

THE REGIONAL MUNICIPALITY OF NIAGARA
PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 6-2007

Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, April 25, 2007 commencing at 1:15 p.m.

ATTENDANCE

Committee: Councillors Rigby, Co-Chair; Smeaton, Co-Chair; Augustyn, Badawey, Baty, Burroughs, Bylsma, D'Angela, Gabriel, Goulbourne, Hodgson, Lepp, Salci

Staff: Messrs. Cambray, Commissioner, Planning & Development Department; Neville, Commissioner, Public Works Department; Farley, Director of Planning Services; Friesen, Director, Waste Management Services; Gohier, Acting Director, Water & Wastewater Services; Sholz, Associate Director, Transportation Operations; Ms. Gilroy, Regional Clerk; Ms. Staines, Legislative Assistant.

Other: Councillor Collins

Guests: Mr. Andy Dalziel, Stantec, Mr. Donald May, Almost There Inc., Mr. Cam Watson, Watson & Associates Economist Ltd.

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to ten members, pursuant to Part 15, Section 15.8.2 of the Procedural By-law 120-2005.

PRESENTATIONS

176. State of the Region's Infrastructure

Mr. Neville introduced this presentation giving some background information on why the study was undertaken by Public Works, starting in late 2006, and the significance of the "report card" format used in the study. Mr. Neville noted that this review was being carried out for Water & Wastewater at this time, but would also be done for Roads and Waste Management in the future (in the 2007 budget).

Mr. Dalziel from Stantec, the consultant for this review, provided a presentation on the Life-Cycle State of the Infrastructure Report – Project Overview. This analytical process includes a review of seven areas found in the Info-Guide provided by the Federation of Canadian Municipalities (FCM):

- What do we have?
- What is it worth?
- What condition is it in?
- What do we need to do to it?
- When do we need to do it?
- How much money do we need?
- How do we become sustainable?

The presentation included information on the Wastewater Treatment Plant Life-Cycle Analysis, Wastewater Pipe Life-Cycle Analysis, Water Treatment Plant Life-Cycle Analysis and Water Pipe Condition Assessment and emphasized the importance of doing the right thing to the right asset at the right time. Report card ratings are “A” for Exceptional, “B” for Good, “C” for Fair, “D” for Poor, and “F” for Failed. The Region’s Infrastructure Report Card gave Wastewater Collection a “C”, Wastewater Treatment a “C-“, Water Distribution a “C+” and Water Treatment a “C”. The importance of timely intervention was stressed as the costs increase exponentially as you move from maintenance to replacement of assets. A proper balance is important and cost effective to maintain assets at a grade of “B” to “C”. Stantec is reviewing analysis of budget values, identifying growth, overhead, and borrowing values; expanding non-linear asset analysis, and developing a draft report scheduled for completion May 25, 2007. A further report from staff is expected for the May 16 Committee meeting.

In response to a question Mr. Dalziel explained that studies in the past have focused on a shorter time period. These are long-life assets, and this study is focusing on the long term in order to maintain sustainability and be good stewards for future generations. If systems are allowed to deteriorate, replacement costs will be much higher than maintenance costs. This study is complementary to the asset management review previously completed. Mr. Neville noted that the information from this study will be provided to the Public Works Officials for their information in determining whether this approach would be of interest and value to their respective operations.

Moved by Councillor Burroughs
Seconded by Councillor Salci

That the presentation by Mr. Dalziel from Stantec be received for information,

Carried.

177. Container Type for Source Separated Organics

Mr. Barry Friesen provided information respecting Report PWA 82-2007, Container Type for Collection of Source Separated Organics. Mr. Friesen gave a brief history of the organics collection program and noted that when the program first started,

there was considerable confusion and skepticism about claims and product performance of compostable bags. Mr. Friesen pointed out the logo used to identify appropriate products, and noted that a Canadian logo is being developed. At present organics make up 35% of the total residential waste. Participation in the food waste program is very poor (20-30%) but good for leaf and yard waste (80% - 90%). There is a need to improve this participation in order to meet waste diversion targets. Compostable bags today use advanced technology to decompose completely and safely leaving no residue. Removing non-degradable plastics adds to processing costs and the percentage of material that is non-saleable and must be landfilled. Remaining plastic fragments reduce the value of the final compost, creating lost revenue opportunities. A number of manufacturers are now selling bags with the "Compostable" label at reasonable costs. Significant public education will be necessary to promote compostable bags. It is recommended to phase in the ban of plastic bags from collection of source separated organics.

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Report PWA 82-2007 be lifted and dealt with by this Committee at this time.

Carried.

