

THE REGIONAL MUNICIPALITY OF NIAGARA

INTEGRATED COMMUNITY PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 8-2009

Minutes of a meeting of the Integrated Community Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, June 15, 2009 commencing at 1:11 p.m.

ATTENDANCE

Committee: Regional Chair Partington; Councillors Rigby, Smeaton, Co-Chairs; Augustyn, Baty, Burroughs, Casselman, D'Angela, Goulbourne, Henderson, Hodgson, Lepp, Salci, Timms, Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer, Robson, Commissioner Integrated Community Planning; Brothers, Commissioner Public Works; Cousins, Director Transportation Services; Pollock, Director, Waste Management Services; Colosimo, Director Development Services; Ms. Matthews-Malone, Director Water and Wastewater; Ms. McManus, Legislative Assistant; Mr. Bain, Regional Clerk.

Other: Messrs. Steele, Associate Director, Strategy Business Management; Roberts, Executive Officer to the Regional Chairman; Weaver, Director Corporate & Community Planning; Forgeron, Planning; Neufeld, Communications Specialist; Ms. Vanecko, Acting Director Administration; Ms. Papaiz, Senior Manager, Corporate Communications; Ms. Lambe, Communications Specialist; Ms. Andersen, Communications Specialist; Ms. McCutcheon, IT Web Services Administrator; Ms. Sareen, Information and Outreach Coordinator; Ms. Beyer, Health Promoter.

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Co-Chairs determined that the ordinary quorum for the meeting be reduced to eleven members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

PRESENTATIONS

217. Official Plan Amendment 18
To Permit a Communal Private Sanitary Servicing System
Lakewood Beach Properties Ltd.
Lakewood Road, west of Bellview Beach Road
Township of Wainfleet

PWA 58-2009

Ms. Bott, Resident of the Township of Wainfleet

Ms. Bott, a resident of the Township of Wainfleet, advised Committee members that she was present in opposition of the Wainfleet Official Plan to accommodate the proposed communal septic system for the proposed Lakewood Beach Properties condominium complex.

Ms. Bott advised that the current Wainfleet Official Plan clearly states that communal septic systems are not permitted in Wainfleet. Ms. Bott presented photographs (December 27, 2008) showing more flooding at the Lakewood Beach properties adjacent to the Casey Drain, a view of the back home and side porch at the corner of Lakeshore Road and Side Road #18, Dead end of Dreamland Road (east of Side Road 18), the cottage of Linda Knoll, two homes which showed flooding up the driveways, and the Casey Drain heading towards the lake (road to the beach underwater).

Ms. Bott provided background information respecting:

- Lakeshore residents; how the lakeshore area is seen (both positive and negative)
- Vision for the next 20 years
- 10 year and 100 year storm cycle
- History respecting the Lakewood Property
- Well test information
- Discussion with Regional Planner
- Development is not in compliance with Smart Growth and Places to Grow Act?
- Vision for 2031
 - Greater Golden Horseshoe
 - Managing Growth
 - Limiting Growth

Ms. Bott presented further photographs which illustrated, in part, the following:

- Boxing Day – December 26, 2008
- November 2008
- December 27, 2008
- February 6, 2008
- Entrance to the Proposed Phase One
- December 23, 2007
- Cottages east of Lakewood; breakwalls are over 9 feet high
- May 9, 2009
- Wave line
- Existing tile bed
- The well that used to service Lakewood Beach Properties
- Test well that was never capped; following a test in June 2008

In closing Ms. Bott stated that if this was how the property was cared for; what kind of a housing development can be expected?

Quorum was achieved at this point in the meeting.

Ms. Konc, President of Wainfleet Ratepayers Association

Ms. Konc stated that she represented over 200 Wainfleet Ratepayers members voices and advised that Committee members were facing a bit of a conundrum with respect to the Lakewood Beach Properties and the application to amend our Official Plan and approve a communal septic system.

Ms. Konc further stated that the Official Plan listed clearly “no new development on communal systems”; why are Official Plans created, if they are to be ignored, approving the development would be a contradiction to previous statements which have said “no other alternatives” will work.

In closing Ms. Konc advised that Wainfleet was in the process of reviewing its Official Plan, there have been to date three workshops for residents and at all three it was clear that an intensified development along the lakeshore is not wanted.

Mr. Watts, Resident of Wainfleet

Mr. Watts, stated that he was a pensioner and a resident of Wainfleet who wished to advise Committee members that the Wainfleet Plan, Places to Grow and the Wainfleet Official Plan should not be ignored.

In closing Mr. Watts stated that the Amendment on the agenda today; needed to be reviewed and discussed at length as the three documents listed above ‘clearly’ did not support the intended development.

