would reimburse the City of Port Colborne for their capacity.

Staff noted that it is a two-tier system, the costs are spread across the Region, we will have to determine what portion of the costs that should be apportioned to the Wainfleet project.

359. Fly Road and Regional Road 24

The Committee was apprised of the warrants being met at the intersection of Fly Road and Regional Road 24 for signalization, which will be installed at the Region's expense.

It was suggested that the signalization of this intersection was in response to the proposal for a composting facility in the vicinity of that intersection.

Staff noted that they would review the impacts of a development, however, in this case the warrants have been met and therefore, it is Public Works' responsibility to act, by installing signals at that intersection.

360. Arterial Roads Report

The Committee was advised that Public Works has hired a consultant to prepare a sustainability report on the Regional Road Network, which should be distributed to Committee early in 2008.

Staff was apprised of several roads that require substantial repair in the City of Port Colborne and the City of Thorold, and staff was asked to work with municipal staff.

The Committee was advised that a Steering Committee will be established for the study, which will include the CAO's of the area municipalities.

361. Incinerator in Hamilton

The Committee was apprised of a CH News report that reported that Hamilton City Council was going to be deciding on whether to build a \$60 million incinerator to deal with the sludge produced from their wastewater facilities.

Mr. Friesen advised the Committee that Hamilton is running out of space to land apply its sludge and therefore are considering another option.

362. Visual Curbside Audits

The Committee was advised of a new program where Waste Management Services has engaged the services of three students who will be performing visual curbside audits in specific neighbourhoods throughout Niagara Region over a two week period, during the third week of the project the students will be targeting the households who are not recycling/composting and will be placing a card on their doorknobs with information on recycling and composting offering them an opportunity to win a prize if they go to one of the Niagara Region's container distribution centers to pick up their required containers and drop off the completed card.

The Committee was also advised that the residents who participate in the recycling/composting programs have an opportunity to win a prize by going on line to enter.

**CLOSED SESSION**

363. Moved by Councillor Casselman  
Seconded by Councillor Puttick

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

Carried.

Conflict of Interest

Councillor Casselman declared an indirect pecuniary conflict of interest with respect to Confidential Report PWA 126-2007 (CSD 123-2007), August 8, 2007, respecting A Proposed Acquisition of Land by the Region in the City of St. Catharines as she is a member of the St. Catharines Golf Club and she therefore left Regional Council Chambers during the discussion and voting on this matter.

364. A Proposed Acquisition of Land by the Region  
City of St. Catharines  
**PWA 126-2007 (CSD 123-2007) CONFIDENTIAL**

Moved by Councillor Trombetta  
Seconded by Councillor Puttick

That Confidential Report PWA 126-2007 (CSD 123-2007), August 8, 2007, respecting A Proposed Acquisition of Land by the Region in the City of St. Catharines, be received and the recommendations contained therein be approved.

Carried.

365. A Matter of Security of the Property of the Region of Niagara Processing and Glass Recycling Contracts  
**PWA 132-2007 (CSD 133-2007) CONFIDENTIAL**

Moved by Councillor Puttick  
Seconded by Councillor Casselman

That Confidential Report PWA 132-2007 (CSD 133-2007), August 8, 2007, respecting A Matter of Security of the Property of the Region of Niagara, Processing and Glass Recycling Contracts, be received and the recommendations contained therein be approved.

Carried.

366. A Matter of Litigation Involving the Municipality  
**PWA 134-2007 (CSD 130-2007) CONFIDENTIAL**

Moved by Councillor Augustyn  
Seconded by Councillor Puttick

That Confidential Report PWA 134-2007 (CSD 130-2007), August 8, 2007, respecting A Matter of Litigation Involving the Municipality, be received and the recommendations contained therein be approved.

Carried.

367. A Matter of Security of the Property of the Municipality – Landfill Agreement with Niagara Waste Systems Limited  
**PWA 135-2007 (CSD 135-2007) Confidential**

Moved by Councillor Puttick  
Seconded by Councillor Henderson

That Confidential Report PWA 135-2007 (CSD 135-2007), August 8, 2007, respecting A Matter of Security of the Property of the Municipality – Landfill Agreement with Niagara Waste Systems Limited, be referred to the August 29, 2007, Planning and Public Works Committee meeting, pending the receipt of further information.

Carried.

368. Moved by Councillor Casselman  
Seconded by Councillor Goulbourne

That this Committee do now rise with report.

Carried.

**ADJOURNMENT**

The Committee adjourned at 3:15 p.m., to meet again on Wednesday, August 29, 2007 in Council Chambers, Regional Headquarters.

Tim Rigby  
Co-Chair

Janet Pilon  
Deputy Clerk

Pam Gilroy  
Regional Clerk