178. Container Type for Collection of Source Separated Organics
PWA 82-2007

Concern was expressed about use of the plastic bags from grocery stores, etc., and the possibility of the stores using biodegradable bags. Plastic bags have not been banned for use in grocery stores, but the large chains are examining this issue. Plastic bags are used in garbage collection, and are themselves recyclable. Mr. Friesen noted that bi-weekly collection of garbage with weekly collection of organics has proven successful at raising diversion rates, and this will be examined in the service level study being conducted by the Region. Should waste diversion rates increase, concern was expressed about disposal capacity for the increased amounts. A recommendation for the organics processing is imminent, and facilities should be ready for receipt of increased tonnages of organics once the education program has been carried out. A report recommending the new composting processing will be ready in two cycles of Committee. In the short term we could still encourage use of biodegradable products. Prices for the composting process were received both including and excluding plastic. It was recommended that all changes take place at once rather than phasing in the paper bags for collection of leaf and yard waste, and then biodegradable bags. This would ease the communication of the changes to the public.

Moved by Councillor Goulbourne
Seconded by Councillor Lepp

That the report recommendations be **amended** to change the date for introduction of biodegradable bags to **2008**.

Carried.

It was suggested that the words "**Once the organics processing capacity is available**" be added before the recommendation "That a comprehensive promotional and educational program be implemented to inform residents....".

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Report PWA 82-2007, April 25, 2007, respecting Container Type for Collection of Source Separated Organics, be received, **as amended**;

That generic paper bags or rigid containers be approved for the collection of leaf and yard waste, beginning Spring 2008;

That biodegradable bags be approved for the collection of food waste, beginning with the new compost processing agreement in **2008** or earlier;

Once the organics processing capacity is available, that a comprehensive promotional and educational program be implemented to inform residents of the use of paper and biodegradable bags for the collection of Source Separated Organics and to increase participation and capture rates of food waste;

That staff inform retailers in Niagara of the need to carry for sale paper bags and biodegradable ASMT D6400 plastic bags.

That plastic bags be banned from the collection of Source Separated Organics within the timeframes noted; and

That the Solid Waste By-Law No. 145-1999 be amended to reflect the ban of plastic bags within the timeframes noted.

Carried.

179. Long Term Landfill Utilization

Mr. Friesen provided information on Long Term Landfill Utilization (Report PWA 83-2007), and noted that the purpose of the recommendations was to secure long term waste disposal capacity for Niagara Region residential waste; identify long term waste disposal options for Niagara's residential waste; financial evaluation of options; and recommend the preferred option.

Several disposal options were considered and Mr. Friesen outlined the financial analysis of each. The report recommends Niagara Region continue to utilize all of the approved capacity at its five existing landfill sites, and that approval be given to a combination of Walker and Niagara Region Landfill Sites to meet the long term landfill disposal requirements. It is also recommended that Niagara continue to participate as a partner in the Niagara/Hamilton WastePlan Study to seek alternative long term disposal options.

In response to a question concerning the unused capacity at the Line 5 Landfill Site, Mr. Friesen explained that the daily capacity limit for this site is very low and considering this option would involve great risk of not getting approval to raise this limit. Respecting the traffic concerns of Lincoln for the site in that community, it was noted that this is a separate issue. Councillor Burroughs noted that the last slide did not complete the fourth recommendation. It was noted that the words "that are cost effective and environmentally sound" were missed inadvertently on the slide. In response to a question, Mr. Friesen noted that prices quoted by Walkers included CPI index and these are factored into all calculations. Councillor Baty noted that it is understood that landfills will never totally disappear, but we are attempting to maximize as best we can the amount going to diversion, and we will continue our efforts to be as environmentally sensitive as we can by not turning our backs on technologies other than landfilling. It was noted that the Niagara-Hamilton WastePlan Working Group has recently completed a study on stabilized landfills, and the consultant is now expected to make their final recommendation. Staff will continue to look at the best social, economic and environmental benefits for our Region. With Option 3, we are providing backup for landfill capacity, the same as Hamilton and Halton already have, allowing flexibility to look at other methods. Concern was expressed that Corporate Services had not reviewed the financial information in this report to relate it to the budget and confirm what is being saved by the taxpayer. Mr. Friesen noted that Corporate Services had reviewed the report, and once negotiations with Walkers has been completed there would be a joint report and recommendation brought forward.

Moved by Councillor Hodgson
Seconded by Councillor Gabriel

That the presentation by Mr. Friesen respecting the Long Term Landfill Utilization be received, and considered during the discussion of Report PWA 83-2007.

Carried.

