

THE REGIONAL MUNICIPALITY OF NIAGARA

INTEGRATED COMMUNITY PLANNING AND PUBLIC WORKS COMMITTEE

REPORT 1-2009

Minutes of a meeting of the Planning and Public Works Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, January 14, 2009 commencing at 1:00 p.m.

ATTENDANCE

Committee: Regional Chair Partington; Councillors Rigby, Smeaton, Co-Chair(s); Augustyn, Badaway, Baty, Burroughs, Casselman, D'Angela, Gabriel, Goulbourne, Henderson, Lepp, Marshall, McMullan, Puttick, Timms.

Staff: Messrs. Trojan, Chief Administrative Officer, Robson, Commissioner Integrated Community Planning; Cousins, Director, Transportation Services; Pollock, Director, Waste Management Services; Colosimo, Director Development Services; Ms. Matthews-Malone, Director, Water and Wastewater; Mr. Oatley, Manager Environment Enforcement and Lab Services; Ms. Gilroy, Regional Clerk; Ms. Ricci, Legislative Assistant.

Other: Messrs. Roberts, Executive Assistant to the Regional Chair; Weaver, Director Corporate & Community Planning; Bertleff, Associate Director, Regional Emergency Planning; Mucciarelli, Associate Director, Waste Disposal Operations; Baker, Associate Director, Water and Wastewater Engineering; M. Kyne, Director Legal Services; Steele, Associate Director, Strategy Business Management; Pilon, Associate Director, Service Quality Improvement; Ms. Papaiz, Senior Manager Corporate Communications.

Presenters: Mr. Tae Ryuck, Goldberg Group; Ms. Kari Cullen, Project Niagara.

ADMINISTRATION

1. Procedure to Select the Committee Co-Chairs
ICP 4-2009

Regional Chair Partington, called for nominations for the position of Co-Chair, (Aligned to the Integrated Community Planning Department), of the Integrated Community Planning and Public Works Committee.

Moved by Councillor Baty
Seconded by Councillor McMullan

That Councillor Smeaton be nominated for the position of Co-Chair, (Aligned to the Integrated Community Planning Department), of the Integrated Community Planning and Public Works Committee.

Carried.

Regional Chair Partington called a second and third time for nominations.

Moved by Councillor Rigby
Seconded by Councillor Augustyn

That nominations for the position of Co-Chair, (Aligned to the Integrated Community Planning Department), of the Integrated Community Planning and Public Works Committee, be closed.

Carried.

There being no other nominations, Regional Chair Partington, with the agreement of Councillor Smeaton, declared him Co-Chair, (Aligned to the Integrated Community Planning Department), of the Integrated Community Planning and Public Works Committee for a one year term.

Regional Chair Partington called for nominations for the position of Co-Chair, (Aligned to the Public Works Department), of the Integrated Community Planning and Public Works Committee.

Moved by Councillor Henderson
Seconded by Councillor Augustyn

That Councillor Rigby be nominated for the position of Co-Chair, (Aligned to the Public Works Department), of the Integrated Community Planning and Public Works Committee.

Carried.

Regional Chair Partington called a second and third time for nominations.

Moved by Councillor Smeaton
Seconded by Councillor Marshall

That nominations for the position of Co-Chair, (Aligned to the Public Works Department), of Integrated Community Planning and Public Works Committee be closed.

Carried.

There being no other nominations, Regional Chair Partington, with the agreement of Councillor Rigby, declared him Co-Chair, (Aligned to the Public Works Department), of the Integrated Community Planning and Public Works Committee for a one year term.

Regional Chair Partington vacated the Chair; Co-Chairs Councillor Rigby and Councillor Smeaton assumed the Chair.

Moved by Councillor Baty
Seconded by Councillor D'Angela

That Report ICP 4-2009, January 13 and 14, 2009, respecting the Procedure to Select the Committee Co-Chairs, be received for information.

Carried.

