

THE REGIONAL MUNICIPALITY OF NIAGARA

PROCEEDINGS OF COUNCIL

REPORT CL 5-2003

The Municipal Council of the Regional Municipality of Niagara met in Council Chamber, Regional Municipal Building, Thorold, Ontario, on Thursday, March 20, 2003 commencing at 6:35 p.m.

ATTENDANCE

Council: Regional Chair Zimmerman; Councillors Andreychuk, Badawey, Bailey; Beamer, Bentley, Burroughs, Collins, Davidson, Eke, Gabriel, Harry, Hildreth, Konkle, Marshall, Martin, McMullan, Muir, Nicholson, Partington, Redekop, Rigby, Saracino, Smeaton, Thomson, Timms, Trombetta.

Staff: Messrs. Trojan, Chief Administrative Officer; Bacchus, Commissioner Corporate Services; Cambray, Commissioner Planning Services; Hollick, Regional Clerk; Neville, Commissioner Public Works; Nicol Commissioner, Human Resources; Ms. Graham-Watson, Director, Social Assistance & Employment Opportunities, Community Services Department; Dr. Williams, Medical Officer of Health & Commissioner Public Health; Ms. Gilroy, Deputy Regional Clerk.

Staff

(Part-time): Mr. Joe Cousins, Director Transportation Services

97.

CONFLICT OF INTEREST

Regional Chair Zimmerman an indirect pecuniary interest with respect to any matters related to the Lincoln and Welland Regiment as her son is a member of the Regiment, and she therefore took no part in the discussion of, or voting, on these matters.

98.

CLOSED SESSION

Moved by Councillor Harry
Seconded by Councillor Muir

That this Council do now move into closed Committee of the Whole for the purposes of receiving information of a confidential nature relating to legal, personnel and property matters.

Carried.

CLOSED COMMITTEE OF THE WHOLE, RISE AND REPORT

- 99 Moved by Councillor Smeaton
Seconded by Councillor Bentley

That this Council do now rise without report.

Carried.

(See Staff Directions.)

Following Committee of the Whole, Council met in regular session, commencing at 7:00 p.m. with an Invocation by Councillor Muir, followed by the singing of O' Canada.

100. **CONFLICTS OF INTEREST**

Councillor Badawey declared an indirect pecuniary interest with respect to any matters related to Regional Niagara Housing, as a member of his family is Chair of a Board, and he therefore took no part in the discussion of, or voting, on these matters.

Councillor Gabriel declared an indirect pecuniary interest with respect to any matters related to Casino Niagara, as his wife is employed by the Casino, and he therefore took no part in the discussion of, or voting, on these matters.

Councillor Nicholson declared an indirect pecuniary interest with respect to Minute Item Number 70, Official Plan Amendment 46, Fallsview Golf Course, East Side of Drummond Road, City of Niagara Falls, in Report PS 5-2003, as he has an interest in a property in the area, and he therefore took no part in the discussion of, or voting, on this matter.

Councillor Timms declared an indirect pecuniary interest with respect Minute Item 47, Appointment of Niagara Regional Fire Coordinator, in Report CHS 5-2003, as his business is associated with fire damage restorations, and he therefore took no part in the discussion of, or voting, on this matter.

ADOPTION OF THE AGENDA

101. Moved by Councillor Bailey
Seconded by Councillor Eke

That Council Agenda CL 5-2003 , be adopted, and that Report PS 5-2003 be moved forward on the agenda and considered immediately following the presentation.

Carried.

102.

CHAIR'S REMARKS

The Regional Chair thanked Spring Valley Gardens (Niagara) Inc. of St. Catharines for the chrysanthemums in the Council Chamber.

The Regional Chair conveyed birthday congratulations to Councillor Bruce Timms on the occasion of his upcoming 50th birthday.

The Regional Chair congratulated the Niagara Economic and Tourism Corporation for launching the "Niagara Investment Marketing Toolkit".

