

THE REGIONAL MUNICIPALITY OF NIAGARA

PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 3-2007

Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, February 21, 2007 commencing at 1:15 p.m.

ATTENDANCE

Committee: Councillors Rigby, Co-Chair; Smeaton, Co-Chair; Regional Chair Partington, Augustyn, Badaway, Baty, Bylsma, Casselman, D'Angela, Goulbourne, Henderson, Hodgson, Marshall, Martin, Puttick, Salci, Timms

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

Staff (Part Time): Messrs. Baker, Associate Director, Water & Wastewater Engineering; Semple, Senior Planner

Guests: Ms. Wright, Grassy Brook Road Resident

PRESENTATIONS

- 65. Final Recommendations Report
Regional Policy Plan Amendment 172
Expansion to the Grand Niagara Resort and Golf Club
City of Niagara Falls

DPD 29-2007

Ms. Delores Wright, a resident of Grassy Brook Road in Niagara Falls, spoke to Report DPD 29-2007. She advised that she was not objecting to the present recommendations, but had concerns about the long-term impact of future expansions. Ms. Wright advised that several residents, including the resident immediately adjacent to the expansion (Mr. Baigent) did not receive notice of the report coming to this Committee meeting. Ms. Wright asked for clarification of the impact of leaching of various chemicals used to maintain the golf course. Ms. Wright expressed concern about the "fluid" nature of the site plan, noting several small changes which, if they continue to make changes, could impact the neighbouring properties. The need to cross Morris Road to play several holes is of

particular concern as it is the access to Grassy Brook Road. Ms. Wright also inquired about whether a second golf course is warranted and whether it is economically feasible.

Mr. Cambray advised that everyone who attended the 2003 Public Information sessions on this development should have been notified of this amendment, along with all others who have asked for notice of meetings. Before next Council meeting Mr. Cambray will check the mailing list for the meeting notice.

ITEMS FOR CONSIDERATION

66. Niagara Specialized Transit
Status Update
PWA 26-2007

It was noted that the same buses will be used for education and employment trips as for medical purposes. The issue of oxygen on board buses is being reviewed. Criteria will be developed for what would qualify as employment and education purposes. The report back to Committee will include financial implications of adding to the trip purposes.

Moved by Councillor Casselman
Seconded by Councillor Augustyn

That Report PWA 26-3007, February 21, 2007, respecting Niagara Specialized Transit Status Update, be received;

That the following results for the months of November and December 2006 be received for information;

That staff be directed to report back at the next meeting of the Transportation Strategy Steering Committee on the financial and service impacts of restructuring the service hours to introduce service until midnights, Monday to Friday, and service on Saturdays; and

That staff include in their review the impact of adding to the trip purpose (which is currently for medical purposes only), inter-municipal trips for education and employment.

Carried.

Councillor Puttick requested that his opposition to this recommendation be noted.

67. Transfer of Road Widening Lands
And Encroachment Agreement
Regional Road No. 42 (223 Ontario Street)
City of St. Catharines
PWA 29-2007

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWA 29-2007, February 21, 2007, respecting the Transfer of Road Widening Lands and Encroachment Agreement, Regional Road No. 42 (223 Ontario Street), City of St. Catharines, be received;

That the Region purchase an 8-foot wide road widening strip described as Part 1 on Plan 30R-12034 from John Walter Janzen and Margaret Melanie Janzen for the sum of \$2.00;

That the Region enter into an Encroachment Agreement with John Walter Janzen and Margaret Melanie Janzen to permit the continued encroachment of a gravel parking lot within the road allowance for Regional Road No. 42 (Ontario Street); and

That the Regional Chair and Regional Clerk be authorized to execute the necessary documents.

Carried.