180. Proposed Niagara North Health Complex

Mr. Donald F. May, Almost There Inc., spoke about the proposed roadworks related to the Niagara North Health Complex. Mr. May noted that development charges would be the subject of a report to the Corporate Services Committee at their next meeting. Mr. May noted that the Hospital was willing to pay their fair share for the roadworks and commended staff for their cooperation in identifying these costs. It

was noted that Report PWA 71-2007 (CSD 69-2007) had been revised to add a paragraph identifying that the scope of the work was not concerned only with the hospital.

Councillor Smeaton requested that a full accounting of which costs were attributable to the hospital construction be identified by the next Council meeting. Mr. Neville noted that the cost estimates were prepared by the Region's consultant, and the City of St. Catharines is a component of these cost estimates, but negotiations respecting the City's share have not been completed. Councillor Smeaton asked for a copy of the consultant's report. Mr. May noted that there is a cost schedule attached to the report which is fairly detailed, and noted that expensive signals are included in the information in the table. Concern was expressed that when requesting exemption from development charges, the hospital notes the property on the west side of the creek which may contain commercial development that should be part of the development charges and taxes. Mr. May noted that all of these details will be brought to the Corporate Services Committee.

Moved by Councillor Augustyn
Seconded by Councillor Burroughs

That the presentation by Mr. May respecting the Niagara North Health Complex be received for information and considered during the discussion of Report PWA 71-2007 (CSD 69-2007), Agreement for Road Works, Niagara Health System.

Carried.

ITEMS FOR CONSIDERATION

181. Promoting Healthy Woodlands in Niagara
A Regional Forest Strategy
DPD 62-2007

Councillor Rigby noted that on reviewing the members list of the Tree and Forest Conservation By-Law Advisory Committee he noted there were no members representative of companies that harvest trees. It was noted that this member should represent a firm who harvests using good forestry practices.

Moved by Councillor Rigby
Seconded by Councillor Badawey

That DPD 62-2007 be ***amended*** to request that ***the Tree and Forest By-Law Advisory Committee include a member who is an owner and/or operator of a company that removes trees from the lands using good forestry practices.***

Carried.

Moved by Councillor Rigby
Seconded by Councillor Badawey

That Report DPD 62-2007, April 25, 2007. respecting Promoting Healthy Woodlands in Niagara, A Regional Forest Strategy, be received **as amended**;

That Regional Council direct staff to prepare a Regional Forest Strategy including options, costs, implications and implementation strategies that could be considered by the Region to promote and improve Forestry and related activities in Niagara as outlined in this report; **and**

That the Tree and Forest By-Law Advisory Committee include a member who is an owner and/or operator of a company that removes trees from the lands using good forestry practices.

Carried.

182. Official Plan Amendment No. 32
Bed and Breakfast (B&B) and Country Inn Policies
Town of Niagara-on-the-Lake

DPD 56-2007

Mr. Cambray noted that the amendment shown in the recommendations respecting the Town of Niagara-on-the-Lake's Official Plan was made to support conformity with the Regional Policy Plan, the Greenbelt Plan and the Provincial Policy Statement. This was clarified on page 5, second paragraph, #1, noting that Country Inns may include a house and buildings for accessory uses, where appropriate in urban areas, so that the sentence reads "***It may include the use of accessory buildings, where appropriate, in urban areas.***"

Moved by Councillor Lepp
Seconded by Councillor Burroughs

That Report DPD 56-2007 respecting Official Plan Amendment No. 32, Bed and Breakfast (B&B) and Country Inn Policies, Town of Niagara-on-the-Lake, received, **as amended**;

That Official Plan Amendment No. 32 to the Town of Niagara-on-the-Lake Official Plan be approved *with modifications set out in Page 5 to reflect conformity to the Regional Policy Plan, the Greenbelt Plan and the Provincial Policy Statement, with the wording "It may include the use of accessory buildings, where appropriate, in urban areas"*.

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.

183. Official Plan Amendment No. 34
To Permit Stand Alone Residential Uses
1 Norman Road
City of St. Catharines
DPD 55-2007

Moved by Councillor Badawey
Seconded by Councillor Goulbourne

That Report DPD 55-2007, April 25, 2007, Official Plan Amendment No. 34 to Permit Stand Alone Residential Uses, 1 Norman Road, City of St. Catharines be received;

That Amendment No. 34 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 a declaration of final approval for the Amendment be issued 20 days after notice of Council's decision provided no appeals to the Ontario Municipal Board (OMB) have been logged against the decision.

Carried.

184. Housing Capacity and Development Performance
Niagara Region as of December 31, 2005
DPD 57-2007

Moved by Councillor Badawey
Seconded by Councillor Goulbourne

That Report DPD 57-2007, April 25, 2007, respecting Housing Capacity and Development Performance, Niagara Region as of December 31, 2005, be received for information;

That this report be circulated to local municipalities and other interested parties; and

That this report be provided to the consultants preparing the Regional Growth Management Study.