Mr. Bellhouse, Resident of Wainfleet

Mr. Bellhouse advised Committee members that he was present in support of Official Plan Amendment 18. He stated that given the current sanitary & health challenges faced in Wainfleet that he felt the developer's plan of utilizing Zenon (state of the art membrane system) would be the perfect solution.

Mr. Bellhouse further stated that he had done research on the Zenon system and found it has demonstrated its effectiveness in numerous examples across Canada and even in the United States; in fact, in 2001 Zenon was awarded a contract to install its membrane technology for a bioreactor wastewater treatment plant in California's Napa Valley.

In closing Mr. Bellhouse advised that over the past year he had spoken to Wainfleet City Council in support of the Lakewood development and had praised the group for their progressive, responsible and open approach to grow and infill the Lakewood beach site like other local communities. He felt that the Official Plan Amendment 18 was the first tangible step towards converting a grey field site into a residential community that would add to the lifestyle on the north shore of Lake Erie.

Mr. Smart, Director BLS Planning Associates

Mr. Smart advised Committee members that he was present on behalf of the developers and owners of the development in question.

Mr. Smart stated that he would attempt to respond and clarify some of the issues raised by previous presenters.

Highlights of Mr. Smart's rebuttals were, in part, as follows:

- Wainfleet Official Plan designation permitted communal water systems
- Easter Seals Camp was serviced by communal water and waste water systems
- Policy statement; hierarchy of development is there (full municipal service, communal system, joint, private etc.)
- Hazard zone; Ministry of Environment states "frogs" not an issue, but are of concern and they have no objection to the development
- Open space designation an alternative
- The Environmental Assessment for the lakeshore area examined communal systems such as is proposed, and those systems were rejected based on cost rather than as the area residents stated because they would not work.

In closing Mr. Smart stated that considerable time has been spent with Region/Wainfleet staff and that this was the logical method to proceed.

Moved by Councillor Baty
 Seconded by Councillor Lepp

That the above listed Oral presentations respecting Official Plan Amendment 18, To Permit a Communal Private Sanitary Servicing System, Lakewood Beach Properties Ltd., Lakeshore Road, west of Bellview Beach Road in the Township of Wainfleet, be received for information.

Carried.

218. Appeal of Consent Applications; B20 & B21/2008W
 Erie Park Holdings Inc.
 Lakeshore Road, West of Brawn Road
Township of Wainfleet
PWA 59-2009

Mr. Benner, Senior Environmental Planner, Quartek Group was present on behalf of Mr. Sam Kingma, Principal Erie Park holdings, his client located at the west end of Lake Erie shoreline.

Mr. Benner stated that his purpose was to provide a brief background respecting the proposal, highlights were as follows:

- 3.3 acres in total
- Originally 2 separate parcels of land; purchased under the same name and merged
- 2007 proposed 4 lot severance; withdrew the 4 lot proposal and applied for a 3 lot severance
- Meetings held with Chuck Miller, Township Planner/ Danny Pinelli, Regional Health Unit / Brian Dick, Regional Planner
- Hydro-geological Study completed March 2009 by Trow Engineering
 - Study supports the creation of 3 smaller lots
- April 15, 2009 Wainfleet Committee of Adjustment Hearing: Committee approved severance of 3 lots based on conditions including detailed site plans, septic system design, Zoning Bylaw Amendment etc.
 - Region of Niagara Planning staff appealed the decision to the Ontario Municipal Board based on Regional policy 6.B.9 (9)
- Policy Implications

In closing Mr. Benner stated that development as proposed is permitted in both the Regional Policy Plan and the Township Official Plan, the Hydrogeological studies required under Regional Policy 6.B.9(9) that supports the development as proposed with no impact on local groundwater conditions and neighbouring properties has been completed, from both a policy perspective and a technical / scientific basis, and given the conditions imposed by the Township of Wainfleet, there is no reason why the proposed severances should be appealed.

219. Moved by Councillor Timms
Seconded by Councillor Goulbourne

That Report PWA 58-2009, June 15, 2009 respecting Official Plan Amendment 18, To Permit a Communal Private Sanitary Servicing System, Lakewood Beach Properties Ltd., Lakeshore Road, west of Bellview Beach Road in the Township of Wainfleet; and

That Report PWA 59-2009, June 15, 2009 respecting appeal of Consent Applications; B20 & B21/2008W Erie Park Holdings Inc. Lakeshore Road, west of Brawn Road Township of Wainfleet, be brought forward and dealt with at this time.

Carried.