68. Capital Budget Allocation for Storm Sewer
Cost Sharing Program, Project ID ZRC0603
PWA 32-2007 (CSD 37-2007)

Moved by Councillor Baty
Seconded by Councillor Casselman

That Report PWA 32-2007 (CSD 37-2007), February 21, 2007, respecting the Capital Budget Allocation for Storm Sewer Cost Sharing Program, Project ID ZRC0603, be received;

That capital levy financing in the gross and net amount of \$200,000 be approved for Project ZRC0603 Storm Sewer Cost Sharing Program from the 2006 Roads Capital Budget;

That approval be given to pay the City of Niagara Falls for the Region's portion of the storm sewer cost sharing for the estimated amount of \$180,000; and

That the Regional Clerk be directed to ensure that the appropriate by-law(s) are prepared for presentation to Regional Council.

Carried.

69. Regional Niagara Road Safety Committee (RNRSC)
Think and Drive Road Safety Campaign Evaluation Report
PWA 33-2007 (PHD 05-2007)

It was noted that at the Public Health and Social Services Committee meeting February 20, 2007, this report was deferred until the next meeting.

Moved by Councillor Casselman
Seconded by Councillor Timms

That Report PWA 33-2007 (PHD 05-2007), February 21, 2007, respecting the Regional Niagara Road Safety Committee (RNRSC) *Think and Drive* Road Safety Campaign Evaluation Report, be deferred to the next Committee meeting of March 14, 2007.

Carried.

70. Official Plan Amendment No. 68
Proposed 29-Storey Residential Building
River Road, between John Street and Philip Street
City of Niagara Falls

DPD 103-2006

Mr. Damato, the attorney for the proponent, advised that there was agreement with the residents to defer this report without a target date specified for bringing the report back. He noted that one month's notice should be given to all parties before a report is brought back to this Committee. This arrangement was agreeable to all parties including the City of Niagara Falls and Mr. T. Richardson.

Moved by Councillor Salci
Seconded by Councillor Timms

That Report DPD 103-2006, October 11, 2006, respecting the Official Plan Amendment No. 68, Proposed 29-Storey Residential Building, River Road between John Street and Philip Street, City of Niagara Falls, be deferred.

Carried.

(Refer to Staff Directions)

71. Initial Implementation
Community Improvement Plans and
Consistency and Conformity Statements
Bill 51 – Changes to the Planning Act
DPD 27-2007

Mr. Cambray noted that this was the start of amendments required under the new provisions of the Planning Act. The new Act provides limited situations for an upper tier municipality to have a Community Improvement Plan as noted on Page 3 of the report. Mr. Cambray also noted that Council is required to be consistent with the Provincial Policy Statements and conform to Provincial Plans. The Region must request the Province to list the Regional Municipality of Niagara as a prescribed upper tier municipality to enable participation in the new community improvement area provisions when desirable. Mr. Cambray noted that there is now a provision in the Planning Act respecting grants and loans between upper and lower tier municipalities and staff will be preparing an amendment to the Policy Plan to allow grants and loans that Council has already supported in order to conform with the changes to the Planning Act.

Moved by Councillor Puttick
Seconded by Councillor Martin

That Report DPD 27-2007, February 21, 2007, respecting the Initial Implementation, Community Improvement Plans and Consistency and Conformity Statements, Bill 51 – Changes to the Planning Act, be received;

That the Province be requested to list the Regional Municipality of Niagara in the regulations made under the Planning Act to enable future participation in the Upper Tier Community Improvement Plans; and

That the required statement with respect to whether a council decision is consistent with provincial policy statements and conforms to or does not conflict with applicable Provincial Plans be issued by the Commissioner of Planning and Development or his designate.

Carried.

72. Regional Niagara's Response to A Business Case -
The Vineland Renaissance Project:: Establishment
of the Vineland Research and Innovation Centre
DPD 31-2007

Mr. Cambray noted the importance of this proposal which stemmed from the work of the Regional Policy Plan and Agricultural Task Force and the Chairman's presentations to the provincial and federal governments. It is tied in to the Greenbelt Policy and related to jobs and investment in Niagara and the commitment to agriculture in this area.