(Refer to Councillor Information Requests)

(Please note that Report ICP 4-2009 can be found behind the Joint Reports Blue Book Tab)

2. Day and Time of Regular Meetings
ICP 5-2009

Moved by Councillor Baty
Seconded by Councillor D'Angela

That Report ICP 5-2009, January 13 and 14, 2009, respecting the Day and Time of Regular Meetings, be received.

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

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

Carried.

(Please note that Report ICP 5-2009 can be found behind the Joint Reports Blue Book Tab)

PRESENTATIONS

3. Background Information Report
Proposed Regional Policy Plan Amendment 4-2008
The Commons at Niagara-on-the-Green "Lifestyle Centre"
Town of Niagara-on-the-Lake
PWP 02-2009

Mr. Tae Ryuck, Goldberg Group advised Committee members that he was available to answer questions respecting PWP 02-2009 a background information report about The Commons at Niagara-on-the-Green "Lifestyle Centre". He stated that the proponents were seeking to develop a 'lifestyle centre' designed around a traditional main street with high quality architecture including a mix of uses such as hotels, office space, retail, residential uses and focal amenities such as greenspace and public squares.

In closing Mr. Ryuck stated that the report was informative and captured what, he felt, the proponents would like to see happen.

4. Project Niagara – Feasibility Summary

Moved by Councillor Burroughs
Seconded by Councillor Marshall

That the presentation respecting Project Niagara – Feasibility Summary, be granted an extension in time, not to exceed one hour.

Carried.

Ms. Kari Cullen, Project Niagara provided Committee members with a PowerPoint presentation entitled Project Niagara Feasibility Summary Presentation.

Ms. Cullen stated that they were looking to create a feasible and sustainable outcome with tremendous Economic, Cultural and Social benefits and that Project Niagara was committed to working with the town and the region on issues as they were identified.

The following slides were also highlighted:

- Background
- Vision
- New York Times, Travel Section – June 1, 2008
- Program Offering
- Local/US and Canadian Regional Market
- Local/Regional + Overnight Market
- Attendance – Two Scenarios
- Destination Attendance
- Parks Canada Land – Project Niagara Proposed Site
- Parks Canada Land – Lake Ontario Beachfront
- Parks Canada Land – Two-mile pond
- KPMB – Site Map
- Performance Pavilion site
- Capital Cost – Phase 1
- Capital Campaign – Phase 1
- Economic Impact Analysis Construction Phase
- Operating Revenue – Breaking Even
- Operating Cost – Adding it up
- Economic Impact Analysis Operations
- Structure and Governance
- Benefits

In closing Ms. Cullen stated that next steps would be to conduct a Traffic Study, Public consultations, examine issues/costs, and have ongoing dialogue with Town and Region and to continue to pursue funding.

Following a lengthy discussion it was:

Moved by Councillor Burroughs
Seconded by Councillor Casselman

That the presentation respecting Project Niagara Feasibility Summary Presentation, be received;

That the Region assist Project Niagara in the preparation of the draft Request For Proposal (RFP) for the Traffic Study and Public Consultation;

That Staff and Project Niagara coordinate input from Niagara-on-the-Lake Public Works staff; and

That Staff continue to address Regional issues with Project Niagara consultants.

Carried.

(Refer to Councillor Information Requests)

5. Niagara Integrated Local Market Planning (NILLMP)

Moved by Councillor Timms
Seconded by Councillor Badawey

That the presentation respecting Niagara Integrated Local Market Planning (NILLMP) Presentation, be referred back to staff for further report to the Integrated Community Planning and Public Works Committee.

Carried.

(Refer to Councillor Information Requests)

INTEGRATED COMMUNITY PLANNING – ITEMS FOR CONSIDERATION

6. 2009 Workplan for Integrated Community Planning
ICP 1-2009

Moved by Councillor Puttick
Seconded by Councillor McMullan

That Report ICP 1-2009, January 14, 2009, respecting 2009 Workplan for Integrated Community Planning, be received; and

That the 2009 Workplan directions and activities of the newly formed Integrated Community Planning group be approved.

Carried.