On Monday, the Regional Chair attended a roundtable meeting with Minister Runciman, Minister of Public Safety and Security, regarding Niagara Border issues. The Regional Chair advised the public that if they are travelling to the U.S., to ensure that they have a valid passport and valid photo identification. Councillor Burroughs pointed out that car traffic at border crossings is not experiencing delays.

The Regional Chair advised that the public consultation phase for the EA Terms of Reference for the Mid-Peninsula Corridor has been extended until April 30, 2003 when MPPs reconvene in the House

Moved by Councillor Rigby
Seconded by Councillor Thomson

That the question of the use of the abandoned railway bridge in Niagara Falls for commercial truck traffic, be referred to the Transportation Steering Committee for discussion.

Carried.

APPROVAL OF MINUTES

103. Moved by Councillor Gabriel
Seconded by Councillor Nicholson

That Report 4-2003, being the minutes of the Proceedings of the Council meeting of Thursday, March 6, 2003, be approved and adopted.

Carried.

104.

CORRESPONDENCE

Communications were received and dealt with as follows:

C6067 Card of thanks from Dawn and Claude Breault for the kind donation to Aids Niagara in memory of son Philip Breault.

Received.

C6068 Judy Sgro, MP York West, Chair, Prime Minister's Caucus Task Force on Urban Issues and Parliamentary Secretary to the Minister of Public Works and Government Services (February 17, 2003) expressing appreciation in response to the Final Report "*Canada's Urban Strategy: A Blueprint for Action*".

Received.

C6069 Steve Kucha, Chairperson, Niagara Coalition for Peace (March 13, 2003) respecting a group of concerned individuals and organizations requesting support for a Resolution for Peace - "No to War" in Iraq.

Moved by Councillor Rigby
Seconded by Councillor Thomson

That Communication C6069 be received and

That Regional Council supports peace throughout the world and appeals to all nations to support that goal.

Unanimously Carried.

C6070 Card of thanks from Raymond Youmans, an employee of Linhaven, and family for the kind donation to the Children's Wish Foundation of Canada in memory of his wife Barb Youmans.

Received.

Moved by Councillor Harry
Seconded by Councillor Burroughs

That Communications C6067 to C6070 be received and dealt with as directed by this Council and as noted in these minutes.

Carried.

PRESENTATIONS

105. Two Casinos in Niagara Falls

Councillor Thomson introduced Ms. Fran Hohol, Principal, Pannell Kerr Forster Consulting Inc., representing Clifton Hill BIA, Victoria Avenue BIA and the City of Niagara Falls, who provided a detailed presentation on the benefits that have been derived from the Interim Casino. She highlighted the study methodology, and outlined the risks associated with the closure of the Interim Casino. Ms. Hohol advised that since the Interim Casino opened in 1996, it has contributed to 5 million more visitors, \$950 million new visitor expenditures and close to \$1

billion in construction investment. Its closure would have significant negative impacts on the city and all sectors of the Niagara Falls tourism industry.

106. Extension of Presentation Time

Moved by Councillor Collins
Seconded by Councillor Thomson

That the presentation time be extended beyond the ten (10) minute limit.

Carried.

107. Maintaining Two Casinos in Niagara Falls

Following discussion, it was:

Moved by Councillor Thomson
Seconded by Councillor Nicholson

That the Region of Niagara supports the concept of maintaining two (2) permanent casinos in Niagara Falls, in light of the compelling economic evidence provided by Fran Hohol, Principal, Pannell Kerr Forster Consulting Incorporated, on behalf of the Clifton Hill BIA, the Victoria Avenue BIA and the City of Niagara Falls, at the Council meeting of March 20, 2003; and

That the Premier of Ontario and the Cabinet Ministers be so advised.

Unanimously Carried.

PLANNING SERVICES COMMITTEE

108. Moved by Councillor Smeaton
Seconded by Councillor Beamer

That Report PS 5-2003, being the minutes of the Planning Services Committee meeting of Wednesday, March 12, 2003, be approved and adopted.