Moved by Councillor Puttick
Seconded by Councillor Casselman

That Report DPD 31-2007, February 21, 2007, respecting Regional Niagara's Response to a Business Case – The Vineland Renaissance Project: Establishment of the Vineland Research and Innovation Centre, be received;

That the following resolution be recommended to Regional Council:

Whereas The Regional Chair's Agricultural Task Force has prepared an Agricultural Action Plan that was adopted by Regional Council on July 27, 2006;

And Whereas the Agricultural Action Plan identified the re-establishment of research capacity at Vineland Research Station as a key priority requiring significant investment in the order of a minimum of \$50 Million, an investment anticipated as a partnership between Provincial and Federal Governments and the private sector;

And Whereas reinvestment in Vineland Station was also recognized in the Council-endorsed navigating the Future: Economic Growth Strategy 2005-2010;

And Whereas A Business Case – The Vineland Renaissance Project: Establishment of the Vineland Research and Innovation Centre, commissioned by the Government of Ontario through the Minister of Agriculture, Food and Rural Affairs, recommends a Provincial Government commitment of \$25 Million and transfer of assets to Vineland Research Station's renaissance, yet is unspecific on the issue of financial partnership for this endeavour by the Federal Government;

Now Therefore Be It Resolved

That A Business Case – The Vineland Renaissance Project: Establishment of the Vineland Research and Innovation Centre (i.e. 'A Business Case') be supported and that the Regional Chairman convey this support to The Honourable Leona Dombrowsky, Ontario Minister of Agriculture, Food and Rural Affairs;

That the Regional Chairman communicate to the Prime Minister Stephen Harper and Federal Minister of Agriculture The Honourable Chuck Strahl, with copies to all Niagara-area Members of parliament, that it is the position of council that the success of Vineland Renaissance is contingent on the Federal Government's matching financial participation in this project; and

That copies of this resolution be circulated to Niagara-area municipalities, the City of Hamilton, the county of Haldimand, the Boards of Governors of Brock University and Niagara College, Niagara Economic Development Corporation and the Niagara Parks Commission, for their respective endorsements.

Carried.

73. Moved by Councillor Badawey
Seconded by Councillor Hodgson

That the following Minutes of Meetings be received and the recommendations contained therein be approved:

Waste Management Planning Steering Committee meeting held January 24, 2007

Transportation Strategy Steering Committee meeting held January 30, 2007

Smarter Niagara Steering Committee meeting held January 24, 2007

Greater Niagara Circle Route Committee meeting held January 17, 2007

Ecological and Environmental Advisory Committee meeting held January 25, 2007

Carried.

ITEMS FOR DEBATE

74. Final Recommendations Report
Regional Policy Plan Amendment 172
Expansion to the Grand Niagara Resort and Golf Club
City of Niagara Falls

DPD 29-2007

Moved by Councillor Goulbourne
Seconded by Councilor Badawey

That Report DPD 29-2007, February 21, 2007, respecting the Final Recommendations report, Regional Policy Plan Amendment 172, Expansion to the Grand Niagara Resort and Golf Club, City of Niagara Falls, be received;

That Regional Policy Plan Amendment 172 to permit an expansion to the existing Grand Niagara Golf Course in the City of Niagara Falls be approved;

That notice of Council's decision be circulated in accordance with Planning Act requirements; and

That a copy of this report be circulated to the City of Niagara Falls and to the applicant.

Carried.

(Refer to Staff Directions)

ITEMS FOR INFORMATION

75. Water and Sewage Quantities by Municipality
Report for 3rd Quarter 2006
PWP 10-2007

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWP 10-2007, February 21, 2007, respecting Water and Sewage Quantities by Municipality, Report for 3rd Quarter 2006, be received for information.

Carried.

76. 2006 Summary and 4th Quarter Report For Water and Sewage
PWP 11-2007

Moved by Councillor Badawey
Seconded by Councillor D'Angela

That Report PWP 11-2007, February 21, 2007, respecting 2006 Summary and 4th Quarter Report For Water and Sewage, be received for information.

Carried.

77. Transportation Services Division – Road Safety Initiatives
PWP 14-2007

Mr. Cousins noted that this report was written to address concerns regarding vehicle accidents and the disproportionately high number of fatalities on Regional and local roads within Niagara. He noted that most accidents are related to speed, alcohol and driver error, but this report outlines road safety aspects of the various programs that the Region established to deal with road safety related issues in an effort to mitigate the danger wherever possible.