Carried.

185. Initiation of the 2007 Water Capital Program
PWA 69-2007 (CSD 67-2007)

It was noted that an amended motion was approved at the Corporate Services Committee April 25, 2007.

Moved by Councillor Badawey
Seconded by Councillor Burroughs

That Report PWA 69-2007 (CSD 67-2007), April 25, 2007, respecting the Initiation of the 2007 Water Capital Program, be received and approved, **as amended**;

That financing in the amount of \$8,400,000 gross and net be approved from the 2007 Water Capital Program and allocated to the individual projects as summarized in Appendix A;

That approval be given to fund the projects with financing consisting of \$8,350,000 (Water Capital Reserve Fund) and \$50,000 (Development Charge Reserve Fund);

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

That staff explore options for sharing of services with local municipalities on services already being provided by both levels of municipal government; and

That a cost analysis be included within the report.

Carried.

(Please note that Report PWA 69-2007 (CSD 67-2007) can be found behind the JNT RPTS Blue Book Tab)

186. Agreement for Road Works
Niagara Health System
Proposed Niagara North Health Complex
Roadworks Cost-Sharing Agreement
Regional Road 77 (Fourth Avenue) and First Street Louth
City of St. Catharines
Project ZRC0748

PWA 71-2007 (CSD 69-2007) REVISED

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That revised Report PWA 71-2007 (CSD 69-2007), April 25, 2007, respecting the Agreement for Road Works, Niagara Health System Proposed Niagara North Health Complex Roadworks Cost-Sharing Agreement, Regional Road 77 (Fourth Avenue) and First Street Louth, City of St. Catharines, Project ZRC0748, be received;

That the Region enter into an Agreement with Niagara Health System with respect to necessary road works to accommodate the proposed Niagara North Health Complex to be constructed on the south side of Regional Road 77 (Fourth Avenue) in the southwest quadrant of First Street Louth;

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

That the project cost be charged against Project ZRC0748 – Widening of Regional Road 77 (Fourth Avenue) from Vansickle Road to First Street;

That the City of St. Catharines be circulated a copy of this report;

That start of construction (scheduled for 2009-2010) be subject to finalizing the cost-sharing arrangements with the City of St. Catharines; and

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.

Carried.

(Please note that REVISED Report PWA 71-2007 (CSD 69-2007) can be found behind the JNT RPTS Blue Book Tab)

187. Long Term Landfill Utilization
PWA 83-2007

Councillor Burroughs requested information on how the \$50 per tonne charge by Walkers was arrived at. Mr. Friesen replied that the Region was given a sliding scale quote by Walkers with a higher amount for less tonnages. It was noted that the rates are indexed over the years and are for disposal only, not including composting. Mr. Friesen was requested to provide a quote for composting per tonne. Mr. Friesen noted the different numbers used for tonnage calculations took into account the Regionally collected Industrial, Commercial and Institutional (IC&I) waste, municipally collected waste, and directly hauled ICI waste. Numbers also accounted for waste still delivered to the NR 12 site by the four municipalities serviced.

It was noted that if the Region does not utilize the capacity at Walkers, other Regions will take advantage of this opportunity. It is possible that trucks from other Regions would be traveling to the Walkers' site to use that capacity.

Discussion ensued on the participation with Hamilton on the WastePlan Joint Committee. Although we will continue to landfill, we don't want to close the door on new technologies once they are proven.

Moved by Councillor Goulbourne
Seconded by Councillor Bylsma

That the Report PWA 83-2007 be **amended** to include as its first recommendation **that Niagara Region continue to make diversion their Number 1 goal.**

Carried.

Moved by Councillor Baty
Seconded by Councillor Goulbourne

That Report PWA 83-2007, April 25, 2007, respecting Long Term Landfill Utilization, be received;

That Niagara Region continue to make diversion their Number 1 goal;

That Niagara Region continue to utilize all of the approved capacity available at its five existing landfill sites;

That Option 3, which is a combination of Walker Industries and existing Niagara Region landfill site capacity, be approved to meet the Niagara Region's long term landfill disposal requirements;

That staff be authorized to negotiate long term landfill capacity with Walker Industries at both their existing landfill site and proposed landfill expansion;

That staff report back to Council on the outcome of said negotiations with Walker Industries; and

That Niagara Region continue to participate as a partner in the Niagara-Hamilton WastePlan to seek alternative long term disposal options that are cost effective and environmentally sound.

Carried.

Councillors Lepp and Burroughs requested that they be recorded as opposed to the aforementioned motion.