109. Fallsview Golf Course

Moved by Councillor Smeaton
Seconded by Councillor Badawey

That Minute Item 70, Official Plan Amendment 46, Fallsview Golf Course, East Side of Drummond Road, South of Marineland Parkway, City of Niagara Falls, be lifted and dealt with separately by this Council at this time.

Carried.

Upon a vote being taken, the Regional Chair declared that the motion on Minute Item 70, Official Plan Amendment 46, Fallsview Golf Course, East Side of

Drummond Road, South of Marineland Parkway, City of Niagara Falls, as noted in Report PS 5-2003, was carried.

110. Resolution of Support for the Proposed Mid-Peninsula Transportation Corridor

Moved by Councillor Smeaton
Seconded by Councillor Badawey

That Minute Item 75, Resolution of Support for the Proposed Mid-Peninsula Transportation Corridor, be lifted and dealt with separately by this Council at this time.

Carried.

Moved by Councillor Smeaton
Seconded by Councillor Badawey

That Minute Item 75, Resolution of Support for the Proposed Mid-Peninsula Transportation Corridor, be referred back to a joint meeting of the Planning Services, Public Works, and Transportation Steering Committees, for further discussion.

Carried.

111. "Shape the Future" Discussion Paper

Moved by Councillor Timms
Seconded by Councillor Harry

That the recommendation on Minute Item 76, Comments on "Shape the Future", a Discussion Paper, Central Ontario Smart Growth Panel, be amended to include the following paragraphs after paragraph two:

That the Central Ontario Smart Growth Panel be advised that the Regional Municipality of Niagara strongly objects to many recommendations in the current version of its report; and

That the Central Ontario Smart Growth Panel be urged to hold in abeyance any further consideration of its current input in order to allow the allocation of an additional four (4) weeks for Central Ontario communities to adequately make their views known."

Carried.

Upon a vote being taken, the Regional Chair declared that the motion on Minute Item 76, Comments on "Shape the Future", a Discussion Paper, Central Ontario Smart Growth Panel, as amended, and which now reads as follows, was carried.

That Report DPD 41-2003, March 12, 2003, respecting the Comments on *Shape the Future* a Discussion Paper Central Ontario Smart Growth Panel, be received.

That this report be forwarded to the Central Ontario Smart Growth Panel as Regional Niagara's initial comments on their discussion paper; and

That the Central Ontario Smart Growth Panel be advised that the Regional Municipality of Niagara strongly objects to many recommendations in the current version of its report; and

That the Central Ontario Smart Growth Panel be urged to hold in abeyance any further consideration of its current input in order to allow the allocation of an additional four (4) weeks for Central Ontario communities to adequately make their views known."

That the Central Ontario Smart Growth Panel be advised that further more detailed comments from Regional Council's various Committees would be forthcoming on several of the specific issues.

That a further report be prepared when the final report is available.

That copies of this report be circulated for information to the Smarter Niagara Steering Committee and the local municipalities

Upon a vote being taken the Regional Chair declared that the motion on Report PS 5-2003, being the minutes of the Planning Services Committee meeting of Wednesday, March 12, 2003, as amended, was carried.

CORPORATE AND FINANCIAL SERVICES COMMITTEE

112. Report 5-2003

Moved by Councillor Martin
Seconded by Councillor Saracino

That Report 5-2003, being the minutes of the Corporate and Financial Services Committee meeting of Wednesday, March 12, 2003, be approved and adopted.

Carried.

(Refer to Staff Directions.)

COMMUNITY AND HEALTH SERVICES COMMITTEE

113. Report 5-2003

Moved by Councillor Marshall
Seconded by Councillor Harry

That Report 5-2003, being the minutes of the Community and Health Services Committee meeting of Monday, March 10, 2003, be approved and adopted.

Carried.