7. Membership in the Federation of Canadian Municipalities
Partners for Climate Protection Program
ICP 2-2009

Moved by Councillor Henderson
Seconded by Councillor Puttick

That Report ICP 2-2009, January 14, 2009, respecting Membership in the Federation of Canadian Municipalities Partners for Climate Protection Program, be received as ***amended***;

That the attached resolution for membership in the Federation of Canadian Municipalities Partners for Climate Protection (PCP) program be endorsed;

That ***Councillor Burroughs*** be appointed to oversee implementation of the PCP Milestones and be the point of contact for PCP within the municipality, as required by the program;

That the Commissioner of Integrated Community Planning be appointed to oversee implementation of the PCP Milestones and be the point of contact for PCP within the municipality, as required by the program;

That the Member of Council appointed be requested to attend meetings of the staff climate change committee, as necessary; and

That the Federation of Canadian Municipalities and local municipalities be so advised.

Carried.

8. Regional Policy Plan Amendment 187 – Environmental Policies
Addressing Modifications Deferred by the OMB
ICP 3-2009

Moved by Councillor Puttick
Seconded by Councillor D'Angela

That Report ICP 3-2009, January 14, 2009, respecting Regional Policy Plan Amendment 187 – Environmental Policies Addressing Modifications Deferred by the OMB, be received; and

That this report be approved and that Regional Council advise the Ministry of Municipal Affairs and the Ontario Municipal Board with respect to Policy Plan Amendment 187:

- I) That Council withdraws its request that the Board approve Modification 2-14;
- II) That Council supports the revisions to Modification 2-17 described in this report;

That this report be forwarded to the Ontario Ministry of Municipal Affairs and Housing, the Ontario Municipal Board, the Niagara Peninsula Conservation Authority and the Town of Fort Erie.

Carried.

9. Culture Committee
7-2008

Moved by Councillor Puttick
Seconded by Councillor Casselman

That the Minutes of the Culture Committee Committee, October 20, 2008 (7-2008), be received and the recommendations contained therein approved.

Carried.

Councillor Lepp inquired as to how local businesses, agencies and the private sector, wanting to take advantage of Niagara Branding and its benefits, could go about seeking information.

Councillor Goulbourne and Councillor McMullan advised that they would communicate the inquiry to the Niagara Economic Development Corporation (NEDC) Board members at their meeting on Friday, January 16, 2009 and ask that they respond to him directly.

INTEGRATED COMMUNITY PLANNING – ITEMS FOR INFORMATION

10. OMBI 2007 Performance Benchmarking Report
ICP-C 1-2009

Moved by Councillor Goulbourne
Seconded by Councillor Timms

That Memorandum respecting OMBI 2007 Performance Benchmarking Report (dated January 14, 2009) be received for information.

Carried.

11. Minutes – Ecological and Environmental Advisory Committee
9-2008

Moved by Councillor Badawey
Seconded by Councillor Burroughs

That the Minutes of the Ecological and Environmental Advisory Committee (November 27, 2008), be received for information.

Carried.

12. Minutes - Greater Niagara Circle Route Committee
7-2008

Moved by Councillor Timms
Seconded by Councillor Lepp

That the Minutes of the Greater Niagara Circle Route Committee (December 10, 2008), be received for information.

Carried.

PUBLIC WORKS- ITEMS FOR CONSIDERATION

13. Inter Municipal Transit within Niagara Region
Work Plan Draft Terms of Reference
PWA 01-2009

Moved by Councillor Augustyn
Seconded by Councillor Henderson

That Report PWA 01-2009, January 14, 2009 respecting, Inter Municipal Transit within Niagara Region Work Plan Draft Terms of Reference, be received;

That the draft Terms of Reference be approved;

That this report be circulated to the Smarter Niagara Steering Committee and local transit authorities for their review and comment on the draft Terms of Reference; and

That the Transportation Strategy Steering Committee report be amended to include that staff recognizes that Marine Transportation is a potential opportunity for an Inter Municipal / Inter-connecting link.

Carried.

