

THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 1-2007

Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, January 10, 2007 commencing at 1:10 p.m.

ATTENDANCE

Committee: Councillors Rigby, Co-Chair; Smeaton, Co-Chair; Regional Chair Partington, Augustyn, Badawey, Baty, Burroughs, Bylsma, Casselman, D'Angela, Gabriel, Goulbourne, Henderson, Hodgson, Lepp, Marshall, Martin, McMullan, Puttick, Salci, Timms, Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer; Cambray, Commissioner, Planning & Development Department; Neville, Commissioner, Public Works Department; Farley, Director of Planning Services; Cousins, Director, Transportation Services; Friesen, Director, Waste Management Services; Baker, Acting Associate Director, Water & Wastewater Engineering; Ms. Gilroy, Regional Clerk; Ms. Staines, Legislative Assistant.

Staff (Part Time): Messrs. Atack, Coordinator of Records & Info & Project Management; Bergsma, Commissioner of Corporate Services; Bousfield, Manager, Property Management; Kyne, Director, Legal Services; Lockyer, Treasurer/Director, Financial Management & Planning; McQueen, Director of Administration; Ms. Rae, Legal Counsel; Messrs. Roach, Manager, Public Works Financial Services; Robson, Director, Community Integration

Guests: Ms. H. Foss, Messrs. G Hynde, P. Maloney

ADMINISTRATION

1. Procedure to Select the Committee Co-Chairs
CSD 1-2007

Regional Chairman Partington called for nominations for Co-Chair of the Planning and Public Works Committee aligned with the Planning and Development Department.

Moved by Councillor Salci
Seconded by Councillor Baty

That Councillor Smeaton be appointed Co-Chair of the Planning and Public Works Committee aligned with the Planning and Development Department.

Carried.

Regional Chair Partington called a second and third time for nominations for the position of Co-Chair of the Planning and Planning and Development Committee aligned with the Planning and Development Department.

Moved by Councillor Puttick
Seconded by Councillor Burroughs

That nominations for the position of Co-Chair of the Planning and Public Works Committee aligned with the Planning and Development Department be closed.

Carried.

There being no other nominations, Regional Chair Partington, with the agreement of Councillor Smeaton, declared him Co-Chair of the Planning and Public Works Committee aligned with the Planning and Development Department.

Regional Chairman Partington called for nominations for Co-Chair of the Planning and Public Works Committee aligned with the Public Works Department.

Moved by Councillor Baty
Seconded by Councillor Badawey

That Councillor Rigby be appointed Co-Chair of the Planning and Public Works Committee aligned with the Public Works Department.

Carried.

Regional Chair Partington called a second and third time for nominations for the position of Co-Chair of the Planning and Public Works Committee aligned with the Public Works Department.

Moved by Councillor Badawey
Seconded by Councillor Burroughs

That nominations for the position of Co-Chair of the Planning and Public Works Committee aligned with the Public Works Department be closed.

Carried.

There being no other nominations, Regional Chair Partington, with the agreement of Councillor Rigby, declared him Co-Chair of the Planning and Public Works Committee aligned with the Public Works Department.

Moved by Councillor Goulbourne
Seconded by Councillor Lepp

That Report CSD 1-2007, January 10, 2007, respecting the Procedure to Select the Committee Co-Chairs, be received;

Carried.

At this point in the meeting, Councillors Rigby and Smeaton assumed the Chair.

2. Day and Time of Regular Meetings
CSD 2-2007

Discussion took place respecting a request for a later start time for the meetings.

Moved by Councillor Badawey
Seconded by Councillor Salci

That Report CSD 2-2007, January 10, 2007, respecting the Day and Time of Regular Meetings, be received;

That regular meetings of the Planning and Public Works Committee be held on Wednesdays at 1:00 p.m. in accordance with the schedule approved by Regional Council; and

That special meetings be held at such times and such places as may be appropriate, pursuant to the provisions of the procedural by-law.

Carried.

PRESENTATIONS

3. 2007 Budget Process Update

Mr. John Bergsma, Commissioner, Corporate Services, provided background information and an update on the 2007 Budget process to date. Mr. Bergsma advised that at the Council presentation in July, significant improvements were introduced into the processes used in the preparation of the Region's Current, Capital and Rate supported budgets. In particular the taxpayer's perspective was incorporated into the budget process with respect to both levels of municipal government including education taxes. In order to prepare a budget that was

sustainable and affordable an integrated approach, examining both current and capital budgets together, as well as “rate” budgets was used.

The Commissioner provided information on a typical taxpayer household and Committee was advised that 6% of the net average income was required to pay for taxes. In comparison with the BMA Study, which refers to the mid category as 4.7% to 5.2%, the impact on the Niagara household would be considered high.

The total average increase per year of Regional taxes was presented at 5.8%. Real assessment growth was presented at 1.6% and taxpayer income growth at 1.9% for a total of 3.5% resulting in an affordability gap of 2.3%. Therefore to eliminate this affordability gap, at the start of the 2007 budget process in July, Council approved an overall budget target of 3.5% before assessment growth for combined Regional operations based upon long term affordability to taxpayers.

Mr. Bergsma highlighted a chart outlining the implications of the 2007 guideline, noting that there would be significant challenges to overcome in achieving such a target due to the fact that approximately 2.5% would be required to address fixed debt charges, 1.4% for mandated programs, 1.6% for payroll and 0.6% for other costs. Therefore, after those relatively fixed costs 2.6% or \$7.3 million would need to be found in order to meet the 3.5% target set.

Mr. Bergsma’s presentation was interrupted for the Public Meeting at 1:30 p.m.

PUBLIC HEARING

4. **Proposed Stopping-Up and Disposal of an Untravelled Portion of Regional Road No. 38 (Martindale Road) in the City of St. Catharines**

Councillor Smeaton, Committee Co-Chair, introduced the public hearing with respect to Proposed Stopping-Up and Disposal of an Untravelled Portion of Regional Road No. 38 (Martindale Road) in the City of St. Catharines and asked whether any person present would like to be heard. Mr. Neville, the Commissioner of Public Works, advised the Committee that the notice of the proposed by-law was published in the St. Catharines Standard on January 3 and January 4, 2007.