188. Proposed Disposal of Lands
Former Railway Properties
Town of Fort Erie
PWA 50-2007

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 50-2007, April 25, 2007, respecting the Proposed Disposal of Land, Former Railway Properties, Town of Fort Erie, be received;

That several parcels of former CN lands and an additional small parcel of miscellaneous Region owned property, all as described within this report, having a total area of approximately 15 acres and being located within the Town of Fort Erie, be declared surplus to Regional requirements subject to the Region retaining certain rights for its existing and future servicing requirements;

That approximately 13.5 acres of the "surplus" lands, described within this report as Parcels 2, 3, 4 and 6 to 9 inclusive be conveyed to the Town of Fort Erie (subject to existing easements and subject to the Region retaining rights for existing and future municipal purposes) in exchange for a parcel of Town owned property described as being parts 4 and 5 on Plan 59R-3191 (an unopened portion of Quincy Street) provided that the Town be responsible for those plans of survey required for registration purposes;

That the surplus lands, described within this report as parcel #1, be offered for sale by public tender with the results being presented to this Committee for consideration;

That the surplus lands described within this report as Parcel #5, be immediately conveyed to the Town of Fort Erie for the sum of \$1.00, provided that when the Town resells this parcel together with its own adjoining surplus parcel, proceeds from the transaction will be shared between the two parties on a proportionate area of contribution basis; and

That staff be authorized to obtain plans of survey where required to describe the various parcels of land, and that the Region's solicitor be authorized to prepare and the Regional Chair and Regional Clerk be authorized to execute the documentation required to effect these transfers.

Carried.

189. Reconstruction of Regional Road 83 (Carlton Street) from Regional Road 48 (Niagara Street) to Carlton Park Drive In the City of St. Catharines
Project ZRC0322/RC0751
PWA 67-2007 (CSD 65-2007)

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 67-2007 (CSD 65-2007), April 25, 2007, respecting Reconstruction of Regional Road 83 (Carlton Street) from Regional Road 48 (Niagara Street) to Carlton Park Drive In the City of St. Catharines, Project ZRC0322/RC0751, be received; and

That approval be given to increase the gross budget for the Capital Works Project ZRC0322/RC0751 Reconstruction of Regional Road 83 (Carlton Street) from Regional Road 48 (Niagara Street) to Carlton Park Drive, in the City of St. Catharines, in the amount of \$292,000.00 to reflect the increased cost to the City of St. Catharines. The regional cost of this project remains unchanged as per the approved 2007 capital budget. This will complete the Carlton Street project.

Carried.

(Please note that Report PWA 67-2007 (CSD 65-2007) can be found behind the JNT RPTS Blue Book Tab)

190. Initiation of the 2007 Wastewater Capital Program
PWA 68-2007 (CSD 66-2007)

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 68-2007 (CSD 66-2007), April 25, 2007, respecting the Initiation of the 2007 Wastewater Capital Program, be received;

That financing in the amount of \$9,525,000 gross and net be approved from the 2007 Wastewater Capital Program and allocated to the individual projects as summarized in Appendix A;

That approval be given to fund the projects with financing consisting of \$9,132,500 (Wastewater Capital Reserve Fund) and \$392,500 (Development Charge Reserve Fund); 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 68-2007 (CSD 66-2007) can be found behind the JNT RPTS Blue Book Tab)

191. Embankment Stabilization of
Regional Road 14 (Canboro Road)
Between South Chippawa Road
and Concession 2
In the Township of West Lincoln
PWA 70-2007

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 70-2007, April 25, 2007, respecting the Embankment Stabilization of Regional Road 14 (Canboro Road) Between South Chippawa Road and Concession 2 in the Township of West Lincoln, be received;

That the recommended strategy for the slope stabilization along Regional Road 14 (Canboro Road) between South Chippawa Road and Concession 2 in the Township of West Lincoln, be accepted for implementation; and

That the estimated construction cost to implement the recommended slope stabilization strategy be referred to the 2008 capital budget for consideration.

Carried.

192. Retention of Consulting Services for the
Seaway Wastewater Treatment Plant Upgrade
In the City of Port Colborne
ZSW0005/SW0005
PWA 72-2007 (CSD 70-2007)

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 72-2007 (CSD 70-2007), April 25, 2007, respecting the Retention of Consulting Services for the Seaway Wastewater Treatment plant Upgrade in the City of Port Colborne, be received;

That Hatch Mott MacDonald be retained to provide engineering services for the detailed design of the Seaway Wastewater Treatment Plant (WWTP) Upgrade in the City of Port Colborne at an estimated upset limit of \$728,590.32;

That financing in the amount of \$250,000 (Wastewater Reserve Fund) be transferred from Project ZSW0006/SW0006, Baker Road Wastewater Treatment

Plant Upgrade to Project ZSW0005/SW0005, Seaway Wastewater Treatment Plant Upgrade;

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

That the costs associated with this project be charged against Capital Project ZSW0005/SW0005.