Moved by Councillor Hodgson
Seconded by Councillor Augustyn

That Report PWP 14-2007, February 21, 2007, respecting Transportation Services Division Road Safety Initiatives, be received for information.

Carried.

78. Regional Policy Plan Amendment 187
Environmental Policies
Information Update on Ontario Municipal Board Appeals
DPD 30-2007

Commissioner Cambray noted that a number of these appeals have been resolved but that the appeal respecting the proposed Reeb Quarry in Wainfleet will likely go to the Ontario Municipal Board.

Moved by Councillor D'Angela
Seconded by Councillor Baty

That Report DPD 30-2007, February 21, 2007, respecting the Regional Policy Plan Amendment 187, Environmental Policies, Information Update on Ontario Municipal Board Appeals, be received for information.

Carried.

79. Niagara Population: 2001 – 2006
Statistics Canada
DPD 32-2007

Moved by Councillor Augustyn
Seconded by Councillor Martin

That Report DPD 32-2007, February 21, 2007, respecting the Niagara Population: 2001 – 2006, Statistics Canada, be received for information.

Carried.

80. Resource Membership in the
Southern Ontario Gateway Council
DPD 33-2007

Moved by Councillor Puttick
Seconded by Councillor Goulbourne

That Report DPD 33-2007, February 21, 2007, respecting Resource Membership in the Southern Ontario Gateway Council, be received for information; and

That the Regional Municipality of Niagara invite Mr. John Best, Executive Director of the organization, to attend a future Council meeting to update Regional Council on the organizational Strategic Plan and to discuss the status of the Niagara-GTA Corridor in the Council's deliberations.

Carried.

81. Consent Summary
From December 18, 2006 to February 4, 2007
DPD 34-2007

Moved by Councillor Martin
Seconded by Councillor Badawey

That Report DPD 34-2007, February 21, 2007, respecting Consent Summary, From December 18, 2006 to February 4, 2007, be received for information.

Carried.

82. Regional Comments on Development Proposals
From December 18, 2006 to February 4, 2007
DPD 35-2007

Moved by Councillor Martin
Seconded by Councillor Augustyn

That Report DPD 35-2007, February 21, 2007, respecting Regional Comments on Development Proposals From December 18, 2006 to February 4, 2007, be received for information.

Carried.

83. Culture Committee Minutes, December 18, 2006

Moved by Councillor Casselman
Seconded by Councillor Goulbourne

That the Minutes of the Culture Committee meeting held Monday, December 18, 2006, be received.

Carried.

84. Planning Review Committee, February 8, 2007

Moved by Councillor Baty
Seconded by Councillor Timms

That the Minutes of the Planning Review Committee meeting held Thursday, February 8, 2007, be received for information.

Carried.

85. Water and Wastewater Correspondence
PWC 08-2007

Mr. Neville noted that Mr. Brcic, Director of Water & Wastewater Services, was on an extended leave of absence, and that Mr. Kellendonk, Associate Director in Water & Wastewater Services, was absent due to severe illness, leaving that division severely short-staffed. Mr. Neville took this opportunity to introduce Mr. Leo Gohier, formerly a Director of Water and Wastewater with Ottawa and Hamilton before going into consulting, who will be temporarily assisting as Acting Director in the Water & Wastewater Division. Mr. Neville acknowledged the excellent job done by Jason Oatley who acted in this capacity in the interim, and welcomed Mr. Gohier to the Region.

Moved by Councillor Martin
Seconded by Councillor Timms

That Correspondence Item PWC 08-2007, a Memo from Jason Oatley, Acting Director of Water & Wastewater Services, respecting Comments on Questions Raised at PPWC January 31, 2007 Respecting Proposed 2007 Budget for Public Works Department, be received for information.

Carried.

86. Letter to Ministry of Transportation (MTO)
PWC 09-2007

Mr. Cousins noted the “good news” that the MTO will be reviewing the Interchange Design for Highway 406 at Regional Road 41 (Woodlawn Road) in the City of Welland. Mr. Cousins noted that the Region and the City will be expected to share costs for the Class Environmental Assessment, but this will allow the planning and preliminary design for the twinning of Highway 406 between Port Robinson Road and East Main Street.

