

**THE REGIONAL MUNICIPALITY OF NIAGARA**  
**INTEGRATED COMMUNITY PLANNING COMMITTEE**

**REPORT 5-2010**

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Minutes of a meeting of the Integrated Community Planning Committee held in Council Chambers, Regional Municipal Building, Thorold, Ontario, on Wednesday, April 14, 2010 commencing at 2:08 p.m.

**ATTENDANCE**

Committee: Regional Chair Partington; Councillors Smeaton, Chair; Augustyn; Badaway; Baty; Casselman; D'Angela; Gabriel; Goulbourne; Henderson; Hodgson; Marshall; McMullan; Rigby; Salci; Timms; Zimmerman.

Staff: Messrs. Trojan, Chief Administrative Officer, Robson, Commissioner Integrated Community Planning; Kyne, Director Legal Services; Weaver, Director, Community & Corporate Planning; Bain, Regional Clerk; Ms. McManus, Legislative Assistant.

**PUBLIC MEETING**

58. Application for Tourism Exemption for Holiday Openings  
Shoppers Drug Mart  
286 Bunting Road, Unit 22  
City of St. Catharines
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Councillor Smeaton outlined the purpose of the Public Meeting and then asked whether there were any persons present who would like to be heard with respect to the proposed Application for Tourism Exemption for Holiday Openings Shoppers Drug Mart 286 Bunting Rd, Unit 22 City of St. Catharines (ICP 20-2010).

The following individuals presented to Committee members:

Dave Costiniuk, Shoppers Drug Mart – Port Dalhousie  
ICP-C 15-2010

Mr. Costiniuk, a resident of Fonthill and Shoppers Drug Mart owner/operator, advised Committee members that he was in support of the proposed Application for Tourism Exemption for Holiday Openings Shoppers Drug Mart 286 Bunting Rd, Unit 22 City of St. Catharines (ICP 20-2010).

(A copy of Mr. Costiniuk's speaking notes can be found attached to the April 14, 2010 Minutes of the Integrated Community Planning Committee)

Mr. Dave Bryans, President, Ontario Convenience Store Association  
ICP-C 16-2010

Mr. Bryans, President, Ontario Convenience Store Association, advised Committee members that he was in opposition of the proposed Application for Tourism Exemption for Holiday Openings Shoppers Drug Mart 286 Bunting Rd, Unit 22 City of St. Catharines (ICP 20-2010).

(A copy of Mr. Bryans's speaking notes can be found attached to the April 14, 2010 Minutes of the Integrated Community Planning Committee)

Ms. Ashley Dent, LL.B, Vice-President, Canadian Council of Grocery Distributors  
ICP-C 17-2010

Ms. Dent, Vice-President, Canadian Council of Grocery Distributors, advised Committee members that she was in opposition of the proposed Application for Tourism Exemption for Holiday Openings Shoppers Drug Mart 286 Bunting Rd, Unit 22 City of St. Catharines (ICP 20-2010).

(A copy of Ms. Dent's speaking notes can be found attached to the April 14, 2010 Minutes of the Integrated Community Planning Committee)

Mr. Dennis Bellefontaine, Dealer, Convenience Store

Mr. Bellefontaine, a Welland resident and owner of a convenience store, advised Committee members that he was in opposition of the proposed Application for Tourism Exemption for Holiday Openings Shoppers Drug Mart 286 Bunting Rd, Unit 22 City of St. Catharines (ICP 20-2010).

Ms. El-Zeftawy, Applicant ICP 20-2010

Ms. El-Zeftawy, advised Committee members that she was in support of the proposed Application for Tourism Exemption for Holiday Openings Shoppers Drug Mart 286 Bunting Rd, Unit 22 City of St. Catharines (ICP 20-2010).

59. Moved by Councillor Badawey  
Seconded by Councillor Hodgson

That Report ICP 20-2010, April 14, 2010 respecting Application for Tourism Exemption for Holiday Openings Shoppers Drug Mart 286 Bunting Rd, Unit 22 City of St. Catharines, be brought forward and dealt with at this time.

Carried.

**ITEMS FOR CONSIDERATION**

60. Application for Tourism Exemption for Holiday Opening  
Shoppers Drug Mart  
286 Bunting Road, Unit 22  
City of St. Catharines  

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**ICP 20-2010**

Moved by Councillor Salci  
Seconded by Councillor Zimmerman

That Report ICP 20-2010, April 14, 2010 respecting Application for Tourism Exemption for Holiday Openings Shoppers Drug Mart 286 Bunting Rd, Unit 22 City of St. Catharines, be received;

That the application from Manal W. El-Zeftawy Pharmacy Inc. operating as Shoppers Drug Mart, 286 Bunting Road, Unit 22 St. Catharines requesting a tourism exemption under the *Retail Business Holidays Act* to permit the business to open on all statutory holidays from 8:00 a.m. to 12:00 a.m. be refused as the application does not meet the tourism criteria under the *Retail Business Holidays Act* and related Ontario Regulation 711/91.