Councillor Smeaton then asked whether any person present would like to be heard with respect to the proposed name change. Heather Foss, a resident of St. Catharines, requested to speak. Ms. Foss is a City of St. Catharines Councillor but was not representing Council at this time. Ms. Foss referred to the strip of land in question which lies at the entrance to an 11 km section of the Merritt Trail, which the City website describes as “an historic trek across land which has a natural beauty all of its own”. Ms. Foss requested that the City of St. Catharines be allowed to acquire this property to provide a gateway to the Merritt Trail at this location.

It was pointed out that the City of St. Catharines would have first right of refusal to acquire this property. The motion at this time is concerned with allowing the stopping-up and closing of the roadway, and proceeding with disposal after discussions with the City of St. Catharines.

Moved by Councillor Zimmerman
Seconded by Councillor Timms

That for the proposed stopping-up and disposal outlined in the Public Notice of January 3 and 4, 2007, this Committee authorizes that the proposed stopping-up and disposal of an untravelled portion of Regional Road No. 38 (Martindale Road) in the City of St. Catharines may proceed. The City of St. Catharines will be contacted respecting the acquisition of the property.

Carried.

PRESENTATIONS (CONTINUED)

3. 2007 Budget Process Update (Continued)

Mr. Bergsma continued with his presentation. Taking into consideration the application of "Levers" (revenue increases, capital reductions, process changes, etc.) department managers were able to exceed the 3.5% target by a slight margin of 0.1% or \$0.3 million.

The typical regional department faced a target of approximately 1.3%. Where the 1.3% could not be reached, departments prepared business cases in order to compete, based on priorities, for a pool of funds of approximately \$2.2 million. The Commissioner noted that the initial "ask" for funding from this pool was \$5-7.6 million resulting in a reduction in the range of \$2.8 to \$5.4 million.

The Budget as it now stands, meets the Council approved overall budget target of 3.5%. Since assessment growth for 2007 was estimated at 1.6%, the net effect of the target on existing taxpayers, after assessment growth, would be an increase to taxpayers of approximately 1.9%. This is less than the rate of inflation. Mr. Bergsma commented that the Police budget is not yet complete.

Mr. Bergsma also provided an overview of the Capital Budget Process advising that the initial "ask" was for \$171 million. A deferral target of \$75 million was set taking into account issues related to the backlog of work; alignment with cash flow; and the Public Sector Accounting Board changes. Following that process a reduction of \$66 million was achieved. Expected capital expenditures are now projected in the amount of \$105 million. Mr. Bergsma advised that debt charges, estimated at \$2.5 million are down to 1.9% for 2007 and projected to be down to 1% in 2008. Water and Wastewater rates are also lower than historical levels.

A timeline for the proposed approval process was presented as follows:

- Committee presentations – January 9, 10, 2007
- Budget Review Committee as Committee of the Whole – January 18, 2007 at 4:00 p.m.
- Further Committee review - January 30, 31, 2007
- Budget Review Committee as Committee of the Whole – February 8, 2007

Mr. Bergsma identified the following issues for consideration in moving forward in 2008-2011:

- a) 2007 budget “transition” year
- b) Council strategy review (first and second quarter of the year)
- c) Four year financial plan and budgets reflecting strategy (second and third quarter of the year)
 - Apply “levers”:
 - Innovation
 - Process change & organizational reviews
 - Alignment and accountability
 - Service quality
 - New revenue sources

Committee was advised that more detailed budget information will be presented at the Committee of the Whole Budget Review Committee meeting on January 18, 2007, as well as at the next round of Standing Committees.

Moved by Councillor Burroughs
Seconded by Councillor Puttick

That the 2007 Budget Process presentation by Mr. Bergsma be received

Carried.

(Refer to Staff Directions)

5. Bartlett Road East Industrial Area Expansion, Town of Lincoln (DPD 09-2007)

Mr. Patrick Maloney, an area resident, expressed his concerns about the late receipt of notice respecting this issue. The Planning and Development Department letter dated January 2, 2007, was not received until Monday, January 8 and did not allow Mr. Maloney enough time to prepare for this meeting. Councillor Smeaton apologized for the late arrival of the letter but noted that it was a busy time of the year for mail delivery.

OPERATIONS (STATUS REPORTS)

6. Proposed Shickluna Generating Station
12 Mile Creek near Fourth Avenue Bridge
City of St. Catharines

PWA 01-2007

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Report PWA 01-2007, January 10, 2007, respecting the Proposed Shickluna Generating Station, 12 Mile Creek near Fourth Avenue Bridge in the City of St. Catharines, be received;

That the Region of Niagara agrees, in principle, to enter into an agreement with St. Catharines Hydro Generation Inc. to facilitate access over Regionally-owned lands to reach to site of St. Catharines Hydro Generation Inc.'s proposed 5 MW generating station proposed on the 12 Mile Creek, in the vicinity of Fourth Avenue in the City of St. Catharines;

That execution of the final agreement be subject to all necessary approvals being received by St. Catharines Hydro Generation Inc.;

And further, that the Regional Chair and Clerk be authorized to execute easement and/or rights-of-way agreements associated with Regional lands related to this project.

Carried.

(Refer to Staff Directions)

7. Capital Budget Allocation By-law for
Widening of Regional Road 20 (Old Hwy 20) and
Interchange Upgrades at Highway 406
Project ZRC0017

PWA 02-2007 (CSD 05-2007)

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Report PWA 02-2007 (CSD 05-2007), January 10, 2007, respecting the Capital Budget Allocation By-law for Widening of Regional Road 20 (Old Hwy 20) and Interchange Upgrades at Highway 406, Project ZRC0017, be received;

That financing in the amount of \$2,000,000 gross and net be approved for Project ZRC0017 Widening of Regional Road 20 (Old Hwy 20) and Interchange Upgrades at Highway 406, as included in the 2006 Roads Capital Program Budget;

That approval be given to fund the projects with financing consisting of \$1,000,000 from the Development Charge Reserve Fund and \$1,000,000 in Long Term Financing (1-10 years); and

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

Carried.