(Refer to Councillor Information Requests)

14. Initiation of Project ZRC 0816
Reconstruction of Regional Road 57 (Thorold Stone Rd)
Extension East of Stanley Avenue
City of Niagara Falls
PWA 02-2009(CSD 16-2009)

Moved by Councillor Timms
Seconded by Councillor D'Angela

That Report PWA 02-2009(CSD 16-2009), January 14, 2009 respecting, Initiation of Project ZRC 0816 Reconstruction of Regional Road 57 (Thorold Stone Rd) Extension East of Stanley Avenue City of Niagara Falls, be received;

That financing in the amount of \$4,000,000 gross and net be initiated and approved from the 2008 Roads Capital Program;

That approval be given to fund the project with financing consisting of \$1,250,000 from the Development Charge Reserve Fund and \$2,750,000 Long Term Financing (1-10 years); and

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

Carried.

(Please note that Report PWA 02-2009(CSD 16-2009) can be found behind the Joint Reports Blue Book Tab)

15. Filing of Environmental Study Report
Extension of Regional Road 57 (Thorold Stone Road)
In the City of Niagara Falls

PWA 03-2009

Moved by Councillor Badawey
Seconded by Councillor Baty

That Report PWA 03-2009, January 14, 2009 respecting, Filing of Environmental Study Report Extension of Regional Road 57 (Thorold Stone Road) In the City of Niagara Falls, be received; and

That staff be authorized to file the Environmental Study Report (ESR) for the extension of Regional Road 57 (Thorold Stone Road) easterly across Cytec Canada Inc. lands (formerly the Cyanamid Plant – Niagara Operations of Cytec Canada Inc) to connect with Victoria Avenue, in the City of Niagara Falls.

Carried.

16. Initiation of Projects Included in the 2009 Capital Program
PWA 06-2009(CSD 19-2009)

Moved by Councillor Henderson
Seconded by Councillor Augustyn

That Report PWA 06-2009(CSD 19-2009), January 14, 2009 respecting, Initiation of Projects Included in the 2009 Capital Program, be received; and

That financing in the amount of \$39,490,000 gross and \$24,930,000 net be approved from the 2009 capital program for Water, Wastewater, Waste Management, Fleet and Roads and allocated to the individual projects as summarized in Appendix A;

That approval be given to fund the projects with both Regional and external financing as summarized in Appendix A; 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 06-2009(CSD 19-2009) can be found behind the Joint Reports Blue Book Tab)

17. Memorandum: Leaf and Yard Material Collection Options
PWC 03-2009

Moved by Councillor Badawey
Seconded by Councillor McMullan

That the PWC 03-2009 Memorandum (dated January 14, 2009) from Mr. Pollock, Director Waste Management to Co-Chairs and members of Integrated Community Planning and Public Works Committee respecting amendments made to Leaf and Yard Material Collection Options report at the Waste Management Planning Steering Committee meeting January 6, 2009, be received and the recommendations contained therein approved.

Carried.

18. Leaf and Yard Material Collection Options
PWA 05-2009

Moved by Councillor Henderson
Seconded by Councillor Puttick

That Report PWA 05-2009, January 14, 2009 respecting, Leaf and Yard Material Collection Options, be received and approved as **amended** by the aforementioned memorandum (**PWC 03-2009**);

That Council's current policy with respect to collection of leaf and yard material be maintained.

That Staff keep on hand a supply of high quality paper leaf and yard material bags in order to provide sample packs to residents who are experiencing problems with paper bags;

That Staff identify known areas of concern and work with owners early in 2009 to find alternate ways of dealing with Leaf and Yard Material;

That Staff communicate Smart Gardening techniques to the community and residents experiencing problems; and

That this report be circulated to Area Municipalities.

Carried.