PUBLIC WORKS - ITEMS FOR CONSIDERATION

220. Official Plan Amendment 18
To Permit a Communal Private Sanitary Servicing System
Lakewood Beach Properties Ltd.
Lakewood Road, west of Bellview Beach Road
Township of Wainfleet

PWA 58-2009

Following a lengthy discussion it was:

Moved by Councillor Zimmerman
Seconded by Councillor Henderson

That Report PWA 58-2009, June 15, 2009 respecting Official Plan Amendment 18, To Permit a Communal Private Sanitary Servicing System, Lakewood Beach Properties Ltd., Lakeshore Road, west of Bellview Beach Road in the Township of Wainfleet, be received;

That Amendment No. 18 to the Township of Wainfleet Official Plan be approved with modifications as set out in this report;

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 of the Amendment 20 days after notice of Council's decision has been given provided that no appeals have been lodged against the decision.

Carried.

Councillor Casselman wished to be recorded as opposed to the aforementioned motion.

221. Appeal of Consent Applications, B20 and B21/2008W
Erie Park Holdings Inc.
Lakeshore Road, West of Brawn Road
Township of Wainfleet
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PWA 59-2009

Moved by Councillor Henderson
Seconded by Councillor Timms

That Report PWA 59-2009, June 15, 2009 respecting appeal of Consent Applications; B20 & B21/2008W Erie Park Holdings Inc. Lakeshore Road, west of Brawn Road Township of Wainfleet, be received;

That Committee not accept the recommendations put forth; and

That Regional Council not appeal the Ontario Municipal Board decision by the Township of Wainfleet Committee of Adjustment to grant Consent Applications B20 & B21/2008W.

Defeated.

Following a lengthy discussion it was:

Moved by Councillor Casselman
Seconded by Councillor Augustyn

That Report PWA 59-2009, June 15, 2009 respecting appeal of Consent Applications; B20 & B21/2008W Erie Park Holdings Inc. Lakeshore Road, west of Brawn Road Township of Wainfleet, be received;

That Regional Council support the appeal to the Ontario Municipal Board of the decision by the Township of Wainfleet Committee of Adjustment to grant Consent Applications B20 & B21/2008W;

That Regional staff attend the Ontario Municipal Board hearing in support of the Regional Policy Plan; and

That the applicant and the Township of Wainfleet be advised of Council's decision.

Carried.

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Co-Chairs determined that the ordinary quorum for the meeting be reduced to eleven members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

PRESENTATIONS (continued)

222. Niagara Region – Measuring Communications Effectiveness

Mr. Rob Grein, PMG Intelligence, presented Committee members with information surrounding the Niagara Region – Measuring Communication Effectiveness.

Mr. Grein stated that the objective of the research is to evaluate communication practices in terms of, but not limited to:

- Awareness of regional communications
- Current awareness of program and service offerings
- Effectiveness of various media (radio, television, internet, newsprint)
- The frequency in which residents would like to receive information from the Region
- Means of, and access to, communication
- Evaluation of community engagement

Further highlights of Mr. Grein's presentation were, in part, as follows:

- Methodology
 - Fifteen one-on-one interviews with management from the Region
 - Telephone surveying of regional residents
 - Approximately 16,590 households contacted
 - Three resident focus groups
- Awareness of Regional Services
 - Which services are you aware of?
 - Which of the following are provided by the Niagara Regional Niagara?
 - Which services would you like to be better informed about?
- Awareness of Communication
 - How useful are the following communication pieces:
 - Garbage/Water Collection Calendar
 - Public Health Yearly Checkup
 - The Daily Apple
 - The Green Scene
 - Annual Community Report about programs and services
 - Regional council meetings on COGECO TV
- Contacting the Region
- Website
- Preferences towards Communication

In closing Mr. Grein stated that the main areas for communication improvement included more information and updates, opportunities for more input, and more “direct” communication and more transparency.

Moved by Councillor Hodgson

Seconded by Councillor Rigby

That the PMG Intelligence presentation respecting Niagara Region – Measuring Communication Effectiveness, be received for information.

Carried.

223. Moved by Councillor Rigby
Seconded by Councillor Casselman

That Report ICP 31-2009, June 15, 2009 respecting Residents Communication Survey Recommendations And Work Plan Initiation Report, be brought forward and dealt with at this time.

Carried.

INTEGRATED COMMUNITY PLANNING - ITEMS FOR CONSIDERATION

224. Residents Communication Survey Recommendations
And Work Plan Initiation Report
ICP 31-2009

Moved by Councillor Rigby

Seconded by Councillor Henderson

That Report ICP 31-2009, June 15, 2009 respecting Residents Communication Survey Recommendations And Work Plan Initiation Report, be received;

That the “*Measuring Communications Effectiveness*” presentation be received for information;

That the work plan developed by staff to implement recommendations based on the findings of the residents communications survey (as contained in Appendix A) be approved; and

That initiation be authorized for the \$50,000 targeted for the “Proactive Marketing and Communications” Council Business Plan objective.