Moved by Councillor Baty
Seconded by Councillor Timms

That Correspondence Item PWC 09-2007, a letter to the Ministry of Transportation, February 12, 2007, respecting the Interchange Design, Highway 406 at Regional Road 41 (Woodlawn Road), City of Welland, be received for information.

Carried.

87. Moved by Councillor Casselman
Seconded by Councillor D'Angela

That Correspondence Item PWC 10-2007, a letter from Niagara Road 12 Citizens' Liaison Committee, February 12, 2007, respecting Standard Terms of Reference, be received and referred to Waste Management Planning Steering Committee for consideration with Report PWA 22-2007.

Carried.

88. Moved by Councillor Marshall
Seconded by Councillor Puttick

That Correspondence Item PWC 11-2007, 15, 2007, a memo from Jason Oatley, Acting Director, Water & Wastewater Services Division, respecting Financially Sustainable Water & Wastewater Systems, be received for information.

Carried.

89. Moved by Councillor Martin
Seconded by Councillor Puttick

That the following correspondence items be received for information and that the respondents be notified of the deferral of DPD 103-2006.

PD 6-2007 Letter from Niagara Parks Commission to City of Niagara Falls noting Commission does not support building of this magnitude at this location

PD 8-2007 Letter from Aaron Lichtman, Historic Niagara Development, supporting Downtown redevelopment in Niagara Falls and residential intensification within 1 mile \pm walking distance of Queen Street

PD 11-2007 Letter from the Downtown Niagara Falls Board of Management not opposing the building of a residential tower on River Road

PD 15-2007 Letter from Ron and Suzanne Jones, February 11, 2007, respecting the 29 storey condominium project, River Road, Niagara Falls

Carried.

90. Moved by Councillor Martin
Seconded by Councillor Puttick

That Correspondence Item PD 14-2007, January 22, 2007, Proposed Methodology for Developing a Built Boundary for the Greater Golden Horseshoe, be received for information.

Carried.

PUBLIC MEETINGS

91. Councillor Attendance at Public Meetings

Regional Policy Plan Amendment 4-2006
Urban Area Modifications
Town of Fort Erie
Date: Wednesday, February 21, 2007
Time: 7:00 p.m.
Place: Town of Fort Erie Council Chambers

Councillors: Timms, _____, _____

Regional Policy Plan Amendment 1-2007
Proposed Walker Landfill Expansion
City of Niagara Falls
Date: Wednesday, February 21, 2007
Time: 7:00 p.m.
Place: Regional Council Chambers
Open House 4:00 p.m.–6:00 p.m. – Committee Room 4

Councillors: Smeaton, _____, _____

Regional Policy Plan Amendment 2-2007
Waterline Connections, Rice Road
Town of Pelham
Date: Wednesday, February 28, 2007
Time: 7:00 p.m.
Place: Town of Pelham Council Chambers

Councillors: Augustyn, Baty, _____

OTHER BUSINESS

92. Petition – Regional Road 47 (Lyons Creek Road)
and Regional Road 102 (Stanley Avenue)

Councillor Smeaton requested that the Petition started by Josephine Verbraeken, Lyons Creek Road, respecting the intersection of Regional Road 47 (Lyons Creek Road) and Regional Road 102 (Stanley Avenue) be circulated to all Councillors by the Clerk's office.

CLOSED SESSION

93. Moved by Councillor Baty
Seconded by Councillor Casselman

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

Carried.

94. Realignment of Regional Road
City of Niagara Falls
PWA 25-2007 - CONFIDENTIAL

Moved by Councillor Puttick
Seconded by Councillor Augustyn

That Confidential Report PWA 25-2007, February 21, 2007, respecting Realignment of Regional Road, City of Niagara Falls, be received, and the recommendations contained therein be approved.

Carried.

95. A Proposed Acquisition of Land
City of Niagara Falls
PWA 27-2007 - CONFIDENTIAL

Moved by Councillor Martin
Seconded by Councillor D'Angela

That Confidential Report PWA 27-2007, February 21, 2007, respecting A Proposed Acquisition of Land, City of Niagara Falls, be received, and the recommendations contained therein be approved.