Carried.

**ITEMS FOR INFORMATION**

61. Correspondence from Judith Busch  
Requesting that the Shopper's Drug Mart application for  
Tourism Exemption for Holiday Openings be denied  
**ICP-C 13-2010**

Moved by Councillor Baty  
Seconded by Councillor Badawey

That the Oral presentations with respect to the Public Meeting on the Shopper's Drug Mart application for Tourism Exemption For Holiday Openings, be received; and

That Email Correspondence ICP-C 13-2010 respecting an email from Judith Busch, a Market Manager for Mac's Convenience Stores (dated April 8, 2010) requesting that the Shopper's Drug Mart application for Tourism Exemption for Holiday Openings be denied, be received for information.

Carried.

(Refer to Councillor Information Requests)

### **PRESENTATIONS**

Councillor Zimmerman declared a pecuniary interest with respect to matters related to Report ICP 21-2010, respecting Final Recommendation Report Regional Policy Plan Amendment 6-2009 Agricultural Value Added Activity Policy as she is employed by the Grape Growers of Ontario, and she therefore took no part in the discussion of or voting on these matters.

62. Final Recommendation Report  
Regional Policy Plan Amendment 6-2009  
Agricultural Value Added Activity Policy  
**ICP 21-2010**

Ms. Austin Kirkby, a member of the Niagara-on-the-Lake Agricultural Advisory Committee, advised Committee members that she was in support of Report ICP 21-2010, the Final Recommendation Report Regional Policy Plan Amendment 6-2009 Agricultural Value Added Activity Policy however respectfully requested changing the wording listed within Section 6.A.36 (bullet 10) from “will” to “may”.

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

That Report ICP 21-2010, April 14, 2010 respecting Final Recommendation Report Regional Policy Plan Amendment 6-2009 Agricultural Value Added Activity Policy, be brought forward and dealt with at this time.

Carried.

### **ITEMS FOR CONSIDERATION (continued)**

64. Final Recommendation Report  
Regional Policy Plan Amendment 6-2009  
Agricultural Value Added Activity Policy  
**ICP 21-2010**

Moved by Councillor D’Angela  
Seconded by Councillor Timms

That Report ICP 21-2010, April 14, 2010 respecting Final Recommendation Report Regional Policy Plan Amendment 6-2009 Agricultural Value Added Activity Policy, be received ***as amended***;

That Part I, Part II and Part IV of Regional Policy Plan Amendment 6-2009 as set out in Appendix I that provide for new agricultural value added policies be adopted;

That adoption of Part III of Amendment 6-2009 as set out in Appendix I (Policies 6.A.35 and 6.A.36) be “Deferred” pending: either enabling modifications to the Provincial Policy Statement (PPS) to permit the affected policies as part of the 2010 review of the PPS by the Province; or, subject to the Province’s prior endorsement of the affected Policies, whichever comes first;

That the Province be encouraged to consider changes to the PPS to incorporate the Part III policies and other portions of Amendment 6-2009 as part of its review scheduled for 2010;

That notice of Council’s decision with regard to Amendment 6-2009 be circulated in accordance with *Planning Act* requirements;

***That Staff include a clarifying statement within Section 6.A.36 (bullet 10) respecting the the intent of the use of “will” vs. “may”;*** and

That copies of this report be circulated to all local municipalities, the Ministry of Agriculture Food and Rural Affairs, the Ministry of Municipal Affairs and Housing, the Chair’s Agricultural Task Force and affected agencies for their information.

Carried.

65. Implementation of Smarter Niagara Incentives Programs  
Local and Regional Partnerships  
City of Thorold  
Community Improvement Plan for Port Robinson East  
**ICP 17-2010**

Moved by Councillor D’Angela  
Seconded by Councillor Timms

That Report ICP 17-2010, April 14, 2010 respecting Implementation of Smarter Niagara Incentives Programs Local and Regional Partnerships City of Thorold Community Improvement Plan for Port Robinson East, be received;

That the Community Improvement Plan (CIP) for Port Robinson East be supported, and that staff participation on the project steering committee and matching funding at the level up to \$25,000 be approved; and.

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

Carried.