(Please note that Report PWA 02-2007 (CSD 05-2007) can be found behind the JNT RPTS Blue Book Tab)

8. Appointments to Sub-Committees for the Period 2007 - 2010
PWA 04-2007

It was noted that the number of Councillors sitting on most sub-committees should not be limited, and Terms of Reference need to be updated to reflect this. Where the number of politicians sitting on committees is restricted by the number of citizen appointments or other considerations (such as Niagara-Hamilton WastePlan where there are an even number of Niagara and Hamilton councillors) this should be noted.

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Report PWA 04-2007, January 10, 2007, respecting the Appointments of Sub-Committees for the Period 2007 – 2010, be received;

That the Planning and Public Works Committee appoint members to the following committees (in accordance with Committee Preference requests by Councillors and additional requests to Clerk's Department):

Transportation Strategy Steering Committee: Regional Chair Partington, Councillors Augustyn, Badawey, D'Angela, Goulbourne, Lepp, McMullan, Puttick, Rigby, Salci, Saracino, Timms, Zimmerman

Inter-Municipal Specialized Transit Advisory Committee: Councillors Augustyn, Badawey, Saracino

Regional Niagara Bicycling Committee: Councillors Baty, Henderson (*at least 3 Councillors required*)

Water Strategy Implementation Sub-Committee: Councillors Badawey, Burroughs, Cordiner and Henderson

Carried.

(Refer to Staff Directions)

9. Landfill Gas Utilization Project
Glenridge Quarry Naturalization Site
City of St. Catharines
PWA 06-2007

It was noted that there is less gas available for utilization at this site than originally anticipated which will affect cost and revenue expectations. There will be some revenue from greenhouse gas credits and possibly from utilizing waste heat from the engines.

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Report PWA 06-2007, January 10, 2007, respecting the Landfill Gas Utilization Project, Glenridge Quarry Naturalization Site, City of St. Catharines, be received;

That the proposed agreement negotiated between the Regional Municipality of Niagara and Glenridge Gas Utilization Inc. with respect to the landfill gas utilization project at the Glenridge Quarry Naturalization Site in St. Catharines, as detailed in this report, be approved; and

That the Regional Clerk be directed to ensure that the appropriate by-law is prepared for Council on January 18, 2007 authorizing the Regional Chair and Regional Clerk to execute the agreement on behalf of the Regional Municipality of Niagara.

Carried.

(Refer to Staff Directions)

10. Proposed Amendment to the Waste Management Planning Steering Committee
Terms of Reference
Appointment of the Waste Management Planning Steering Committee Members
Appointment of the Niagara-Hamilton WastePlan Joint Working Group Members
from the Waste Management Planning Steering Committee Members
PWA 07-2007 (Revised)

It was requested that the Terms of Reference for all sub-committees should be reviewed to reflect the number of Councillors allowed to serve.

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Report PWA 07-2007 (Revised), January 10, 2007, respecting the Proposed Amendment to the Waste Management Planning Steering Committee Terms of Reference, Appointment of the Waste Management Planning Steering Committee Members, and Appointment of the Niagara-Hamilton WastePlan Joint Working Group Members from the Waste Management Planning Steering Committee Members, **as amended**, be received;

That the proposed amendment to the Waste Management Planning Steering Committee Terms of Reference to increase the number of members **be reviewed**;

That the following Regional Councillors be appointed to serve on the Waste Management Planning Steering Committee (WMPSC) for the new term of Council: (in accordance with Committee Preference requests by Councillors and additional requests to Clerk's Department):

Regional Chair Partington; Councillors Badawey, Baty, Burroughs, Bylsma, Casselman, Forster, Goulbourne, Henderson, Hodgson, McMullan, Puttick, Rigby

Carried.

Moved by Councillor Badawey
Seconded by Councillor Zimmerman

That the following Regional Councillors and alternate be appointed to serve on the Niagara-Hamilton WastePlan Joint Working Group Committee (five Councillors plus one alternate):

Councillors Baty, Burroughs, Casselman, Goulbourne, McMullan
Alternate: Councillor Puttick

Carried.

(Refer to Staff Directions)

11. Investigation to Assess VOC Contamination to the Bedrock Aquifer
Bridge Street Landfill Site, Town of Fort Erie
Project ZGL0517
PWA 08-2007 (CSD 11-2007)

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 08-2007 (CSD 11-2007), January 10, 2007, respecting the Investigation to Assess VOC Contamination to the Bedrock Aquifer, Bridge Street Landfill Site, Town of Fort Erie, be received;

That the investigation to assess the VOC contamination of the bedrock aquifer at the Bridge Street Landfill Site, Town of Fort Erie, be awarded to Jagger Hims Limited at the cost of \$254,870.00;

That financing from the Solid Waste Reserve Fund in the amount of \$168,380 be initiated for Project ZGL0406 Emergency Facility Site Works and transferred to Project ZGL0517 Groundwater Remediation at Bridge Street Landfill Site; and

That the project costs be charged against Capital Works Parent Project ZGL0517/GL0517.

Carried.

(Please note that Report PWA 08-2007 (CSD 11-2007) can be found behind the JNT RPTS Blue Book Tab)

12. Proposed Parking Prohibition
Regional Road 83 (Carlton Street)
City of St. Catharines
PWA 09-2007

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 09-2007, January 10, 2007, respecting the Proposed Parking Prohibition, Regional Road 83 (Carlton Street), City of St. Catharines, be received;

That parking be prohibited at any time on both sides of Regional Road 83 (Carlton Street) between Bunting Road and Welland Canals Parkway; and

That the Regional Clerk be required to submit the by-law amendment to Council on January 18, 2007.

Carried.