Carried.

96. A Proposed Acquisition of Land
Town of Grimsby
PWA 28-2007 - CONFIDENTIAL

Moved by Councillor Badawey
Seconded by Councillor Martin

That Confidential Report PWA 28-2007, February 21, 2007, respecting A Proposed Acquisition of Land, Town of Grimsby, be received, and the recommendations contained therein be approved.

Carried.

97. License Agreement with Ministry
City of Niagara Falls
PWA 30-2007 (CSD 35-2007) - CONFIDENTIAL

Moved by Chair Partington
Seconded by Councillor Baty

That Confidential Report PWA 30-2007 (CSD 35-2007), February 21, 2007, respecting a License Agreement with Ministry, City of Niagara Falls, be received, and the recommendations contained therein be approved.

Carried.

98. License Extension Agreement
Town of Fort Erie
PWA 31-2007 (CSD 36-2007) - CONFIDENTIAL

Moved by Councillor Martin
Seconded by Councillor Augustyn

That Confidential Report PWA 31-2007 (CSD 36-2007), February 21, 2007, respecting a License Extension Agreement, Town of Fort Erie, be received, and the recommendations contained therein be approved.

Carried.

99. Amendment to Property Lease
Town of Niagara-on-the-Lake
PWA 34-2007 (PHD 09-2007) - CONFIDENTIAL

Moved by Councillor Badawey
Seconded by Councillor Timms

That Confidential Report PWA 34-2007 (PHD 09-2007), February 21, 2007, respecting Amendment to Property Lease, Town of Niagara-on-the-Lake, be deferred for a further report to be presented to the next Committee meeting March 14, 2007.

Carried.

100. Appointments to Committee
DPD 36-2007 – CONFIDENTIAL

Moved by Councillor Casselman
Seconded by Councillor Goulbourne

That Confidential Report DPD 36-2007, February 21, 2007, respecting Appointments to Committee, be received, and the recommendations contained therein be approved.

Carried.

101. Moved by Councillor Casselman
Seconded by Councillor Martin

That this Committee do now rise with report.

Carried.

OTHER BUSINESS (continued)

102. Appointments to the Culture Committee, 2007 – 2010
DPD 36-2007

Moved by Councillor Casselman
Seconded by Councillor Goulbourne

That the recommendations respecting appointments to the Culture Committee for the current term of Council and until a new Committee is appointed by the next Regional Council be approved;

That those applicants who were not selected be thanked for their interest and invited to participate in the Culture Committee's various subcommittees and task groups; and

That the Regional Chair send letters of appreciation to those who served on the Culture Committee during the last term of Council, but are not returning to the Committee.

Carried.

103. Gypsy Moths

Councillor Hodgson requested information respecting the appropriate contact for information on gypsy moths. He was advised to contact the Niagara Conservation Authority.

104. Medians on Highway 20

Councillor Baty commended Mr. Cousins for the professional presentation to his Council respecting the medians on Highway 20. Councillor Augustyn added his congratulations on the informative presentation.

105. Clean Water Act

Mr. Neville distributed brochures to Councillors concerning a workshop for politicians and staff from both the Region and local municipalities on February 26th respecting Awareness and Understanding of the Clean Water Act.

STAFF DIRECTIONS

Staff was requested to:

- Provide Council with a list of who was notified (Planning staff) (See Minute Item 65)
- Provide Councillors with a one or two page sheet clarifying the rules for Motions to Defer and Motions to Refer (Regional Clerk) (See Minute Item 70)
- Advise Ms. Wright of outcome respecting DPD 29-2007 (Regional Clerk) (See Minute Item 74)

ADJOURNMENT

The Committee adjourned at 2:20 p.m., to meet again on Wednesday, March 14, 2007 in Council Chambers, Regional Headquarters.

Tim Rigby
Co-Chair

Bill Smeaton
Co-Chair

Betty Staines
Legislative Assistant

Pam Gilroy
Regional Clerk