Carried.

(Please note that Report PWA 72-2007 (CSD 70-2007) can be found behind the JNT RPTS Blue Book Tab)

193. Agreement for Road Works
Webber Estates Subdivision
Lea Silvestri Investments Ltd.
Clearance of Requirement of Permit
Regional Road 29 (Webber Road) and Clare Avenue
In the City of Welland
-
- PWA 73-2007 (CSD 71-2007)**

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 73-2007 (CSD 71-2007), April 25, 2007, respecting the Agreement for Road Works, Webber Estates Subdivision, Lea Silvestri Investments Ltd., Clearance of Requirement of Permit, Regional Road 29 (Webber Road) and Clare Avenue, in the City of Welland, be received;

That the Region enter into an Agreement with Lea Silvestri Investments Ltd., owner of a proposed subdivision to be constructed in the southeast quadrant of Regional Road 29 (Webber Road) and the next extension of Clare Avenue;

That the Agreement outline responsibilities and secure financial commitments to cover 100% 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 the Regional Chair and Regional Clerk be authorized to execute this Agreement;

That the City of Welland be circulated a copy of this report; and

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.

Carried.

(Please note that Report PWA 73-2007 (CSD 71-2007) can be found behind the JNT RPTS Blue Book Tab)

194. Niagara-on-the-Lake Wastewater Treatment Facility
Servicing Strategy Plan
PWA 74-2007

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 74-2007, April 25, 2007, respecting the Niagara-on-the-Lake Wastewater Treatment Facility Servicing Strategy Plan, be received; and

That the 'Servicing Strategy Plan' for the Niagara-on-the-Lake Wastewater Treatment Facility, as outlined in this report, be approved.

Carried.

195. Baker Road Wastewater Treatment Facility
Servicing Strategy Plan
PWA 75-2007

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report 75-2007, April 25, 2007, respecting the Baker Road Wastewater Treatment Facility Servicing Strategy Plan, be received;

That the 'Servicing Strategy Plan' for the Baker Road Wastewater Treatment Facility, as outlined in this report, be approved.

Carried.

196. Niagara Watershed CSO Management Action Plan
PWA 76-2007

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 76-2007, April 25, 2007, respecting the Niagara Watershed CSO Management Action Plan, be received;

That this Committee recommends to Regional Council:

- Adoption of the CSO Management Action Plan set out in the attached Appendix 2;
- Adoption of the CSO management targets for the Region and Area Municipalities;
- Adoption of the policy respecting the control and management of Combined Sewer Overflows (CSOs) and cost sharing by Area Municipalities and the Region;
- Implementation of the CSO Control funding program effective June 1, 2006, in accordance with the proposed new policy related to CSO control and management;
- Allocation of the necessary funding in subsequent annual budgets to facilitate CSO cost sharing arrangements;
- Direction to staff to annually maintain and update the CSO Action Plan data base; and
- Distribution of this report to the Area Municipalities.

Carried.

197. Water and Wastewater Master Servicing Plan Review
And Sustainability Review
PWA 77-2007

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 77-2007 (April 25, 2007), respecting the Water and Wastewater Master Servicing Plan Review and Sustainability Review, be received;

That staff proceed with an addendum to the 2003 Master Servicing Plan and that staff concurrently prepare Terms of Reference for a Master Servicing Plan Review;

That a Technical Steering Committee be formed to re-assess the need, nature and scope of a Water and Wastewater Sustainability Review utilizing the draft Terms of Reference attached to this report as a reference source; and

That this report be circulated to the area municipalities.

Carried.

198. Millennium Partnership Funding Program
Ministry of Transportation Agreements
PWA 79-2007

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 79-2007, April 25, 2007, respecting the Millennium Partnership Funding Program, Ministry of Transportation Agreements, be received;

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

Carried.

199. Initiation of Project ZSW0118
Infrastructure Improvement Program and
Retention of Consulting Services
For Pumping Station Upgrades
PWA 80-2007 (CSD 75-2007)

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 80-2007 (CSD 75-2007), April 25, 2007, respecting Initiation of Project ZSW0118, Infrastructure Improvement Program and Retention of Consulting Services for Pumping Station Upgrades, be received;

That financing in the amount of \$1,920,000 (Wastewater Reserve Fund) be approved for Project ZSW0118 Infrastructure improvement Program included in the approved 2006 Wastewater Capital Program;

That Earth Tech Canada Inc. be retained to provide engineering services under 2007-RFP-02 for Pumping Station Upgrades, Area 1, City of Niagara Falls and Town of Fort Erie, at a total cost of \$285,810.