13. Proposed Parking Prohibition
Regional Road 102 (Stanley Avenue)
City of Niagara Falls
PWA 10-2007

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 10-2007, January 10, 2007, respecting the Proposed Parking Prohibition, Regional Road 102 (Stanley Avenue), City of Niagara Falls, be received;

That parking be prohibited at any time on both sides of Regional Road 102 (Stanley Avenue) from Whirlpool Road to Regional Road 62 (Stamford Townline); and

That the Regional Clerk be required to submit the by-law amendment to Council on January 18, 2007.

Carried.

14. Adopt-A-Median Program
PWA 11-2007

Concern was expressed about the safety of citizen groups working on the medians. Mr. Cousins advised that work would be done by professional contractors under appropriate safety regulations and this work would be sponsored by community groups, and this will be clarified in the Policy. Concern was expressed about the number of accidents at a median in Fonthill, and Mr. Cousins advised that lighting for this area is being reviewed along with other design considerations. This median was requested by the Town of Pelham as part of their site plan. Mr. Cousins also advised that a mock-up of the sponsorship signs will be shown to Council prior to the signs being erected in the medians.

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 11-2007, January 10, 207, respecting the Adopt-A-Median Program, be received;

That this Committee recommend to Regional Council that staff be authorized to introduce an "Adopt-A-Median" program as outlined in this report.

Carried.

15. Load Capacity Evaluation for
Structure No. 067205 (Beaverdams Road Bridge) and
Structure No. 050215 (Power Canal Bridge) over Gibson Lake
In the City of Thorold
PWA 12-2007

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 12-2007, January 10, 2007, respecting the Load Capacity Evaluation for Structure No. 067205 (Beaverdams Road Bridge) and Structure No. 050215 (Power Canal Bridge) over Gibson Lake, in the City of Thorold, be received;

That the "Bridge Load Capacity Evaluation and Rehabilitation/Replacement Analysis Report for Beaverdams Road Bridge (Structure No. 067205)" prepared by Ellis Engineering dated November 2006, be received;

That a load limit posting of 45, 32 and 18 tonnes be posted, using a triple posting sign, for Beaverdams Road Bridge (Structure No. 067205) which carries Regional Road 67 (Beaverdams Road) over Gibson Lake in the City of Thorold;

That the "Bridge Load Capacity Evaluation and Rehabilitation/Replacement Analysis Report for Power Canal Bridge (Structure No. 050215)" prepared by Ellis Engineering dated December 2006, be received;

That a load limit posting of 34, 25 and 13 tonnes be posted, using a triple posting sign, for Power Canal Bridge (Structure No. 050215) which carries Regional Road 50 (Merrittville Highway) over Gibson Lake in the City of Thorold; and

That the Regional Clerk be requested to ensure the necessary by-laws are presented to Council on January 18, 2007.

Carried.

16. Regional Road 89 (Glendale Avenue)
Bridge Demolition between the QEW
And Regional Road 81 (York Road)
Town of Niagara-on-the-Lake
PWA 13-2007

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 13-2007, January 10, 2007, respecting the Regional Road 89 (Glendale Avenue) Bridge Demolition between the QEW and Regional Road 81 (York Road), Town of Niagara-on-the-Lake, be received;

That the Regional Clerk be directed to ensure that the necessary by-laws, including the by-law authorizing the Regional Chair and Regional Clerk to execute an agreement with the Ministry of Transportation Ontario for the demolition of the York Road bridge structure in the vicinity of the QEW and Glendale Avenue interchange, in the Town of Niagara-on-the-Lake, on behalf of the Regional Municipality of Niagara are presented to Regional Council on January 18, 2007;

That the Agreement outline responsibilities and secure financial commitments to cover 100% of the costs associated with the bridge structure demolition and associated road and embankment works at this location;

That the Commissioner of Public Works be authorized to proceed, as necessary, with publications of a Notice to Demolish and Road Closure, to facilitate the bridge removal and associated works, in accordance with the provisions of the Municipal and Environmental Assessment Acts;

That the Town of Niagara-on-the-Lake be notified of the bridge closure and anticipated construction schedule; and

That costs be charged against Project ZRC0740 Bridge Demolition on Regional Road 89 (Glendale Avenue) between the QEW and Regional Road 81 (York Road).

Carried.

(Refer to Staff Directions)

17. Memorandum of Understanding
Proposed Bruce Trail Crossing over the QEW
In the City of Niagara Falls
PWA 14-2007 (CSD 13-2007)

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 14-2007 (CSD 13-2007), January 10, 2007, respecting the Memorandum of Understanding, Proposed Bruce Trail Crossing over the QEW In the City of Niagara Falls, be received;

That the Regional Chair be authorized forthwith to execute a Memorandum of Understanding satisfactory to the Regional Solicitor which outlines the steps that Regional Niagara and the Bruce Trail Association will take towards the development, including financing, design, construction, use, maintenance or repair of a pedestrian bridge crossing over the QEW at Sand Plant Hill, in the City of Niagara Falls, in advance of formalizing a legal agreement between the two parties;

That staff be authorized to negotiate reasonable terms and conditions for an agreement with the Bruce Trail Association; and subsequently,

That the Regional Chair and Clerk be authorized to execute an agreement satisfactory to the Regional Solicitor with the Bruce Trail Association that outlines their rights and obligations with respect to financial commitments (present and future) and to the operation and maintenance or repair of the pedestrian bridge;

That approval be given to initiate financing in the amount of \$303,000 gross and \$153,000 net for Project ZRC0428 Bruce Trail Bridge Crossing over the QEW in the City of Niagara Falls included in the 2004 Roads Capital budget;

That approval be given to increase the gross budget in the amount of \$100,000 to reflect an additional external contribution;

That the total financing of \$403,000 be comprised of \$153,000 in Capital Levy Financing, \$200,000 from the Ministry of Health Promotion and \$50,000 from the Bruce Trail Association.

That project costs be charged to Capital Works Project ZRC0428 Bruce Trail Bridge Crossing over the QEW in the City of Niagara Falls.

Carried.