19. Tender Award 2008-T-144 (RN 08-44)
Structural Rehabilitation Program
Region Wide
PWA 07-2009

Moved by Councillor Baty
Seconded by Councillor Goulbourne

That Report PWA 07-2009, January 14, 2009 respecting, Tender Award 2008-T-144 (RN 08 44) Structural Rehabilitation Program Region-Wide, be received;

That Tender 2008-T-144 (RN 08-44), Structural Rehabilitation Program, Region Wide, be awarded to the low tenderer, Rankin Construction Inc., at the bid price of \$487,396.00;

That a contingency allowance in the amount of \$45,000.00 be provided for this contract;

That the Engineering Agreement with the consulting firm of ELLIS Engineering Inc., be extended to include contract administration and inspection services of \$52,760.00 with the engineering fees being calculated on a time plus disbursements basis;

That the Regional Clerk be directed to ensure that the necessary by-laws, including the by-law authorizing the Regional Chair and Regional Clerk to execute the contract on behalf of The Regional Municipality of Niagara, are presented to Regional Council on January 22, 2009; and

That all projects costs be charged against Capital Works Project ZRC0845/RC0845.

Carried.

20. Memorandum: Waste Diversion Act Review – Zero Waste Discussion Paper
PWC 04-2009

Moved by Councillor Puttick
Seconded by Councillor Henderson

That the PWC 04-2009 Memorandum (dated January 14, 2009) from Mr. Pollock, Director Waste Management to Co-Chairs and members of Integrated Community Planning and Public Works Committee respecting amendments made to Waste Diversion Act Review – Zero Waste Discussion Paper at the Waste Management Planning Steering Committee meeting January 6, 2009, be received and the recommendations contained there approved.

Carried.

PUBLIC WORKS - ITEMS FOR INFORMATION

23. Moved by Councillor Badawey
Seconded by Councillor Lepp

That the following items be received for information:

PWP 01-2009	Projects/Studies Activity Report Transportation Strategy
PWP 02-2009	Background Information Report Proposed Regional Policy Plan Amendment 4-2008 The Commons at Niagara-on-the-Green "Lifestyle Centre" Town of Niagara-on-the-Lake
PWP 04-2009	Public Works Staff Comments on Municipal Servicing Applications
PWP 05-2009	Background Information Report Proposed Regional Policy Plan Amendment 1-2008 Pleasantview Memorial Gardens Expansion/Reception Centre Regional Road 20 and Merrittville Hwy. (R.R. 50) City of Thorold

Carried.

24. **Minutes - Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project
7-2008**

Moved by Councillor Henderson
Seconded by Councillor Lepp

That the Minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project (November 24, 2008), be received for information.

Carried.

25. Moved by Councillor Lepp
Seconded by Councillor Puttick

That the following items be received for information;

PWC 01-2009 Correspondence (dated December 12, 2008) from Holly Dowd, Town Clerk Niagara-on-the-Lake to Ms. Gilroy, Regional Clerk respecting Project Niagara

PWC 02-2009 Correspondence (dated December 18, 2008) from NGTA Project Team c/o URS Canada Inc. respecting Niagara to GTA Corridor Planning and EA Study – Phase 1 Meeting on Thursday, February 5, 2009

Carried.

OTHER BUSINESS

26. Recyclable Material in Wainfleet Landfill

Councillor Badawey advised Committee members of the recent activity (pictures, call etc.,) of contractor trucks dumping recyclable materials in to the landfill and asked that staff comment.

Mr. Pollock stated that as a result of the recycling market's dramatic crash in recent months, residue plastic materials that could be previously marketed to companies for reprocessing are no longer marketable, and as a result staff had to landfill a few hundred tonnes in December 2008 at the Station Road Landfill Site, Wainfleet.

Staff advised that they are taking steps to deal with the market situation ; they are currently sending the residue material to an "energy from waste" facility in Niagara Falls, New York , and are planning to install plastics optical sorting technology which would also reduce the amount of residue.

Councillor D'Angela stated that perhaps staff should look in to communicating more effectively "how best to recycle plastic" during this economic slide.

Mr. Pollock advised that staff is currently creating a list of recycle "how to's" that could be provided to Councillors to put in their newsletters and placed in the Green Scene publication.

27. White Meadows Farm
Town of Pelham

Councillor Baty stated White Meadows Farm had created “how to recycle “what should you recycle” labels and affixed them to all of their napkin dispensers; he them helpful and informative.