Carried.

PUBLIC MEETING

225. Proposed Amendment 4-2008 to
the Regional Niagara Policy Plan
Proposed New Site for the Lincoln Agricultural Society
Mountain Road (R.R. 18) and Philp Road

Dates: Tuesday, June 16, 2009 & Wednesday, June 17, 2009
Time: 7:00 p.m.
Place: Council Chamber, Town of Lincoln Municipal Offices

Councillors: Bylsma, Smeaton

Councillor Smeaton requested that Mr. Colosimo advise Councillor Bylsma that he will be attending the Tuesday, June 16th session.

PUBLIC WORKS - ITEMS FOR CONSIDERATION (continued)

226. Tender Award for Contract 2008-T-133 (RN 08-33)
St. Catharines-NOTL Watermain Interconnect and the
Welland Canals Parkway Watermain
City of St. Catharines and Town of Niagara-on-the-Lake
Project: ZCW0405/CW0608/CW0920
PWA 57-2009

Moved by Councillor Timms
Seconded by Councillor Goulbourne

That Report PWA 57-2009, June 15, 2009 respecting Tender Award for Contract 2008-T-133(RN 08-33) St. Catharines – NOTL Watermain Interconnect and the Welland Canals Parkway Watermain City of St. Catharines and Town of Niagara-on-the-Lake Project: ZCW0405/CW0608/CW0920, be received;

That Contract 2008-T-133(RN 08-33) St. Catharines – NOTL Watermain Interconnect, in the City of St. Catharines and Town of Niagara-on-the-Lake, be awarded to Nexterra Substructures Inc. at their bid price of \$6,520,490.10;

That a contingency amount of \$650,000 be provided for unforeseen construction costs on this project;

That approval is given to extend the current engineering assignment of Hatch Mott MacDonald (HMM) by \$290,000 to include the contract administration and inspection of this project during construction;

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

That the cost associated with this project be charged against Project ZCW0405/CW0608 St. Catharines – NOTL Watermain Interconnect and CW0920 Welland Canals Parkway Watermain.

Carried.

227. Official Plan Amendment No. 39
To Add Oakdale-Moffatt Area to the
Hartzel Road-Merritton Secondary Plan
City of St. Catharines
PWA 61-2009

Moved by Councillor Timms
Seconded by Councillor Goulbourne

That Report PWA 61-2009, June 15, 2009 respecting Official Plan Amendment No. 39 To Add Oakdale-Moffatt Area to the Hartzel Road-Merritton Secondary Plan City of St. Catharines, be received;

That Amendment No. 39 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 of the Amendment 20 days after notice of Council's decision has been given provided that no appeals have been lodged against the decision.

Carried.

228. Regional Niagara Bicycling Committee
Minutes - Thursday, May 21, 2009

Moved by Councillor Timms
Seconded by Councillor Goulbourne

That the Minutes of the Regional Niagara Bicycling Committee, May 21, 2009, be received and the recommendations contained therein approved.

Carried.

Quorum

There being a lack of ordinary quorum at the meeting, the Committee Co-Chairs determined that the ordinary quorum for the meeting be further reduced to eight members, pursuant to Section 22.10 of the Procedural By-law 96-2007.

PUBLIC WORKS - ITEMS FOR INFORMATION

229. Moved by Councillor Henderson
Seconded by Councillor Hodgson

That the following items be received and dealt with as follows:

- | | |
|-------------|---|
| PWP 26-2009 | Background Information Report
Proposed Regional Policy Plan Amendment 4-2009
Proposed New Site for the Lincoln Agricultural Society
Town of Lincoln

-- Received |
| PWC 30-2009 | Letter Re: Appeal of Regional Council's Decision to
approve Official Plan Amendment No. 41, Country
Inns Policies, town of NOTL

-- Received |
| PWC 31-2009 | Petition submitted by Franciscan Lutheran
Community Ministry concerning safety of people
crossing from Greycliff Manor on Lundy's Lane in
Niagara Falls to Tim Horton's

-- Received and referred to Transportation Services
staff for review |
| PWC 32-2009 | Correspondence from Peter Colosimo to the Co-
ordinator Economic Development and Planning
Committee (dated June 1, 2009) respecting Official
Plan and Zoning Bylaw Amendment Applications
Mady Developments Proposed Major Commercial
Development 400 Winona Road and 395 Fifty Road
Former City of Stoney Creek