18. Agreement for Road Works
Streamside Developments Corp. Streamside Subdivision
Clearance of Condition to Facilitate
Subdivision Registration and Permit Issuance
Regional Road 20 (formerly Highway 20) at South Grimsby Road 6
Township of West Lincoln
PWA 17-2007 (CSD 20-2007)

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 17-2007 (CSD 20-2007), January 10, 2007, respecting the Agreement for Road Works, Streamside Developments Corp. Streamside Subdivision, Clearance of Condition to Facilitate Subdivision Registration and Permit Issuance, Regional Road 20 (formerly Highway 20) at South Grimsby Road 6, Township of West Lincoln, be received;

That the Region enter into an Agreement with Streamside Developments Corp. with respect to a proposed subdivision consisting of 84 single family units with two (2) adjacent commercial blocks consisting of a total of 4.23 ha to be developed by the same owner on the south side of Regional Road 20 (formerly Highway 20) in the southeast quadrant of South Grimsby Road 6 and Streamside Drive, respectively;

That the Agreement outline responsibilities and secure financial commitments to cover the developer's share of costs associated with the construction of the required road improvements at this location;

That the Director of Legal Services be requested to prepare the necessary Agreement;

That Long Term Financing in the amount of \$175,000 is transferred from Project ZRC0021 Reconstruction of Regional Road 50 (Glenridge Avenue) to Project ZRC0601 Roads Rehabilitation Program;

That the Regional Chair and Regional Clerk be authorized to execute this Agreement;

That the Township of West Lincoln be circulated a copy of this report;

That the Commissioner of Public Works be authorized to proceed, as necessary, with the publication of a Notice of Meeting, in accordance with the provisions of the Municipal and Environmental Assessment Acts; and

That the project cost be charged against Project ZRC0601 Roads Rehabilitation Program.

Carried.

(Please note that Report PWA 17-2007 (CSD 20-2007) can be found behind the JNT RPTS Blue Book Tab)

19. Rehabilitation/Replacement of
Structure No. 124205 (Central Avenue Bridge)
And Bridge Repair Program
Project ZRC0548

PWA 19-2007 (CSD 21-2007)

Moved by Councillor McMullan
Seconded by Councillor Marshall

That Report PWA 19-2007 (CSD 21-2007), January 10, 2007, respecting the Rehabilitation/Replacement of Structure No. 124205 (Central Avenue Bridge) and Bridge Repair Program, Project ZRC0548, be received;

That the "Rehabilitation/Replacement Analysis Report for Central Avenue Bridge (Structure No. 124205)" prepared by Ellis Engineering dated November 2006, be received;

That a load limit posting of 47, 36, and 21 tonnes be posted (C.H.B.D.C.), using a triple posting sign, for Central Avenue Bridge (Structure No. 124205) which carries Regional Road 124 (Central Avenue) over Canadian National Railway Tracks in the Town of Fort Erie;

That staff be authorized to proceed forthwith with the repairs to the north abutment bearing seat and the closure and demolition of the pedestrian access structure from Lewis Street;

That approval be given to initiate Long Term Financing (1-10 years) in the amount of \$650,000 for Project ZRC0548 Rehabilitation of Structure 124205, Central Avenue Bridge over CN Rail in the Town of Fort Erie;

That the surplus funding be used to rehabilitate other structures that require immediate substructure repairs;

That the Regional Clerk be requested to ensure the necessary by-laws are presented to Council on January 18., 2007; and

That project costs be charged to Capital Works Project ZRC0548 Rehabilitation of Structure 124205, Central Avenue Bridge over CN Rail in the Town of Fort Erie.

Carried.

(Please note that Report PWA 19-2007 (CSD 21-2007) can be found behind the JNT RPTS Blue Book Tab)

20. Appointment to Sub-Committees for 2007-2010
Related to the Planning and Development Department
DPD 2-2007

Moved by Councillor McMullan
Seconded by Councillor Goulbourne

That Report DPD 2-2007, January 10, 2007, respecting the Appointment to Sub-Committees for 2007-2010 Related to the Planning and Development Department, be received;

That the Planning and Public Works Committee appoint members to the Agricultural Sub-Committee, to the Agricultural Task Force, to the Culture Committee, to the Ecological and Environmental Advisory Committee, to the Greater Niagara Circle Route Committee, to the Planning Review Committee, and to the Smarter Niagara Steering Committee as follows: (as shown in report and as requested by Councillors pursuant to direction of Chair):

Agricultural Sub-Committee:

Councillors Baty, Henderson

Agricultural Task Force:

Councillors Baty, Henderson, Hodgson, Zimmerman

Culture Committee:

Regional Chair Partington, Councillors Badawey, Casselman, Gabriel, Goulbourne, Marshall, Timms

Ecological and Environmental Advisory Committee (EEAC):

Councillors:

Greater Niagara Circle Route Committee:

Councillors Gabriel, Marshall, Timms

Planning Review Committee:

Councillors Baty, Bentley, Gabriel, Henderson, Hodgson, Marshall, Rigby, Trombetta, Zimmerman

Smarter Niagara Steering Committee:

Regional Chair Partington, Councillors Augustyn, Badawey, Cordiner, Gabriel, Greenwood, Timms

Regional Niagara Bicycling Committee:

Councillor Baty, Henderson

Carried.

21. Official Plan Amendment No. 32
Re-development of former Hotel Dieu Parking Lot
170 Ontario Street, City of St. Catharines
DPD 3-3007

Commissioner Cambrey noted that the 42 townhouse units was a very good example of residential intensification envisioned by the Province, Regional and City planning policies.

Moved by Councillor Gabriel
Seconded by Councillor McMullan

That Report DPD 3-2007, January 10, 2007, respecting the Official Plan Amendment No. 32, Re-development of former Hotel Dieu Parking Lot, 170 Ontario Street, City of St. Catharines, be received;

That Amendment No. 32 to the St. Catharines Official Plan be approved;

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

That staff issue a declaration of final approval for the Amendment 20 days after notice of Council's decision, provided no appeals to the Ontario Municipal Board (OMB) have been logged against the decision.

Carried.