Councillor Baty suggested that staff could White Meadows Farm for their recycling excellence and take a trip out there to view the labels and consider using them as a template.

28. Energy from Waste

Councillor Timms, due to the issues raised respecting sending residue materials to an energy from waste facility in Niagara Falls/New York, if staff had given any more thought to researching the benefits of “energy from waste”?

Mr. Pollock responded by stating that although staff continue to look at new technologies, landfilling still a less expensive option for the general waste stream.

29. Living in Niagara Pamphlet

Councillor Rigby suggested that Committee member review the pamphlet (supplied at the December meeting of ICP & PWC) entitled “Living in Niagara”. He further stated that although he thought it to be informative he was concerned with the fact that recreation was not captured.

Mr. Robson advised Committee members that he would have staff look in to this and report back to Committee.

CLOSED SESSION

30. Moved by Councillor Badawey
Seconded by Councillor D’Angela

That this Committee do now meet in Closed Session for purposes of dealing with Matters of Potential Litigation and Solicitor/Client Advice and Matters of the Security of the Property of the Municipality – Preservation of Corporate Records.

Carried.

31. Matters of Potential Litigation and Solicitor/Client Advice
PWA 04-2009(CSD 18-2009) Confidential

Moved by Councillor Badawey
Seconded by Councillor Goulbourne

That Confidential Report PWA 04-2009(CSD 18-2009), January 14, 2009 respecting Matters of Potential Litigation and Solicitor/Client Advice, be received for information; and

That a copy of Confidential Report PWA 04-2009(CSD 18-2009), January 14, 2009 respecting Matters of Potential Litigation and Solicitor/Client Advice, be forwarded to the City of Welland City Council.

Carried.

32. Matter of the Security of the Property of the Municipality – Preservation of Corporate Records
ICP 6-2009(CSD 20-2009) Confidential

Moved by Councillor Augustyn
Seconded by Councillor Henderson

That Confidential Report ICP 6-2009(CSD 20-2009), January 14, 2009 respecting Matter of Security of the Property of the Municipality – Preservation of Corporate Records, be received for information.

Carried.

33. Moved by Councillor McMullan
Seconded by Councillor Baty

That this Committee do now rise with report.

Carried.

COUNCILLOR INFORMATION REQUESTS

Staff was requested to:

- Review and report back on options that will properly accommodate Integrated Community Planning issues (e.g. possibility of a separate committee, agenda order etc.,) (Refer to Minute Item #1) (Councillor Goulbourne)
- Circulate the summary of questions Councillor Burroughs submitted and answers to those questions by Project Niagara to all of Council (Refer to Minute Item #4) (Councillor Goulbourne)
- Ensure that the presentation respecting Niagara Integrated Local Market Planning (NILLMP) received for information at the January 13, 2009 meeting of Public Health and Social Services Committee (PHSSC) did not have any supporting reports approved and if so, to please advise of this Committee's decision to refer back to staff, so that Council can effectively refer it back to staff (Refer to Minute Item #5) (Councillor Marshall)
- Ensure that consultants consider the Region's "wide spread mix" respecting costs, affordability and ability to contribute (Refer to Minute Item #13) (Councillor Burroughs)
- Consider stating the "merge of three Transit Commissions" within the Draft Terms of Reference (Refer to Minute Item #13) (Councillor Goulbourne)
- Look in to what tasks within Section A and Section B can be run simultaneously and that a report be brought back to the Transportation Strategy Steering Committee and the Integrated Community Planning and Public Works Committee (Refer to Minute Item #13) (Councillor Gabriel and Councillor McMullan)

ADJOURNMENT

The Committee adjourned at 3:45 p.m. to meet again at 1:00 p.m. on Wednesday, February 4, 2009 in Council Chambers, Regional Headquarters.

Councillor Rigby
Co-Chair

Councillor Smeaton
Co-Chair

Lisa Ricci
Legislative Assistant

Pam Gilroy
Regional Clerk