That R. V. Anderson Associates Limited be retained to provide engineering services under 2007-RFP-01 for Pumping Station Upgrades, Area 1, Town of Fort Erie at a total cost of \$263,505.

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

That the costs associated with this project be charged against Capital Project ZSW0118, Infrastructure Improvement Program and Capital Project ZSW0305, Catherine Street Pump Station Upgrade.

Carried.

(Please note that Report PWA 80-2007 (CSD 75-2007) can be found behind the JNT RPTS Blue Book Tab)

200. Initiation of 2007 Traffic Signal Program
PWA 85-2007 (CSD 77-2007)

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 85-2007 (CSD 77-2007), April 25, 2007, respecting the Initiation of 2007 Traffic Signal Program, be received;

That financing in the amount of \$2,550,000 gross and \$1,650,000 net be approved for Project ZRT0702 Traffic Signal Rehabilitation Program from the approved 2007 Roads Capital Program;

That approval be given to fund the project with financing consisting of \$1,650,000 Capital Levy and \$900,000 External Cost Sharing;

That staff be authorized to proceed with the proposed 2007 Traffic Signal Rehabilitation Program as outlined in this report; and

That Council authorize staff to continue with the standardization of Traffic Signal equipment, as per the "Design and Operation of Traffic Signal Standards and Specifications" manual, as permitted in the Sole Source Purchases section of the Corporate Purchasing Policy.

Carried.

(Please note that Report PWA 85-2007 (CSD 77-2007) can be found behind the JNT RPTS Blue Book Tab)

201. Impact of the Environmental Assessment (EA)
Waste Regulation on the
Niagara-Hamilton WastePlan EA Study
PWA 86-2007

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 86-2007, April 25, 2007, respecting the impact of the Environmental Assessment (EA) Waste Regulation on the Niagara-Hamilton WastePlan EA Study, be received;

That The Regional Municipality of Niagara and the City of Hamilton advise the Director of the Environmental Assessment and Approval Branch, that it is the intent of both municipalities to switch to the Environmental Screening Process, in the event that the completion of the "Alternatives to" step in the Niagara-Hamilton WastePlan Environmental Assessment (EA) Study concludes that the preferred disposal system includes a thermal treatment component with the recovery of energy; and

That copies of this report be forwarded to the Minister of the Environment and the Members of Provincial Parliament representing the City of Hamilton and the Region of Niagara.

Carried.

202. Minutes of Meetings

Moved by Councillor Baty
Seconded by Councillor Augustyn

That the following minutes be received and the recommendations contained therein be approved:

Agricultural Task Force meeting held Tuesday, March 20, 2007;

Agricultural Sub-Committee meeting held Tuesday, March 27, 2007;

Ecological and Environmental Advisory Committee meeting held Thursday, March 29, 2007;

Tree and Forest Conservation By-law Advisory Committee meeting held Thursday, April 5, 2007;

Planning Review Committee meeting held Tuesday, April 10, 2007; and

Waste Management Planning Steering Committee meeting held Tuesday, April 3, 2007.

Carried.

(Refer to Staff Directions)

There being a lack of ordinary quorum at the meeting, the Committee Chair determined that the ordinary quorum for the meeting be reduced to seven members, pursuant to Part 15, Section 15.8.2 of the Procedural By-law 120-2005.

PUBLIC MEETINGS

203. Regional Policy Plan Amendment 3-2007
Sewerline Extension
City of Welland
Date: Wednesday, April 25, 2007
Time: 7:00 p.m.
Place: City of Welland Council Chambers

Councillors: _____, _____, _____

It was noted that no Councillors are available to attend this meeting. Mr. Cambray advised that the April 25 meeting will be held as an Open House and comments received, but this Public Meeting will be scheduled at the start of the next Planning & Public Works meeting.

Joint Meeting

- Regional Policy Plan Amendment 190
Sawmill Golf Course Expansion
Town of Pelham
Date: Tuesday, May 15, 2007
Time: 7:00 p.m.
Place: Town of Pelham Council Chambers

Councillors: Augustyn, Baty, _____

ITEMS FOR INFORMATION

204. Status Report, Appeal of Consent Application B-11/05
Edwin and Margaret Kozicki, Four Mile Creek Road
Town of Niagara-on-the-Lake
PD 24-2007

Mr. Cambray noted that it is the intent, if suitable servicing arrangements can be provided, that the Region will withdraw its appeal of the severance. Mr. Cambray referred to Page 3, paragraph 2 under "Next Steps".