22. Official Plan Amendment No. 33
Expansion of the Pillar & Post Inn
B.W. Investment Trust Inc.
Town of Niagara-on-the-Lake
DPD 4-2007

Commissioner Cambrey noted the appropriateness of this development in relation to tourism, employment, urban redevelopment and heritage preservation.

Moved by Councillor Burroughs
Seconded by Councillor D'Angela

That Report DPD 4-2007, January 10, 2007, respecting the Official Plan Amendment No. 33, Expansion of the Pillar & Post Inn, B.W. Investment Trust Inc., Town of Niagara-on-the-Lake, be received;

That Amendment No. 33 to the Town of Niagara-on-the-Lake Official Plan be approved;

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

That staff issue a declaration of final approval for the Amendment 20 days after notice of Council's decision, provided no appeals to the Ontario Municipal Board have been lodged against the decision.

Carried.

23. Official Plan Amendment No. 67
New Land Use and Consent Policies for
Good General Agriculture Areas
Niagara Falls Official Plan
DPD 5-2007

Moved by Councillor Salci
Seconded by Councillor Puttick

That Report DPD 5-2007, January 10, 2007, respecting the Official Plan Amendment No. 67, New Land Use and Consent Policies for Good General Agriculture Areas, Niagara Falls Official Plan, be received;

That Official Plan Amendment 67 to the City of Niagara Falls Official Plan be approved with the revisions and modifications identified in this report;

That all parties be notified of Regional Council's decision on this Amendment in accordance with Provincial Regulations;

That staff issue a declaration that Council's decision to approve the Amendment is final if no appeals are lodged within twenty (20) days of giving notice of Council's decision; and

That a copy of this report be forwarded for information purposes to the City of Niagara Falls and all commenting agencies, departments and individuals who requested copies of the final report.

Carried.

CONFLICT OF INTEREST

Councillor Zimmerman declared an indirect pecuniary interest with respect to Report DPD 6-2007, Official Plan Amendment No. 40, Le Clos Jordan Temporary Winery, South Service Road (R.R. 40), west of 15th Street, Town of Lincoln, as she is employed by the Grape Growers Association, and she therefore took no part in the discussion of, or voting on, this matter.

24. Official Plan Amendment No. 40
Le Clos Jordan Temporary Winery
South Service Road (R.R. 40) west of 15th Street
Town of Lincoln
DPD 6-2007

Referring to Correspondence Item PD 5-2007 distributed at this meeting, Councillor Hodgson asked that this Amendment be approved in accordance with the wishes of the Town of Lincoln Council as a permanent location for the Winery.

Commissioner Cambray emphasized the Planning and Development Department's concern that since there were no grapes being grown on this site, the Winery should only be approved on a temporary basis. As a permanent use, the Amendment is not in conformity with Provincial and Regional policies.

Concern was expressed that this item should have been sent to the Agricultural Sub-Committee for consideration so they could make a recommendation to Planning & Public Works Committee on this issue.

Moved by Councillor Casselman
Seconded by Councillor McMullan

That approval of the Official Plan Amendment No. 40 be deferred until comments are received from the Agricultural Sub-Committee.

Defeated.

Moved by Councillor Hodgson
Seconded by Councillor Bylsma

That Report DPD 6-2007 be amended to reflect the Town of Lincoln's approval of this Winery on a permanent basis.

Carried.

Councillors Casselman and Marshall requested that they be recorded as opposed to the aforementioned motion.

Moved by Councillor Hodgson
Seconded by Councillor Bylsma

That Report DPD 6-2007, January 10, 2007, respecting Official Plan Amendment No. 40, Le Clos Jordan Temporary Winery, South Service Road (R.R. 40) west of 15th Street, Town of Lincoln, be received **as amended**;

That Amendment No. 40 to the Town of Lincoln Official Plan be approved;

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

That staff issue a declaration of final approval for the Amendment 20 days after notice of Council's decision has been given provided that no appeals have been lodged against the decision.

Carried.

25. Implementation of Smarter Niagara Incentive Programs
Local and Regional Partnerships
Township of West Lincoln
Community Improvement Plan for Smithville
DPD 7-2007

Moved by Councillor Baty
Seconded by Councillor Augustyn

That Report DPD 7-2007, January 10, 2007, respecting the Implementation of Smarter Niagara Incentive Programs, Local and Regional Partnerships, Township of West Lincoln, Community Improvement Plan for Smithville, be received;

That the Community Improvement Plan for Smithville in the Township of West Lincoln be supported, and that staff participation on a project steering committee and funding at the benchmark level of \$25,000 for local community improvement plans, be approved, subject to approval of the Smarter Niagara Incentives Program budget for 2007; and

That a copy of this report be sent to all the local municipalities for information.

Carried.

26. Smarter Niagara Incentives Program Up-date
DPD 8-2007 (CSD 6-2007)

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report DPD 8-2007 (CSD 6-2007), January 10, 2007, respecting the Smarter Niagara Incentives Program Up-date, be received;

That the maximum grant under the Residential Grant Program be increased from \$2,000 per unit to \$5,000 per unit to bring the Region's program into closer alignment with local programs;

That the maximum grant under the Façade Improvement Program be increased from \$2,000 per property to \$5,000 per property to bring the Region's program into closer alignment with local programs;

That a 'Two Phase' approach to program delivery be developed and tested as a pilot in 2007, subject to implementation details being brought back to Council for approval prior to implementation;

That the Smarter Niagara Incentives Program be recommended subject to budget approval at a level of \$1,000,000 for 2007;

That staff continue to investigate the challenges faced by tax-exempt properties with respect to access to the Smarter Niagara Incentives Program, it being understood that proposed solutions will be brought to Council for ratification prior to implementation; and

That this report be circulated to the Area Municipalities for information.

Carried.