(Refer to Councillor Information Requests)

66. Implementation of Smarter Niagara Incentives Programs  
Local and Regional Partnerships  
City of Port Colbourne  
1) Community Improvement Plan for Canal Front Lands on the East Bank of the Welland Canal  
2) Expanded Visualization Area – Waterfront Revitalization Strategy  
**ICP 18-2010**

Moved by Councillor Badawey  
Seconded by Councillor D'Angela

That Report ICP 18-2010, April 14, 2010 respecting Implementation of Smarter Niagara Incentives Programs Local and Regional Partnerships City of Port Colborne 1) Community Improvement Plan for Canal Front Lands on the East Bank of the Welland Canal 2) Expanded Visualization Area – Waterfront Revitalization Strategy, be received;

That the Community Improvement Plan (CIP) for Port Colborne's Canal Front Lands on the East Bank of the Welland Canal (East Bank Lands CIP) be supported, and that staff participation on the project steering committee and matching funding at the level up to \$25,000 be approved;.

That the request for supplementary funding in the amount of \$21,000 for an Expanded Visualization Area as part of the City's Waterfront Revitalization Plan be supported payable upon completion; and.

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

Carried.

67. Pedestrian Bridge over the Welland Recreational Waterway  
**ICP 19-2010**

Moved by Councillor D'Angela  
Seconded by Councillor Baty

That Report ICP 19-2010, April 14, 2010 respecting Pedestrian Bridge over the Welland Recreational Waterway, be received **as amended**;

That staff continue to work with the City of Welland and the City of Thorold to consider possible locations and to develop cost estimates and design options for a pedestrian bridge over the Welland Recreational Waterway. (A location map is attached as an appendix to this report.);

That staff prepare a follow up report for Regional Council's consideration setting our possible funding options once the City of Thorold and/or the City of Welland

have further identified the costs of building a bridge and the likely costs of completing an Environmental Assessment;

***That Staff continue to work with the Ministry of Transportation for continued support and guidance respecting the Pedestrian Bridge over the Welland Recreational Waterway; and***

That a copy of this report be circulated to the City of Thorold, the City of Welland, the Ministry of Transportation, CNR, Trillium Railway and the Regional Niagara Bicycling Committee and the Greater Niagara Circle Route Committee.

Carried.

68. Minutes - Greater Niagara Circle Route Committee  
**March 10, 2010**

Moved by Councillor Timms  
Seconded by Councillor Gabriel

That Report 2-2010 being the minutes of the Greater Niagara Circle Route Committee meeting of March 10, 2010, be received and the following recommendation be approved:

That the Committee support the use of the East Side Trail in the City of Port Colborne for the holding of the Timberline Riders annual motorcycle rally.

Carried.

**ITEMS FOR INFORMATION (continued)**

69. Minutes - Niagara Gateway Economic Zone and Centre  
Implementation Committee  
**February 5, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Goulbourne

That the Minutes of the Niagara Gateway Economic Zone and Centre Implementation Committee (February 5, 2010), be received for information.

Carried.

70. Minutes – Niagara Economic Development Corporation  
**January 21, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Goulbourne

That the Minutes of the Niagara Economic Development Corporation (January 21, 2010), be received for information.

Carried.

71. Minutes – Niagara Peninsula Conservation Authority  
**February 17, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Goulbourne

That the Minutes of the Niagara Peninsula Conservation Authority (February 17, 2010), be received for information.

Carried.

72. Minutes – Niagara Region Culture Committee  
**January 11, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Goulbourne

That the Minutes of the Niagara Region Culture Committee (January 11, 2010), be received for information.

Carried.

73. JAC Wainfleet Water & Wastewater Servicing Project (1-2010)  
**March 22, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Goulbourne

That Report 2-2010 (JAC) being the minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of March 22, 2010, be received for information.

Carried.

*(Please note that the Minutes of the Joint Advisory Committee Wainfleet Water & Wastewater Servicing Project meeting of January 28, 2010 can be found behind the Joint Reports Blue Book Tab)*

74. Minutes – Police Services Board  
**February 25, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Goulbourne

That the Minutes of the Police Services Board (February 24, 2010), be received for information.

Carried.

75. Minutes – Police Services Board Licensing - Public Meeting  
**February 25, 2010**

Moved by Councillor Henderson  
Seconded by Councillor Goulbourne

That the Minutes of the Police Services Board Licensing – Public Meeting (February 25, 2010), be received for information.

Carried.

76. A letter (dated March 1, 2010) from Tony D’Amario, P.Eng. Chief Administrative Officer/Secretary Treasurer, Niagara Peninsula Conservation Authority to Mayor Doug Martin, Town of Fort Erie,  
Respecting Provincially Significant Wetlands, Gorham Road Area  
**ICP-C 9-2010**

Moved by Councillor Badawey  
Seconded by Councillor McMullan

That Correspondence ICP-C 9-2010 (March 1, 2010) from Tony D’Amario, P.Eng. Chief Administrative Officer/Secretary Treasurer, Niagara Peninsula Conservation Authority to Mayor Doug Martin, Town of Fort Erie, respecting Provincially Significant Wetlands, Gorham Road Area, be received for information.