PUBLIC WORKS AND UTILITIES COMMITTEE

114. Report 5-2003

Moved by Councillor Badawey
Seconded by Councillor Redekop

That Report 5-2003, being the minutes of the Public Works and Utilities Committee meeting of Tuesday, March 11, 2003, be approved and adopted, save and except Minute Item 108, Resolution of Support for the Proposed Mid-Peninsula Transportation Corridor, which was referred back to a joint meeting of the Planning Services, Public Works and Transportation Steering Committees.

Carried.

115. Landfill Fees

Moved by Councillor Burroughs
Seconded by Councillor Harry

That Minute Item 105, Landfill Fees for Residential Self-Hauled Waste, Commercial Haulers, Contractors and Businesses, be referred to the Director, Waste Management Services, for further review and report.

Carried.

Upon a vote being taken, the Regional Chair declared the motion on Report PW 5-2003, being the minutes of the Public Works and Utilities Committee meeting of Tuesday, March 11, 2003, with Minute Item 108 and Minute Item 105, being referred, as noted, was carried.

CHIEF ADMINISTRATIVE OFFICER'S REPORT

116. Border Traffic Management Issues

A report from the Chief Administrative Officer and Commissioner of Public Works, was circulated to Councillors for their information. It provided an update on the transportation-related actions taken by the Region in preparation of a major road closure or delay at/approaching the Canada-United States borders due to the war between the United States and Iraq.

OTHER BUSINESS

117. Canada/U.S. Relations

Councillors Burroughs and Thomson expressed concerns about Canada/U.S. relations in light of recent events. The Chair will meet with the Bi-National Roundtable to re-confirm the Bi-National Agreement.

118. Mayor's Challenge

Councillor Badawey presented Councillor Thomson with the winning trophy from the Mayor's Challenge Hockey Tournament.

119. Vineland Quarry Sugar Bush

Councillor Collins invited everyone to attend the Niagara Peninsula Conservation Authority's Vineland Quarry sugar bush this Sunday.

BY-LAWS

120. Moved by Councillor Konkle
Seconded by Councillor Badawey

That the following bills be now read and do pass:

Bill 25

A By-law to establish part of Lot 20, Plan of 136, in the City of St. Catharines as part of Regional Road No. 72 (Louth Street)

Bill 26

A by-law to establish part of Lot Q, Plan 992, in the Town of Fort Erie, as part of Regional Road No. 3 (Garrison Road)

Bill 27

A by-law to establish part of Township Lot 83, in the City of Niagara Falls as part of Regional Road No. 57 (Thorold Stone Road)

Bill 28

A by-law to adopt, ratify and confirm the actions of the Regional Council at its meeting held on the 20th day of March 2003

Carried.

121. Moved by Councillor McMullan
Seconded by Councillor Timms

That the following bills be now read and do pass:

Bill 29

A by-law to appoint members to the Accessibility Advisory Committee

Bill 30

A by-law to authorize debenture financing (1–10 years) in the amount of \$770,890 for Project ZHR0301, Niagara Regional Housing Capital Program, from the 2003 Capital Budget

Bill 31

A by-law to appoint an Acting Deputy Clerk for the Regional Municipality of Niagara

Carried.

STAFF DIRECTIONS

Council directed that:

- staff provide information with respect to the process for the activation of reserve units of Canada's armed forces (Public Safety staff)
- staff provide information with respect to military regulations regarding the wearing of uniforms (Regional Clerk)
- the Regional Chair and Councillor Eke collaborate on a strongly worded letter to the Province re: funding levels (see Minute Item 50, Capital Budget Allocation By-law for the 2003 Niagara Regional Housing Capital Program in Report CFS 5-2003)
- staff provide information with respect to the procedure and timing for the repair of potholes (Councillor Rigby)

ADJOURNMENT

The Council adjourned at 10:24 p.m.

Debbie Zimmerman
Regional Chair

Pam Gilroy
Deputy Regional Clerk

Thomas R. Hollick
Regional Clerk