(Please note that Report DPD 8-2007 (CSD 6-2007) can be found behind the JNT RPTS Blue Book Tab)

PLANNING AND PRIORITIES (STRATEGIC PLANNING/POLICY)

27. Significant Planning Projects and the
Ongoing Activities for the Year 2007
Integrated Community Sustainability Planning
DPD 1-2007

Moved by Regional Chair Partington
Seconded by Councillor Rigby

That Report DPD 1-2007, January 10, 2007, respecting the Significant Planning Projects and the Ongoing Activities for the Year 2007, Integrated Community Sustainability Planning, be received for information **as amended**; and

That this Report **be amended** to include reference to the Culture Committee's involvement with the Summit in May and with Project Niagara.

Carried.

28. Final Recommendations Report
Regional Policy Plan Amendment 154
Deferred Portion of Town of Lincoln OPA 31
Bartlett Road East Industrial Area Expansion
Town of Lincoln
DPD 9-2007

Commissioner Cambray noted the timing for this application occurring before Provincial policy changes and that no comments had been received from the Province.

Moved by Councillor Hodgson
Seconded by Councillor Bylsma

That Report DPD 9-2007, January 10, 2007, respecting the Final Recommendations Report, Regional Policy Plan Amendment 154, Deferred Portion of Town of Lincoln OPA 31, Bartlett Road East Industrial Area Expansion, Town of Lincoln, be received;

That Regional Policy Plan Amendment 154 to permit an expansion to the Beamsville Urban Area be approved;

That the “deferred” decision for the Town of Lincoln OPA 31 be removed and the boundaries and designation for these lands as adopted by the Town of Lincoln be approved;

That notice of Council’s decision regarding Amendment 154 and OPA 31 be given in accordance with Planning Act requirements; and

That a copy of this report be sent to the Town of Lincoln for information purposes.

Carried.

29. Background Information Report
Regional Policy Plan Amendment 4-2006
Change Deferred Urban to Urban Area
Town of Fort Erie
DPD 10-2007

Moved by Councillor Badawey
Seconded by Regional Chair Partington

That Report DPD 10-2007, January 10, 2007, respecting the Background Information Report, Regional Policy Plan Amendment 4-2006, Change Deferred Urban Area to Urban Area, Town of Fort Erie, be received for information.

Carried.

30. Major New Municipal Planning Powers and Responsibilities
Bill 51 – Changes to The Planning Act Related to Provincial Plan Conformity,
Municipal Decision Making, Public Consultation and the Role of the OMB
DPD 11-2007

Moved by Councillor Badawey
Seconded by Regional Chair Partington

That Report DPD 11-2007, January 10, 2007, respecting the Major New Municipal Planning Powers and Responsibilities, Bill 51 – Changes to The Planning Act Related to Provincial Plan Conformity, Municipal Decision Making, Public Consultation and the Role of the OMB, be received for information; and

That when the related regulations are released by the Province, a further staff report be prepared identifying possible amendments to the Regional Policy Plan to take advantage of the enabling provisions in the Planning Act as revised.

Carried.

31. Draft Niagara River Greenway Plan (Western New York)
DPD 12-2007

Moved by Councillor Badawey
Seconded by Regional Chair Partington

That Report DPD 12-2007, January 10, 2007, respecting the Draft Niagara River Greenway Plan (Western New York), be received;

That Council advise the Niagara River Greenway Commission that the Regional Municipality of Niagara supports the Draft Niagara River Greenway Plan; and

That Council advise the Niagara River Greenway Commission that the Regional Municipality of Niagara would be pleased to participate in discussions concerning implementation, with particular emphasis on creating connections between the eventual Niagara River Greenway Plan to initiatives, activities and projects on the Canadian side of the Niagara River.

Carried.

32. Community Engagement Process
for Growth Management Strategy
- Securing Funding
DPD 15-2007 (CSD 22-2007)

Moved by Regional Chair Partington
Seconded by Councillor Rigby

That Report DPD 15-2007 (CSD 22-2007), January 10, 2007, respecting the Community Engagement Process for Growth Management Strategy – Securing Funding, be received; and

That the \$175,000 required to engage visioning technology as part of the Region's Growth Management Study be funded from 2006 Year End Surplus.

Carried.

Moved by Councillor Zimmerman
Seconded by Councillor Burroughs

That the **amendment** approved at the Corporate Services Committee be approved by Planning & Public Works Committee to change the funding from "**2006 Year End Surplus**" to "**Contingency Reserve**".

Carried.

(Please note that Report DPD 15-2007 (CSD 22-2007) can be found behind the JNT RPTS Blue Book Tab)

33. Correspondence - PD 2-2007

Moved by Councillor Badawey
Seconded by Regional Chair Partington

That Correspondence Item PD 2-2007, November 16, 2006, a News Release from the Ministry of Environment announcing approval of the environmental assessment, with conditions, for the Niagara Waste Systems (Walkers) Landfill Expansion in Niagara Falls, be received and referred to staff for consideration in pending Policy Plan Amendment application for land use change.

Carried.

34. Correspondence - PD 3-2007

Commissioner Cambray advised that a joint response to this correspondence was being prepared with local planners. This response will be forwarded to this Committee for information and any additional comments.

Moved by Councillor Rigby
Seconded by Councillor D'Angela

That Correspondence Item PD 3-2007, November 27, 2006, a letter from Brad Graham, Ministry of Public Infrastructure Renewal on a Technical Paper to develop built boundaries within urban areas to measure and track the policies of the Growth Plan, be received and referred to staff to respond.

Carried.

INFORMATION

35. Moved by Councillor Salci
Seconded by Councillor Baty

That the following items be received for information.