Carried.

77. A letter (dated March 3, 2010) from Kathleen Wynne, Minister of Transportation to Regional Chairman Peter Partington respecting the Region's report on High Speed Rail New York Coalition: Support for Investment in the Bi-national Region  
**ICP-C 10-2010**

Moved by Councillor Badawey  
Seconded by Councillor McMullan

That Correspondence ICP-C 10-2010 (March 3, 2010) from Kathleen Wynne, Minister of Transportation to Regional Chairman Peter Partington respecting the Region's report on High Speed Rail New York Coalition: Support for Investment in the Bi-national Region, be received for information.

Carried.

78. Correspondence (dated March 29, 2010) from Mr. Patrick Robson, Commissioner Integrated Community Planning to Mr. Mal Woodhouse, Director of Facilities Management Services re: Policy Plan Amendment 5-2009; Bicycling Provision of Bicycle Facilities Along Woodlawn Road City of Welland  
**ICP-C 11-2010**

Moved by Councillor Badawey  
Seconded by Councillor McMullan

That Correspondence ICP-C 11-2010 (March 29, 2010) from Mr. Patrick Robson, Commissioner Integrated Community Planning to Mr. Mal Woodhouse, Director of Facilities Management Services re: Policy Plan Amendment 5-2009; Bicycling Provision of Bicycle Facilities Along Woodlawn Road City of Welland, be received for information.

Carried.

(Refer to Councillor Information Requests)

*(Please note that Correspondence ICP-C 11-2010 can be found behind the Public Works Committee Blue Book Tab)*

79. Memorandum (dated April 14, 2010) from P. Robson Commissioner Integrated Community Planning to the Chair and members of the Integrated Community Planning Committee re: Community Planning to Climate Change Adaptation: Working with Brock University and Environment Canada

**ICP-C 12-2010**

Moved by Councillor McMullan  
Seconded by Councillor Gabriel

That Correspondence ICP-C 12-2010 (April 14, 2010) from P. Robson Commissioner Integrated Community Planning to the Chair and members of the Integrated Community Planning Committee re: Community Planning to Climate Change Adaptation: Working with Brock University and Environment Canada, be received for information.

Carried.

80. Memorandum (dated April 14, 2010) from P. Robson Commissioner Integrated Community Planning to the Integrated Community Planning Committee members re: Directory of Regional Programs and Services

**ICP-C 14-2010**

Moved by Councillor Henderson  
Seconded by Councillor D'Angela

That Correspondence ICP-C 14-2010 (April 14, 2010) from P. Robson Commissioner Integrated Community Planning to the Integrated Community Planning Committee re: Directory of Regional Programs and Services, be received for information.

Carried.

**CLOSED SESSION**

81. Moved by Councillor Goulbourne  
Seconded by Councillor Baty

That this Committee do now meet in Closed Session for purposes of receiving information of a confidential nature relating to Matters of Solicitor Client Advice and Litigation Involving the Municipality—Niagara 2031 Growth Plan Appeals.

Carried.

82. Matters of Solicitor Client Advice and Litigation  
Involving the Municipality—Niagara 2031 Growth Plan Appeals

Mr. Kyne, Director Legal Services, provided Committee members with an Oral Update respecting matters of Solicitor-Client Advice and Litigation involving the Municipality – Niagara 2031 Growth Plan Appeals.

83. Moved by Councillor Henderson  
Seconded by Councillor Casselman

That this Committee do now rise without report.

Carried.

**COUNCILLOR INFORMATION REQUESTS**

Staff was requested to:

- Staff contact the Thorold/St. Catharines Chamber of Commerce to ask that they provide Councillors with information surrounding which Pharmacies are eligible to remain open during Statutory Holidays (Refer to Minute Item #61) (Councillors Rigby, Zimmerman, D'Angela)
- Staff research archived records respecting the Region's response at the time of the collapse of the Port Robinson Bridge (Refer to Minute Item # 65) (Councillor Timms)
- Staff contact the City of Welland respecting issuing a joint Press / Media Release that will effectively communicate and educate community members about "Shared Use Bicycle Lanes" (Refer to ICP-C 11-2010) (Councillors Marshall, Goulbourne)

**ADJOURNMENT**

The Committee adjourned at 4:01 p.m. to meet again at 2:00 p.m. on Wednesday, May 5, 2010 in Council Chambers, Regional Headquarters.

Councillor Smeaton  
Chair

Lisa McManus  
Legislative Assistant

Kevin Bain  
Regional Clerk