-- Received |

PHD 21-2009 Ontario's New Road Safety Legislation

-- Received

(Please note that PHD 21-2009 can be found behind the Public Health and Social Services Blue Book Tab)

INTEGRATED COMMUNITY PLANNING - ITEMS FOR CONSIDERATION
(continued)

230. Ontarians with Disabilities Act (2001) / Accessibility
For Ontarians with Disabilities Act (2005)
Annual Accessibility Plan Compliance
ICP 29-2009

Moved by Councillor Rigby
Seconded by Councillor Augustyn

That Report ICP 29-2009, June 15, 2009 respecting Ontarians with Disabilities Act (2001) / Accessibility for Ontarians with Disabilities Act (2005) Annual Accessibility Plan Compliance, be received; and

That the Niagara Region 2009/2010 Accessibility Plan be approved.

Carried.

231. Initiation of Proposed Policy Plan Amendment:
Bicycle Transportation Policies
ICP 30-2009

Moved by Councillor Rigby
Seconded by Councillor Augustyn

That Report ICP 30-2009, June 15, 2009 respecting Initiation of Proposed Policy Plan Amendment: Bicycle Transportation Policies, be received;

That the draft bicycle transportation policies and mapping attached as Appendix 1 be received;

That Planning staff circulate this report and the draft Amendment for comment to affected ministries/agencies, stakeholders, all local municipalities and adjacent municipal jurisdictions; and

That at least one public meeting be held in conformity with **Planning Act** requirements.

Carried.

232. Implementation of Smarter Niagara and Niagara 2031
Local and Regional Partnerships
City of Thorold-
Official Plan Update

ICP 34 -2009

Moved by Councillor Rigby
Seconded by Councillor Augustyn

That Report ICP 34-2009, June 15, 2009 respecting Implementation of *Smarter Niagara* and *Niagara 2031* – Local and Regional Partnerships City of Thorold – Official Plan Update, be received;

That the request from the City of Thorold for funding at the level up to \$50,000 for the City's Official Plan Update be supported, subject to staff participation on the project steering committee; and

That a copy of this report be sent to all the local municipalities with an invitation to partner with the Region in the implementation of the *Smarter Niagara* Incentives Program and *Niagara 2031*.

Carried.

233. Regional Chair's Agricultural Task Force
Minutes – May 28, 2009

Moved by Councillor Rigby
Seconded by Councillor Augustyn

That the Minutes of the Regional Chair's Agricultural Task Force, June 15, 2009, be received and the recommendations contained therein approved.

Carried.

INTEGRATED COMMUNITY PLANNING - ITEMS FOR INFORMATION

234. Moved by Councillor Rigby
Seconded by Councillor Timms

That the following minutes be received for information;

ICP 32 -2009	Climate Change Action Work Plan Update
ICP-C 88-2009	Correspondence (dated June 3, 2009) from Patrick Robson, Commissioner of Integrated Community Planning, to Ms. Jennifer Haley, Chair, Homegrown Ontario Steering Committee respecting Local Food Action Plan
ICP-C 89-2009	Correspondence (dated June 10, 2009) from the Ontario Municipal Board respecting Case Number: PL081525 Property location: All lands within the Regional Municipality of Niagara Official Plan Number: RPPA 5-2007 (Regional Wind Energy Policies)
Minutes	Niagara Region Culture Committee April 6, 2009
Minutes	Niagara Region Communications Advisory Panel March 24, 2009

Carried.

Mr. Robson noted, in reference to ICP-C 89-2009, that as a result of having avoided an Ontario Municipal Board (OMB) hearing it was conservatively estimated at saving over three weeks of hearings and 30,000 dollars in legal costs; excluding staff time.

OTHER BUSINESS

235. Article, The Toronto Star
Re: Province pushes secret deal for Simcoe

Councillor Timms requested that the June 8, 2009 article in the Toronto Star respecting, "Province pushes secret deal for Simcoe" be referred to Integrated Community Planning staff for response.

236. Build Canada Fund Dollars

Councillor Goulbourne inquired as to whether a communication had been issued or was planned to be issued respecting the release and amount of Build Canada Fund dollars.

Mr. Trojan responded that currently staff are awaiting clarification on “who” had control over the release of the information.

ADJOURNMENT

The Committee adjourned at 3:49 p.m. to meet again at 1:00 p.m. on **THURSDAY**, July 2, 2009 in Council Chambers, Regional Headquarters.

Councillor Rigby
Co-Chair

Councillor Smeaton
Co-Chair

Lisa McManus
Legislative Assistant

Kevin Bain
Regional Clerk