CSD 139-2006	Substitution of Long-Term Financing on Capital Projects
CSD 140-2006	Closure of Capital Projects
PWP 01-2007	Project Activity Report Water & Wastewater Services
PWP 02-2007	Projects/Studies Activity Report Waste management Services Division
PWP 03-2007	Public Works Staff Comments on Development and Related Proposals
PWP 04-2007	Public Works Staff Comments on Municipal Servicing Applications
PWP 05-2007	Collection Contractor's – 2006 Third Quarter Performance
PWP 06-2007	2006 Environment Days
PWP 07-2007	Project Activity Report Transportation Services
PWP 08-2007	Regional Road 40 (South Service Road) From Extension from Nelles Road to East of Bartlett Avenue in the Town of Grimsby Project ZRC0319/RC0319
DPD 13-2007	Consent Summary From October 12, 2006 to December 17, 2006

- DPD 14-2007 Regional Comments on Development Proposals
From September 25, 2006 to December 17, 2006
- Minutes Agricultural Sub-Committee meeting of Tuesday, November
28, 2006
- Ecological and Environmental Advisory Committee meeting of
October 26, 2006
- Ecological and Environmental Advisory Committee meeting of
November 30, 2006
- Planning Review Committee meeting of November 1, 2006
(recommendations approved at November 1, 2006, Planning
and Public Works Committee meeting)

Carried.

CORRESPONDENCE

36. Moved by Councillor Badawey
 Seconded by Councillor McMullan

That the following Correspondence Items be received for information:

- PWC 01-2007 Letter from Russ Howell, Manager of Fleet Services, dated
November 22, 2006, to Mr. Doug Campbell, Town of Fort Erie,
respecting Chainsaw Certification Training
- PWC 02-2007 Letter from Brian Messerschmidt, Ministry of Natural
Resources, dated November 17, 2006, respecting Designation
of Private Lands in Southern, Central and Northern Ontario
and the Establishment of Fee Increases under the Aggregate
Resources Act
- PWC 03-2007 Notice of Study Commencement, Class Environmental
Assessment, Reconstruction and Widening of Regional Road
77 (Fourth Avenue) from Highway 406 to Third Street Louth
and Regional Road 38 (Martindale Road) from Regional Road
77 (Fourth Avenue) to Elderwood Drive in the City of St.
Catharines
- PWC 04-2007 Letter from Donna Cansfield, Minister, Ministry of
Transportation, November 29, 2006, respecting Ontario Bus
Replacement Program

Carried.

37. Moved by Regional Chair Partington
Seconded by Councillor Augustyn

That the following correspondence items be received for information:

PWC 05-2007 Letter from URS Canada Inc., December 27, 2006, respecting Niagara to GTA Corridor Planning and Environmental Assessment (EA) Study – Phase 1

PWC 06-2007 Letter from Ministry of Transportation Services, State of New York, Department of Transportation, Albany, N.Y., December 21, 2006, advising that the Province of Ontario and the State of New York have finalized the Bi-National Transportation Strategy for the Niagara Frontier.

Carried.

38. Moved by Councillor Badawey
Seconded by Councillor Augustyn

That the following correspondence items be received for information:

PD 1-2007 Letter to the Ontario Municipal Board regarding Notices of Appeal of Regional Council's Decision to Approve City of St. Catharines Official Plan Amendment No. 31, Mixed Use Development in the Commercial Core of Port Dalhousie

PD 4-2007 Winter 2006 – 2007 Issue of "Planning Niagara", Regional Planning and Development Department Newsletter

PD 5-2007 Letter from Mr. Peever, CAO, Town of Lincoln responding to Planning report on Official Plan Amendment 40, Le Clos Jordanne Temporary Winery (see DPD 6-2007)

Carried.

OTHER BUSINESS

39. Review of Committee Structure

Discussion has taken place at earlier Standing Committee meetings regarding the need for Vice-Chairs and the alignment of Co-Chairs and Vice-Chairs to specific departments. Concern was expressed that the entire committee structure should be reviewed, not the issue of Vice-Chairs in isolation, after the existing structure has been in place for a few months to see how it is working. The following motion was passed at Corporate Services Committee:

That a review of the current Committee Co-Chairs structure and the Co-Vice-Chairs matter be undertaken within the next six months with a report to all Standing Committees at that time.

Moved by Councillor Zimmerman
Seconded by Councillor Martin

That the motion of the Corporate Services Committee on this issue be supported.

Carried.

CLOSED SESSION

40. Moved by Councillor Zimmerman
Seconded by Councillor D'Angela

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

Carried.

41. Extension of License Agreement
PWA 03-2007 - CONFIDENTIAL

Moved by Councillor Timms
Seconded by Councillor McMullan

That Confidential Report PWA 03-2007, January 10, 2007, respecting Extension of License Agreement, be received.

Carried.

42. Extension of License Agreement
PWA 05-2007 - CONFIDENTIAL

Moved by Councillor Timms
Seconded by Councillor McMullan

That Confidential Report PWA 05-2007, January 10, 2007, respecting Extension of License Agreement, be received.

Carried.

43. Road Extension, Town of Grimsby
PWA 18-2007 - CONFIDENTIAL

Moved by Councillor Zimmerman
Seconded by Councillor Badawey

That Confidential Report PWA 18-2007, January 10, 2007, respecting a Road Extension in the Town of Grimsby, be received.

Carried.

44. Moved by Councillor McMullan
Seconded by Councillor Timms

That this Committee do now rise with report.

Carried.

STAFF DIRECTIONS

Staff was requested to:

- Provide a check-off list noting how the Council Business Plan items align with the budget line items (See Minute Item 3)
- Provide a complete layout of the project to Council when the EA process starts (See Minute Item 6)
- Contact Councillors re choices for sub-committees (See Minute Item 8)
- Review Terms of Reference to reflect numbers of Councillors who can serve on committees (See Minute Item 8)
- Councillor Burroughs requested information on the actual cost to the Region for this project and the potential for revenues (see Minute Item 9)
- Provide the percentage of the gas that is being captured for utilization (See Minute Item 9)
- Review Terms of Reference for all sub-committees to reflect the number of Councillors allowed to serve (See Minute Item 10)
- Provide information about timing of closure and detours to all stakeholders (e.g. Shaw Festival) when details are confirmed (See Minute Item 16)

ADJOURNMENT

The Committee adjourned at 4:20 p.m., to meet again on Wednesday, January 31, 2007 in Council Chambers, Regional Headquarters.

Tim Rigby
Co-Chair

Bill Smeaton
Co-Chair

Betty Staines
Legislative Assistant

Pam Gilroy
Regional Clerk