Moved by Councillor Badawey
Seconded by Councillor Baty

That Correspondence Item PD 24-2007 respecting the Status Report, Appeal of Consent Application B-11/05, Edwin and Margaret Kozicki, Four Mile Creek Road, Town of Niagara-on-the-Lake, be received; and

That staff be authorized to withdraw the Appeal if servicing concerns are satisfied.

Carried.

205. Letter from the City of Port Colborne withdrawing its Ontario Municipal Board Appeal on Regional Policy Plan Amendment 6-2005 - Proposed Changes to Agricultural and Mineral Resources Policies
PD 27-2007

Councillor Badawey noted the cooperation between Regional staff and City of Port Colborne staff in discussions on the OMB Appeal and voiced his appreciation for the efforts of Regional staff on this issue.

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That Correspondence Item PD 27-2007, a Letter from the City of Port Colborne withdrawing its Ontario Municipal Board Appeal on Regional Policy Plan Amendment 6-2005 - Proposed Changes to Agricultural and Mineral Resources Policies, be received.

Carried.

206. Information Items

Moved by Councillor Badawey
Seconded by Councillor Hodgson

That the following items be received for information:

CSD 47-2007	Capital Projects December 2006 Variance Report
DPD 58-2007	Consent Summary From March 19, 2007 to April 9, 2007
DPD 59-2007	Regional Comments on Development Proposals From March 19, 2007 to April 9, 2007

DPD 60-2007	N.E.C. Development Permit Decisions From January 1, 2007 to March 31, 2007
DPD 61-2007	Year in Review: 2006 Development Applications
PWP 26-2007	Project Activity Report Water & Wastewater Services
PWP 27-2007	Project/Studies Activity Report Waste Management Services Division
PWP 28-2007	2006 Pavement Condition Status Report
PWP 29-2007	2006 Reserve Water and Wastewater Treatment Capacities
PWP 30-2007	Canadian Environmental Protection Act (CEPA, 1999) Mandated Pollution Prevention (P2) Planning
PD 25-2007	Planning Niagara Newsletter: Spring 2007
PD 26-2007	An article entitled "Growing our Green Spaces – In the Fight Against Climate Change, What is a tree worth?" from the Toronto Star March 31, 2007
PWC 15-2007	Letter from Town of Grimsby, March 28, 2007, respecting Livingston Avenue (RR #512) Proposed Removal of On-Street Parking
PWC 16-2007	Notice of Public Information Centre (PIC) #1 Bender Street/Falls Avenue/Roberts Street Class Environmental Assessment Study
PWC 17-2007	Letter from Waste Diversion Ontario (WDO) / Stewardship - Ontario, March 30, 2007, respecting Industry's Stewardship of Municipal Blue Box Recycling Program
PWC 18-2007	Memorandum from Ian Neville, April 13, 2007, respecting Active Capital Projects
PWC 19-2007	Resolution from Township of Wainfleet respecting the Wainfleet contaminated groundwater problem

Carried.

OTHER BUSINESS

207. Regional Councillor Representation on PLC Committees

Councillor Rigby advised that at the last meeting of the Planning & Public Works Committee, Committee approved Report PWA 22-2007, Landfill Public Liaison Committees, Terms of Reference, which indicated that a Regional Councillor be appointed to sit on each of the three Public Liaison Committees – Line 5 Landfill, Humberstone Landfill and Elm Street Landfill PLC's.

Moved by Councillor Hodgson
Seconded by Councillor Baty

That due to the lack of quorum at this meeting, the matter of Regional Councillor appointments be deferred to the Council meeting of May 3.

Carried.

208. Agenda Management

Councillor Baty undertook to review minutes from Standing Committee meetings in the last year that continued for more than three hours to review alternatives to re-direct to other venues or alternatives to agenda management. Councillor Baty will consult with Committee Chairs during the next two committee cycles and report back to Council. Consideration will be given to time, service to the public, lifting reports for discussion, opportunities to speak to items before motions are put forward, etc. Councillor Baty was asked to re-consider having two committees meet on the same day which involves some Councillors having to stay from 9 to 4:30, which is difficult for those with other obligations.

STAFF DIRECTIONS

Staff was requested to:

- Councillor Baty should have been notified of the Agricultural Task Force meeting - check to ensure he is included on membership lists (See Minute Item #183)

ADJOURNMENT

The Committee adjourned at 4:15 p.m., to meet again on Wednesday, May 16, 2007 in Council Chambers, Regional Headquarters.

Tim Rigby
Co-Chair

Bill Smeaton
Co-Chair

Betty Staines
Legislative Assistant

Pam Gilroy
Regional Clerk